Beyond Walls and Cages: Dismantling Detention and Prison

Emmy Rākete, Fadak Alfayadh, Crystal McKinnon and Emma Russell

Space, Race, Bodies II workshop, 7 May 2016

Bell Murphy: Tēnā koutou, tēnā koutou, tēnā tātou katoa. Kua emiemi mai ki konei i raro i tēnei kaupapa. Ko 'Beyond Walls and Cages: Dismantling Detention and Prison'. Ko wai au? I whānau mai au i Waiatarua i te taha o te paeroa o ngā Waitākere. Engari mō ngā tau e whitu i noho au i Ōtepōti, ko tēnei tōku kāinga ināianei. Ko Kāpukataumaka te mauka, ko Pukehouke te awa, ko Victory rāua ko Cape Kate Kearney ngā waka, ko Ngāti Pākehā te iwi. Ngā mihi aroha ki ngā mana whenua: Waitaha, Kāti Māmoe, Kāi Tahu, Rabuvai hoki. Āe. Kia ora everybody, my name is Bell Murphy, and I was born in Auckland but I've been living in Dunedin for seven years. Also lived some of my life in the States which is why I have a bit of a mixed up accent, but this is my home now, here. I'm also a student in Gender Studies here at Otago and my mahi is teaching self defence to women and girls, so comprehensive holistic feminist self defence programmes that encompass empowerment and self esteem and I could rant on about it, but might as well write a thesis aye! That's my mahi at the moment, my focus. I've been involved in lots of different kaupapa with activism over the years, and also been being a supporter of a new fledgling faction of No Pride in Prisons here in Dunedin this year as well. And it is my honour to be here and to facilitate a conversation with the panellists we have today. So, Fadak Alfayadh, who is from Melbourne, from an organisation called Rise, which provides support for survivors, refugees and ex-detainees. Also, Emma Russell from Flat Out, a support and advocacy organisation working alongside criminalised women in Victoria. Crystal McKinnon from Elizabeth Morgan House, which is a refuge service for aboriginal women, and also from Flat Out. And Emmy Rākete from No Pride in Prisons, the queer and trans activist group based in Aotearoa fighting for the abolition of prisons. So the kaupapa today is about bringing together refugee and anti-prison activists. And so the workshop will take a conversational form, so the first hour will be some questions that the panellists have come up with for discussion between and across the different areas they're working in. So I'll facilitate that discussion for the first hour, and then we'll open it up to the room and we have some general questions for discussion amongst everyone and some time for questions as well. This session is being recorded, and so the only people being recorded is us here at the front, but if you ask a question it would be great if you could take a microphone and that would be part of the recording. Of course if you'd like to ask a question and not be recorded, that's totally OK as well, and you can just ask the question without the microphone. This session is designed to interrogate the links and tensions between system of offshore detention and domestic incarceration including how gender, race, and sexuality, and Indigeneity shape their operations but also how resistant movements can mobilise and categorise these efforts to bring them down. It aims to build solidarity and forge greater connections between refugees, indigenous, and anti-prison movements. So now I'll just invite our panellists to introduce themselves and a

little bit about their work as well. And please if you can't hear, if you need us to speak up, please just let us know because these mikes are just for the recording. Kia ora.

Emmy Rākete (ERĀ): Kia ora, so ko Emere ahau, I'm a second or third generation urban Māori from Tamaki Makaurau, ko Ngāpuhi tōku iwi. I've kind of been involved in left-leaning activist stuff for a while but two years ago being Māori and transgender and a lesbian, seeing that there was going to be cops and screws in marching in my Pride parade, I kind of got together all of my friends as quickly as I could and we started working together to work out a response to this kind of use of our space and our kaupapa to cover up the modern spearhead of genocide in this country. And it went really badly, and I got my arm broken by a security guard. But since then, it's been going really well. It turns out, if you have more than three people for direct action, they tend to go a lot better. So I know! Who would have thought. So at Pride this year, we had 300 people show up and that's 100 times more people. That was pretty good to see enough people there that really would have gotten tied up if they had tried to break everyone's arms. I'm expecting 30,000 to show up next year if we're following this trend. So really need you all to come if we're going to…! So that's kind of what I do. So I work directly with incarcerated trans women when I can, which isn't as often as I'd like it to be but I do like phone calls, I try to coordinate letter writing, but that's hard because I'm bad at writing letters. Try to get material support for these women, so money if they need it, legal aid if I can swing it, which is also difficult. But just kind of generally trying to do whatever it takes to help, which is just improving conditions – and that's important and good – but also, to destroy the institution that makes these kind of situations actually happen in the first place. Otherwise we're running around putting out fires while we're on fire, and it doesn't work.

Fadak Alfayadh: My name is Fadak, I'm from Rise Refugees. Just a little bit about my background, because at Rise, almost all of the people who manage it are forma refugee or ex-detainee background. So at Rise Refugees, everybody who volunteers – almost everybody – is from a refugee or ex-detainee background. So me and my family, we were refugees from Iraq after the invasion happened in 2003. And so my Dad came to Australia by boat and we were in Jordan, which is a neighbouring country to Iraq. And he was in detention for a while, and when he came out, we made our way to Australia. And that's why I got into the work with Rise, and doing a bit of advocacy work and helping with the settlement processes. And just a little bit about how rise started: Ramesh Fernandez, he was in detention as well. And he was actually in detention for a couple of years and he was a teenager at the time. And a lot of the men he was detained with were very helpful in terms of getting him to go to school and stuff like that. And they put money towards his education. And before he left, one of the things they asked him to do, is that when he comes out, is to advocate for their cause and to bring attention to what is happening in the detention system, as well as what people who are seeking asylum are facing. So that's how it started as well. And one thing about our structure is that having your own people support you and give you

that assistance is really important because its important for self empowerment and our representation. Because otherwise if someone else who has never been a refugee or is not a person of colour can probably be a bit problematic when they try to help out.

