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28 February 2022

Anti-Discrimination Act Review
Queensland Human Rights Commission

By email: adareview@qhrc.qld.gov.au

Submission to Anti-Discrimination Act Review

We refer to the Review of Queensland's Anti-Discrimination Act and the Queensland Human Rights Commission's associated Discussion Paper. We make the following submission for consideration as part of the Review. This submission does not touch upon every aspect of the Discussion Paper, rather only the aspects particularly relevant to the work of Sisters Inside. This submission is supplementary to our consultation meeting held with the Queensland Human Rights Commission on 8 February 2022.

About Sisters Inside

Sisters Inside is an independent community organisation in Queensland that advocates for the human rights of women and children affected by the criminal justice system, and works alongside women and children to address their immediate, individual needs.

Our work is guided by our underpinning Values and Vision.[1] Over the past 24 years, Sisters Inside has developed a unique model of service and highly successful programs. All our work is directly informed by the wisdom of criminalised and imprisoned women and girls and, wherever possible, Sisters Inside employs staff with lived prison experience.

Introduction and Context

Queensland is in a hyper-incarceration crisis. Currently, imprisonment is the State's main response to a range of health, welfare, and social problems. Aboriginal and Torres Strait Islander people are most affected by the carceral state. This represents a fundamental breach of Queensland's human rights obligations, as well as a variety of international documents including the International Covenant on Civil and Political Rights and the Convention on the Rights of Persons with Disabilities.

Sisters Inside is appalled at the prevalence and increasing imprisonment of people with cognitive and psychiatric disabilities in Queensland. The Australian Institute of Health and Welfare reported

[1] Sisters Inside Inc., 'Values and Visions'. Available at: www.sistersinside.com.au/values.htm.

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several studies found that 25%–30% of people in prison have borderline intellectual disability, and 10% have a mild intellectual disability.[2] A recent study by Victoria Corrections found that 42% of male imprisoned people and 33% of female imprisoned people have an Acquired Brain Injury, compared with a rate of 2% in the general population.[3] The AIHW found more than one-third (36%) of the female prison entrants surveyed reported having had a head injury that resulted in loss of consciousness, and 15% of women entrants reported experiencing symptoms from a previous head injury, indicating that acquired brain injury is also likely more common in this cohort.[4] Women in prison also have a generally very low level of education, with only 17% of women in prison in 2018 having completed grade 12.[5]

People in prison are 2-3 times as likely as those in the general population to have a mental illness and are 10-15 times more likely to have a psychotic disorder, with 1/3 people taken into police custody likely to be receiving psychiatric treatment at the time.[6] Additionally, between 50% and 84% of incarcerated women had a psychological or psychiatric disability.[7] Approximately 50% of people in prison in Queensland had a prior hospitalisation for a mental health issue.[8] The Australian Productivity Commission found in 2018 that 65 per cent of females in prison reported a history of mental illness, as compared to a general population rate of about 22 per cent.[9] Further, research indicates that people in prison have higher co-morbidities, meaning that an individual with post-traumatic stress disorder is at higher risk of major depression, substance abuse or dependence and of being at moderate or high risk of suicide.[10] In our experience working with women, often an un-treated mental health condition is the underlying reason why a woman finds herself homeless, unemployed and repeatedly in court and prison.

Aboriginal and Torres Strait Islander people, many of whom have cognitive and psychiatric disabilities, are being disproportionately imprisoned, in clear contravention of the International

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[2] Australian Institute of Health and Welfare, 'The health of Australia's prisoners 2018' (2019) 77.
[3] Cited by Radio National (2016) Prisoners living with Acquired Brain Injury, Law Report (16 February) at http://www.abc.net.au/radionational/programs/lawreport/acquired-brain-injuries-and-the-criminal-justice-system/7167448)
[4] Australian Institute of Health and Welfare, 'The health and welfare of women in Australia's prisons' (November 2020) 7.
[5] Australian Institute of Health and Welfare, 'The health and welfare of women in Australia's prisons' (November 2020) 5.
[6] Studies cited in Australian Red Cross (2016) Rethinking Justice: Vulnerability Report 2016, at http://www.redcross.org.au/files/VulnerabilityReport2016.pdf.
[7] Quixley, Suzi & Kilroy, Debbie (2011) Working with Criminalised and Marginalised Women: A starting point, 2nd Edition, (training manual), Sisters Inside, Brisbane at www.sistersinside.com.au/resources.htm
[8] Queensland Productivity Commission, Inquiry into Imprisonment and Recidivism (Final Report, August 2019) x.
[9] Productivity Commission 2021, *Australia's prison dilemma* (Research paper, Canberra) 23, 66.
[10] Ibid 23 citing Fovet et al. 202.

