

Homelessness and Criminalisation: The Dangerous Intersections of Gender, Race and Class

By Barton and Emma Russell

Flat Out is a Victorian state-wide support and advocacy service founded in 1988 for women who have had contact with the criminal justice system. Flat Out's vision is that women are not imprisoned; women's rights are understood and upheld; and there is a compassionate response to personal and social trauma. Flat Out's work with women includes providing access and referrals to appropriate and affordable housing; and proving (or linking women with) support, education and information to re-establish them in the community post-release, and prevent their re-incarceration.

The organisation leads and participates in research and community education, seeking to inform the community and other service providers about the issues that occur for women in the prison system and post-release. Flat Out has a strong voice in the prison abolition movement in Australia, in the hope that eventually prisons will not be seen as a legitimate arm of the justice system, but will be viewed as an antiquated, cruel and ultimately ineffective institution.

The Centre for the Human Rights of Imprisoned People (CHRIP) is a project of Flat Out focusing on education, community capacity building, and systemic advocacy. The work of Flat Out and CHRIP builds on the intrinsic connections between service delivery and systemic social change work that has been present since Flat Out's inception. This model ensures that the individual needs of women who are criminalised, imprisoned or recently released from prison are met alongside work to address broader structural issues such as poverty, institutional racism and violence against women.

'An End to Prisons' Poster

In 2011 Flat Out published the poster 'An End to Prisons' with a volunteer CHRIP working group. The poster is aimed specifically at the community sector and provides information and analysis about who is imprisoned in Victoria, the harms of imprisonment, the social and economic costs to the community, and decarceration strategies for community organisations. As a community resource, the poster is a form of creative outreach and political education providing practical and realisable strategies for change. It continues conversations about the longer-term goal of abolishing

imprisonment and finding alternate responses to pressing social issues, and encourages community organisations to use their voice, knowledge and resources to educate and advocate for decarceration.

We included the poster as an insert in the April edition of *Parity*, because the issues of homelessness and criminalisation are closely tied to imprisonment. We take up the concept of 'intersectionality' to understand the complexities of these issues in relation to systems of oppression.¹ Intersectionality refers to experiences of harm defined by multiple oppressions. People who experience the impacts of multiple forms of oppression are particularly vulnerable to policing and the likelihood of imprisonment.

In Australia, Indigenous women are one of the fastest growing prison populations.² Indigenous women live in the dangerous intersection of gender and race. They are more likely to be arrested and re-

incarcerated at a higher rate than non-Indigenous people for 'crimes' of disturbing the 'good order,' for example, offensive behaviour, sleeping in public places, failure to pay fines resulting from dog control or parking infringements, or drinking in public places.³

The criminalisation of Indigenous women occurs in the context of ongoing dispossession of Aboriginal people and the repression of resistance to structures of colonisation.⁴ In material terms, the intersectionality of oppression creates conditions of limited employment, education and healthcare; high incidents of poverty and homelessness; vulnerability to physical and sexual violence and police surveillance and harassment. The ways that policing practises disproportionately target marginalised communities, such as Indigenous, refugee, migrant, Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ), and homeless communities, reflect the impacts of

intersecting systems of oppression.⁵

Homelessness, Violence and Imprisonment

Women living in conditions of poverty and homelessness have significant interactions with police and the criminal justice system. Flat Out recognises that homelessness is one of the most significant issues precipitating imprisonment and re-imprisonment for women.⁶ The causes of homelessness include: severe financial hardship and lack of access to adequate income support; unemployment; lack of affordable housing; domestic and family violence; mental illness; lack of access to health care; drug and alcohol misuse; lack of access to drug treatment services; problem gambling; discrimination; disability and evictions. Evidently, these issues are complex and are often inter-related.

The Salvation Army suggest that violence is the primary issue that leads to homelessness and is a continuing issue for women in the context of homelessness. Women describe multiple experiences of violence including physical and sexual assault, racist violence, verbal abuse, sexual harassment, intimidation, sexual exploitation, fear and lack of safety, witnessing violence, and domestic violence.⁷ Women also report homelessness directly influences their drug misuse. Susanne Davies and Sandy Cook found that 45 out of 93 women who died post-release in Victoria between 1987 and 1997 died of drug-related causes. Due to issues of poverty and homelessness, 17 of the women died in temporary accommodation and another 12 died in public spaces including in car parks, railway stations and on the streets.⁸

Policing, criminalisation and imprisonment are punitive and reactionary responses to social and economic inequities. Such responses risk exacerbating existing harms (poverty, histories of violence, poor mental and physical health) and adding further layers including trauma, criminal record discrimination, and family and community fragmentation.

Investing in community supports and critical social services rather than expanding the criminal justice system's reach, is a more effective way of creating community safety. By community safety, we mean a world where everyone has access to housing, food, employment, education and freedom from violence. Strategies for decarceration (reducing the number going to prison and returning to prison) that are based on support, compassion, and addressing the causes of structural inequalities, is a crucial, ongoing and long-term project.

Creative Political Education

'An End to Prisons' is a poster that reflects a critical stance on imprisonment issues and provides a blueprint for community action towards decarceration. It is a form of creative political education evoking 'the transformative power of personal expression

in concert with collective action.'⁹ Educational posters utilising art and graphic design tools can inform, influence and inspire grassroots organising for social and economic justice. From its initial conception, CHRIP's 'An End to Prisons' poster draws strong influence from an INCITE! and Critical Resistance poster from the United States of America.

The poster depicts their 2001 joint *Statement on Gender Violence and the Prison Industrial Complex*.¹⁰ The Statement outlines critical issues of interpersonal and state violence (including criminalisation, police violence, imprisonment, domestic violence, sexual assault) and recommends concrete steps toward transformative change. INCITE! and Critical Resistance use compelling graphic design to incorporate a large volume of text while retaining artistic appeal. This makes their poster a relevant and effective tool for other organisations and collectives to access even 11 years after its original publication.