Crystal McKinnon: Can everyone hear up the back? My name's Crystal McKinnon, I'm an Amangu woman from the Yamatji nation in Western Australia. Been living on Wurundjeri land in Melbourne since I was 17. I'm 35 today, it's my birthday. And it's also Cara's that I know. I've been involved in Flat Out since around 2012. My background is I've been a PhD student looking at arts and resistance in indigenous communities and in amongst that I've worked at community controlled organisations in Victoria, including the Aboriginal Legal Service. I'm currently at Elizabeth Morgan House as Bell said, which is an Aboriginal women's support agency for people facing domestic violence and also moving into prison work as well.

Emma Russell (ERU): Kia ora, my name is Emma, and I guess alongside Crystal, I'm here to represent Flat Out, and I became involved in Flat Out in 2011 as I guess a young volunteer. And then I've ended up working for Flat Out for a year in 2014/2015, and I guess otherwise I've also done research around policing and queer communities in Melbourne and around women's imprisonment. So I'm also sort of in university spaces. And as for flat out, it's an organisation that works with criminalised women, or women who are in prison or have been in prison in Victoria. And it's based in Melbourne, and it works state-wide. It's a relatively small organisation and it's independent and it was founded in 1988, so it's been around for a long time. And it was founded by a group of women activists and advocates working around the issue of women's imprisonment which at the time was a pretty seriously neglected issue. There was massive gaps and problems with particularly post-release, for women coming out of prison in Victoria, there was a lot of post-release deaths so a lot of women were dying upon release from prison. Which is still a pretty significant issue: women are more likely to die than men upon leaving prison. So I guess a group of activists got together and decided to found an independent organisation to support women and its been explicitly a prison-abolitionist organisation since its inception. And it's combined and tried to combine – anyway, there's challenges with this approach – but basically tries to combine activism and system advocacy around prison abolition with individual support and advocacy work. So there's both caseworkers as part of the organisation who work with women individually, in the individual matters in their lives, and also a sort of system or activism wing of the organisation that tries to raise broader awareness and work towards prison abolition.

BM: So the first question we thought we'd open the discussion with is 'How do anti-prison and refugee politics align and / or conflict with decolonisation?' Would any of you like to respond to that?

CM: With Flat Out, I think when we talk about prison abolition, in many ways it aligns with decolonisation and in terms of decolonisation I think that its about

challenging systems of oppression and settler colonial structures which operate to oppress indigenous people primarily, and others within that. And prison abolition, obviously, like when you talk about missions and reserves and these sorts of things, there also sites of detainment and sites of prisons for indigenous people, so I think that with our work we see a clear link between what's happening now in terms of detainment and the way that these other sites also operate to detain and have operated in the past.

FA: From a refugee perspective, or movement perspective, because unlike, in an Australia context, unlike coming to Australia as a colonial power, the refugee movement is also a movement of self-determination. So a lot us – most of us – don't have a choice to stay in our home countries or not. It's a matter of you leave or you die kind of thing. And that's why I feel like its not the same thing as the British invasion really. And in terms of who decides who comes to Australia as well, because is it really the British colonial law that should decide these people are allowed to come to Australia or not because that's what's happening now. But the indigenous Australians don't have a say as to who can come and who can stay and cross the borders to come to Australia.

CM: There's also a lot of work Rise does with different indigenous community groups in Melbourne as well, in terms of those public protests of the passports stampings.

FA: So a couple of years ago, I think it was run by Robbie Thorpe, where they issued 'original passports'. So they were passports – I mean they weren't recognised by the Australian government of course, so we couldn't get far with it, but it was a public recognition of acceptance of refugees in Australia.

CM: And challenging racist laws that said who operates and who gets to say who comes and also like a very public statement of indigenous sovereignty in a sovereign act: this is our land, we can say who comes across these borders or not. And those sorts of displays. And that's one of the actions I think.

FA: And I've been with people who are refugees or seek asylum. We have similar backgrounds to what happened to the indigenous people in terms of like the genocides and invasions of our countries. That's certainly why I left my country because of the invasion at the time. And that sort of relates, or similar to what happened with the British invasion in Australia.

ERĀ: So one thing that I thought about, was there's a tendency for when refugees arrive in Aotearoa to pōwhiri them at the airport. Which is really nice, because Māoris like doing pōwhiris for manuhiri. And it's cool that we get to do Māori stuff for our whanaunga from overseas who have come to live with us now, which is nice. But after the pōwhiri, we can fuck off, because the state is done with us. We've exercised

our duty to show up and be friendly Māoris and they made the call that these people come here. And I'm 100% real glad that refugees are coming here, but we don't… Māori are uninvolved at any stage in the process. Every decision is made by the state. We don't get to say, '10,000 more please'. We don't get to make those decisions. We show up, we do our little tika for them, and once they are sick of us, we can just leave because we're done. It's like a dial-a-pōwhiri. It's a dismantling of the Māori cultural paradigm as an actual meaningful structure reduced down to an instrument of state power to legitimise the occupation here. So it's disappointing that the entirety of the Māori involvement in these processes seems to be ceremonial. Not in the sense that ceremonies are unimportant, but that actual material power does not reside with us. And I guess that's how it ties into decolonisation is that we would have material power to shape how our whanaunga would be welcomed here if we weren't ruled. But we are. So we get to do our little performance when the Pākehā say to.

ERU: Just to add and maybe to rip off the last session as well a little bit with the discussions around the co-option of Aboriginal culture into correctional spaces, I think those kinds of initiatives in many ways I guess in efforts to improve the prison and make it more sensitive to particular groups, and particularly for groups that are over represented in those spaces, are seen as efforts to improve the prison space, and they also legitimise the prison space. But they're profoundly colonising moves in the way that they extend colonial reach and colonial power to detain and punish and control Aboriginal peoples in this case. And I think from where Flat Out proceeds with our work around abolition, or using that as a framework through which to guide our work, those kinds of efforts that serve to build up the prison through it's improvement, whether its in the case of making prisons more gender-responsive, or more culturally sensitive, I think there's… I guess we would take a critical stance to those kinds of efforts because of the way they build up and legitimise the prison system and so from an abolitionist perspective, any kinds of reforms that continue to build up the prison rather than I guess break it down bit by bit, should be critiqued and should be challenged. At the same time I guess you have to try to balance the issue of how you concretely support people trapped inside those systems, and what are going to be the meaningful changes that make those conditions more survivable in the meantime, while we work towards abolition. So I kind of think that's something we have navigate in our work all the time, but in a round about way, I guess this brings us back to always returning to that decolonising, or that abolition framework as a way to evaluate and guide our work.