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Convention on the Elimination of All Forms of Racial Discrimination, and the United Nations Declaration on the Rights of Indigenous Peoples. In 2020-21, Aboriginal and Torres Strait Islander people made up over 30% of the prison population, despite comprising only 2% of the general population. Research indicates that the rate of mental illness amongst imprisoned Aboriginal and Torres Strait Islander women is even higher than for non-Indigenous women.[11] The Queensland Forensic Mental Health Service found that the majority of incarcerated Indigenous women suffer from mental health issues, most commonly, Post-Traumatic Stress Disorder (PTSD) which affected almost half the incarcerated women they assessed.[12] They also found this was influenced by unique cultural, historical and social factors (most commonly untimely deaths and being a victim of serious violence, including childhood sexual abuse), very few of the women had received a diagnosis or treatment for PTSD, and that PTSD in these women often had its onset in adolescence, was debilitating and chronic, and was complicated by the presence of other mental health conditions such as depression, psychosis and substance dependence.

Most women in prison are mothers and are often the primary carer.[13] Nearly all – 4 in 5 – have been pregnant at some point in time. The average age of Indigenous women at their first pregnancy was just over 18, compared with just over 19 for non-Indigenous women. Almost 1 in 50 women entering custody was pregnant, totally at least 107 pregnant women in prison in 2017.[14]

These statistics demonstrate that the prison population in Queensland, and Australia more broadly, are more vulnerable to discrimination and breaches of their human rights than the general population. This vulnerability is exacerbated by the fact that the State has complete control and power over an incarcerated person's life both while she is incarcerated and after she is released. This power is used to justify targeted and deliberate discrimination and mistreatment. It is so important that the Anti-Discrimination Act 1991 (Qld) ('the Act') provides strong protection for incarcerated people, and yet, at present, they are given significantly less protected by the Act than other Queenslanders.

In general, Sisters Inside are sceptical about the ability for complaint mechanisms, and human rights legislation generally, to improve the tangible, day-to-day realities of criminalised and imprisoned

[11] Ibid 23.
[12] Queensland Forensic Mental Health Service (2014) The Family Business: Improving the understanding and treatment of Post Traumatic Stress Disorder among incarcerated Aboriginal and Torres Strait Islander women – Report, Beyond Blue at https://www.beyondblue.org.au/resources/research/research-projects/research-projects/the-family-business-improving-the-understanding-and-treatment-of-post-traumatic-stress-disorder-among-incarcerated-aboriginal-and-torres-strait-islander-women.
[13] Australian Institute of Health and Welfare, 'The health and welfare of women in Australia's prisons' (November 2020) 10-11.
[14] Australian Institute of Health and Welfare, 'The health of Australia's prisoners 2018' (2019) 73.

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women. In the nearly 20 years Sisters Inside Inc has operated, we have worked alongside only a handful of women who have submitted an anti-discrimination complaint, despite discrimination and human rights abuses being a daily occurrence in prison. In our experience, most women aren't even aware they can make a complaint about discrimination. Even if they are aware, they are far too busy trying to survive one day to the next and stop the state from taking their children to bother engaging with the fundamentally biased, colonial legal system. Discrimination against criminalised women – particularly Aboriginal and Torres Strait Islander women – is systemic and therefore needs a systemic response, rather than a response that relies on the individuals experiencing the discrimination speaking up themselves.

DISCUSSION QUESTION 17: PROCESS FOR COMPLAINTS BY PEOPLE IN PRISON

We believe the requirement under Pt 12A of the *Corrective Services Act 2006* (Qld) for a person in prison to go through a 5-month internal review process before they can submit a discrimination complaint must be repealed. We do not believe there should be any internal complaint requirement. Incarcerated people should be able to complain directly to the Commission, just as all other Queenslanders currently can. The Anti-Discrimination Commission Queensland suggested that this provision be reviewed and repealed in the *Women in Prison 2019: A Human Rights Consultation Report* and we consider this recommendation ought to be implemented.

