Women's Safety and Justice Taskforce

Discussion Paper 3:

Women and girls' experiences across the criminal justice system as victims-survivors of sexual violence and also as accused persons and offenders

A wide-ranging review of the experience of women across the criminal justice system

The **Women's** Safety and Justice Taskforce acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of Country throughout Queensland. This respect is extended to Elders past, present and emerging.

What is the Women's Safety and Justice Taskforce

What is the Women's Safety and Justice Taskforce?

The Women's Safety and Justice Taskforce (the Taskforce) was established by the Queensland Government in March 2021 to:

- review coercive control and the need for a specific offence of domestic violence, and
- examine the experience of women and girls across the criminal justice system.

On 2 December 2021, we delivered our first report, *Hear her voice* to the Queensland Government making 89 recommendations about how best to legislate against coercive control. Discussion paper 3 is focused on the second part of our terms of reference, - the experience of women and girls across the criminal justice system.

About discussion paper 3

In our third discussion paper we look at issues that are relevant to women and girls' experiences in the criminal justice system as:

1. victim-survivors of sexual violence, and
2. accused people and offenders.

Discussion paper 3 also identifies 'cross-cutting issues' that impact on women and girls experiences across the criminal justice system.

The Taskforce has chosen to focus on these areas based on our terms of reference and the feedback we received from the community in response to our second discussion paper that was released on 24 June 2021.

The Taskforce's terms of reference are gendered and therefore, the Taskforce and the discussion paper is focused on the experiences of women and girls. However, we understand that many of the issues identified as being relevant to the experiences of women and girls may also be relevant to men, boys and non-binary people who come into contact with the criminal justice system. When the Taskforce is considering its findings and recommendations it will consider the possible consequences of this broader impact.

Who do we want to hear from?

- Women and girls with lived experience of sexual violence
- Women and girls who have lived experience of being accused of committing an offence in Queensland
- Women and girls who have lived experience of being convicted of offences
- Women and girls who have lived experience of being held in custody in a police watchhouse, a detention centre or a prison
- Friends and family members
- People who work with women and girls in the criminal justice system including support workers, police officers, lawyers and correctional services officers and other professionals and organisations
- Academics, experts and researchers
- School and university students
- Members of the public

About this summary

This document is a summary of our third discussion paper. It gives an overview of the issues that the Taskforce will be exploring as part of this stage of its work. In order to make this summary more accessible to a wider audience it does not contain formal endnotes or footnotes to the research and statistics that the Taskforce has used. You can find all of those references in discussion paper 3.

This summary also includes some general questions that the Taskforce is interested to hear from you about to help us understand the issues, what works and what needs to be improved. Discussion paper 3 contains more detailed information on each of the issues summarised here and further questions.

The questions in this summary and discussion paper 3 are provided as a prompt and a guide. You can answer all of the questions, or only the ones that are relevant to you. Alternatively, you might like to make a general submission about your experiences and views. The Taskforce is interested to hear anything that you think is relevant to the experiences of women and girls in the criminal justice system as victims of sexual violence or as accused people or offenders.

Part 1 – Cross-cutting issues

The Taskforce has identified some issues that are relevant to our examination of women and girls as victim-survivors of sexual violence and as accused people and offenders. Because these issues impact across the criminal justice system, we refer to them as "cross-cutting issues".

The overrepresentation of Aboriginal and Torres Strait Islander women and girls

First Nations women and girls are overrepresented in the criminal justice system as victims of sexual violence and as accused people and offenders. The reasons for their overrepresentation are various and complex and are grounded to a significant extent in Australia and Queensland's colonial history.

How can the diversity of First Nations women and girls' experiences be better reflected and supported in their experiences as victims and accused persons and offenders in the criminal justice system in Queensland?

Intersecting disadvantage

Women at increased risk of coming into contact with the criminal justice system, either as victims and/or accused people or offenders, often experience multiple forms of systemic and structural inequality. These intersecting layers of structural inequality include sexism, racism, ageism, homophobia, geographical remoteness and ableism, and need to be better considered to understand the diverse experiences of women and girls in the criminal justice system.

What are the experiences of women and girls with multiple and complex intersecting needs as victim-survivors of sexual violence?

