

Prisoners held in Australian police cells denied basic rights

Liz Mantell
29 July 2002

In early May, Anne Wilkins, a mother of four, conducted a seven-day hunger strike outside a police lock-up in Bendigo, a Victorian regional city, to protest against the conditions of prisoners in police cells.

Wilkins' son Darin, 30, was jailed for six months for theft, a conviction that breached a previous suspended sentence. He began his sentence in the Bendigo police station cells, where up to 18 prisoners were locked in an area with bunks for five or six people. In order to sleep, inmates had to rotate the use of the bunks. Appalled at the over-crowding and inhumane conditions and alarmed at the effect on her son, Wilkins set up her protest with a chair and a bottle of water.

On the fourth day of her hunger strike, her son was taken to a prison 40 km away before being transported to Melbourne, the state capital, and imprisoned there. Still angry that prisoners were being kept in cells with no natural light, insufficient beds and lights burning all night, Wilkins continued her hunger strike, gaining considerable support from local residents, the community newspaper and nearby schools.

The state Labor government's Police Emergency Services and Corrections Minister Andre Haeyermayer contacted Wilkins, and sent a senior police officer to see her. Wilkins said of the meeting: "He said all the right things but was offering nothing." The following day, the local area police commander advised her that all prisoners had been moved from the Bendigo cells to two other prisons and that, in the future, prisoners would only be held in Bendigo for a maximum of 48 hours.

The local Bendigo and state media presented this as a victory for Wilkins. But growing numbers of prisoners, whether held in other police lock-ups or prisons, are still being incarcerated in atrocious conditions. Those in police cells include many who have not even been convicted of an offence, but are awaiting trial. Often lacking the funds for legal representation, they have simply been refused bail or have been unable to raise the amount set for their bail.

In 1986, police cells in Victoria were classified as jails, enabling the state to legally hold prisoners there for up to 14

days. Even this restriction is often breached, with inmates subjected to stays of 20 or even 30 days. Many detainees are moved from one police cell to another as the time limit is reached in one location.

On the day that Wilkins called off her hunger strike, the Victorian Ombudsman released a report on police cells. The result of numerous complaints by prisoners, relatives and legal representatives, the report details the lack of the most elementary rights afforded prisoners across the state. It draws attention to overcrowding, especially in the Bendigo police station, noting that prisoners there have to sleep on the floor when the bunks are occupied, with their heads close to the toilet located in the centre of the cell.

Cells originally designed to hold a very small number of people overnight or for a few hours are now used to house hundreds of people. Apart from the prisoners on remand, awaiting trial, the remainder are waiting for assessments to determine whether they will be sent to maximum, medium or low security prisons.

The Ombudsman's report reveals appalling conditions, which vary according to the age of the buildings and the attitude of the police manning the stations. Bendigo cells were among those described as "not fit for human habitation due to the age, condition, lack of basic facilities or a combination of all these factors".

Most police cells have no outdoor exercise areas, kitchen facilities, sick bays, visiting areas or laundry facilities. Many have no natural light or access to fresh air. Meals are prepared elsewhere and delivered frozen twice a week.

Many prisoners complained to the Ombudsman's office that food was still partially frozen when they received it, and often past the use-by-date. With no eating areas, prisoners are forced to consume their meals on their bunks or sitting on the floor.

Detainees have no telephone access and no writing materials or magazines, unless supplied by visiting welfare groups. Prisoners without relatives or friends to supply them with clean clothing are forced to wash their clothes in a hand basin or shower and hang them in the cells to dry. Some

watchhouses change the blankets every few days, others only when inmates leave.

Haeyermayer welcomed the findings, blaming the situation on the previous Liberal government, and announced that a steering committee would consider the recommendations. Yet, many of the recommendations have been rejected outright or agreed to only “in principle” by the police and corrective services authorities.

Access to fresh air and daylight was rejected because substantial spending would be required to modify the cells. The right to use electric or battery-operated shavers was rejected on the grounds that it could be a health hazard; the provision of prison issue clothing was dismissed as impractical. Prisoner visiting entitlements were agreed to in principle but said to be difficult to introduce due to lack of facilities and resources.

The Ombudsman’s main recommendations are that a new Remand Centre proceed “expeditiously” and two new police stations be completed without delay in the Melbourne working class suburbs of Preston and Heidelberg, together with a major police complex at Morwell in regional Victoria.

Far from the ensuring the wellbeing of prisoners, the report will be used to justify the expansion of police cells and the prison system. The government announced it would build 65 new police stations across the state, to be built in partnership with private investors.

The number of inmates, both in police cells and prisons, has increased dramatically in recent years as Labor governments, now in office in all Australian states and territories, continue to make “law and order” their central policy, pledging tougher sentencing and “zero tolerance” on petty crime.

It is these policies, combined with declining living conditions and funding cuts for social programs, that are responsible for the criminalisation of wider sections of society. During the past two decades, two parallel trends have gone hand in hand. Successive governments, Labor and Liberal alike, state and federal, have expanded the prison system while presiding over the dismantling of employment, educational and welfare facilities, particularly for young people.

Growing numbers of prisoners are being denied bail or failing to raise it. Nationally there was a 15 percent rise in the number of prisoners on remand in the year to June 2001. Victoria has the largest proportion of unsentenced prisoners in Australia, with these prisoners accounting for 38 percent of inmates.

More severe sentencing has also resulted in the imprisonment of many offenders who previously would have been fined or undertaken community work as punishment. According to the Australian Bureau of Statistics, the national

prison population stood at 22,458 in June 2001, up from 15,021 in June 1991—a 50 percent increase in just 10 years.

There are currently 96 prisons, 12 of which are privately operated. Counting community custody centres, periodic detention centres and 24-hour court cell facilities, there are 119 correctional facilities across Australia.

As training programs, apprenticeships and jobs have diminished, more young men, in particular, have turned to drugs and petty crime, venting their frustrations in a distorted way against the lack of opportunities and widening social inequality. More than half the national prison population (56 percent) are males aged between 20 and 35 years, yet this age group constitutes only 15 percent of the population.

One of the most socially vulnerable groups, Aboriginal and Torres Strait Islanders, who make up only 2 percent of the population, account for 20 percent of prisoners, up from 14 percent a decade ago. The incarceration rate for indigenous people is 15 times higher than for non-indigenous people.

Once in prison, inmates confront degrading conditions, reflected in the numbers of deaths and suicides in detention, which have doubled over the past decade. Nevertheless, the mass media outlets are continuously attempting to whip up public opinion against “lenient” sentencing and “luxuries” afforded to prisoners.

Recent media reports in Victoria sensationalised “prisoner benefits” in one privately-operated prison, where management sometimes allowed inmates to buy take-away food as a “tool to encourage good behaviour” among prisoners. Access to video games also came under media fire, and has been suspended pending a review. In the absence of any serious rehabilitation programs, prison operators use these activities as cheap distractions.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact