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EDITORIAL

Welcome to the first issue of *Just Us*, the Australia & New Zealand prisoners' newspaper. It goes to one out of 2 prisoners, every Member of Parliament in Australia and New Zealand, most judges and lots of other people. This is a forum for communication between prisoners and their elected representatives, each other and the general community. It is a constitutionally protected publication, because the constitution recognises that communication is essential to democracy.

Only rarely, if ever since the First Fleet in 1788 has the prisoner community had its own newspaper. We think it's high time we remembered that history, and acknowledge that we can do better by talking and listening to each other than to continue as a penal colony.

This issue follows on a special issue of *The Australian Prisoners' Election Newspaper* for

the 2004 federal elections on October 9. Most of you would have received that newspaper before the election, except NSW prisoners, due to a block from the NSW Department of Corrective Services.

The decision of the NSW DCS was challenged in an action in the NSW Supreme Court on October 7. A top team of lawyers specialising in human rights and constitutional issues donated their time and skills to help fight the injustice of depriving prisoners of one of the most fundamental rights in any democratic society: the right to cast an informed vote.

All agreed that the case was sure to win, but on the same day, the NSW Commissioner moved the date of the mobile polling booths forward to the day before the elections, so there wouldn't be time to argue the case before the voting would take place, and a judgement made futile. We have prepared another issue of the election newspaper specifically for NSW prisoners so that we can fight the battle, but with time on our side.

Meanwhile, we got terrific feedback from some interesting places. For starters, we got dozens of letters from serving prisoners around the country, whose issues, poems, and manifestos can be found in this issue. Although we can only print a small proportion of them at this stage we hope to improve on that as the paper grows in size and frequency.

Then we got an acknowledgment of the effectiveness of the paper from the NSW Justice Minister. He insulted the contents, calling it a 'dodger' because it had advertisements from opposing political parties. He also said,

No-one in the New South Wales Government would deny prisoners their

right to vote in accordance with the law. But let us not delude ourselves in suggesting that the prison authorities should be responsible for distributing trashy material such as this under the guise of it being some form of legitimate political discourse.

We considered naming the paper *The Trashy Dodger*, as a way of telling the minister that, whether or not he likes the policies of other parties, it's still 'legitimate political discourse' – or in plain English: you have a right to know about it. But we settled on the favourite, *Just Us*, because of its solidarity, humanity, and a bit of humour.

There was also an article on the "Inside Cover" section of *The West Australian*. Amongst the comments were, "It's an intriguing concept, especially when you consider quite a few politicians have been in prison," and "How about ... a page three girl segment titled *Busted?*"

With that article was a cartoon, reproduced below.

This paper won't help you escape from prison, but it might just help you escape inside your mind for a little while. Be sure and write down your thoughts and send them to us. We will try to fit in as much and as many of your letters as possible. Starting with the next issue, we will be publishing responses from governments.

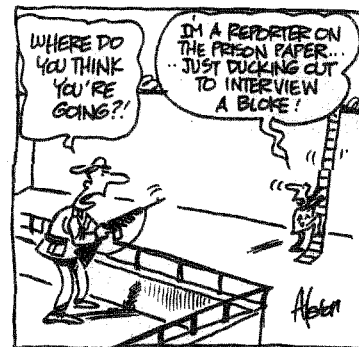
Also in this issue is an advertisement from the Human Rights and Equal Opportunity Commission calling for submissions to their inquiry into employment discrimination based on criminal records. This is a very serious issue which, if dealt with properly, can help inform governments and

employers about the rights and wrongs of discriminating against a person with a criminal record. Employment is one of the factors that has been proven to reduce recidivism, along with family and community ties. If you have no job, you have little chance of survival and maintaining a house and a family. When you get out, you should be able to start with a clean slate, rather than being judged for the mistakes of the past. If you have anything to add to the inquiry, consider sending them a letter.

The Australian Law Reform Commission has also placed their advertisement again, calling for submissions about sentencing standards for federal prisoners. If you are a federal prisoner and have not already submitted a statement, you still have time.