FA: And just adding on to that, because obviously Rise is a completely against mandatory detention, which is something I think New Zealand has as well. And that's why we never take part in doing activities such as workshops or arts activities in detention centres, because we're completely against the whole idea of mandatory detention, and that it shouldn't be necessary. And there are groups in Australia who do go into detention centres and do activities, or meet with detainees, but to use that's

kind of a way… I mean it's not straight out supporting mandatory detention, but it is a way of being complicit and not rallying against it all together.

ERĀ: Just going off that, after the first Auckland Pride, the Pride board had a series of hui to consult with the community about people want. And overwhelmingly, people jumped up and said 'Maybe cops and Corrections shouldn't be in the Pride Parade because they are fuckers.' (A penny which they didn't take). But one of the compromises they tried to reach with us, I had a meeting with them in a Starbucks of all places. They tried to pitch to me that Corrections met with them and Corrections will not be tearing down every prison and freeing all prisoners, and there's going to be no honour suicides among the Chief Executives of Corrections, which isn't necessarily a hard demand to offer. But one of the compromises they tried to pitch to me as a sign that Corrections was definitely materially changing was that they were offering to organise a support group for transgender prisoners and they wanted to talk about that, through that with me, and all I could think the whole time they were pitching this lovely idea to me was that, 'What do you think they're going to fucking talk about in a support group?' If Corrections organises a support group for them? They're going to talk about their problems, and every single one of their problems is caused by Corrections. So no, I don't think that that is very meaningful to provide a platform for them to reiterate that they're still getting fucked over really badly and its not any kind of meaningful change in the material circumstances that those people are living in.

FA: Yeah, as opposed to 'reform'.

ERU: Just going off both of what Fadak and Emmy just talked about, as a concrete example from Flat Out, and this is something that we've really struggled with, is women inside the prison were identifying that they had a significant lack of access to knowledge and information about what services were available to them, legal information, ranging from child protection orders to health issues, housing issues. So basically massive barriers in access to knowledge that was really fundamental and important to them. And so Corrections weren't providing this information, they weren't facilitating community organisations or services who could provide that information. So we decided to start running a program in the prison based on what women were identifying that they need more information about, and so we had to negotiate with Corrections to be allowed in – initially once a month, and then they reduced it to once every two months. And we would invite a speaker from the community who had particular expertise on the issue that women wanted to know about, to come in and present to the women about whatever it was; harm reduction practices, housing, gambling, or whatever basically women said they wanted to know about. And so this was a question we had to really grapple with – OK, well then at what point do we then just become part of the system and bolster and build it up by filling a gap in the lack of services that they have in there, and make it look like that they're running more efficiently and more effectively. But, at the same time that

women were consistently identifying that this was a massive problem to them that was preventing them from accessing services or information that would potentially enable them to get out more quickly, whether it was to improve their parole eligibility, a whole raft of issues. But I don't think we've necessarily resolved that tension, like I think its still one that's quite discomforting within the organisation in terms of how we balance those abolition politics with the immediate needs of people inside. I guess one key reflection on that programme has been the way in which at every turn, Corrections has sought to sabotage or repress or ensure that people didn't know about the programme, that it wasn't promoted, the number of times we've gone in and its been cancelled due to lock downs. There's allsorts of ways in which Corrections has tried at every turn to ensure that women weren't able to access that programme. At the same time as that I'm sure they'd also use it as a way to promote and bolster the prison as something that's responsive to women. So there's a lot of paradoxes there I guess.

FA: And just adding on to that, because there is a similar sentiment with regards to detention as well. Where at Rise, we don't get any sort of government funding, and it is a way of staying independent because we are against the government policies which detain refugees. At times, we end up filling gaps from people who aren't getting services from organisations that are being funded by the government, or contracted by the government to provide housing or services for those refugees. So instead of doing the critical work, which we would be going, since we are from a refugee background, we end up putting very little money and resources into helping people get the material services which they need for everyday life. So we end up filling the gaps there. And one thing just going back to the colonisation stuff that we talked about, and the mandatory detention, a lot of the organisations in Australia are in the leftist and the Greens, they're all for some sort of mandatory detention, even if it is for a month or so. But we are also completely against that because it is a way of saying that refugees *should* be detained and it's a way of controlling borders and controlling people from coming to Australia. And because most people who come to Australia as refugees are people of colour, and its also a racist sentiment because it's saying that people, especially since 9/11, that we have to prove that those people are not terrorists, they're not here to take our jobs and kill us, they're not diseased or whatever. It is about security and health checks, that supposed 30 days of detainment. Yes, so we're completely against that as well.

BM: It feels like we've moved on to this question but I'll ask it anyway just to bring out more conversation about this tension between reform and abolition. So what are some ways that you navigate in your work that tension between the long-term vision and goal of abolition, but the short term needs in your work, on a political ideological level but also on a practical everyday level? Are there any guiding principles to draw that line between, or to recognise that this action that might actually be supportive or helpful to those individual people who are in those horrible institutions and those conditions of imprisonment or detainment, but where's that line where you're like 'To

do this action would be to support the institution.' And so that's a line where you'd stop. Or is it a really blurry, tricky space? Any sort of guiding principles that help to make that decision?