What are the experiences of women and girls with multiple and complex intersecting needs as accused and offenders?

Recognising and responding to trauma

Women and girls who come into contact with the criminal justice system either as victims or as accused people or offenders have experienced complex trauma. If the criminal justice system does not respond to women and girls in a way that takes trauma into account, it can retraumatise them and cause further harm. This can impact on their effective participation in the criminal justice system.

How are the impacts of trauma for women and girls understood and exercised at each point across the criminal justice system?

Protecting and promoting human rights

The Taskforce's terms of reference require us to have regard to 'the need to protect and promote human rights, including those protected under the *Human Rights Act 2019*' and to have regard to the need for there to be 'just outcomes by balancing the interests of victims and accused people'. The right of an accused person to a fair trial can be considered to compete with a victims' rights and discussion paper 3 identifies many issues about these competing rights.

What are your experiences or observations about how the rights of women and girls who are victim-survivors of sexual violence are protected and promoted?

What are your experiences or observations about how the rights of women and girls who are accused persons or offenders are protected and promoted?

Resources, investment and value for money

Resource limitations in some Queensland courts dealing with sexual offences have been described by one judge recently as an 'atrocity'. The Taskforce is examining whether the criminal justice system has capacity to adequately meet the needs of victims, accused people

and offenders – as well as the wider community. The Taskforce is interested to understand whether alternative approaches, such as justice reinvestment, may offer better value for money.

What are the impacts and implications for women and girls who are victim-survivors of sexual assault if matters are delayed across the criminal justice system?

What are the impacts and implications for women and girls who are accused persons and offenders if matters are delayed across the criminal justice system?

How can women and girls who are involved in the criminal justice system be better supported to reduce recidivism and benefit the community?

Governance and accountability mechanisms

Appropriate governance and oversight of the criminal justice system helps to maintain public confidence in a fair, just, efficient and effective criminal justice system. The Taskforce is interested to know whether current governance and accountability measures operate effectively. We are also considering the benefits and risks of accountability mechanisms used in other jurisdictions including: a victims of crime commission, a review mechanism for prosecutorial decisions, an independent inspector of prosecution agencies, a law enforcement conduct commission and First Nations community led governance structures.

What are your experiences or observations of the transparency and accountability of agencies across the criminal justice system in relation to woman and girls who are victim-survivors of sexual violence?

What are your experiences or observations of the transparency and accountability of agencies across the criminal justice system in relation to woman and girls who are accused persons or offenders?

Part 2 – Women and girls' experience as victim-survivors of sexual violence

Community understanding of consent and sexual offending

How the community understands sexual consent is essential to prevent sexual assault from occurring in the first place. Community understanding can influence whether a person makes a report about a sexual assault occurring. It is also important because juries that make decisions in sexual offence matters are made up of members of the community. The acceptance of 'rape myths' or misconceptions about consent and sexual violence may provide a filter through which a victim views their experiences, how they are responded to if they seek help and also how jury members assess evidence and a victim's credibility. There are different views in academic literature about the impact of rape myths on jury decision making.

The Taskforce is interested in the influence of pornography, dating apps and sexting on community understanding of sexual consent.

How is consent understood in the community and how does this impact behaviour?

Are current school and community education programs about consent effective? What is working well? What needs to be improved?

Barriers to reporting sexual violence

The vast majority of women and girls who experience sexual violence do not report the violence to police. Research suggests shame, embarrassment, fear that they will not be believed and a perception that the justice system will not meet their needs are among the reasons victims do not report.

What factors do victims of sexual offences consider when deciding whether to report to police in Queensland?

Public reporting on sexual offending in Queensland

Queensland has some of the tightest restrictions on media reporting of legal proceedings concerning domestic and family violence and sexual violence in Australia. Arguments in favour of relaxing these restrictions include that public reporting may help the community gain a better understanding of the prevalence and nature of domestic and family violence and sexual violence, increasing accountability and that victims of this behaviour should be able to freely discuss the nature of the violence that has been perpetrated against them. Arguments for keeping the current restrictions include that it protects victims from being re-traumatised and protects the privacy and reputation of people subject to an application for a domestic violence order or who are accused of sexual offences. The Taskforce is examining restrictions contained in the *Criminal Law (Sexual Offences) Act 1978*, the *Domestic and Family Violence Protection Act 2012* and the *Youth Justice Act 1992*.

