

NLAFF Prisoners Forum Report to NLAFF - March 2015

The NLAFF Prisoners Forum met on 12 February 2015. At that meeting, items on the agenda included:

- **Aboriginal Women Leaving Custody**

The draft report for this project is due to be released on 16 February 2015. The report focuses on housing issues and makes several recommendations for policy change. The project report's findings include documenting the poor housing outcomes experienced by former Housing NSW tenants with debts owing to Housing NSW who must rent privately for 6 months before being re-listed on the waiting list. Women who have never been housed face a difficult hurdle in staying on the housing list as Housing NSW mails out correspondence to prospective tenants to seek confirmation they wish to remain on the list. Without stable accommodation, mail is often not received by the prospective tenant, resulting in prospective tenant missing the deadline for confirmation and re-applying to the waiting list.

- **Lawyer/Client Communications**

AVL and Telephone Facilities

- i. CSNSW reviewed their legal phone call policy for remand inmates and confirmed that legal calls from inmates on remand are free.
- ii. Dawn de Loas Correctional Centre is being converted from a low-security prison to a maximum security. As a result AVL facilities can now be booked in half-hour blocks.
- iii. 40 new AVL studios will be built by the end of this fiscal year, with priority given to installation of studios at Dawn da Loas. Proposals are being developed to identify suitable areas at MRRC.
- iv. Practitioners expressing concerns over the privacy of studios will be able to take a tour of Dawn da Loas to allay concerns that AVL facilities are not private.

- **Work and Development Orders (WDO)**

CSNSW is reviewing its WDO policy to increase the uptake of inmates participating in the scheme. CSNSW have produced a DVD, brochures and promotional material to increase awareness of the scheme to staff and inmates and are keen to promote activities and treatment plans to assist inmates with mental health issues, addiction problems, methadone treatment plans and debt write-off requests.

- **Calls from Prisoners to Legal Services**

Legal Aid NSW reported that call volumes are down 30% in January 2015. LawAccess reported call volumes are down 58% in December 2014 from the corresponding period in December 2013 and down 53% in January 2015 from the same period in January 2014.

In addition, Legal Aid NSW reported that CSNSW have confirmed that monitoring of legal calls ceases when the call is verified as a legal call. Legal call are not recorded.

- **Changes to the Migration Act**

Legal Aid NSW reported that after a recent amendment to the Migration Act's good-character provisions, inmates are receiving letters from the Department of Immigration requiring visa-holders to respond within 28 days before their visa is revoked. Affected inmates are finding it difficult to comply with this requirement as they move through the prison system and they don't have regular access to their mail and documents. Reviews of the Minister's decision are now conducted in the Federal Court. The Forum is investigating this matter and will update the Plenary in future meetings.

- **NLAF Fines and Traffic Law Working Group**

The working group has requested meetings with Victims Services to seek clarification regarding the method used to select restitution debt to be included into the WDO scheme. They are also arranging a meeting with Roads and Maritime Services (RMS) regarding the new mandatory alcohol interlock program (commenced 1 Feb 2015) and the inclusion of all financially disadvantaged people into the proposed financial hardship scheme.

The Forum noted John McKenzie has resigned from ALS to take up the position of NSW Legal Services Commissioner. The Forum thanked John for his leadership of the NLAF Traffic and Fines Working Group and his significant contribution to the Prisoners Forum and his tireless efforts in addressing systemic disadvantage in the justice system, particularly for Aboriginal people.

The Forum also noted the retirement of Deirdre Hyslop from Corrective Services and Richard Funston on behalf of the group thanked Deirdre for her outstanding contribution to the Prisoners Forum and wished her well in retirement.

The next meeting of the Prisoners Forum is 7 May 2015.

Richard Funston

Chair NLAF Prisoners Forum, 26 February 2015