CM: I think that those lines are talked about with each issue. It's not like a blanket, like 'This is the line that we won't cross'. Its like, these are the conditions at the moment, this is the context, and how do we then… Like at Flat Out, we'll have discussions around what this means, and how this sets the agency on certain paths. Like what the cost is, what people want. When you were talking before about what little funding you have, would basically prefer to be doing system advocacy work to end detention, but because all these other places that are being funded are non-refugee agencies with getting refugee money that should be providing material support aren't. And then you end up having to do this stuff because you're meeting the need. Like I think that is something as well that goes across anyone who's a political agency who is working to change systems as opposed to supporting people with it. Or not that they're two mutually exclusive but you know, it's a tension.

ERU: It's a tension that's context-specific.

BM: For something you have to revisit and have present in your mind that you have to be asking at every junction of decisions.

ERĀ: With Pride, the whole argument being made was that Police officers covered in glitter make less racism. Or prison guards with rainbow flags on them make less bad prison I guess. It's an inane argument but it's a spectrum of thought that can extend out into this region as well. Like there's not a clear barrier between what is meaningless reformism, and what is part of a legitimate abolitionist programme. And it's always difficult to tell sometimes when what you're doing is part of that programme, and when what you're doing is part of window dressing. And there's not a good way, I don't think, to always… they're not like a clear rubric to assess your actions whether or not they are truly part of destroying that structure, or if they're part of managing that structure. And sometimes you can tell, because cops at Pride – that's probably just management. Other stuff that happens – that's probably more like destruction. I think a good, very very general guideline that I follow is the madder that it makes people, the more likely it is to actually be probably the right thing. I mean that doesn't work in every area of everything in your life. I wouldn't extrapolate from that as a general axiom. But if people are uncomfortable with what you're doing, then its likely that you are reaching towards a point of rupture and that's kind of the goal: to reach points of rupture and engineer situations where rupture is possible. And rupture's scary, and it makes people mad.

FA: I think that question sort of ties in with the self or […] as well because the conflict between abolition and reform, because I feel like with organisations or individuals who aren't from a refugee background don't understand the complexities

of why people go through those measures, and what could go wrong in the process of finding their asylum claim. There ends up being a lot of the critical stuff that should be hard don't come to the fore. And it is when groups like us should be given this space by people who aren't from a refugee background. Like they shouldn't take up the space to talk about what they think should be, how the reform should take place, or how the abolition or all of that. It should be done by people who have been through the system, who know what needs to go, who know how it should be tackled and what areas to stay away from and what to abolish altogether.

ERU: Just on that, Fadak, I think it's pretty interesting – there's a dominant political discourse like you were saying, that continually legitimates mandatory detention in various different forms, however more humane or less lengthy, or whatever it is, but then Rise as a refugee-led organisation is one of the only critical voices in that refugee space and one that's advocating for the end to mandatory detention. And I wonder how that relates in terms of the lived experience and how that informs your politics and then I guess the lack or absence of that in the dominant political space which perhaps lends to more – well it produces different political stances that like you were saying, manage the situation rather than see it as inherently violent in itself, because there's less at stake for people that haven't lived through that or aren't at risk of it, or whatever it is.

FA: Yep, because when we at Rise say something like completely not in the general discourse, like if we are completely against mandatory detention, general society are like 'What? How can we be against it altogether?' Like that's not something that people can ever think of, and it's just seen as something that's not possible or it shouldn't be an option at all. And I think that's part of it as well because maybe we aren't seen as human, that people don't know what we've been through and that is… you leave or you die. You don't have a choice. And that's the difference really, we're seen as really radical, but we really just make sense.

ERĀ: That's a really good, like you're seen as really radical but it just makes sense that it's the obvious thing to do that never seems to occur to anyone. Its kind of the experience of colonialism, or the experience of incarceration in this country is that the most obvious thing to do never occurs to anyone. There's that quote from I've completely forgotten who its by, so arohamai to them, but it's easier to imagine the end of the world than it is to imagine the end of capitalism. And it's because all of these structural systems foreclose our abilities to go to our imagination places and think critically and realistically about what our capabilities are, what are machines within us can do, because if it was possible to always think like that, to always asses the situation materially, the situation would be destroyed, because the obvious thing to do would be to destroy it. The fact that it doesn't occur to most people to think in that way is a function of that situation.

BM: Just to bring the conversation back to where we began with questions of indigenous sovereignty, and so maybe you each could talk a little bit about in what ways do you see your work, or does your work embrace and respect indigenous sovereignty, and how does your work or organisation embed this within your practice?

CM: I guess, probably similar to the decolonisation, if I'm speaking from Fadak's position, which I am, I think that particularly with systemic advocacy, when we're producing community education, tools or poster, we've got postcards at the front if anyone wants to take them on their way out, these sorts of things we think about how Aboriginal women experience incarceration and criminalisation in particular ways. That's not necessarily about embedding sovereignty, but its thinking about different women are racialised, and criminalised in different ways. And those things are all a product of settler colonialism, invasion, dispossession, violence, all of these things.

ERU: It was like you were saying yesterday, we actually talked about this, because we had a few conversations before this panel, and then we were like 'oh no, we're going to have talked about all the issues, and then when we get to the panel we'll have nothing!' But anyway, Crystal was saying yesterday that often when you're talking about imprisonment and over-representation of particular groups, this has been something talked about a lot at the conference, when we talk about women in prison, we often say how it's a product of homelessness and poverty, and experiences of abuse, etc., etc., and take them as if they are static things, rather than a product of processes of colonisation, of dispossession, that mean that particular women, and in this case particularly Aboriginal women are likely to experience those things a result of a process. So I think we have to be careful when we're trying to intervene in public debates about imprisonment and who ends up in prison, that we don't end up talking about those issues as if they're individual problems, or if they're sort of incidental, but always try and take it back tot that analysis of the foundational conditions of structural inequalities, and how they're reproduced. Which is a hard conversation to have.

CM: Yea, and the other thing I think that Flat Out does as well is consults, and doesn't speak for positionalities. It's like there's a difference between looking at conditions, and looking at and including these perspectives, but not speaking for. Like we would consult with the Aboriginal Legal Service, or Aboriginal Family Violence Prevention Legal Service, like the different agencies and if there was a panel on something, and we were approached to speak about this, we wouldn't take that speaking position, we would say, 'No, contact these people, this agency', and a specific politic that Flat Out does really well, which is why we have good relationships with different agencies.