Do the current restrictions in Queensland on the publication of information about victims or accused persons relating to sexual offences and domestic and family violence adversely impact either victims or defendants/respondents? If so how?

Reporting, investigating and charging of sexual offences

Rates of attrition (where a complaint to police is withdrawn) for sexual violence matters are improving in Queensland – however the numbers are still high, at 35% for victims who are 16 years or older.

The Queensland Police Service (QPS) has invested in specialist training to make its response to sexual violence more trauma informed and developed an online reporting system for adult victims of sexual assault who do not wish to make a formal complaint but still wish to tell their story so that it could be used by police to solve other offences, or to design strategies that target offenders and reduce repeat offending. The Taskforce is interested to know whether there is more that could still be done to improve the experience of victims of sexual violence when making a report to the police.

A common evidence gathering technique used by police is a 'pretext phone call', which is when a recorded phone call between a victim and an accused person is arranged by police without the knowledge of the accused person and is intended to draw out evidence that may support or counter a victim's version of events. The Taskforce has heard that the use of this technique can be stressful and re-traumatising for victims.

Another important piece of evidence gathering in sexual violence matters is a forensic medical examination of the victim to obtain evidence including DNA information corroborating sexual intercourse and evidence of injury to the victim. The Taskforce has heard that qualified forensic medical examiners are often not readily available in rural and remote Queensland and that women and girls are asked to travel long distances or wait for long periods of time without showering before a forensic examination can take place. Recently, concerns have been raised in *The Australian* about the capacity of Queensland's forensic health services to accurately analyse DNA samples in sexual assault investigations.

What are you experiences and observations of police investigative processes to gather admissible evidence after a report of sexual violence is made?

What are your experiences or observations of victims of sexual violence accessing and using forensic health services in Queensland?

Legal and court processes for sexual offences

Providing a fair trial for sexual offences in Queensland requires consideration of a 'triangulation of interests' which takes into account the position of the accused, the victim and the public.

The definition of consent and the excuse of mistake of fact

The key elements that the prosecution must prove beyond reasonable doubt in trials for sexual offences is that the accused person had sexual contact with the victim and that the victim did not consent. If the prosecution can prove these elements the accused person will be found guilty of a sexual offence, unless there is evidence that they held both an honest *and* reasonable belief that the other person did consent (this is called an 'excuse of mistake of fact').

Discussion paper 3 identifies issues about the way consent is defined in Queensland's law and how the excuse of mistake of fact operates in sexual violence cases. Four alternatives for law reform that have been suggested are:

1) amending the definition of consent so that consent must be 'agreed' rather than 'given'
2) including a provision in the definition of consent that provides a non-exhaustive list of circumstances where consent does not and cannot exist, for example whether one person was too intoxicated to consent
3) removing the ability for an accused person to rely on self-induced intoxication as a reason for having an honest belief as to consent (noting that self-induced intoxication is already not allowed to be taken into account when considering the *reasonableness* of a person's belief)
4) providing that regard must be had to anything the accused person said or did (or did not say or do) to ascertain consent when considering whether they had an honest and reasonable belief about the other person's consent.

There might also be other options for reform. Some people argue that there shouldn't be any changes made at this time because the laws about sexual consent were changed recently after the Queensland Law Reform Commission (QLRC) considered the issues and more time is needed to understand the impacts and outcomes of those changes.

The Taskforce is also considering how the practice of 'stealthing', when a condom is removed during sexual intercourse without the knowledge and consent of the other person, should be addressed. This could be by adding an example to the definition of consent to state that sex with a condom is a sexual activity to which a person may consent, without consenting to any other sexual activity. This amendment would make it clear that people who engage in this conduct in Queensland are guilty of the offence of rape.

Victim's experiences of the court process

The Taskforce is interested in how the court process can be improved to better support victims and improve effectiveness and efficiency, whilst also ensuring just outcomes. The Taskforce is interested to know about the behaviours and practices of police, prosecutors, defence lawyers and judicial officers as part of this process.

