ABORIGINAL VISITORS SCHEME

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Introduction

On the 15 October 1987 the Commonwealth Government is association with the States established a Royal commission into Aboriginal Deaths in Custody in Australia. This followed growing concern about the numbers of Aboriginal deaths in custody and their apparent increasing rate. (Extract of WA Interim Inquiry into Aboriginal Deaths in Custody).

On 19 November 1987 the Royal Commissioner, the late Mr. Justice Muirhead advised that it had become apparent the Royal Commission would take much longer than at first thought to complete its inquiries. He exhorted the States not to merely wait for the conclusion of the royal commission but to take steps forthwith to stop further cell deaths. (The West Australian 20/11/1987 p.2)

On 20 November 1987 the former Western Australian Minister for Aboriginal Affairs announced that in association the Minister for Corrective Services and Minister for Police, a state interim inquiry into Aboriginal deaths in custody would be convened in response to the remarks of the Royal Commissioner. (Extracts of WA Interim Inquiry into Aboriginal Deaths in Custody).

Methodology

The terms of reference required the inquiry to consider the material currently available concerning the deaths in custody of Aboriginal people in Western Australia since 1 January 1980 and to report to the Hon. Ministers by 21 January 1988.

It was important to ensure that any recommendations of the inquiry were soundly based and were formulated with the benefit of consultation with relevant organisations and in particular with Aboriginal groups. Given the limited time frame, the extent of the inquiry’s consultation was not as wide ranging, as its members would have wished. Members of the Inquiry met with representatives of the State Aboriginal Advisory council, the Aboriginal Medical Service and the former special government Committee of Aboriginal/Police and Community Relations. Discussions were also held with Australian Institute of criminology at that time. (Extracts of WA Interim Inquiry into Aboriginal Deaths in Custody).

Background

In response to recommendation twenty (20) of the Western Australian Interim Inquiry into Aboriginal Deaths in Custody, which reads as follows,

“Consistent with the effective management of Prison ad Police lockups an Aboriginal Visitor Scheme should be developed and Implemented”

The Aboriginal Visitors Scheme was established and introduced as a pilot program in the Goldfields town of Kalgoorlie in July 1988. Due to the success of this initiative, the program was expanded to service other selected prisons and lockups. Today prisons and selected lockups in WA are serviced by the Aboriginal Visitors Scheme (AVS).

The Aboriginal Visitors Scheme was originally coordinated by the Aboriginal Affairs planning authority (AAPA) (now the Aboriginal Affairs Department) before being transferred to the Ministry of Justice in March 1994. Although administered by the Ministry, the Aboriginal Visitors Scheme has been able to retain its autonomy and confidentiality in providing an independent support service for indigenous people in custody.
The responsibility for the AVS rests jointly with the Attorney General, the Minister for Police and Minister for Aboriginal Affairs.

**Objectives**

The aims and objective of the Scheme is to provide a means of reducing, the likelihood of Aboriginal deaths in custody, through the implementation of a community orientated service provided by Aboriginal Visitors who would assist in ensuring.

- Culturally appropriate counseling is provided to Aboriginal detainees or prisoners who may or may not be in a distressed agitated state.
- Aboriginal detainees and prisoners are given adequate support and referral service.
- The Aboriginal Community is satisfied that detainees and prisoners are treated in a fair and humane manner whilst incarcerated.

**Employment and Recruitment**

Currently the AVS employs (5) permanent officers and manages approximately forty-five (45) community people as Visitors. Aboriginality as part of the criteria for appointment as an Aboriginal Visitor, is essential to the scheme.

Visitors are recruited from local community groups throughout the state. All Visitors are indigenous people who have made a personal commitment to assisting supporting detainee/prisoners in their local areas. They are employed on a casual basis, but are available at all times to assist Detainees/Prisoners as the need arises.

To compliment the Visitors in their role, there is an after hours “on call” roster in place, which is the responsibility of the permanent officers to maintain. This service is provided, to ensure a fast turn around response, in the case of any emergency that may occur, outside of working hour’s weekends and public holidays.