BM: That action that you talked about earlier with the passports that were given by Aboriginal people to refugees, was that something that was initiated by either of your organisations?

CM: No, no, that was… was it Rise? Or you guys were involved? It was Robbie Thorpe and different kind of Aboriginal sovereignty.

FA: Like it was a public, I don't know if it was a ceremony.

Holly Randell-Moon: It was an Aboriginal passport ceremony that was for migrants, refugees, anyone could come along and you get the passport, as long as you acknowledge indigenous sovereignty, they were happy to give you the passport, so it was a public thing.

BM: So comment from the audience, the passports along with a remit to respect indigenous sovereignty in those things.

HRM: They also gave them – Uncle Ray Jackson gave them to asylum seekers in absentia, who were in detention and who were unable to come to the ceremony as well.

BM: So that's an action that to me speaks what you were talking about earlier in that initial question about the way that anti-prison and refugee politics align with decolonisation and that idea that the concept of detainment is relevant in both for refugees as well as for indigenous people, and also that issue of as you said Emmy, the lack of actual material power or mana to be able to decide who comes, and how they're welcomed and what terms. And that seems like an action that brought those two things together in quite interesting ways.

CM: Yeah I think the Left in Melbourne… like at the moment there's the occupation of – the last state government bought / mandatorily acquired all these houses to build a tunnel basically through Melbourne. And the next government abolished that tunnel. And so there's been a whole heap of houses sitting vacant in Collingwood, which Collingwood and Fitzroy are probably traditionally urban centres for Aboriginal people. But basically, some people have squatted these houses to try and build a movement to address the issues of homelessness in Melbourne. And there's been recently, like last week or the week before, they've signed all these leases with Robbie Thorpe and other people involved in Wurundjeri and Victorian Aboriginal movements for sovereignty. So I think these things are really interesting, like these public statements about sovereignty and borders and who lives where and how things happen.

BM: Does anyone else have anything else they want to say about that question before we move on? We've got another ten minutes before we open to discussion.

FA: I just wanted to say one thing. There was an organisation in Melbourne who on Australia Day, I think it was in an attempt to be inclusive, referred to refugees – or had a slogan that said 'We are all boat people'. And that was just problematic in so many ways because it referred to how the British came to Australia on boats, but it tied that in with the fact that refugees come on boats as well. And that's just – it completely dismisses what was present in Australia before the British came in their boats. But it also tries to make it sound like it's the same thing, like I feel like we had to come to Australia, we had no choice, because being a colonial settler, that's a calculated decision to make.

BM: Moving on to also bring into this conversation, gender and gender non-conformities, in what ways do sexual and gender non-conformities shape experiences of the prison-industrial complex do you think? And how do queer and LGTBTIQ politics bolster or unravel the prison-industrial complex?

ERĀ: Yeah, I mean it's such a complicated issue with really deep historical roots, because queers are poor, and being queer kind of sucks a lot of the time. And course you want people to like you, like I want you guys to all like me, by trying to be funny. But there's a sense among a lot of queers that the priority for a lot of queers has changed from 'Let's build up our people' to 'Let's become part of those people'. So rather than building queer liberation, we're going for 'Let's be friends with cops, let's have a cool business association, let's hire a security guard to throw all of the sex workers off of the street outside.' Assimilation into the world of power. And that's what pride has been about lately. It's been about appealing to cops, and picking sides. Because there are real sides in these issues. And wealthy queers, business queers, they definitely pick their sides. I had a woman getting up in my face, pulling my hair, telling me that I should be ashamed of myself while I was sitting there with a broken arm handcuffed behind my back getting questioned by a cop. It's impossible to overstate the ways in which queers can be complicit with these kinds of state violences because there is absolutely no sense in which being a queer automatically puts us into a coherent political category anymore. There is no necessary reason that I've got anything in common with any other queer. We might have some shared experiences, we might dress similar, maybe we both lisp; there's no necessary intrinsic shared political needs anymore because, talking with my whanaunga in prison, every single Māori trans woman who has been previously incarcerated who I've spoken to has told me she was raped in prison. Like raped in custody. That is… there's no commonality between those experiences and the experiences of – just to pick someone at random – Heather Carnegie, who is the head of the Gay Auckland Businesses Association. There's nothing in common there. We've not got any shared experiences. Really, we both get called queers and that is the extent of what we have in common. So in terms of the waka that we're on, its not a case of us needing to sit down and figure out how we can work together, because we're not on the same waka.

We're rowing in completely opposite directions. And frankly, their waka keeps throwing rocks at our waka and I'm sick of it.

FA: I just wanted to say a little bit from a detention perspective. I'm not queer, but from what is reported, because of the asylum seekers come from backgrounds – not all of them – but most, where homosexuality and being queer is criminalised, its illegal, its seen as a sin, etc. So within detention systems, not only do queer people fear the guards and the system itself, but there's also fear from your peers, the other detainees because it is criminalised from the backgrounds they've come from. So I'm not sure if that's the same thing than prisons, but that's definitely present in detention centres.

BM: So just in the last few minutes before we open it up to the room, what do you see as the new and emerging issues associated with the prison-industrial complex in relation to your work and the focus of your activism?

ERU: I guess one of the big issues that's been on the agenda in Victoria recently has been the Royal Commission into family violence. And I guess a big thrust of the movement and the way that its been taken up by the state and bureaucracy against violence against women has been to bolster reliance on Police and prisons as a response to that violence. And so from Flat Out's perspective, and the women that we've been working with, many of them have experiences of family violence. They most often can't enter the Police in those instances because it would worsen the situation. So instances where women will call Police to respond to a family violence incident, and the Police will side with male perpetrator, and arrest the woman for an outstanding warrant. So a lot of the women we work, and other agencies also work with, tell us that this is a real problem. You know they can't turn to Police, but if that's the dominant response that's being proposed by the state, and by other bureaucracies, to the issue of violence against women, it essentially abandons women who have a negative relationship with the criminal justice system. So that's a real challenge for us because we're also a feminist organisation and it's really important for us to have alliances with other women's organisation and feminist organisations, but it's a real tension that's emerging, and form our perspective, we have to continually remind and try and check that space, that prison is a form of violence against women, and that's not something that's taken into account in those discourses. It's completely erased. So I guess that's a real tension that's emerging for us at the moment.