The Queensland Productivity Commission found that in 2017-18 more than half (52.9 per cent) of incarcerated people were only in prison for between one and six months and the median sentence length for all incarcerated people was 3.9 months.[15] Therefore, for the majority of people in prison, the five-month buffer period for making a complaint to the Commission will allow prison authorities to fail to make changes to the person's treatment prior to their release. Moreover, most people in prison would, quite reasonably, fail to see the point of making a complaint in circumstances where the internal review process is longer than the time they will even be in prison. This discourages reform of prison policy and procedures and prevents systemic change.

There are no exceptions to this 5-month time barrier, even where a complaint is urgent in nature, for example, a situation where a mother has been unlawful discriminated against by not being able to breastfeed her baby in prison, who will likely lose the ability to breastfeed if she is required to wait 5-months. It is particularly disturbing that this statutorily mandated delay applies not only to instances of discrimination, but also to sexual harassment and vilification. It is completely inappropriate to expect anyone who is being sexually harassed or vilified to put up with this abuse at the hands of the State for up to 5 months before they are able to seek recourse from the

[15] Queensland Productivity Commission, *Inquiry into Imprisonment and Recidivism* (Final Report, August 2019) 40.

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Commission. Further, there are also no exceptions to the Act's 12-month time limit on making a complaint for people in prison, even though up to 5 months will have elapsed because of the mandatory internal process.

Preparing and keeping hold of paperwork inside prison is very complex, due to the lack of resources available to incarcerated people. They often have very little help with these tasks, due to a lack of funding for services like Sisters Inside and PLS. Additionally, the high rate of intellectual disability and very low level of education amongst people in prison (see statistics above) only compounds the difficulties people in prison face in complying with the Act's convoluted written complaint process. It is widely known that even when incarcerated people attempt to exercise their right to make a discrimination complaint and comply with the complex internal review conditions, the paperwork provided to the General Manager/Official Visitor very often goes 'missing'. In these situation, prison authorities regularly concede that forms provided to them by the person have been lost or misfiled. For example, children in the Brisbane Youth Detention Centre are required to put complaints about their treatment in the 'Blue Box'. We know from our direct experience working with children in this prison that complaints that go in 'Blue Box' often just get put in the bin at the end of the week. Holding prison authorities to account as the imprisoned individual is near impossible.

Perhaps most concerningly, there is a high risk of reprisal associated with complaining to internal prison authorities about poor treatment. At least currently, no effective mechanisms exist to prevent this from occurring. Sisters Inside have directly witnessed women in prison avoiding making complaining about even very serious discrimination or breaches of their human rights for fear of punishment by prison guards and authorities. For this reason alone, there is clearly even greater need for people in prison to be able to complain directly to the Commission without going through an internal process than there is for people on the outside.

The requirement that a person in prison satisfy a series of pre-conditions before they are entitled to make a discrimination complaint against correctional centre staff or the State is a significant barrier to justice. It inhibits and delays the independent oversight of such complaints.[16] This encourages corruption and abuses of power. In effect, means that incarcerated people have less protection of their basic human rights than other Queenslanders. Guidance on international human rights obligations as it relates to incarcerated people states that "except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights

[16] Anti-Discrimination Commission Queensland, Women in Prison 2019: A Human Rights Consultation Report (Report, 2019) 49.

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and fundamental freedoms set out in the Universal Declaration of Human Rights".[17] We consider that Pt 12A of the *Corrective Services Act 2006* (Qld) is contrary to this obligation.

DISCUSSION QUESTION 22: REGULATORY FUNCTIONS

As discussed above, the idea of making a complaint about discrimination to the Commission is a complete novelty to most women in prison, despite the fact that discrimination and human rights abuses are, in reality, most commonly experienced by these women. In many ways, using human rights legislation at all is considered to be the remit of privileged white women. Even if they had the time and resources available to do so, it does not fit in with the lived reality of the average imprisoned women to try to use the legal system to their benefit. It is essential for this reason that the Queensland Human Rights Commission have a regulatory function and strong mechanisms and powers to support this role in order to monitor and correct systemic human rights abuses.