Discussion paper 3 discusses the following initiatives used in other jurisdictions to improve the experience of victims of sexual violence and considers whether these initiatives might be appropriate for introduction in Queensland:

- providing that a victim who gives evidence about a sexual offence, has a right to choose how they give evidence for example, in court or in a remote room or by means of closed-circuit television facilities or other technology
- providing that a court *must* disallow improper questions to a witness (including a victim) and providing legislative examples of improper questions
- allowing video-recorded interviews between police and adult victims of sexual offences to be used as evidence-in-chief in trials to minimise the necessity for the victim to give evidence
- requiring hearings before trials for sexual offences begin that will set the 'ground rules' that must apply during trial, including the style and content of questioning of the victim during cross-examination
- allowing a witness' evidence to be recorded during a trial so that if there is an appeal and a retrial the witness is not be required to give evidence again
- providing independent legal representation to victims in trials for sexual offences.

The admissibility of evidence in trials involving sexual offences

Similar fact and propensity evidence

Allowing a jury to consider evidence about other victims against whom the accused person is said to have committed sexual offences is a contentious issue. It can mean that trials involving multiple victims alleging that the same accused person sexually assaulted all of them must be run separately so that each jury is unable to hear any of the evidence about the other allegations. This can result in additional delays and may be confusing for victims. This type of evidence is called 'similar fact' or 'propensity' evidence (in other parts of Australia it is called tendency and coincidence evidence) and it can be both highly persuasive and prejudicial.

The danger of a jury convicting someone on the basis of their past behaviour rather than evidence about the criminal offence before the court needs to be managed carefully. If it is wrongly excluded, however, the jury will

not have considered important relevant evidence. The 2017 Royal Commission into Institutional Reponses to Child Sexual Abuse found the exclusion of this type of evidence allowed many perpetrators of sexual violence against children to unjustifiably avoid convictions.

The rules for admission of this type of evidence in Queensland are the strictest of any jurisdiction in Australia since the Royal Commission recommended that these rules should be amended. Discussion paper 3 discusses the tests used in other Australian jurisdictions and England and Wales and seeks feedback on how the law in Queensland could be improved.

Evidence to counter rape myths – jury directions and expert evidence

Some other jurisdictions in Australia legislatively prescribe directions that a judge must give to a jury at the end of a trial about how to consider evidence it has heard during a trial for a sexual offence. These prescribed directions counter any misconceptions people might have about sexual violence. In New Zealand, expert evidence about the nature of sexual offending is commonly given during a trial by medical practitioners, clinical psychologists, academics and scientists. The QLRC did not think these type of directions to juries or allowing for the admission of expert evidence were necessary in Queensland to improve the fairness of trials for sexual offences. However, in coming to this conclusion the QLRC relied on academic research from England and Wales about the impact of rape myths on juries which has since been the subject of some criticism from other academics.

Preliminary complaint evidence

In a trial for a sexual offence, the jury can take into account what is called 'preliminary complaint evidence'. This is evidence about when a victim may have told another person about the sexual assault before they made a formal statement to the police. This evidence can help a jury establish the credibility or reliability of the victim and can be particularly relevant in circumstances where the victim does not make a formal complaint for a long period after the assault occurred. The Taskforce is considering whether this evidence should also be able to be considered for other offences where victims may have a good reason to not immediately make a report, such as the proposed new offence of coercive control recommended by the Taskforce in its first report.

Protected counselling communications

Queensland introduced a scheme to protect counselling communications in relation to sexual assault offending in 2017. The scheme is intended to provide victims with confidence that they can seek professional help to assist them recover from the trauma caused by the sexual violence without having to worry that their perpetrator will unfairly gain access to their counsellor's notes for use in a criminal trial. The workability of the scheme for judicial officers and lawyers has been criticised in recent court decisions. The Taskforce is interested to hear about the experiences of victims in relation to this scheme.

Should Queensland's laws on consent be changed before the amendments recommended by the QLRC can be properly evaluated?

How can criminal court processes for sexual offences be improved to protect victims from harm while providing a fair trial for the accused person?

