

# CENTRE FOR SOCIAL JUSTICE ANNUAL REPORT 2007

Centre for Social Justice, L5, 193 North Quay, BRISBANE, QLD 4000 (07) 3025 2013  
[www.ucareqld.com.au/SocialJustice](http://www.ucareqld.com.au/SocialJustice) [uc.socialjustice@ucareqld.com.au](mailto:uc.socialjustice@ucareqld.com.au)



## About the Centre for Social Justice

The Centre for Social Justice (Director – Greg Mackay) seeks to work in solidarity with those who are marginalised and in collaboration with those who share our vision of social justice to create meaningful social and human service change.

UnitingCare Queensland (the service arm of the Uniting Church in Qld) established the Centre in 2001 to promote a just and compassionate community through social justice advocacy, research and education. These tools are used as means to highlight social justice concerns and to promote more appropriate approaches to the delivery of human services both within UnitingCare Queensland and wider societal contexts. The Centre has undertaken several significant research and advocacy projects in the areas of child protection, homelessness, prison release policy, home and family services for children with significant disabilities, and spatial disadvantage.

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## Criminalisation of Poverty

The Centre for Social Justice, through the INCorrections Network of Qld and with members such as Sisters Inside and Youth Affairs Network of Qld, commissioned Dr Tamara Walsh to conduct research into criminalising poverty. Published as 'No Vagrancy', its sub-title clearly stated the study's purpose: An examination of the impact of the criminal justice system on people living in poverty in Queensland.

Report chairpersons Bob Weatherall, a Gumilaroi nation elder, and chair of Legal Aid Queensland Marg O'Donnell, said the report showed that Queensland's indigenous people and the homeless

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**This is what Yahweh asks of you:  
only this,  
to act justly,  
to love tenderly,  
and to walk humbly with your God.  
Micah 6v8**

suffer high levels of police harassment. The research also found that people report being frequently searched, often unnecessarily and sometimes unlawfully, suffering physical brutality at the hands of police officers. Indigenous people living on the streets are particularly vulnerable to police interference and harassment.

Findings in relation to the courts show that people experience them as intimidating and confusing. Poverty itself impacts hugely on many people who report having insufficient income to provide themselves with the necessities of life, including food, shelter, clothing and access to amenities. [Continued on page 5.](#)

## Anti-Poverty Week 2007

Anti-Poverty Week was established in Australia as an expansion of the UN's annual International Anti-Poverty Day on October 17. During 2006 and 2007 the Qld co-chairs were Anne Cross CEO UnitingCare Qld and Jill Lang Director QCOSS. In both years the Centre for Social Justice was a key contributor to the State Facilitating Group.

During APW 2006, the Centre launched its study of poverty, *'A Scan of Disadvantage in Queensland'*. This report shows an increasing concentration of people experiencing poverty in particular localities.

The main aims of Anti-Poverty Week are twofold. Firstly, to strengthen public understanding of the

causes and consequences of poverty and hardship around the world and in Australia. Secondly, to encourage research, discussion and action by individuals, communities, organisations and governments.

Everyone who is interested in helping to reduce poverty and hardship here or overseas is encouraged to organise their own activities during Anti-Poverty Week or join in activities being organised by other people. Each year a National Facilitating Group for Anti-Poverty Week is set up as are State and Territory Facilitating Groups. The National Chair is Julian Disney (Social Justice Project at UNSW). For more information visit [www.antipovertyweek.org.au](http://www.antipovertyweek.org.au)

## Criminal Justice – Public Engagement

The Centre for Social Justice aims to address issues that work to restrict people getting a fair go, that work against a just society or where the amelioration of historical or current injustices is required. The negative effects of the criminal justice system on marginalised and vulnerable people is of significant concern in this light; it is a major contributor to the poverty cycle and further damages people who are already discriminated against within the community.

The Centre is actively engaged in research and project work on the criminal justice system and we have become aware through conversations with the general public, that many of the opinions held in the community are based on media misinformation. In 2007 we commenced a program of public engagement with two purposes to:

- ☺ understand more about what members of the community think in relation to prison, crime, and punishment; and

- ☺ provide alternative and more accurate information to those community members than is generally available through the media.

By understanding what communities' assumptions are, we are able to counter the myths with facts, information and discussions with people who have lived experience in the criminal justice system in Queensland.