CM: Absolutely. In terms of my other hat, which is with the Aboriginal Women's Service in Victoria, it definitely would be women ringing Police and getting arrested themselves for outstanding warrants, for infringements. It's a real issue that. And I don't think it's looked at enough about people who have negative experiences with Police about how Police respond to these issue. And obviously in Victoria, Aboriginal women – it's the same story everywhere across every settler colony I think.

Aboriginal women are the fastest growing prison population, make up the majority of women in prisons, and that number's only growing. Like, it's not getting better, it's getting far worse. And so these are issue that I think are on everyone's mind. Prisons are overcrowded, there's not enough housing to exit women from prison, conditions for release are getting worse, its harder to get out. It's harder for women to exit when men can exit more easily. Traditionally men would keep the home and they've got an address to go to. For women often they don't, so it's much harder to get out. They're a few things off the top of my head.

ERĀ: So for the past few months I've been having weekly phone calls with my whanaunga in Whanganui. She's been in a men's prison for about a year. She's been raped multiple times. Preface every true thing I say with the word 'allegedly'. She told me that she was raped by a guard, two guards shortly after she was transferred, and then again by another guard, and again by an inmate. Obviously the fact that all the stories that we get to hear aren't the totality of the stories that exist. If I can get in touch with three transgender women, and two of them have been raped in custody, and we're looking at a prison population – the absolute minimum, it is more than this – there's 20 trans women in New Zealand prisons. Right. That's a huge risk that these experiences are not isolated in that… I mean if the rate of being raped in custody for trans women is 66%, that's fucking atrocious. If any other population had rape figures that high, there would be a fucking outcry. So obviously rape in custody is a huge issue for us. Of course in this country, the racism, the criminal justice system, is only ever getting worse. My family's Ngāpuhi, so I had tūpuna killed by the occupying military force who changed their name to the New Zealand Police sometime in the late 1800s. So my family has a long background dealing with these people. And they're only getting more racist, and they're only getting more violence. There's more Māori in custody now then there has ever been at any point in history. Ever. So the racism is getting worse, not better. And they've had over 100 years to sort their shit out, and they've showed no indication of doing so. It all looks like it's coming to a point where it can't get sustained anymore. Like we literally are at over 100% capacity right now. The highest prison population ever. More Māori women in prison than ever. Sexual violence, non-access to health care, counselling, therapy, hormone replacement therapy for transgender people, which is like the number one indicator for whether or not we kill ourselves. No access to transition surgery for people who want it, which again you can't even get on the outside right now because the Ministry of Health haven't fucking found another surgeon to perform that surgery for the last two years. The waiting list, right now, if you're trans and you want to get surgery, is 40 years long. So if I signed up now, I'd be in my 60s before I got that. Assuming the list was even moving, and it's been paused for the last two years so it's just not fucking happening. Anywhere. Let alone in a fucking prison. And there's a legal obligation for the Department to provide healthcare, which is roughly in line with the care they'd receive outside of prison. And that's absolutely not happening. I talked to my whanaunga after she was raped. Told a nurse about what happened, and the nurse wrote that shit down, and then nothing happened. She told me about it on the phone a

week later. If you were in a hospital and a nurse was told someone had been raped, there is a pretty fucking heavy ethical obligation on that nurse to tell someone anything. But that is not happening because no one gives a fuck.

BM: Thank you all so much for your thoughts and contributions to this conversation and I'm sure that its evoked lots of thoughts and questions from the audience too, so in the last 25 minutes that we have, we could take some questions from the audience? We'll just pass you a microphone.

Audience Participant 1: Are the Australian women aware of Australia's history? I mean it's had a huge history of being horribly racist, and pretty much an all-white immigration policy for many many years, maybe not anymore, but certainly in the past. I lived there in the mid-60s in Sydney, in Newtown, and worked at Trunks, where there's hundreds of women working. I never saw an Aboriginal in the whole six months I lived there. And when I asked somebody at work "Where are your indigenous people", they said "Oh they don't live in cities, you wouldn't want to meet them" and yeah I was really shocked. And in fact I was told they didn't even vote. Aboriginals didn't have the vote at that time. That's from a democratic country and I understand a lot of the hatred of Japanese of Australians during the Second World War was partly because of their immigration policies and never being allowed to emigrate there. And about the refugees, people I talk to are not anti them, or angry with them, they just worry in this current work situation that there's going to be enough to round for everybody. That's usually the biggest worry: are we going to be able to get homes, people that are on the list for council homes. So no, they're not angry with you as a people, or in any way look down on you.

HRM: Sorry, do you have a question for the panel?

Audience Participant 1: Yeah I do. I want to know what they know about Australian history and if they realise what it was like in those days, not so long ago.

CM: I think we all know a hell of a lot about Australian history actually, and I take issue with the comment firstly that you've directed towards Fadak to say that Australian people welcome refugees when that's not actually not…. What are you saying then?