We consider that the Commission's 2006 and 2019 'Women in Prison' reports were highly beneficial for drawing public attention to the lived realities of women in prison and pushing for necessary legislative and policy change to protect their human rights. The Commission needs to have bolstered powers, particularly, the power to require or compel information and data, to continue doing this important research and recommendation work. We also consider that it is the proper role of the Commission to investigate and report on human rights abuses and must have the power to do so through own motion inquiries. We understand that legislation is currently before Queensland Parliament that would establish an independent 'Inspector of Detention Services', however, we are sceptical about the ability for this role to truly provide independent oversight or genuinely push for systemic change and therefore consider that the Commission must continue to play a central role in highlighting discrimination and human rights abuses in Queensland prisons.

As an example of why a regulatory function is needed – we currently are deeply concerned for the health and welfare of pregnant women in prison. Over the last 12 months, there have been far too many stillbirths in women's prisons. We have supported several women who felt something was wrong with their pregnancy and so put in multiple requests over a number of months to see the doctor, all of which were denied or delayed by the prison authorities, only for their baby to end up being born deceased. These incidents are obviously extremely traumatic for the mother and her family, as well for the other women in prison. The deaths of these babies are not recorded as a death in custody – which is abhorrent and deeply offensive in itself – so there is no external oversight of failures that may have led to the deaths. We believe the Commission needs to take on this role.

[17] United Nations General Assembly, Basic Principles for the Treatment of Prisoners, A/RES/45/111 (14 December 1990).

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Inquiries or investigations initiated by the Commission must have teeth. We strongly support the Commission having the power to apply to a court for an order compelling an entity or person pay a civil penalty for contravening the Act. In the current 'economically rational', cost-cutting environment, we consider that financial penalties are one of the few mechanisms available to oversight bodies to push governments to make systemic changes to eliminate discrimination and human rights abuses. 'Costs' and 'resource constraints' may be used to justify even direct discrimination against a person in prison, so we consider there must also exist some financial pressure on the State to ameliorate discrimination. We also support the Commission having the power to issue enforceable undertakings, compliance notices and apply to the court or tribunal for injunctions.

DISCUSSION QUESTION 30: EXPANDING THE PROTECTED ATTRIBUTES

Sisters Inside submit that 'irrelevant criminal record' should be a protected attribute. Amending the Act to include this attribute would put Queensland in line with Tasmania, the Northern Territory, the Australian Capital Territory, and the Commonwealth. This protected attribute should apply to all areas of activity covered by the Act – work, education, goods and services, accommodation, superannuation and insurance, disposition of land, club membership and affairs, administration of state laws and programs, and local government – not merely employment.

In our experience, individuals are routinely unreasonably discriminated against in many aspects of public life because of their criminal history, particularly in finding employment and housing. In 2018-19, 56% of all complaints lodged under the Australian Human Rights Commission Act 1986 (Cth) related to discrimination based on criminal record information – indicating that there is a very real need for protection of this attribute in Queensland.[18] We note that the number of employers who request a full police check is steadily on the rise. This limits employment opportunities and deters individuals with criminal histories from seeking work because of the associated embarrassment and shame of disclosing their record. Individuals need to be able to find employment to move on with their lives.

In the very few situations where an individual's criminal history may be relevant to employment, there are already additional checks in place to ensure an individual is appropriate for a role. In Queensland, this is primarily the Working with Children Check and Disability Worker Screening Systems. We do not believe that including 'irrelevant criminal offences' would negatively interfere with these systems, as these systems should already only be excluding individuals from employment

[18] Natalie Wells and Therese MacDermott, 'Taking a Fresh Look at Criminal Record Discrimination' (2021) 33 Australian Journal of Labour Law 270

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where their conviction is truly relevant to their ability to safely work with children or people with disabilities (say, for example, where that individual has a recent sexual offending conviction). In our experience, however, these check systems are routinely excluding those with completely irrelevant convictions and employers are requiring these checks even in circumstances where it is not actually required under the legislation (i.e. requiring a Blue Card even where the work is not directly with children). We think that amending the Act to include 'irrelevant criminal history' as a protected attribute could curb this form of discrimination.