The next issue will be out early next year. Until then, *Just Us* wishes you happiness, safety, and peace for the holiday season.

Keep smiling! Your community is thinking of you.



DAWN OF THE CIVIL DEAD

Australia is fairly unusual in having compulsory voting. Our law both compels people to register to vote, and to submit a ballot paper – though you can scribble 'None of the Above' if you want to protest, or 'Humphrey Bear for PM' if you want to have a laugh.

Some say compulsion turns a right into a duty. But most Australians support it. It encourages people who might be politically marginalised to at least vote regularly. It has created a proud tradition that Australia's electoral commissions try to make enrolment easy and to enrol as many eligible electors as possible. In a democracy, every vote should be sacred.

Every citizen's voice is sacred then ... except for a significant proportion of prisoners. At federal elections you can't vote if you are serving 3 years or more. The same rule applies at most state elections except South Australia, which is more open (all prisoners can vote) and NSW and Tasmania, which is more restricted (no votes at NSW elections

for sentences of 1 year or more).

Ironically, some Australians risk jail because they oppose compulsory voting, yet thousands of prisoners are denied the chance to vote. How did this discrimination come about? There are three explanations: history, philosophy and politics.

In times largely past, prisoners were 'civilly dead'. Your property was frozen or confiscated. You couldn't make a legal claim. You were no longer a legal person. This was a harsher, English variant on the old Greek and Roman idea that 'infamous' crimes lost citizens their honour, and with it their participation in society. By the time England colonised Australia, punishment was about incarceration, not dishonour. Through 19th and 20th centuries, prison reformers tried to undo the worst aspects of the dehumanisation of prisoners. Today, exclusion from society is justified as punishment only to the extent it might protect society: by deterring, separating and rehabilitating.

Philosophically then, it's petty to deny prisoners voting rights. It suggests, as some old American judges used to claim, that

prisoners' votes somehow taint the electoral process. Rather absurd when there are millions of voters, good and bad. We don't strip prisoners of citizenship. Prisoners have ideas, grievances and a sense of the future. Encouraging voting may in a small way be rehabilitative, by promoting a connection to politics, law-making and responsibility.

Conservatives argue that to end up in jail is to flout the law so badly as to have breached the 'social contract'. But that 'contract' is imaginary. It's an idea to explain why people are born free, yet subject to laws. The idea is that everyone would rather live in a society with rules than a lawless one, like Iraq today, because there's no freedom in a jungle. But that's different from saying that imprisonment means losing your civil rights. I agree selected offences should carry a loss of voting rights. Like electoral fraud. But most political offences have such low penalties and charge rates that politicians rarely lose their political rights.

The best argument I've heard against prisoner voting is that some rules are educative: they have expressive value, rather than being practical. On this argument, denying prisoners the vote makes a moral

statement, a symbolic exclusion from the community of political debate.

The Canadian Supreme Court confronted this argument in a case brought by a prisoner, *Sauvé*. 5 judges to 4, the Court rejected it. Something as fundamental as the ability to vote can't be taken away simply as a symbol, to make the average person feel better. Canada however has a constitutional right to vote. A ban on prisoners voting in the UK was also struck down recently in a case brought by an activist prisoner, *Hirst*. He argued the European Convention on Human Rights. Australia lacks any equivalent constitutional guarantee.

Ultimately, who can vote in Australia is a political issue, a matter for each Parliament. That is, for politicians. Why do they mostly not want prisoners to vote? They can't fear prisoners' votes. Unlike the US, where huge numbers can't vote because a felony conviction often means a life ban from voting, there aren't enough prisoners in Australia to swing elections. And those who can vote enrol at their last address or that of a relative, so electorates with prisons in them can't be 'swung' by prisoner voting.

It used to be ALP policy that all prisoners

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LETTERS

QUEENSLAND

I am an American eight years into a fourteen year sentence in a Queensland prison. From what I have read and heard from prisoners who have done time in NSW prisons our conditions are not bad from a physical aspect. From that point on however everything goes down hill. The people who manage these gulags can, on any given day make anything an insanity.