Mahdis Azarmandi: Thank you so so much, this was so thought provoking. I want to make a comment, and then I want to ask a question to all of you, but also to people that are in the room who are interested in putting in their two cents. I was really really fascinated how you always tied in the prison-industrial complex with the question with the non-profit industrial complex, where there's a danger in falling into the trap of filing the gaps that actually should be provided for if we were to take the state seriously. My question goes along, where does the academic-industrial complex fit in there? And I'll give an example of what happened just recently at the Department I

used to teach before I came here, which is the Gender programme at the Humboldt University in Berlin where a few lecturers (non-permanent, no tenured academic, just two contracted lecturers who are migrants and a former refugee) urged the other professors to account for how much research was being done on the refugees currently, where people were asking volunteers to do translation work without being paid, so that people could do their research, but also going into these communities and talking not about people whose cases have been processed, but people who had just recently arrived, so some of them actually went up even to Greece, where people were literally sitting at borders waiting to be let through, to get their stories in the name of we need to work with what's happening, and how can we… So my question is how does that tie into – it comes from a position of we need to make this better, but at the same time, how do we as academics become complicit and not calling out people who say 'I wanna go and research on these people with the help of other people who have been refugees and then come and translate for me for free', so what these lecturers did is they wrote this open letter and said 'Before you accept somebody's proposal, have you thought about these different issues', and I'm wondering if you've come across that in your work with, because you're working with prisons, cos that sometimes also happens when people want to do work on prisons. But particularly, the question of refugees at the moment. And because we've spoken so much about names and language, and we always talk about the detention, and then we talk about prison, and I don't know how many… I think a lot of people have been to prisons, and have been inside of prisons, and seen what it looks like, but what detention centres currently look like – I don't know what they look like in Australia – but what they look like in Europe is beyond what we can imagine what prisons look like. So we have people locked up in one big room, and people throw bread at them to feed them. So maybe also finding words to name. It's the dungeon, so let's call it a dungeon.

FA: I think you had a number of questions there, but the last one I remember was in regards to the comparison maybe? Between the prisons and detention centres? And they are quite similar I think if you visit. I guess some differences with a prison sentence, you might know of an end date to when you would be released, obviously that's subject to change, but in terms of detention, you don't really know. Especially in Australia, there are people who have been there for years and there is no way out, and now with the recent law since 2012, you'd only be released in PNG or wherever you're being detained, whether its Nauru, or Manus. Which is also changing. I guess your first question was in regards to how academics can help?

MA: How they also cause trouble?

FA: I think the example that stood out to me yesterday was some of the presentations and stuff, people who – there's a very fine line between solidarity and taking over and dehumanising people. And you have to be really really careful, especially if you are not a person of colour, and / or not from a refugee background, because those people after were put in a situation where you actually have no choice but to leave your home

country, otherwise you will die. And to take advantage of that, whether it is to take pictures and post them for other people to feel bad, and donate money, or if it is just to do research to better your career, or even if you had good intentions of bringing more intention to it, like at Rise, if you look at our website, there are no pictures of anybody really. For a number of reasons. And one of them is that we don't want to use people to make you feel sorry for us, because we are human after all and that's something you should already feel that we should be able to cross borders and we should be able to come to Australia because we have nowhere else to go. And one thing that stood out to me yesterday is that some people in New Zealand clearly had the idea of speaking *for* refugees, and speaking over them, in a very problematic manner. And what ends up happening is that the actual problems and the systematic problems are not addressed. For example, racism, Islamaphobia, this fear of brown people coming here and taking our jobs, and terrorists, like what the Minister for Immigration at the time called "The boats are pipelined for terrorists", that would be packed with people who are here to kill us basically. And just feeding into that is really problematic. And sometimes people who might not have these ideologies but they do take up space, so I think if you want to help, maybe think about 'is someone from a refugee background able to do this?' 'Should I be taking up this space and doing this instead of them?' I hope that answers it.

CM: I'll say just a couple of things. In terms of the academic-industrial complex, in my own work, one of the questions I always try to check myself with and come from a place of 'Am I working for my people's liberation or am I furthering oppression?' 'Am I just producing shit or what am I doing to address systemic change?' And I think that's something that academics… it's a privileged position to be in to access university, to speak on panels like these sorts of things. So I think you need to use that privilege in ways that liberate, don't oppress, and I think what you were just saying there was that when people are like talking about the humanity of refugees or that sort of thing, it's not challenging the dichotomy, it's reinforcing it. So I think as academics, or if you're doing academic work, I think it's really important for that work to be community driven. You can't just impose yourself upon a community from which you're not a part of. Like let the community decide what they need and how you can best help. Like the programme Emma was talking about before when women were requesting these different services, like that's where the tension lies. Like how do you use your privilege in ways to help the people that you're representing versus reinforcing an oppressive system already. I think – what was your other question about access? I think one of the tensions at Flat Out as well is because of the absolute power in places like detention; accessing prisons can be difficult. We've had case workers before who have had trouble working with women in prison because they have relationships with people in the men's prison, so Corrections will arbitrarily go 'Oh, we're banning them for now'. And then it's the arbitrary thing, when they'll lift it whenever they want. So accessing these places is also a site of privilege as well, or not a site of privilege, but a privileged place to be in often. Like if you're from that community of criminalised people, it makes it more difficult to

access these spaces as well, which is the same for refugees, asylum seekers, Aboriginal people, particularly if you've been criminalised or incarcerated before, it makes it even more difficult, let alone if you've got relationships with people. And the end date comment, I think the idea of the prison as a site of 'You do the crime you do the time' I think is a real fallacy because these criminalisation, and if you've been incarcerated, that follows you forever. It makes it difficult to get jobs, you're discriminated against, so the end date thing is just…

ERU: I've heard a statistic before, but then I relooked it up yesterday, one study showed that for every year spent in prison, reduces your life expectancy by two years. So like the ways in which that it follows you forever in a kind of disabling sense, in the way these institutions –

BM: In a really embodied sense.

ERU: Yep.

ERĀ: Although I also think being under military occupation – prisons are real big, and it sounds kind of dumb when you say it like that, but they have like a mass to them that warps the whole social environment around them. Being Māori, there's no way for me to definitively avoid prison. Like, fuck, it might happen, it could easily happen. I'd really like it not to but I mean you can fucking run wānanga for kids out near your neighbours paddock and end up fucking terror raids and everyone you know gets dragged off by the Police at midnight in their nighties. It's real hard not to have that happen to you when you're brown in this country. It's not like we can leave! I guess we could but we choose not to! The Pākehās are the ones that need to leave. The prison is, I mean this sounds dumb, but the prison is everywhere. This is the prison, everyday, waking up under occupation is the prison, and its always waiting in the closet at night, or maybe its around the corner, or maybe its under my shoe, it's impossible to escape really. Because there's a cop on every corner.