**Training**

All prospective visitors are given 5 days of intensive in house training prior to their employment, thereafter a 3 day follow up training program takes place every 3 months (ongoing).

The training includes:

**General Issues**

- Introduction to the guidelines and objectives of the AVS
- Report writing
- Orientation visit to prison and a selected lock up
- Roles and responsibilities of the Visitor.

The role or duty of the Aboriginal Visitor is most crucial. The following role/duties is required to be known and understood by each visitor.
The Aboriginal Visitor

- Visits and provides support for Aboriginal and Torres Strait Islander people who are held in custody in police lock ups, prisons and detention centres.

- Monitors that Aboriginal and Torres Strait Islander people are dealt with humanely in police lock ups, prisons and detention centres.

- Complete written reports on observations made at lock ups, prisons and detention centres. Such reports shall be forwarded to the designated project officer responsible for that region immediately the visit is completed.

- Advises the Officer in Charge of the police lock up, prison or detention centre if the Aboriginal Visitor is of the opinion that the person in custody requires medical or any other urgent attention.

- Ensures that any matters of concern to a visitor, relating to a person in custody, shall be brought to the attention of the Manager of the Aboriginal Visitor Scheme immediately.

- The visitors are required to inform the Officer in Charge of a Police lock up, prison and detention centre of any observations made which relate to the condition of the person in custody and the condition in which they are being held, prior to departure.

- Attend all meetings and training workshops facilitated by the Ministry’s Aboriginal Visitor Scheme.

- Attend other duties as authorised by the Manager of the Aboriginal Visitor Scheme or the project officer designated on call during the relevant period outside of normal working hours.

Counselling

Visitors are taught the six (6) basic stages of Counseling which would be effective and appropriate in terms of helping Aboriginal people in lock ups, prisons and detention centres. This applies especially for young people who may have been arrested for the first time and are experiencing, stress, loneliness, isolation or depression.

The six (6) basic steps are:

- **To break through the isolation of the Detainee/Prisoner**
  Eg. Call out as you approach the person, convey a sense of caring by chatting, friendliness, and reassurance that you will do everything possible to help them.

- **To demonstrate that you understand**
  Eg. Listening, find out about their concerns, views. Never judge or criticise.

- **To determine the seriousness of a suicide threat**
  Eg. Look for signs of emotional, psychological, physical, analyse the situation.
- **Reality tests the Detainee/Prisoner, talk openly about the issues**
  Eg. Talk openly and honestly on how they feel, trust your own judgement, point out the consequences of their action. (Family/culture).

- **To involve the Detainee/Prisoner, in a solution. “Cure” for the Detainee**
  Eg. Helping them to recover from the despair by being positive, practical. Encouraging to participate in the process, staying with them till they feel O.K.

- **Then detach yourself – debrief visits involved in – “Cure” the Visitor**
  Eg. Feel that you have done your best “Walk on”, spend time with other visitors or support people to let go of any emotional involvement.

**Visitor Support**

Whilst the Aboriginal Visitor Schemes main focus is in place to provide appropriate counseling and support for Aboriginal prisoners who may experiences stress, isolation or depression for one or more reasons, we are ever mindful of the Visitors who, in dealing with these day to day occurrences, eventually, will need time out, due to the stressful situation they are being placed in.

There have been cases where Visitors were called out for the first time to attend a crisis situation. The Visitors involved were requested to counsel a prisoner who appeared to have suicidal tendencies. Upon arrival at the prison, the visitors are confronted with a person who is showing signs of depression. He is very agitated and keeps repeating “there is nothing left for him to live for, nobody cares for him”.

Initially they are prevented from going into the area where the prisoner is because the prison staff fears for their safety. However after much persuading the visitors are able to gain entry and begin to talk and gain the confidence of the prisoner. Over a period of time the visitors are able to calm the person and take control of the situation. Arrangements are made for him to move into another cell with a relative (buddy buddy cell) to give him support and companionship. He assures the visitors he now feels a lot better and is happy with the current situation. He also gives them a guarantee he will not harm himself. This counseling session has taken place over a period of approximately four (4) hours.