What are the risks and benefits of reforming Queensland's legal and court processes in the ways discussed above?

Alternative justice models

Alternatives to current legal processes used to address sexual violence are being considered by the Taskforce.

Restorative justice conferencing views criminal behaviour as more than an act that breaks the law and examines the impact on society; the harm caused to the victim, family relationships, and the community The Victorian Law Reform Commission recently recommended that restorative justice options in Victoria should be expanded for sexual offending and there is research that suggests that restorative justice can provide a better experience for victims of sexual violence as well as offenders and the wider community.

Some people have suggested that Queensland should create a specialist court that deals only with sexual offences. In New Zealand evidence from the trial of a specialist court model suggests that the key factors that lead to better outcomes are improved case management and processes, and quality training for judicial officers, court staff and lawyers, rather than the court's designation as a 'specialist court'.

How could the use of restorative justice processes improve the experience of victims of sexual offences whilst holding those responsible accountable?

How do court case management and processes impact on the experience of victims of sexual offences in Queensland?

Should a special sexual violence court be trialed in Queensland? What would be the risks and benefits?

Part 3 – Women and girls' experience of the criminal justice system as accused people and offenders

Addressing the drivers for women and girls' increasing contact with the criminal justice system a

The numbers of women and girls coming into contact with the criminal justice system in Queensland is increasing. Between 2010-11 and 2019-20, female offenders in Queensland increased by an alarming 60.2% - this is at double the rate of the increase in male offending over the same period of time. This trend is particularly pronounced for First Nations women and girls.

The Taskforce wants to understand the drivers behind the rapid escalation of contact with the criminal justice system for women and girls in Queensland. Discussion paper 3 examines the following contributing issues:

- negative childhood experiences
- contact with the child protection system
- contact with the youth justice system
- being a victim of domestic and family violence and sexual violence
- poverty and homelessness
- mental and physical health
- disability
- substance abuse
- racism and inequality

The Taskforce is interested to understand how women and girls' needs can better be met to prevent them coming into contact with the criminal justice system as accused persons and offenders.

Contact with police

Police contact is the gateway for entry into the criminal justice system. Police culture and practices that impact directly on women and girls contact with the criminal justice system include: policies about identifying the person most in need of protection in domestic and family violence matters, the over policing of First Nations women and girls as offenders and the under policing of First Nations women and girls as victims.

Diversion from the criminal justice system

Cautioning schemes for children and adults

There is a legislated scheme under the *Youth Justice Act 1992* for police to issue children who commit offences with a caution instead of bringing a child before a court. This allows a child to be diverted away from the criminal justice system so they do not become enmeshed in it. There is no similar legislated scheme for adult offenders in Queensland. In contrast, in England and Wales there is an established legislative scheme of both conditional and unconditional cautions for adult and child offenders. These cautions can be issued by police and prosecutors for a range of less serious types of offending. These 'out of court disposals' have been shown to be a cost effective diversion from the criminal justice system and effective in reducing harm and reoffending.

Drug diversion schemes

In 2019 the Queensland Productivity Commission found that drug offences are a key factor in female recidivism and rising imprisonment. Research has indicated that drug diversion schemes can reduce the burden on police and courts, increase treatment uptake and improve social outcomes. Drug diversion programs normally involve police issuing people found in possession of illegal drugs with a caution or a fine rather than charging the person with a criminal offence. Trials in other Australian jurisdictions have shown such schemes can be cost effective, reduce the number of criminal charges and rates of reoffending.

Are women and girl offenders being diverted from the criminal justice system? If so, what are their experiences?

What works and what could be done better? What are the risks and benefits of adult cautioning and drug diversion schemes?

Legal advice and representation

A lack of timely access to high quality legal advice has been identified as preventing women and girls getting access to diversion programs, treatment programs and bail.

Are there any barriers to women and girls accessing good quality legal advice, support and services?

Sentencing women and girls found guilty of criminal offences

In Queensland, the proportion of prisoners who are female is noticeably greater than the national average. In 2021, women made up 9.3% of Queensland's total prison population, compared to 7.7% Australia-wide.