While engaged in this work, we often hear claims about what some members of the public believe should happen to those found guilty of crimes. We listen to the opinions within the community and offer alternatives. Prison is meant to be a last resort in crime prevention. What we have discovered is that by keeping people out of prison, crime decreases. By challenging the "lock them up" mentality within political rhetoric and engaging in community debate, we are hoping to encourage people to look further into the complexity of our current criminal justice system and community safety.

## Who Needs a 4,000 cell prison?

The Queensland Government and specifically Minister Judy Spence announced in 2006 that a \$2.2 billion prison for 4,000 people would be built.

The difficulty in understanding this response to crime is that it suggests that we want to double the number of Queensland citizens in prison by 2015, having already increased the number by 90% over the past decade, *yet Queensland crime rates have substantially decreased in all but two categories!*

The Centre joined with many other advocates, providers, and citizens throughout late 2006 and early 2007 to hold community forums and undertake a range of other speaking and writing actions against the mega-prison.

We were able to garner the support of the Heads of Churches to speak to both the Premier and to Minister Spence against this idea. The Moderator of the Uniting Church in Queensland, Rev. Dr. David Pitman and Andrew Johnson, the Synod's Justice and International Mission Advocate are strongly against the 4,000 cell prison.

UnitingCare's position is that reduction in prisoner numbers is an important step towards creating a society that is safer and more inclusive. Increasing prisoner numbers is neither effective nor efficient criminal policy. It is not sensible social policy; furthermore it detracts from community safety. A new way is called for.

UnitingCare believes that we need to:

- ☺ Invest in prevention and early intervention starting with children upwards (Pathways to Prevention);
- ☺ Implement appropriate strategies for diversion from prison;
- ☺ Ensure an appropriate type, range, and amount of in-prison rehabilitation options; and
- ☺ Increase the range, type, and coordination of post-prison release supports including rehabilitation assistance.

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## Problems with Employment Screening Cards

UnitingCare Qld, through its agencies, provide services to many vulnerable people including children, people with a disability, and older people.

Attempts to provide personal protection by the Commonwealth and the State Governments have resulted in the introduction over the past few years of the Blue Card (working with children, the Disability Services Qld criminal history screening, and the National Police Certificate in aged care).

However a range of problems with each of these cards or processes are emerging, including:

- ☺ Practicality/Usefulness – most accusations of abuse are against people without a record;
- ☺ Financial cost and effort in administering the systems by services is very high, use is impractical at times; delays are long, etc; and
- ☺ Injustices/Discrimination for young people, Indigenous people and marginalised people, due to the inability to exercise discretion, and the lack of recognition for people who have been rehabilitated.

*The financial cost and effort in administering the systems by services is very high, use is impractical at times; delays are long ...*

Recently the Centre conducted an exercise in scoping the extent and seriousness of such issues. The internal report, *'Employment Screening Cards: Safety or Injustice in Human Services?'*, has been presented to UnitingCare Queensland's Executive Leadership Team. The members will consider ways to address these emerging issues throughout 2008.

## Excellence is Rare – Ray Lemay

**Research shows that in the public not-for-profit or private not-for-profit sectors, excellence tends to be very rare indeed: most studies show that organizations are mostly mediocre or worse. This workshop reviewed the characteristics of excellent organizations: how they are organized, how they are lead, and what they do.**

Raymond A. Lemay holds a M.Sc. in the Education of Emotionally Disturbed Children and is the Executive Director of Prescott–Russell Services to Children and Adults (Plantagenet, ON, Canada).

Importantly, this workshop, entitled ‘Excellence is Rare’ comes with the sub-heading ‘Good Intentions and Hard Work are not Enough!’ The Centre for Social Justice co-sponsored Ray’s visit in March 2007.

We wanted people in UnitingCare Qld to hear useful challenges and ideas arising from such a presentation. Much could be written about the workshop but space limits that to the principles upon which Ray’s organisation bases its work:

- ☺ Positive and optimistic interpretations
- ☺ To be a turning point in a vulnerable person’s life
- ☺ Social integration as a goal and method
- ☺ An organization and staff well integrated into the community, and knowledgeable about informal and formal supports
- ☺ The good life is to be found in the community with few or no professional supports
- ☺ “You’ve come to the right place”
- ☺ “What can I do to help?”
- ☺ “You are in good hands” (expert help to solve problems) and
- ☺ “You can help yourself” (client as agent of change)

*Participant: “Ray said early in the day, ‘if it turns out we aren’t the right place for someone, we find the one that is, and if necessary, we take them there’. Now **that** is really client oriented.”*

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## Aboriginal–Friendly Human Services

Pamela Meredith, a QUT Bachelor of Social Science student, is employed at the Centre under the National Indigenous Cadetship Program.