The rhetoric rarely meets the reality. It is almost impossible to get a straight answer from anyone in authority about anything! "Risk management", the mantra of managerialism now pervades all features of the Queensland prison system. As a consequence, all aspects of imprisonment have become harsher, more controlled, more rigidly defined, more mean-spirited and less humane. In-depth public scrutiny remains minimal - official accountability illusory.

In Queensland, public anxiety and fear about crime continues to be fuelled by political rhetoric, poor journalism, and the victim's groups. What was intended as a system of justice has been converted into a system of crime control. The distinction between the judiciary and legislature has largely dissolved. The courts have become the tools of politicians. What this State now has is a system of democratic crime control by a voting majority. To this there is no limit, as long as these actions do not hurt the majority.

The prison system in Queensland is out of control. The prisons in this State offer the spectacle of almost complete despotism. Urgent review is needed, it provides a setting in which profound abuses of human rights are carried out under the 'reassuring' justification that it is needed to protect the public.

Imprisonment no longer fits modern societies needs. It is inefficient and gives rise to more problems than it solves and it poses a threat to our future.

Duane.
Richlands.

Prisoners and their families are the human cargo upon which some politicians with nothing else to offer make a grab for power. Other professionals within the system also require the existence of this misery to prosper. Can we really trust them to regulate themselves when human lives are the currency upon which their careers and futures are built?

In Queensland the system changed remissions to deal with some sex offenders and then applied it broadly to everyone. Those inmates who cheered the punishment to other offenders have fallen strangely silent. They blindly supported their own fate. With just a stroke of a pen we are denied this or that. These often unlawful methods are so widespread and tolerated that the practices can be applied to almost everyone. We live in the age political prisons where unaccountable practices against inmates don't see the light of day. We must ask if the legal system is aware of this and if so why is it being condoned.

Steve,
Palen Creek prison Farm
Rathdowney

Townsville Correctional Centre has the highest rates of attempted and successful suicides in the nation and a prison of which 80% of inmates are Aboriginal and Torres Strait Islander. So why are there no suicide prevention programs in place? Suicide effects not only the victim but also those around the victim. After a suicide an inmate receives counselling but why wait till after? Why is there no program in place to prevent the suicide from happening in the first place?

I went looking for answers. Two months later, Director-General of Corrective Services, F.B. Rockett replied, agreeing with me that suicide was a large problem in Queensland prisons and agreed that suicide prevention programs were in accord with the Department's intention of facilities providing positive experiences yet F.B. Rockett failed to identify what action was being put in. The Director General also wrote that the Department takes the issue "very

seriously" and has incorporated suicide prevention activities but again failed to specify those activities.

I would appreciate if someone could let us know if Queensland will be bringing in the truth in sentencing laws for inmates serving life sentences and if so when will this occur? (I would also like to know) if same gender corrective service officers who are in defacto relationships be continued to allow to strip search same gender inmates together? An example of this is two female officers in a defacto relationship, both strip searching a female inmate with no one else in the room. (We) Inmates are human, we have pride and dignity and should not be exposed to such humiliation.

We understand that it can be difficult to monitor these situations but the question I put is are there any screenings or checks in place or is there any monitoring of same sex couples working together conducting thorough strip searches on same sex inmates because for us ignorance is not bliss.

Kata
Female Secure J.C.C Townsville

Convicted

They must be taught their places these enemies of society... They have brought disgrace on themselves & propriety.

Humiliation, segregation, You have erred, done wrong. Pride in Self delivered stagnation To Society you DON'T belong!