We do not think that including 'spent convictions' as a protected attribute is sufficient protection for criminalised people, as those who received a prison sentence of longer than 2.5 years would, as a result of Queensland's spent conviction legislation, never be entitled to protection against discrimination. We deem that including 'spent convictions' would be a missed opportunity to truly protect all Queenslanders with criminal histories against discrimination. Additionally, by making the attribute 'irrelevant criminal record' rather than 'spent convictions', those who did not receive a recorded conviction, but instead have information about charges or findings of guilt on their criminal record will also be protected from discrimination.[19]

We also believe that 'homelessness' should be included as a protected attribute. Many of the women we support are currently or have been homeless – indicative of the higher rate of housing instability amongst criminalised and imprisoned women – and we routinely witness the discrimination they experience as a result of their homelessness.[20] Research conducted by Walsh and Taylor in Queensland found this law reform would go a significant way towards preventing homeless people from being unlawfully discriminated against by police officers in public space by being told to repeatedly move on from places where they are sleeping or simply sitting.[21]

Sisters Inside considers 'subjection to domestic and family violence' should be a protected attribute. It is important to note, though, that many of the women we support have experienced domestic and family violence as both the 'victim' and as the 'perpetrator' interchangeably.[22] Aboriginal and Torres Strait Islander Women are disproportionately labelled as the 'perpetrator' of domestic and family violence. We commonly find that when women try to access public or private agencies or services (e.g. police officers, refuge housing) providing 'help' or 'support' to escape domestic violence, they

[19] Rebecca Bradfield, 'Sentences without Conviction: Protecting an Off ender from Unwarranted Discrimination in Employment' (2015) 41(1) Monash University Law Review 40.
[20] Australian Institute of Health and Welfare, 'The health of Australia's prisoners 2018' (2019) 22-24.
[21] Tamara Walsh and Monica Taylor, 'You're not welcome here': Police move-on powers and discrimination law' (2007) 30 University of New South Wales Law Journal 151.
[22] See Sisters Inside Inc and Institute for Collaborative Race Research, *The State as Abuser: Coercive Control in the Colony* (Joint Submission from Sisters Inside and the Institute for Collaborative Race Research on Discussion Paper 1 of the Women's Safety and Justice Taskforce, May 2021).

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are refused services because of their criminal history or because there is a DVO naming them as the 'perpetrator'. One woman we supported in the past called the police after her partner hit her, only to be told by the attending police officer when she said that she wanted to press charges that it was 'your word against his, and you're the one with the criminal record'. We frequently provide support to women who are turned away from women's refuges and hostels because of their domestic violence 'perpetrator' status. We consider, therefore, that protecting 'subjection to domestic violence' is not reflective of criminalised and imprisoned women's experience of domestic violence-related discrimination, particularly Aboriginal and Torres Strait Islander women. Domestic violence is extremely complex and the colonial legal system is in many ways not equipped to respond to it appropriately.

Lastly, Sisters Inside considers 'expunged homosexual convictions' should be a protected attribute.

DISCUSSION QUESTION 48: ADDITIONAL PROVISIONS UNDER THE *CORRECTIVE SERVICES ACT 2006* (QLD) MODIFYING DISCRIMINATION COMPLAINTS

Sisters Inside submits that the modifications made by the *Corrective Services Act 2006* to complaints made by people in prison must be repealed. These provisions make people in prison more vulnerable and defenceless to discrimination and send a clear signal that their rights are less important than other Queenslanders.

Since amendments made to the Act in 2008, prison authorities and the State can use 'reasonableness' as justification for direct discrimination against a person in prison (see CSA, s 319G). This additional barrier to establishing unlawful direct discriminations does not exist under the Act for any individuals other than people in prison. In deciding whether treatment of an individual by prison authorities was 'reasonable', the Tribunal must consider any submissions made by the prison authorities and State about certain matters, including 'the security and good order of the corrective services facility; the cost of providing alternative treatment; the administrative and operational burden of alternative treatment; and resources constraints'**.** The test of whether certain treatment was more probable than not to have taken place for the 'security and good order of the prison' has been very hard to fight in other areas, as information about what is 'in the security and good order of a prison' is not publicly available and this determination is largely inscrutable and up to the unfettered discretion of prison authorities.

We think it is abhorrent that the State may lawfully treat one person in prison less favourably than one on the outside simply because of 'resource constraints' or 'operational burden'. It is clear that operating prisons at the lowest cost possible is more important to the state than the dignity of imprisoned people**.** The number of people imprisoned on a daily basis in Queensland grew from 5649 in 2006-07 to 7522 in 2016-17, despite the fact that crime rates have consistently fallen.

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Additionally, national spending on corrective services (mainly prisons) grew by 40% between 2012-13 and 2019-20.[23] Individuals should not suffer because of the economic and operation 'constraints' artificially created by the ever-increasing imprisonment rate in this State. The policy of mass incarceration cannot be used to justify discrimination against people in prison.