The idea of an Indigenous Disability Practice Framework is something of great interest to Pamela. Protocols and principles as to how formal services might best be provided for Aboriginal people are needed says Pamela.

*“Because of historical connotations, there exists a great deal of reluctance by Indigenous families to allow governmental intervention and possible control which may lead to removal and institutionalisation of the member with a disability.”*

Pamela is focussing on issues of:

- ☺ Community knowledge and experience continually being negated in favour of white experts;
- ☺ The confining focus of non-Indigenous research – explanations of immediate problem and not causation ... failure to see the inter-relativity of issues; and
- ☺ Indigenous world-view being holistic – nothing is done or achieved in isolation.

*Criminalisation of Poverty continued from page 1*

Launching the report in Brisbane, Magistrate Christine Roney, who runs the Special Circumstances Court in Brisbane to deal specifically with offenders from underprivileged backgrounds, described it as a "thought provoking and uncomfortable report".

"It's very important to stimulate debate, and to continue talking to the community," Ms Roney said. "There's a great deal of the report that is hard-hitting and controversial, and I've deliberately not commented about the role of other agencies."

The most significant of the report's 20 recommendations is the first: *That an independent inquiry into policing amongst poor, Indigenous and other vulnerable groups be undertaken, with serious attention being given to the wide-spread allegations of excessive police harassment and brutality.*

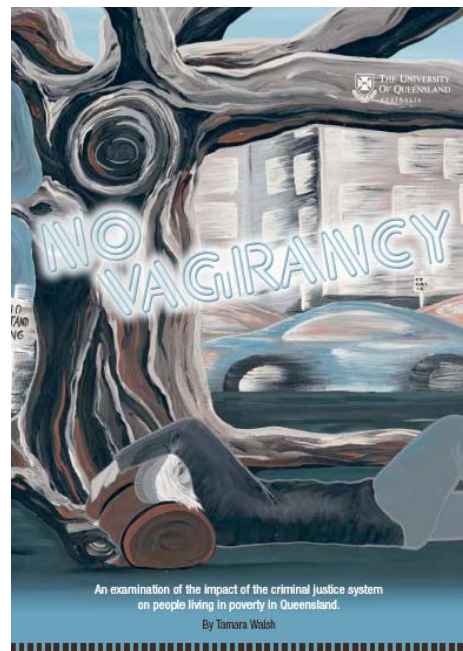
*"I believe I don't have many rights. I feel I have just got enough rights to breathe. They are the only rights I've got."*

Many of those experiencing homelessness and poverty report feeling looked down upon, discriminated against, and excluded by mainstream society –participants commented that they felt like they were 'a bit of dust', 'a fringe dweller' or 'on the outskirts' of society.

People experiencing homelessness and poverty are generally of the belief that they have no human rights, and/or that they are not capable of ensuring that the rights they do have are respected.

Comments from criminal justice and related professionals showed they believed that:

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- ☺ The high visibility of people experiencing homelessness and poverty in public space results in increased police attention;
- ☺ Police discriminate against people experiencing homelessness and poverty, particularly Indigenous people; and
- ☺ The court system is inordinately intimidating and complex, and
- ☺ That people experiencing poverty are more likely to have convictions recorded against them, and are more likely to end up in prison.

Nevertheless, they commented on the extraordinary strength and resilience that their clients demonstrate, despite the multiple layers of disadvantage they are faced with.

Please contact us for a copy of the 'No Vagrancy' Report or you can download a full copy or summary copy from the Centre for Social Justice website [www.ucareqld.com.au/SocialJustice](http://www.ucareqld.com.au/SocialJustice)

## Guide to the Queensland Criminal Justice System

Over the past four years, the Centre for Social Justice has focussed on criminal justice as one of its key priorities. The Centre is particularly concerned about injustices perpetrated in the criminal justice system. As a result of this, two studies, each resulting in significant reports, have been published: 'INCorrections: Investigating prison release practice and policy in Queensland and its impact on community safety' AND 'No Vagrancy: An examination of the impact of the criminal justice system on people living in poverty in Queensland'.