Tony
Rathdowney

TASMANIA

I reside at Risdon Prison in Tasmania. I don't know why prisoners would want to vote as we never see any politicians in here. Maybe they are too scared to come in because people in here have been locked up for being dishonest. Anyway, the way it is down here in Tassie is, the prison is as full as a fat

girl's socks. The yards now have 68 or so inmates, not the 48 they were built for. Single cells have two inmates in them sleeping on bunks which are two single beds welded together. meal times are a joke. As there is not enough room for all of us to go into the mess room, fifteen or eighteen come back into the yard for breakfast and lunch. Tea time is worse as we eat in our cells - one seat, one small table. The other inmate has to sit on the toilet to eat or stand up, as the bunks have no head room and the meals - well, that is a story on its own.

Money is also low, \$17.80 per week, basic toiletries cost \$8.40 per week and if you smoke 30g of tobacco is \$10.20. All up with matches and papers it costs \$21.50 per week so it is \$3.70 short fall. I don't know who can do anything about it or if anyone gives a shit but no wonder tempers run high. If it's true that we are here as punishment and not to be punished then someone from one of our government departments should get their head out of their arse and do something. They might even get a vote or two. Anyway thanks for the "Australian Prisoner's Newspaper" and well done.

Lucky
Risdon Prison

Sad

Unhappy, torn clothes
Nightmares, with hungering thoughts
Hippies, tripping real bad
Arseholes, being arseholes
People with chipped hearts
Pansies in a vase, waterless
Yes, it's all kinda sad.

Pat
Risdon Prison

Scarred

Birthmarks, torn jeans
Tattoos and memories
Wicked cuts, deep gashes
Eyeless from a dog
My mind has so many
Stitches, over the years
And I've got the scars to prove it.

Pat
Risdon Prison

NEW ZEALAND

NEW RESTORATIVE JUSTICE INITIATIVE

In May 2004 the Ministry of Justice in NZ released Best Practice Principles for Restorative Justice in NZ. This was a landmark. As the Coordinator/Facilitator of the Restorative Justice Programme "Whakatikaika" (Putting Things Right), in Hawkes Bay Regional Prison, I introduced these principles to inmates through the Programme. I found that they were literally "starved" for good news that represented hope of a commonsense and truthful approach to justice. In my view, the core Restorative Justice Values are the closest thing to a Bill of Rights that we have and therefore must be taken up and worked with freely in every way possible. I encouraged all inmates to do so.

-Janet Galloway

From the Paper:

"Restorative justice in New Zealand is at a significant stage of development. The Sentencing, Parole and Victims' Rights Acts

2002 gave statutory recognition to these processes in the adult criminal justice system for the first time. Four District Courts are piloting a government funded pre-sentence restorative justice process. There is also a range of other programmes (including those funded through the Crime Prevention Unit and those that receive funding from private sources) operating around New Zealand.

"The Ministry of Justice's draft principles of best practice for restorative justice aim to identify when and how restorative justice processes should be used in the criminal court. They are intended to be of use to restorative justice providers and others working with restorative justice (including the Judiciary, lawyers, and government agencies)."

A hard copy of "Discussion Paper: Draft Principles of Best Practice for Restorative Justice Processes in the Criminal Court" can be obtained by ringing 0900 151 638 or writing to: CommArts, P O Box 2923, Wellington NZ.

United Nations Survey on Crime Trends 2000

Recently The Howard League obtained figures from the Ministry of Justice which drew international comparisons on crime trends.

The figures are based on the United Nations Survey on Crime Trends using statistics provided by the Police in selected countries for the year 2000. This data clearly reveals that the recent claim by the Leader of the Opposition, Don Brash, that New Zealand has one of the highest rates of crime in the developed world, simply does not hold water.

It is no surprise to find that the UN figures show NZ to generally have the lowest rates of serious crime per head of population across six major Western countries. England and Wales has the lowest rate for rape than all other countries. The NZ public has a right to be given truthful information by its politicians, particularly on an issue with high emotive power and the capacity to create uncertainty, fear and anxiety.

It is simply irresponsible for political leaders of any ilk to feed on such fear for their own political ends.

