14. J Hunt

Name: Janet Eileen Hunt

Proposal 2–1

Agree - should also consider impact on children of the person

Proposal 2–2

Agree

Question 3–1

Yes - not a lawyer so don't know the best way to do this but it should be done.

Question 3–2

Question 3–3

Probably not. They need to take account of the grief & trauma potential prisoners themselves have experienced that may make their reactions to incidents more volatile than would otherwise be the case

Question 3–4

Sentencing reports should consider the impact of a sentence on a prisoner's children.  I am aware of an Aboriginal prisoner who is being separated from his children  (all boys aged 5-10 years when he went to jail) for 5 critical years in their lives. My knowledge of him is that he was an excellent father and these boys, all of whom have their own problems (autism)  are now left without a father for some very important years in their lives.  They are unable to visit him due to cost and difficulty for the mother of managing to take all 3  on her own rare visits ( the jail is many hundreds of miles from where she lives, & she doesn't drive). These children (and their mother) are all seriously impacted by the father's  incarceration  yet they have done nothing wrong.

Sentencing reports should also consider the impact of grief and trauma on the potential prisoner - what he/she has  experienced in  his/her  life which may have predisposed him/her to a more volatile response to a situation than would otherwise be likely.

Question 3–5

Question 4–1

Yes - mandatory sentences do not allow any factors sepcific to the context or individual to be taken into account.

Question 4–2

Question 4–3

Question 4–4

Yes - non-custodial alternatives should be far more widely available than they are across the country.

Proposal 4–1

Totally agree.

Question 4–5

Proposal 5–1

Agree,

Question 5–1

Proposal 5–2

The situation for female prisoners is particularly poor. They certainly need programs and support equal to those avilable to men and they need particular support re children

Question 5–2

Proposal 5–3

Question 5–3

Proposal 5–4

Proposal 6–1

Agree - fine default implies imprisoning people due to their poverty.

Question 6–1

Yes

Question 6–2

If used, they should be related to a proportion of a person's income rather than a set amount - set amounts hit poor people far harder than  wealthy ones.

Question 6–3

Question 6–4

Not really - I hear offensive language quite often - even on TV or radio - I think we should not criminalise it. What one person may consider offensive is normal useage in another context and can therefore be mis-judge or misinterpreted.

Question 6–5

See above

Question 6–6

Yes - these may be far more effective in terms of rehabilitation

Proposal 6–2

If this model is working, then yes.

Question 6–7

Yes - this discriminates particularly against Aboriginal people living in regional and remote areas where there is no public transport. It often means they cannot access employment if they can't drive. They also may not be able to undertake caring responsibilities.

Question 6–8

I'm open to whatever mechanism works - so that a person isn't doubly penalised in terms of accessing employment if they lose a driver's licence. Some conditions could be put on driving use.

Question 6–9

See above

Question 6–10

One of the problems is the cost in fuel of notching up the number of hours' driving necessary  to gain a driver licence. Many Aboriginal people do not have a car to practice in, or if they do, can't afford the fuel to do 120+ hours' driving, for example. Working with Service Clubs may be one option. Or funding the costs of fuel as part of the programs.

Proposal 7–1

Agree

Question 8–1

 Encourage Liquor Licensing Authorities to respond to Indigenous community requests for such plans.

Question 8–2

Question 9–1

Proposal 10–1

If these agreements are working then this would be agood recommendation - but organisations need funding to do this work if they are  asked to do it.

Question 10–1

Yes - it should have justice targets around reducing the level of Indigenous  imprisonment  to a level similar to that of non-Indigenous imprisonment. How it reaches that target would need to be worked through with all jurisdictions in COAG.

Proposal 11–1

Absolutely! So many misunderstandings otherwise.

Question 11–1

Proposal 11–2

Question 11–2

Stop cutting funding to Aboriginal legal aid services, and increase this funding, not only so that each person has good legal representation but so that these organisations can be more proactive in legal education in Aboriginal communities, and can put forward policy proposals to reduce offending and imprisonment.

Proposal 11–3

Absolutely - and keep its funding secure.

Question 12–1

Police need to work with women in communities about the way to respond to Family Violence in each location - but they must respond to it, not ignore it.

Question 12–2

Police need good cross-cultural education, which could be provided by local community members as paid work( with or without other external support).

Question 12–3

Probably useful if for sharing to get successful practices widely known.

Question 12–4

It is important to evaluate initiatives - as positive ones may be able to be replicated in some ways in other communities. Succession planning is also important so that good programs don't fall over when an individual police officer moves on.

Question 12–5

Yes - good idea - but these should be more than just increasing employment levels in police forces.

Question 12–6

Yes - creating employment may reduce crime.

Question 13–1

I don't know that laws are required - what is needed is a policy for  reallocation of budgets towards preventive programs  and activities that will keep people out of the justice system.  The costs of incarceration are very high. The cost of good programs that might reduce the flow of potential criminals is probably far less.

Other comments?

As indicated above, on p 23 of your Discussion Paper you   refer to youth problems (OOHC) being a contributor to adult incarceration and I know that is true. However, I see very little about the  impact of adult incarceration on young families - on prisoner's  children, and whether in fact the multiple impacts of having an incarcerated parent for any length of time, itself contributes to potentially negative life outcomes for the children.  A quick Google and I found very little Australian material on this, but quite a lot from the USA.  I do not have the time to explore this research, but I wonder whether the Australian Longitiudinal Study of Indigenous Children has done any work on this that you may be able to access?

I am not a lawyer so have not answered quite a number of questions about which I am not well enough informed.