

# Life

Our legal system uses incarceration to deal with poverty, domestic violence and drug addiction. The Women's Justice Network is helping former prisoners become mentors to break the cycle.

# Freedom fighters



Women's Justice Network advisory board member Frances Drake (right) with her mentor Mary. Supplied

**Bri Lee** is a legal academic and the author of *Who Gets to Be Smart*.

Everyone on the Women's Justice Network advisory panel has experienced incarceration, and Frances Drake is proud to be one of the panel's founding members. As the co-ordinator of WJN's mentor program, Fran knows firsthand how urgent their work is.

The first time Fran was sent to prison, in 1979, her two children were still in school and she was sentenced for a driving offence. "I was never caught speeding or drink-driving," she explains, she just didn't have a licence and couldn't manage a snowballing debt of unpaid fines. "It got bigger and bigger and bigger, and it was just out of reach. I couldn't pay it."

When Fran was taken into custody, the Department of Child Services got involved, separating her son and daughter and sending her son to a facility. "He ran away back to the house, looking for Mum and Dad." The police were chasing him and there was nothing she could do.

"The intense grief I felt, having [everything] taken away. I mean, you lose your home, the home that you've made for your family, you lose your car, you lose your job, you know, your sense of purpose. You lose everything as soon as they say, 'Bail is refused, you're going into custody.' You know, if you're a mum, that's a big deal."

After about six months Fran was released and regained custody of her children that same day.

By the time police pulled her over in the 1990s, Fran and her partner were addicted to drugs, and she was sentenced to 15 months on both driving and drug offences. During that second period of incarceration her son, then 19, died. She wears a heart-shaped pendant engraved with his picture around her neck. When Fran was released she went back to her husband, and back to the drugs.

"We used it as an escape. He was very controlling," Fran says of her late husband. She grew up in a violent household as a child, and understood only much later in life how she had found the same patterns of behaviour

with her partner. She had been planning to leave him when he was diagnosed with terminal cancer.

"I thought, I'm not going to leave him when he's as sick as this."

He was dealing from their home right up until he died, and people didn't stop coming around after he was gone. "I should have shut it down then," Fran says. "But I didn't know what else to do. I had a drug addiction."

By the time Fran tried to get out it was too late. When she told her contacts that she would stop selling, she got a brick through her window. When she moved out to a motel for a fortnight to get away, they moved into her home. Fran knew police had been monitoring her residence for months and wondered why they wouldn't arrest her – they were waiting for a sufficient record of intercepted calls to charge her with more serious offences. In 2015, when Fran was arrested on supply charges and sent to prison, she felt it was her only way out anyway.

"If they didn't hurry up and do something, someone was going to kill me."

Bail was refused, and she was held on remand (meaning she had not been sentenced) for three years while her Legal Aid solicitor worked – successfully – to get her charges downgraded.

"People say [about] drug dealers, you know, someone should put a bullet in them or just lock them away for life," Fran says.

"I understand most of the people saying that have probably lost someone on drugs. I've lost people from drugs. I got myself in that situation. But it's not as easy as people think to just get out."

WJN had been working for Fran's benefit behind the scenes the whole time, something she only now fully understands from helping other women. When someone applies to become a mentor with WJN, Fran interviews them, steps them through the paperwork and runs the training programs. "I'm so pumped every day I go to work. I get up at 5 o'clock in the morning. I love it."

"We all use our knowledge of the system to try to make changes and advocate for the women," Fran says.

WJN's vision is that "All women and girls affected by or at risk of the criminal law system live their lives free from violence and

discrimination, are treated with dignity and respect, and have opportunities to thrive in their own way, at their own pace."

Fran's story is unique, but it illustrates the way our legal system uses incarceration to deal with poverty, domestic violence, insecure housing and drug addiction. According to data from the Australian Bureau of Statistics that accounts for population growth, between 1994 and 2021 "the imprisonment rate increased from 128 to 214 prisoners per 100,000 adult population" and the proportion of prisoners who were female climbed from 5 per cent to 8 per cent. During that time, the unsentenced proportion of all prisoners more than tripled, and now more than a third of the women in prison in Australia are on remand.

Fran got clean in prison and saw a sign for WJN in the prison library. She filled out a form and began writing letters with a WJN mentor named Mary. "She was a similar age and she's not long ago lost her husband as well. And she had a daughter, same age as my daughter. So, you know, we sort of clicked."

When Fran found out she would be released from custody in 2018, Mary turned up to her hearing. Fran's teeth had all come out in prison, and Mary helped her get a plate. Mary helped Fran get her dog back and advocate for herself to secure housing. She helped liaise with Fran's parole officers.

"I guess it was a learning experience for her as well", to see the way criminalised people are treated by the world, Fran says. "When I say that I wouldn't have gotten through my parole without WJN and Mary, I'm being really honest. Even though I think that I'm able to articulate myself well enough, you know, I've got a decent education, I just didn't have the ability to do it with parole and police."

Fran will soon have even more work. WJN has received approval from Corrective Services NSW (CSNSW) to run book clubs inside the prisons. Through the fREADom Inside initiative, the public bought about \$30,000 worth of books from Sydney independent bookstore Gleebooks and delivered them to CSNSW libraries.

"There wasn't a great deal to read in the library when I was there. A lot of Mills & Boon. The recent releases get snapped

up and of course the girls will share them with their friends first, before they go back to the library." Fran also noticed there were hardly any books by or for First Nations women, something that has now been addressed by numerous donations.

Reading helped Fran and she believes it can help others. "Most of the women will go into self-destruct mode in the end if there's nothing to stimulate their mind – they implode and they end up on psych pills," she says.

"I hadn't read for years and years and years, and I found this book, *Memoirs of a Geisha*... I would let myself read a small amount each night because I wanted it to last. When you find something that really captures your imagination and can transport you to another place, like that book did for me, my nights and lock-ins weren't so stressful. I found after I got clean I was suffering from PTSD, and I was having a lot of anxiety attacks, and reading made all the difference."

The second part of the fREADom Inside initiative is a crowdfunding campaign – now active – to pay WJN employees to go back into prisons and run the book club program. There are plans to make it accessible for women with low literacy levels, possibly with audiobooks.

"You can only go over the same things so many times before you start attacking yourself for your poor decisions," Fran says. "You don't progress, you don't grow. When I got out in 2018 I was in exactly the same mindset as I had been in 2015. Nothing had changed for me to grow, apart from being able to read that one book."

Different studies report that between 70 and 90 per cent of women incarcerated in Australia are themselves survivors of abuse, violence and assault. That is certainly Fran's story, and she is fighting to reduce rates of recidivism. "We have a 93 per cent success rate of keeping women out of jail while they're in our [mentor] program," she says proudly.

"I wish people knew that just because you were in jail, you're not necessarily a bad person. It doesn't mean that you're going to go out and do it all again." ●

*Bri Lee is co-founder of the fREADom Inside initiative.*