Country	Homicide	Rape	Robbery
NZ	1.17	22.48	46.33
Australia	1.57	81.41	121.43
Canada	1.59	78.08	87.7
Eng/Wales	1.61	16.23	179.73
USA (1999)	4.55	32.05	147.36
South Africa	51.39	123.85	460.37

Source: Seventh United Nations Survey on Crime Trends (based on Police Statistics for 2000) Rate per 100,000 population. (Yet NZ still has the second highest rate of imprisonment in the Western world: 150 per 100,000).

Story from Howard League Penal Reform, Canterbury.
http://howardleague.co.nz/articles/2004/31_03.html

Published: August 2004

Howard League Penal Reform
141 Hereford St. Christchurch NZ.

Triumphs

I like these classics from England
 Nice, stylish twin cylinders of thuggery
 Their polished alloy and steel, gleaming
 They really handle beautiful on winding
 roads
 The legendary oil leaks, from days of old
 Just a lovey piece of machinery.

Pat
 Risdon Prison

Human Being

The abscess of the mind
 Power of our sins
 The Angel of the soul
 Madness of our world
 The sanity of our thoughts
 Happiness of the spirit
 Waiting for release
 Our minds are like parachutes
 They only work when they're open.

Pat
 Risdon Prison

Rehabilitation

As I gaze upon mountains of infinite
 gloom
 and ponder the torment of lost purpose
 Punished for good intention and
 defending the weak
 A product of stereotype and ignorant
 justice.

Rewarding with a cage to consider the
 err' of my ways
 Corporate profiteering under the guise of
 rehabilitation
 Overseen by cowards, proud to avenge
 on abused youth
 'Tis here I learned the malice of pure
 hatred.
 Here, I discovered the burn of my soul
 yearning revenge
 And here I lost the last remnants of
 hope.

Perhaps one day I will forsake my
 bitterness
 and repair the shards of shattered
 dreams
 For now I beg no forgiveness
 Because now I have no remorse.

David

The Struggle

Precious seconds of life sail by
 Contemplating the emergence of the
 digital sky
 Despair at the loss of discovery and
 honour
 To give hope, yet keep none for myself.

An endless march to the outer reaches
 To consume the twenty minute phial of
 twilight
 Then bear the burden of endless inner
 turmoil
 Of a closing down sale on what's left of
 my sail.

To stare at the endless grey lies of the
 metal mountains
 And gaze transfixed at the golden
 mother to see a glimmer of truth
 A backstage pass to witness the hysteria
 of the masses
 And a front row seat to the murder of
 innocence.

To fight for freedom, within the letter of
 the law
 For the pleasures of family and love
 All to earn my ticket to the pearl gates of
 the infinite beyond
 And dare not ask what else is.

This is the journey of a lost soul
 wandering
 All to find comfort in a questionable
 existence.

David

Good Age

When pictures from your childhood
 are in faded black and white,
 When you get a coronary every time the
 market dips...
 That you've lost an inch of height...

When instead of breaking hearts,
 You're breaking wind and both your hips,
 When you get a coronary every time the
 market dips...

When your bladder starts behaving
 Like the falls up in Niagara,
 When you just can't get aroused
 Without the wonder drug Viagra....

When all these things start happening,
 Don't let it wreck your mood....

It's nature's way of telling you
 You're one maturing Dude!

Skippy,
 Risdon

With the shift towards truth in sentencing
 comes the problems of overcrowding,
 longer sentences for minor crimes and
 the failure of the Tasmanian Labor
 Government to fully implement the
 legislation.

Earlier this year the Attorney General,
 Judy Jackson, axed the "Inside Out"
 program at Risdon Prison replacing the
 program with an Anglican priest. The
 program, which is not funded by the
 Department, had become an integral
 part of prisoner well being, assisting with
 housing, family and emergency aid. The
 lynchpin for many prisoners in keeping
 their families together during
 incarceration. "Inside Out" was
 implemented after the coroner's inquest
 into deaths in custody inside Risdon.
 Since its inception there have been no

deaths or attempts at self-harm, but
 since the axing of this non-funded
 program there has been at least two
 attempts at hanging and numerous
 attempts at self-harm.