The Queensland Productivity Commission in 2019 found that the increased rate of imprisonment in Queensland could not be attributed to an increase in criminal activity. Instead, the increased rate of imprisonment is caused by increased policing, the tendency of police to use the court system instead of other options, the increased use of prison sentences rather than other sentencing options, and the rising proportion of prisoners on remand. The Taskforce is considering reforms that might reduce the growth in the use of sentences of imprisonment for women and girls.

Prison as a last resort and mandatory sentencing

Queensland's *Penalties and Sentences Act 1992* contains a principle that a sentence of imprisonment should be considered as a last resort. However, over many years, amendments have been made to the Act that qualify this principle for certain classes of offending, for example, offences of violence and child sex offending. There has also been an expansion in the use of mandatory sentencing in Queensland for certain types of offences. It has been suggested that these amendments contribute to the unnecessary use of a sentence of imprisonment, including for women, in Queensland.

Requiring sentencing courts to take into account care giving responsibilities of offenders

Many women convicted of criminal offences are primary care givers to children. The Anti-Discrimination Commission Queensland (now known as the Queensland Human Rights Commission) in its report, *Women in*

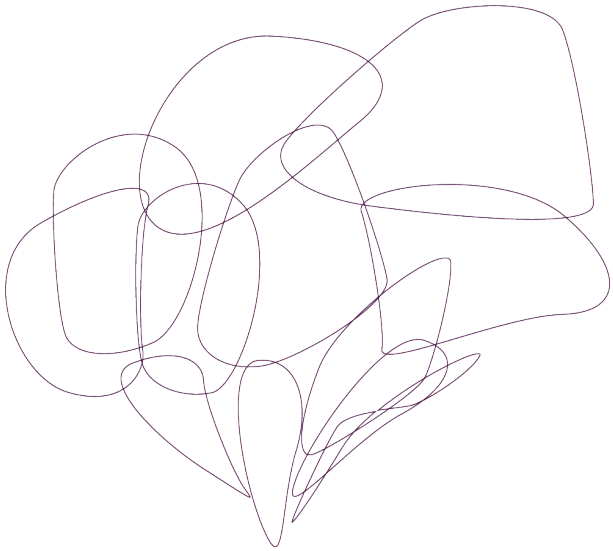
Prison 2019: A human rights consultation report (the ADCQ report), recommended that the *Penalties and Sentences Act 1992* be amended to include the principle that the best interests of the child be a factor to be considered when sentencing a person with a dependent child.

Expanding the use of community based sentences

Analysis by the Queensland Sentencing Advisory Council found that between 2005-06 and 2017-18, there was a 241% increase in non-Indigenous female offenders receiving short sentences (6 months or less).The number of Aboriginal and Torres Strait Islander women serving short sentences rose by 141%.

The ADCQ report found that using community based orders instead of short periods of imprisonment 'can aid rehabilitation, improve community safety, and enhance continuity of family and community relationships, leading to better outcomes for women and lower recidivism rates, as well as lower costs for the criminal justice system'.

In 2019, the Queensland Sentence Advisory Council recommended the creation of a new flexible community corrections order in Queensland. The Queensland Government is yet to respond the Queensland Sentencing Advisory Council's recommendation



Use of specialist courts

Queensland's Drug and Alcohol Court provides an intensive and targeted response to adult offenders with severe drug and alcohol use directly associated with their offending. The *Queensland Drug and Specialist Courts Review* noted concerns about less favourable outcomes for women in drug treatment contexts and the importance of gender based screening in ensuring the specific clinical needs of female offenders are adequately addressed.

The Murri Court is a Queensland Magistrates Court for Aboriginal and Torres Strait Islander peoples. Eligible offenders have their matters adjourned so they can work with a Community Justice Group, Elders, and support services to address the causes of offending behaviour before sentencing. The Magistrate takes into account a report from the Community Justice Group when sentencing the offender.

The Taskforce is interested in hearing about whether the use of these courts could be expanded in Queensland.

How are Queensland's existing sentencing principles, considerations and options applied to women and girls?

What works? What needs to be improved?