The Centre continues to engage in criminal justice issues, such as the pressing need to remove 17-year olds from adult prisons, and the need to reduce the inordinate number of young people in remand.

Furthermore, the Centre is engaging in education and dialogue with the public about the injustices of imprisonment and the inadequacy of post-prison supports. Within this context, the Centre brings people from a range of professional occupations and life experience to work on these issues.

This guide forms an introduction for such people to the criminal justice system in a relatively factual way and notes the more obvious, negative and unintended impacts of the system on marginalised people. This project primarily maps the processes throughout the Criminal Justice System, i.e., the Police Service, the Courts, and Prisons. It commences by looking at the initial questioning and arrest, through dealing with the police, and move to the court system, thence to prison and finally considers post prison supports. Possible paths through the system are mapped and explained. The project then looks at how people who are marginalised may be discriminated against and disadvantaged further within this system.

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*About the Centre for Social Justice: page 1*

UnitingCare Queensland is committed to values of caring, service and justice. Effective care and service require more than a readiness to serve individuals in their need. This commitment carries a further obligation to work for social and systemic reform; to attempt to change the basic social conditions that produce injustice.

UnitingCare Queensland's commitment to social justice involves working with government and the community to analyse and address the root causes of violence, homelessness, unemployment, racial discrimination, poverty and so on.

The Centre for Social Justice was established by UnitingCare Queensland to serve this end in conjunction with its service groups and other agencies. In this pursuit it is mandated to foster in UnitingCare a theological and ethical awareness consistent with UnitingCare Queensland's overall mission.

The creation of the Centre was aimed at addressing social justice issues related to the operations and mandate of UnitingCare Queensland. Among its tasks the Centre and its office-bearers and staff engage in public discussion and advocacy of social justice issues related to the mission and activity of UnitingCare. Guidelines for consultation with the Synod Office about the Centre's public advocacy were accepted by the Synod Leadership team in October 2001.

### *People at the Centre during 2007*

**Greg Mackay** Director since February 05  
**Tilly Igras** Social Action Facilitator August 06  
**Susan Hutchinson** Project & Research Consultant Oct 07  
**Meg Boman** Admin. & Support Officer Oct 07  
**Laura Moran & Zim Sully** Associates (part-time)  
**Sue Pickering** Volunteer Advisor (part-time)  
**Pamela Meredith** Cadetship: since July 05  
**Courtney Egel, Chelsea Howland & Anna Bell** (students)  
**Sally Cowling** Project & Research Officer until April 07  
**Jim Fouras** Volunteer until Sept 2007

## Submission to the Review of the *Juvenile Justice Act 1992*

On July 19, 2007, the then Communities and Youth Minister Warren Pitt announced that Queensland's *Juvenile Justice Act 1992* would be reviewed.

"The purpose of the review is to ensure a continuing 'best practice' approach to Queensland's youth justice system", Mr Pitt said.

"The review provides an opportunity to assess current legislation to gauge how effective our existing laws are in addressing juvenile crime and other aspects of the youth justice system," he said. "It also provides an opportunity for government to listen to the ideas and suggestions of Queenslanders in relation to youth justice matters."

The Centre submitted its recommendations to the review team. We began with a statement on what a preferred government response to young people

who are offending or are likely to offend might be characterised by. Specifically we recommended that a cross-government approach that includes policy of prevention and early-intervention be taken rather than reacting at the other end of the spectrum.

We followed this with a statement pertaining to the rights of young people and the need for safeguards to ensure no expansion of legal powers to 'capture' young people into the criminal justice system.

Our submission summarised our, and the Uniting Church's, position in relation to the treatment of 17 year olds in the adult system. See article on page 8 '*Children's Rights - 26<sup>th</sup> Synod votes against 17-year olds in adult prisons*'. Many other issues were included. If you wish to read more of our submission please visit our website [www.ucareqld.com.au/SocialJustice](http://www.ucareqld.com.au/SocialJustice)

## Election 07 "Your Faith, Your Vote, Your Voice"

**On Tuesday 16 October Broadwater Road Uniting Church Mansfield held a community election forum organised by faith based groups. There were candidates from across the political parties in the upcoming Federal Election. Questions were put to candidates, which emanated principally from the issues of global and local poverty.**

Andrew Johnson, Justice and International Mission Advocate, brought together Greg Mackay, UnitingCare Centre for Social Justice, Peter Arndt, Catholic Justice and Peace Commission, Sr. Kath Tynan, Social Action Office, Noel Preston and Colin Gurteen, both from the Uniting Church. The Moderator of the event was David Busch, Executive Producer, ABC Religious Programming.