There is a lack of rehabilitation and re-
 integration programs available to
 prisoners. Risdon has one of the highest
 rates of recidivism in Australia; the
 majority being drug/violence related
 crimes. With no "Drug & Alcohol"
 programs in place the Department funds
 one counselling position to service 300
 prisoners. We have no access to anger
 management programs therefore
 avoiding the problems that arise from
 the ignorance of management and
 parliament to address rising violence
 both within the prison system and in
 society. No access to medical/dental or
 psychological health care, the position
 remaining vacant after twelve months
 due to the lack of local doctors applying
 for the tender. The opportunity for
 inmates to educate themselves is limited
 due to the lack of funding and access to
 appropriate resources.

Risdon is the only prison in Australia to
 have non-contact contact visits where
 the only allowable contact is a kiss on
 arrival and departure - any contact
 during the designated one-hour visit is a
 chargeable offence. The area
 designated as contact visit rooms does
 not have the capacity to accommodate
 the amount of visits required by all 300
 inmates over the course of the weekend.

Inmate Representative
 Risdon Prison

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Human Rights and Equal Opportunity Commission

HAVE YOU EXPERIENCED EMPLOYMENT DISCRIMINATION BECAUSE YOU HAVE A CRIMINAL RECORD?

The Human Rights and Equal Opportunity Commission is conducting research into discrimination in employment on the basis of criminal record.

This kind of discrimination may occur if a person, because of their criminal record, is:

- refused a job
- dismissed from employment
- denied training opportunities
- denied promotion
- subjected to less favourable working conditions or terms of employment
- harassed in the workplace

To avoid discrimination on the basis of a criminal record, an employer can only refuse to employ a person if the person's criminal record means that he or she is unable to perform the 'inherent requirements' of the particular job.

This means that it must be essential that a person who does a particular job does not have a certain criminal record before an employer can refuse to employ them for this reason.

If you have ever experienced discrimination in employment because of your criminal record, or if you have any views on this issue, we are keen to hear from you:

- if you have a criminal record, what are some of your experiences in finding employment?
- if you have ever employed a person with a criminal record, what are some of your experiences?
- What difficulties face people with criminal records when they seek employment?
- How do people with a criminal record address any of these difficulties?
- What do you think would help a person with a criminal record find employment?
- What suggestions do you have for stopping this kind of discrimination?

The Commission hopes to produce a resource for potential employees with a criminal record and for employers, to clarify rights and responsibilities in this area.

Please write to us: Human Rights and Equal Opportunity Commission, Human Rights Unit, GPO Box 5218, Sydney 2001. If you have access to email, please contact us on criminalrecord@humanrights.gov.au

If you want your comments to remain confidential, just write 'Confidential' on the top of your letter.

HMA5C051153

HAVE YOU BEEN SENTENCED FOR A FEDERAL CRIME?

What is a federal crime?

A federal crime is an offence against any Commonwealth law. Federal crimes include drug importation, social security and tax fraud, migration and corporation offences, people smuggling and illegal fishing.

Have your say

The Australian Law Reform Commission (ALRC) is reviewing sentencing laws for federal crimes. We want to hear about your experience.

If you have been sentenced for a federal crime, we want to know:

- What sentence did you receive? Did your sentence include options other than imprisonment?
- Have you had any problems about discounts on your sentence, when your sentence started, remissions for good behaviour, or your non-parole period?
- Was your sentence properly explained to you? Who did that?
- Have you been treated differently because you are a federal offender?
- Have you heard about federal offenders in the same situation as you being treated differently in other states or territories?
- How was parole decided in your case? If you have been on parole or other release, have the conditions of your release caused you any problems?
- Has any action been taken against you for breaching a condition of your sentence? What happened?
- Have you had any problems transferring to another state or territory, or overseas?

Want to tell us what you think? Want to know more?