There are many examples of decisions where imprisoned people have suffered due to weak anti-discrimination protection. We note two particular cases - *Tafao v State of Queensland & Ors* [2018] QCAT 409 and *Sinden v State of Queensland* [2012] QCAT 284 – both of which involved a transwomen imprisoned in a male facility. In *Tafao*, the Tribunal found that Ms Tafao was treated less favourably in the circumstances as a result of the prison administration's refusal to call Ms Tafao by female pronouns or otherwise acknowledge her gender identity, but found that it wasn't discrimination as it was 'reasonable' in the circumstances as the 'security and good order of SQCC was the paramount consideration', specifically, Ms Tafao's own security in an overcrowded male prison population. Similarly, in *Sinden*, the Tribunal found that the prison's denial of Ms Sinden's request to access female hormone therapy was not discriminatory because this treatment was based on the Department of Corrective Services' policy in relation to transgender imprisoned people. It was therefore found by the Tribunal to be 'reasonable' in the circumstances.

We have experience supporting transgender and gender diverse people in prison and wish to note the particularly difficult and traumatic experience they have in Queensland prisons at the hands of the State. The policy that a incarcerated person cannot start female hormone therapy has not changed to this day. Lynch and Bartels describe Queensland's policy of blanket refusal of hormone therapy where a person had not commenced therapy prior to prison as 'highly concerning', given the physical and psychological consequences of inadequate medical intervention for transgender and gender diverse people.[24] The difficult of bringing a successful discrimination complaint as a person in prison, as demonstrated in *Sinden*, presents a significant barrier to systemic change in prisons. In this context, we would note we consider the definition of 'gender identity' under the Act should be amended to be consistent with the definition under the *Public Health Act 2005* (Qld) **(Discussion Question 26).** We consider is more inclusive and accurate definition than that currently in the Act.

We consider it particularly shocking that even when a person manages to successfully demonstrate prison authorities unlawfully discriminated against them, the person is only entitled to a compensation order if the Tribunal finds that the discrimination was done in bad faith and a non-compensatory order could not effectively redress the person for the discrimination they experienced (see CSA, s 319G). In our view, hitting the hip pocket is often the only way to force governments to

[23] Productivity Commission 2021, *Australia's prison dilemma* (Research paper, Canberra) 56.
[24] Sam Lynch and Lorana Bartels, 'Transgender Prisoners in Australia: An Examination of the Issues, Law and Policy (2017) 19 *Flinders Law Journal* 185-231.

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make necessary changes to policy and practice. This a significant part of why compensation payments need to be available. In addition, even if they are given a compensation order, the victim of the person in prison's crime is entitled to the compensation. The victim of a crime (where there even is one, noting that in reality there often is not a true victim of a person's crime) should not be in a position where they are hoping that person in prison is discriminated against – in bad faith – for them to receive compensation. Moreover, the provision of compensation is to 'make up' for the harm caused by discrimination and is duly owed to the person discriminated against to make amends for the wrong committed against them. This principle should be no different just because the individual is deemed 'criminal'. This is an illogical, punitive, and unfair provision and must be repealed.

Conclusion

We ask the Review Reference Group to turn their minds to the experiences of people who are criminalised and imprisoned. These individuals are some of the most targeted by discrimination and breaches of their human rights in our society, and yet, currently, they have the weakest protections under the Act of all Queenslanders.

Sisters Inside believes that prison workers and the State do not need 'protection' from human rights laws that aim to stop discrimination, sexual harassment, and vilification. Any suggestion they do should raise obvious questions about what is really going on in Queensland prisons. Prison authorities can avoid being subject to complaints by ensuring the human rights of incarcerated people are upheld and they are treated fairly and appropriately. The modifications made to the Act by the *Corrective Services Act 2006* increase the potential for serious human rights abuses to go unchecked in Queensland prisons and must therefore be repealed.

Women in prison suffering at the hands of the State simply cannot be expected to bear the onus of driving the systemic change necessary to improve their conditions and treatment. For this change to occur, prisons need to be subject to strong external human rights oversight and regulation by a body that has teeth. The Act must be amended to increase the Commission's ability to perform this regulatory function.

Thank you for considering this letter. If you would like to discuss this letter further, please do not hesitate to contact me on (07) 3844 5066.

Yours sincerely

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Debbie Kilroy

Chief Executive Officer

Sisters Inside Inc