

Talking Law with Eugenia: Saturday, 10 April 2021 Lofty Radio 88.9 FM

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PRISON: REALITY V MYTH

Guest Speaker: Henry

Introduction:

Many of us have seen Hollywood movies or read stories about prison life. But how closely does that portrayal match reality. To answer that question (and maybe a few others, if time permits) I have a special guest who has intimate knowledge of the system spanning two decades and first-hand knowledge of five of the eight South Australian prisons. We want to **shine a light** on what it is really like from two perspectives, the prisoner in custody and a family member of the prisoner.

People talk about prisons (& their inmates) being the incubators of criminal behaviour but that is over simplistic & ignores the push-pull forces in play.

Unjustified brutality by the system and terrible role modelling by too many of its agents are also potent drivers towards avoidable anger, resentment, antisocial attitudes and criminal behaviour.

1. The Sequence

Arrest/Detained – **EXERCISE YOUR RIGHT TO SILENCE WHEN QUESTIONED BY POLICE.** The Police are not your friend at this time. They are investigating a suspected crime on the basis of a complaint and you are the suspect and potential prisoner. If Bail is refused you will be transferred to a holding cell.

City Watchhouse (granted only 2 showers in 12-14 days)¹

Cold, 'observation' cell, no privacy, concrete bed, s/s toilet – no paper² no tap

No shoes, no daytime blankets³, no exercise or time out of cell

No phone calls or visits,

Lunch: Cold, soggy meat pie or pasty

Tea: Macca's junior burger → hyper-microwaved & fused to Styrofoam container!

¹ Overcrowding throughout SA prison system led to backlog & overcrowding in police cells

² Basically, **had to beg for toilet paper**, which was begrudgingly doled out one sheet at a time!

³ Rough, stiff & obviously unwashed as they stank of vomit, sweat & urine. Thrown in a pile outside the cells until nightfall

Coffee → given tea & vice versa: in resignation, I'd say *'Surprise me'*

Radio blaring all day & early evening, broken by 'neighbours' calling out endlessly⁴

Sandwiched between one guy suffering from DTs & another going through heroin withdrawal

Adelaide Remand Centre ('ark')

Didn't know what to expect, but the move was a huge relief by comparison

Strip search, shower, ill-fitting but blessedly clean clothes⁵ & medical assessment

Had 'company' as sat in smoke-filled holding cell with 25-30 other remandees

At night we were split up & spread across 3 or 4 additional holding cells & given throwdown mattresses to sleep on the floor

Gradually moved to proper units as overcrowding eased & beds became available

2 sets of rules... Tensions

Daily regime...

Phones, visits

Court escorts & trial

Health Service -> medical & dental

Other inmates... Prison Staff... (*the badger*)

Violence → between inmates,

→ by guards (excessive & disproportionate, indiscriminate, unchecked) **

Yatala Labour Prison

Arrival: stripped, shower, clothing issue, medical assessment

Bedding & toiletries issue → E-division

Disparity between divisions (regimes, staff attitude & treatment) **

Ramps,

Sit-outs, disturbances, 'occupations', fights and real riots

Charges from minor & capricious to more serious (short of police involvement) →

- manager's enquiry *
- visiting justice *
- external court (Mag or DCSA)

* = kangaroo courts but are appealable. However, ...

Punishments (loss of privileges⁶, fines, segregation, solitary, 'tipped' to another division or even prison hundreds of km away)

⁴ For toilet paper, a cigarette, news of their lawyer & getting bail or transferring to the 'ark'.

⁵ Smurf (track) suit

⁶ Time out of cell, access to phone, visits, exercise

Port Augusta Prison (PAP)

Mobilong Prison

Cadell Training Centre (CTC)

Adelaide Pre-release Centre (APC)

MYTHS

Prisons are basically holiday camps.

Restrictions on everything

- Prison issue clothing, bedding, rations (tea, coffee, sugar, plastic cutlery)
- Personal letters, photos, reading materials, writing/drawing materials, canteen purchases
- Movements, time out of cell, exercise, phone calls⁷, work, visits, medication, and health services.⁸

Deprived of choice of even say regarding:

- Prison, division, unit, cellmate, work area
- Privacy, dignity, peace and quiet, religious worship, grieving, legal resources/Justice.

Prisons provide Rehabilitation:

- Intervention programs.
- Education.
- Role modelling (staff, services Criminal Justice System).
- Decision making.
- Vocational courses: (including life skills, e.g. Budgeting, time management, conflict resolution, negotiation, problem solving, self-worth/esteem, respect for women, effective communication and so on).

Disclaimer:

The information herein is of a general nature only, based on personal experience. Your's or a loved one's experience may be different. If you need legal advice please contact Matthews Lawyers 3/10 Gawler Street Mount Barker SA 5251 – 0401 269 091.

⁷⁷ One or two phones (if both working & on-line) shared between 30 to 50 men for 10 to 15 minute calls.

⁸ 2 to 6 months waiting lists (dentist, hospital OPD specialist). If miss appointment through no fault of own (court escort, transferred to another gaol, industrial action &/or lockdown) go to end of waiting list OR even dropped off and have to reapply.