Senate candidates from five political parties: Liberal (Sen. Sue Boyce), Labor (Sen. Claire Moore), Democrat (Sen. Andrew Bartlett), Greens (Larissa Waters) and Family First (Jeff Buchanan) gave introductory speeches and then answered a series of questions from three panellists, Rev John [\[home\]](#)

Parkes (Assistant Anglican Bishop of Brisbane), Sr Kathleen Tynan and Andrew Johnson.

Aboriginal elder Aunty Jean Philips began the evening with an acknowledgement of the traditional owners of the land (interestingly, this was an acknowledgement reiterated by all candidates and panellists except for Liberal and Family First). After an opening prayer by the local Uniting Church minister Bruce Johnson, Rick Sheehan (Chair of the Catholic Justice & Peace Commission) read a prepared paper about faith at the ballot box. The paper urged Christians to "take their democratic freedoms seriously and become involved in the political process". It encouraged "people of faith" to include the test of the common good as well as their own interests when casting a vote and should ask who is the beneficiary of economic policies. Read about the Q and As in Derek Barry's article:

<http://nebuchadnezzarwoollyd.blogspot.com/2007/10/senate-candidates-public-forum-in.html>

## Children's Rights – 26th Synod votes against 17-year olds in adult prisons

The Centre for Social Justice worked in 2007 to advocate against the Queensland Government's public policy that continues to treat 17-year old children as adults in the correctional system; it is the only Australian State that still does this.

When the 1992 *Juvenile Justice Act* was passed the government clearly stated its intention to deal with 17-year old children within the juvenile, rather than the adult system, consistent with the Kennedy Report into prisons. It stated that this would occur at an appropriate time in the future. It has been over 14 years since the statement and no changes have occurred. Young people are still exposed to the effects of adults in prison and continue to have their chances of becoming recidivists increased.

*Unfortunately the government has not been willing to listen to the people ...  
The practice continues ...*

Andrew Johnson, Justice and International Mission Advocate, and Rev. Dr. David Pitman, Moderator, strongly supported this work. Dr Pitman, through the Heads of Churches, raised the matter with the Minister to no avail. Andrew Johnson and Anne Cross, C.E.O. of UnitingCare, proposed to the 26th Synod meeting in July that the Church ask the government to cease this practice. The Synod meeting gave this unanimous support and denounced the State Government for continuing to ignore international conventions and its own commitments dating back to 1992 and asked Dr Pitman to take the issue to the Premier.

Unfortunately the government has not been willing to listen to the people. The practice continues.

## Person-Centredness

UnitingCare Queensland, across its vast array of agencies and programs, serves many marginalised people. The history of human services reveals considerable focus on the design of *one size fits all*. More recently this has begun to change. We are seeing more and more effort to respond in a person-centred manner so as to redress the *one size fits all* phenomenon.

If we believe, as Christ taught, that each and every person matters, we must challenge ourselves to be as person-centred as possible. It is after all the story of those who miss out that defines history not just the story of the winners. If this ideal has any truth in it we are obliged to change that history. The suffering of one child demands redress. Those who are poor, have a disability, are oppressed, humiliated or ignored remind us of our real task. If life on this planet is to grow and achieve its proper shape in which each human being lives with hope and with dignity and the natural world on which we depend is to flourish, we must seek a more just, sustainable and participatory society. *If we enhance the life of one person we have changed the world.*

UnitingCare Queensland has the opportunity to move as much as possible to focusing our service design, our decision-making, and our personal efforts towards the needs of each person.

The Centre for Social Justice undertook an exploration of person-centredness with one arm of Lifeline Community Care Qld Disability Services in 2007. From that work it became obvious that we must not confuse true person-centredness with person-centred planning. Nor should we, in haste, adopt claims of being whole-heartedly person-centred when in reality this is a challenging task which at best might be only partially met. We hope to foster a series of discussions in the near future on how we might be more person-centred in all we do.