Please write to us. You don't need a postage stamp if you use this address:

Australian Law Reform Commission
 Reply Paid 3708
 Sydney NSW 2001

If you want to keep your name and comments confidential, just write 'CONFIDENTIAL' at the top of your letter.

We cannot provide advice or get involved in your case

The ALRC is an independent body that provides advice on law and policy to the Australian Parliament. We don't offer legal advice or handle complaints, and we can't intervene in individual cases.

LETTERS

(CONTINUED FROM P3)

SOUTH AUSTRALIA

Having just received the first edition of The Australian Prisoners Election Newspaper I was elated to see your concern for prisoners rights, the treatment of prisoners by the Judiciary and its overseers and seeking prisoner equality under the law. I anticipate that I shall be an active participant in your Newspaper.

Solitary confinement reflects on inmates' experience and attitude of past, present and future. It's become one of many facets of prison life imposed upon us and is not for the betterment of the prisoner concerned...

Such places are oppressive restrictive and punitive and certainly not designed for an inmate to have any control over his/her environment, emotions or treatment. There are no rights or redress. Courts do not want to intervene in matters of prison administration as they're scared that they'll have hundreds of prisoners flocking to the court system. However, it doesn't mean that 'we' cease trying or cease the fight against administrative decisions and policies in respect to the treatment of prisoners or segregative incarceration.

If any reader has access or knowledge to any legal cases as precedents which pertain to prisoner segregation, treatment, conditions and Prisoner Rights issues could you please provide me with this information so that I can continue to pursue the matter.

I'm 42 years old, I've been in Boys Homes in Tasmania, been in prison 20 odd years, have an unrealistic release date standing at July 2036. I'm anti-authoritarian, my interests are all types of music, law, cooking, gardening, prison justice, political science and history, philosophy and chess. I do not profess to be of good character but an old adage comes to mind: "There are those of us who may do evil things, but it doesn't mean we're evil people and who determines what evil is anyway?"

I am hopeful you may contact me at some time.

Michael Barry Fyfe
#43240,
c/- G Division,
Yatala Labour Prison,
Peter Brown Drive,
Northfield, S.A.

VICTORIA

Finally a paper raising prisoners views. I was most impressed with some issues raised by inmates, particularly prisoner's finances. Like so many others from domestic violence and dysfunctional family backgrounds, I have negligible family or community support to assist me upon my release, yet I will be released with under \$900 - my 'withheld' wages throughout my sentence.

With this I will need to purchase new clothes, most wouldn't fit after a lengthy prison sentence, find accommodation and the associated costs and then feed myself.

Brad
HMP Barwon

In Victoria under the Corrections Act, we are required to work. We are paid between \$6.15 (unskilled) and \$8.25 (skilled) per day. If you attend too many rehabilitation courses you risk demotion. Out of \$35.75 we earn each week, 20% is 'withheld'.

Once sentenced, most prisoners are promptly moved to prisons outside the metropolitan area. This means to maintain contacts on the outside we are paying for long distance phone calls charged at public phone box rates, even though this is our home. There are two phones per 60-80 prisoners with a ten-minute time limit.

Prisoners are required to purchase their own tobacco, writing paper and stamps, tea coffee and toiletries. The food provided by Corrections is basic, most need to supplement their diets with items such as eggs, noodles and protein powders purchased through the buy up system.

Prisons need to pay a proper wage for proper work. Work that builds self esteem, leadership skills, work ethics and save enough dollars to get on our feet upon release, instead of overloading an already overloaded welfare system.

We are here as punishment, not to be punished.

Brad
Barwon Prison

Enslaved by Time

Imprisoned and enslaved by time.
The days now are but many
And rest to find some peace of mind.
is few and far if any.

For ghostly shadows of my past
Remind me why I'm here
and freedom lost at such great cost
The price now paid with tears

For time will play on the mind
Your soul the very you
As a blade of grass pushes the earth
apart
It will change your point of view.