Imagine the feeling of frustration and despair as well as that feeling of failure on their part, when they are notified the prisoner has committed suicide that same evening.

**Employee Welfare**

The Ministry recognises that Visitors operate in a very depressive environment. The nature of prisons and lock-ups can be oppressive and stressful for the worker. Visitors at times are required to deal with disturbed and suicidal detainees.

This is especially the case, where for instance there has been a death in custody and visitors who have been counseling the person prior to occurrence, may be required to appear before a coronial inquiry to give evidence on this matter. In circumstances such as this visitors and support staff will need all the assistance that is available to them.
Employee Assistance Program

While the regular Aboriginal Visitors Scheme training workshop assist Visitors in coping with these pressures; it is also important to provide an alternative support mechanism for the workers. This has been implemented through the Employee Assistance program, which is an external agency (PRIME). Prime is contracted by the Ministry of Justice to provide counseling for work related and personal problems. The AVS also has at its disposal, the Ministry’s Consultant Psychologist who attends meetings of the Visitors on a regular basis. This service is available in the metropolitan and regional areas and is free of charge to all employees.

Roles and Responsibilities – Custodial Staff

To date we have looked at the background of the AVS, the role of the Aboriginal Visitor as well as some of the training components he/she is involved in. There is another area of responsibility, which plays a big part in the success of the Aboriginal Visitor Scheme. That is the role of Custodial Staff.

Custodial staff has a role to play in the successful running of the AVS. For instance:

- The Officer in Charge of a lockup, Superintendent or delegate of a prison and detention centre are required to provide all Aboriginal visitors and orientation into their institution. These visits shall run in conjunction with the AVS induction/training program.

- The Officer in Charge of a lockup, Superintendent or delegate of a prison and Detention centre shall bring to the attention of all staff, information relevant to the Operations of the AVS, including the AVS guidelines and any updates that may occur.

- It is the responsibility of the Officer in Charge of a lockup, Superintendent or delegate of a prison and detention centre, to meet with visitors at the completion of each visit and debrief on any relevant matters of concern that may have an effect, on the well being of any prisoner. However in appropriate cases, these matters may be referred to AVS Management for further action.

- An Officer in Charge of a lock up, Superintendent or delegate of a prison and detention centre, any at anytime call up on the AVS to visit a detainee/prisoner who may be considered in need of assistance.

- It is the responsibility of the Officer in Charge of a lock up, superintendent of a prison and detention centre, to take action on concerns raised by the Visitors that are relevant to any detainee/prisoner, then relay the outcome of any action to the management of the Aboriginal Visitor Scheme.

- It is also worth noting, at no time shall a detainee/prisoner be forced to meet with an AVS visitor against his/her wishes.

Summary

The Ministry of Justice in allowing the Aboriginal Visitors Scheme to retain its autonomy, in providing an independent service under the umbrella of its Aboriginal Policy and Services Directorate, has recognised that the AVS has been one of the most Contributing factors is assisting the reduction of Aboriginal deaths in custody.
The Aboriginal Visitors Scheme has pioneered a unique counseling service for Aboriginal and Torres Strait Islander people who have been incarcerated and continues to promote a greater understanding of the needs for our people in custody.

On a more personal level, I believe the ongoing service of the Aboriginal Visitors Scheme in Western Australia, relies heavily on the total commitment of all its workers, in their daily delivery of a very sensitive service.

I also believe it is the responsibility of custodial management and prison staff to be aware and understand the culturally relevant needs of Aboriginal and Torres Strait Islander People for this important program to proceed successfully. This can only be done through responsible actions of training personnel, catering to these needs through cross-cultural training programs.

Ladies and Gentlemen this brings to a close, my presentation, I sincerely trust that this information has been helpful, especially to those states and territories where similar programs are in operation.