The point of prisons is you can't do that. So it's hard getting word inside, cos there's always a guy sitting in the room breathing heavily down the line like a kind of creep. It's gross! The dude sounds sweaty. But yeah, I don't feel like prison abolition is a kaupapa that is totally alien to most Māori. Because like I was saying before, it's the only thing makes sense for us to do. But it's hard to have these kinds of conversations. My Dad's kind of a liberal, like he's in the left-leaning way, and not super interested in radical confrontation with structures of power that are destroying us kind of way. So its difficult to have these kinds of conversations with him, but I think its probably better to look a little silly now and have *tino* rangatiratanga in 30 years, than it is to not look a little kinda silly now and deal with another 30 years of interminable Pākehā rule. Cos I feel like we're all pretty sick of it, I mean my Dad's kids are like 10 – they're sick of it. I shudder to think if my kids are going to have to be sick of it too. But yeah, we all network and kōrero with each other, and I don't

think that all those conversations are difficult to have. I think that talking amongst ourselves is really important, and rather than trying to think of it as building a movement, or a nation, or assembling machinery, it's better to… I think of it like engineering situations so you can bring people – political units – together in the right ways that something arises out of them, that's its own thing, its not me and you, starting fire, but bringing together situations in which there's a fire there that can do its own work so that we don't have to pick apart prison; it'll burn down on its own.

Audience Participant 2: Kia ora tātou, thanks for your kōrero, I'm really glad that there's been an intentional space to talk about prison abolition. And particularly with the crew that are all present here at this hui. I feel like I'm coming out to my parents again. I'm a prison abolitionist and that's a… I just haven't verbalised that in a public place, it's just that's my dream and vision as well, and that's my imagination space, and I'm just… to all of you, particularly Flat Out, it seems like you've got a plan from the start, that was your kaupapa. You're taking steps intentionally along the way to make that happen, to work towards prison abolition. But for all of you, what does it look like if we abolish prisons? What does that look like for you? Or have you had the space to think about that? Or imagine that?

ERĀ: I won't capitalise on the mike because I feel like I've done that a bit. And it's a really good question and so when I give my answer I'm not trying to belittle the question, because afterwards these three are going to have ideas about it I'm sure. But the analogy that I've heard about of 'What do we do instead', is that if you're in a burning house, and there's a window in front of you, the kaupapa of the decision you need to make then isn't 'What am I going to do after this, what house am I gonna move into, or should I build my own house? Fuck, how many bathrooms do I need? What neighbourhood am I going to go to?' You just jump out of the burning house. I think honestly that if we spend too much time theorising and building our little dream palaces, as nice as they might be, that's saps energy and I don't want our motors to run dry just yet. But it's an important question because we do need to do something else. But I think the question that faces us now isn't 'What should we do?', but 'Oh shit we have to do something!'

FA: I just want to add to this from a detention perspective, I hope that's OK, and I think with abolishing detention centres, it might be a lot easier than abolishing prisons because there's this general idea that criminals should be locked up and forever, and that's not really as bad as the refugee discourse. But from a detention perspective, and abolishing detentions, I feel like the alternative would be to create safe passages for people to come to Australia. And to end mandatory detention and have them straight into communities, not detention, but into the community and to ensure that the safe passage is there so people don't come on not-seaworthy boats.

CM: In terms of what it would look like, I think that… I believe that centring indigenous ownership / sovereignty, and working out from that is a really important

way to think about what this world could look like. In a practical sense, investment in education, housing, all of these things that are causal factors for people entering into prison in the first place.

ERU: Yeah I think it's a really common question, it's a pretty hard question. I always think back to Angela Davis' answer is around how we can't just have one alternative or replacement to the prison, because that would rely and instil all the same logics that are already in place. So it would need to be a constellation of alternatives which are around things like housing and healthcare and education, and community support systems, because of the way the prison functions now as an all-in-one response to a whole bunch of complex social problems and its warehousing and a repository for a whole range of different issues, but I think as well there's a real issue that needs to be addressed in that prison abolition movements have rightfully been critiqued about is for minimising this issue of harm and what to do in instances of harm and particularly for groups that experience violence routinely. Particularly in the case of women – what you do about the issue of routinised gender and sexualised violence that people live. And I think the way in which the prison is held up as a response to this, and it's not a response because it is violence in and of itself, and exacerbates those patriarchal and hegemonic and masculine ideals that are the roots of those kinds of problems anyway. But I think we can't ignore that issue of what you do when it occurs. And I think there are small examples of different groups that are trying to imagine and practice alternate ways of holding people to account, and envisioning what preventing violence in communities, what that would need to look like. Like what sorts of conditions would need to change, what ideologies etc., and I think that's a really important part of a broader movement towards abolition. Because while at Flat Out, we focus on this side of the prison, in bringing that down, of course you need to think of those other aspects – the gap that the prison would leave for some people. Because I think that's a big resistant sticking point for people when you say abolition, they're like 'What about those dangerous people? That's where the dangerous people go, so that's how I'm kept safe.' And that's a real thing that we have to be able to contend with. And if we don't contend with that then I don't think we're going to necessarily be able to win people over.

CM: It's also how the prison system relies on capitalism, settler colonialism, all these things right, so I don't think you can imagine abolition without unpacking and addressing all of these other causes for its existence. Like it exists to contain. It creates and reproduces ideas about race and gender, and all of these things. So it also is a broader… You can't just have abolition without addressing all of these other things which produce systems in the first place.

BM: Thank you all so much, and I'm sorry there's other questions in the room, and we have some more time together this afternoon and tomorrow, and so hopefully there can be more conversations between people. But we will have to wrap up this

session so we don’t run into the next one. So thank you all so much and thank you to our panellists.