Of freedom and of your own time.
Of time that now owns you
Though time will wait for no man
it will wait your time with you.
Prison is but a state of mind
a crime against not seeing
The time it takes to blind a man
To take away his being.

Freedom is state of being
A time for man to see
That time will give and show a
man all that he can BE.

Carlos

There's a place that my heart dwells within
For now its known as the devils bin, There's
no way out, but a million ways in and slowly
These Demons begin twisting and fighting
Me till my skin does peel, worthless and
nothing is how they make me feel I need
Somehow to exorcise my demons, just so I
can sleep and my soul can stop screaming.
Will this everlasting night become day, I wish
I hope, I even Pray This place is like a bad
Joke they treat us like cattle they prod and
they poke I here the rattle of the 4bees keys
from my dark cold cell my eternal night I'll
never give up my everlasting flight.



Congratulations to Justice Action on the launch of the 'Just Us' prisoners newspaper and for their continued campaign against the Goulburn HRMU

The Truth Will be Heard

Campaign Exposing the Frame-Up of
Phuong Ngo
PO Box 109, Glebe, NSW 2037
[http://home.iprimus.com.au/
dna_info/phreephuong](http://home.iprimus.com.au/dna_info/phreephuong)



DAWN OF THE CIVIL DEAD cont... (from p1)

should vote. Some Liberals accused the ALP of wanting to benefit, as if prisoners were mostly left-wingers. NSW Prison Minister Jackson debunked that when he revealed prisoners he'd met had grievances against whoever was in power. Anyway, how a group tends to vote is irrelevant to the right to vote. Aboriginal Australians tend to vote Labor. That they are over-represented in jails and so under-represented in voting is a question for human rights, not partisan calculation.

Most politicians don't want prisoners voting because they play a crude game with democracy. There are cheap headlines in prisoner-bashing. The Liberal Party has used prisoner voting as a 'wedge' issue or political football. In my office is a poster from a tabloid newspaper. It screams 'Killers to Get the Vote'. That helped kill off Kim Beazley's attempt to allow more prisoners to vote in 1995. Labor under Mark Latham has taken the easy way out. They dodged the wedge supporting the Howard government in restricting voting for federal elections from those serving fewer than 5 years to those serving fewer than 3.

I said that Australia has no constitutional rights. That's not entirely true. In the 1990s the High Court discovered a right to political communication, without which representative democracy can't work. We are free to exchange and discuss political information and international affairs.

Indeed, in September, the Court said we are free to spread even insulting claims about policemen (Coleman v Power)! Since at least short term inmates can - must - vote at federal elections, prisoners are entitled to read and share political information. This newsletter is an exercise of that freedom.

Graeme Orr
Graeme researches electoral law at Griffith University, Brisbane.

Further reading via the internet:

- G Orr, 'Ballotless and Behind Bars: the Denial of the Franchise to Prisoners' (1998) 26 Federal Law Review.
<http://pandora.nla.gov.au/nph-arch/2000/Z2000-Oct-26/http://law.anu.edu.au/publications/flr/vo126no1/0RR.htm>
- Sauve v Canada (Chief Electoral Officer) Canadian Supreme Court, 31/10/2002.
<http://www.canlii.org/ca/cas/scc/2002/2002scc68.html>
- Hirst v United Kingdom (No 2) European Court of Human Rights, 30/3/2004.
<http://cmiskp.echr.coe.int/tkp197/view.asp?ite m=1&portal=hbkm&action=html&highlight=Hir st&sessionId=903688&skin=hudoc-en>
- Coleman v Power High Court of Australia, 1/9/2004.
<http://www.austlii.edu.au/au/cases/cth/HCA/2004/39.html>



Just Us is produced by a coalition of community groups around Australia and New Zealand.

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All letters will be included as space permits. Letters may be edited for space, and content that might get us or you in trouble. Unless otherwise indicated, authors will be identified by first name and prison only.

Just Us needs your support! Help is needed with further projects for this paper such as a pen-pal service, and support campaigns for prisoners and their friends and families. Please contact us if you want to get involved!

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