Women and girls' experience of incarceration

Maternal imprisonment

The Taskforce is interested in whether the human rights of incarcerated women and girls as mothers are being adequately protected and promoted while they are in prison. The Taskforce is interested to understand whether reform is required to:

- improve maternal healthcare
- improve the maintenance and building of meaningful relationships with children to better support to mothers and their children after release

What are women and girls experiences of pregnancy and birth in custody?

What are the experiences in custody or detention of women and girls who are mothers?

What are women and girls experiences of pregnancy and birth in custody?

What are the experiences in custody or detention of women and girls who are mothers?

What is working well? What needs to be improved?

Conditions in prisons and watchhouses

Discussion paper 3 outlines issues of concern about conditions in prisons and watchhouses in Queensland that have been raised in recent reports to the Queensland Government and in submissions to the Taskforce. These include:

- overcrowding
- lack of safe conditions for women and girls with disability
- inadequate personal hygiene facilities particularly hygiene needs that are specific to women and girls who are pregnant, breastfeeding or menstruating
- inappropriate use of strip searches
- unfair pay and working conditions
- lack of treatment programs for women and girls with substance abuse issues
  inadequate provision of nutritious food

The Taskforce is interested to understand more about how women and girls with multiple and complex needs (for example people with disability, transgender women and girls and older women) are treated in prisons and watchhouses.

What are women and girls' experiences of accommodation in correctional facilities in Queensland? What works well? What needs to be improved?

Women and girl's experience of reintegration into the community

The successful reintegration of formerly incarcerated women and girls into the community is important. If women and girls are successfully reintegrated back into the community they are less likely to reoffend and more likely to become happy and productive members of our community. The Taskforce is considering whether women and girls are adequately supported upon their release from incarceration. Discussion paper 3 identifies some of the current reintegration services that are available in Queensland and notes recent reports indicate that women and girls still find reintegration challenging due to:

- a lack of availability of stable accommodation
- limited access to mental health services
- limited access to drug and alcohol rehabilitation services
- difficulty in accessing education
- difficulty in finding suitable employment

What are your experiences or observations of support provided to women and girls when they are released from custody or detention?

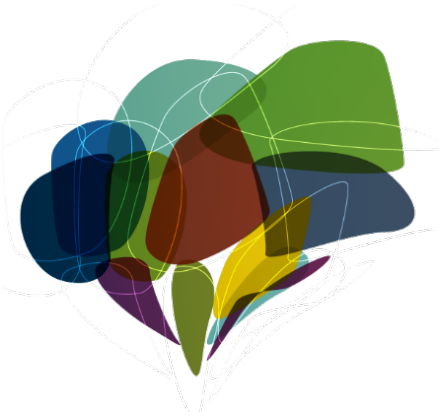
What works well? What needs to be improved?

Parole

One of the biggest challenges facing incarcerated people, including women, is the significant increase in prisoner numbers as a result of the concerning backlog in parole applications being processed by the Queensland Parole Board (QPB). The QPB receives more applications than it can process per month. Prisoners Legal Service reports routinely seeing incarcerated people wait more than 10 months for a decision on their application. These delays cause significant distress to incarcerated people and their families and also have serious ramifications for the successful community reintegration of incarcerated people back into the Queensland community. Recent reports indicate that First Nations people face greater difficulty in both obtaining and completing parole.

What are your experiences or observations of women's access to parole?

What is working well? What could be improved?



Next steps

Improving the criminal justice system in Queensland to better respond to the needs of women and girls raises complex issues about which there are passionate and diverse views.

The Taskforce wants to hear all those views.

You are encouraged to make a submission to the Taskforce. You may choose to respond to all, some or none of the discussion questions posed and issues raised in this paper. Or you may want to tell us about issues we've not identified or provide your proposals for reform of legislation or the responses of systems and institutions, including police courts, the legal profession, sexual violence support services or corrective services. The Taskforce will carefully consider all submissions.

Submissions in response to this discussion paper can be made until **Friday, 8 April 2022**. Taskforce members will soon be undertaking both targeted and broad and wide ranging consultation around Queensland on the issues raised in this discussion paper. We will be carefully listening to the feedback and ideas we receive in both consultations and submissions. To find out more details on the Taskforce consultation and engagement activities, please go to our website: www.womenstaskforce.qld.gov.au