For the 'End to Prisons' poster we chose the medium of a creative and informative poster to increase the visibility of local imprisonment issues and abolitionist perspectives. We present information in an accessible and aesthetically pleasing format to complement existing research reports, journal articles and fact-sheets.

We hope community organisations will display the poster in spaces visible to workers and people accessing services, to spark conversation and reflection rather than be shelved away and forgotten. We are able to engage people with visual culture that might otherwise not be exposed to information about prisons and the abolition movement.

This approach draws on histories of grassroots collectives and community organisations in Victoria linking art and political posters to awareness-raising and social change. We hope community organisations in Victoria will display the poster and use it as a tool both in responding directly to issues of imprisonment, and to incite dialogue about transformative changes in our community.

Poster Authors: Centre for the Human Rights of Imprisoned People (CHRIP). Project Worker: Phoebe Barton. Working Group: Emma Russell, Lorena Solin, Terri Silvertree, Liz Patterson, Rachel Barrett. ■

Footnotes

1. Crenshaw, Kimberlé (1989) 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Colour,' *University of Chicago Legal Forum*, pp. 140; bell hooks (2000) *Where we Stand: Class Matters*, Routledge: New York, NY; Ortiz, Victoria and Elrod, Jennifer (2002) 'Construction Project: Colour Me Queer + Colour Me Family = Camilo's Story,' in *Crossroads, Directions, and a New Critical Race Theory*, ed. Francisco Valdes, Mc Cristal Culp, Jerome and Harris, Angela, Temple University Press, Philadelphia.
2. Atkinson, Judy (1996) 'A Nation Is Not Conquered,' in *Indigenous Law Bulletin* vol. 10(3), pp. 85; Payne, Sharon (1992) 'Aboriginal Women and the Law,' in Cunneen, Chris (ed.) *Aboriginal Perspectives on Criminal Justice*, Sydney, The Institute of Criminology Monograph

Series, No. 1, pp. 31-39; For a discussion of intersectionality and the law, see Davis, Angela, (1998) 'Violence against Women and the Ongoing Challenge to Racism,' in Joy James (ed.) *The Angela Y. Davis Reader*. Australia: Blackwell Publishing, pp. 138-48. See also Smith, Andrea (2005) *Conquest; Sexual Violence and American Indian Genocide*, Brooklyn: South End Press, pp. 151; Thomas, Carol and Selfe, Joanne (1992) 'Aboriginal Women and the Law,' in *Aboriginal Justice Issues*, proceedings of *Australian Institute of Criminology Conference*, 23-25 June, pp. 169.

3. Mackay, Michael and Smallacombe, Sonia (2006) 'Aboriginal Women as Offenders and Victims: The Case of Victoria,' in *Indigenous Law Bulletin*, vol. 4 (3), pp. 21-29; Hunt, Emma (1998) *Waiting to be Heard: A Discussion of Feminism, Criminology and Aboriginal Women Offenders*, Thesis: Masters of Criminology, Melbourne University, pp. 250.
4. See, the Royal Commission Into Aboriginal Deaths in Custody (RCIADIC) (1999) *Final Report of the Royal Commission into Aboriginal Deaths in Custody*; The 2001 Human Rights and Equal Opportunity Commission (HREOC) *Social Justice Report* found that 'Aboriginal women remain largely invisible to policy makers and program designers with very little attention devoted to their specific situation and needs.' Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission (HREOC) *2001 Social Justice Report* (2001); see also Kelly, Loretta (2002) 'The Rights of Indigenous Prisoners,' in Brown and Wilkie (eds.) *Prisoners as Citizens: Human Rights of Australian Prisoners*, Annandale NSW: Federation Press, pp. 21-37; Behrendt and Behrendt (1992) 'Recommendations, Rhetoric, and Another 33 Aboriginal Deaths in Custody: Aboriginal Custodial Deaths Since May 1989,' in *Aboriginal Law Bulletin*, vol. 2(59), pp. 4-12; Langford Ginibi, Ruby (1999) *Haunted by the Past*, Australia: Allen and Unwin.
5. Cunneen, Chris (2001) *Conflict, Politics and Crime: Aboriginal Communities and Police*, Allen and Unwin, Sydney; Smith, Bec and Reside, Shane (2010) *Boys you wanna give me some action? Interventions into Policing of Racialised Communities in Melbourne*, Springvale Monash Legal Service, Fitzroy Legal Service, Western Suburbs Legal Service; Victorian Gay and Lesbian Rights Lobby (2000) *Enough is Enough: A Report on Discrimination and Abuse Experienced By Lesbians, Gay Men, Bisexuals and Transgender People in Victoria*, Fitzroy
6. Flat Out/CHRIP (2010) 'Submission to the Drugs and Crime Prevention Committee' *Inquiry into the Impact of Drug-Related Offending on Female Prisoner Numbers*
7. The Salvation Army (2009) *Somewhere Safe to Call Home*; Hanover Welfare Services (2003) *Women Experiencing Homelessness*
8. Davies, Susanne and Cook, Sandy (2000) 'Dying Outside: Women, Imprisonment and Post-Release Mortality,' Paper presented at the *Women in Corrections: Staff and Clients Conference* convened by the Australian Institute of Criminology in conjunction with the Department for Correctional Services SA and held in Adelaide, 31 October - 1 November
9. Just Seeds, Who We Are, http://justseeds.org/about/who_we_are.html
10. Critical Resistance and Incite! Women of Colour Against Violence (2001) *Joint Statement on Gender Violence and the Prison Industrial Complex*, <http://www.incite-national.org/index.php?s=92>

