

Cultural Review of the Adult Custodial Corrections System Submission

The Islamic Council of Victoria



ISLAMIC COUNCIL OF VICTORIA

This submission consists of several recommendations with actual comments raised by Muslim prisoners included to emphasise the point.

About the ICV

The Islamic Council of Victoria (ICV) strives “to foster and enable a vibrant Islamic Community where Muslims enrich society through the values of Islam.” The ICV is the peak Muslim body in the state of Victoria representing over 200,000 Muslims via 75 member societies representing over 100 diverse ethnic communities. ICV offers both advocacy and social welfare services while leading state and national initiatives on social cohesion through community consultation and advice to all forms of lead agencies.

ICV aims to represent the interests and concerns of the community and is experienced in developing meaningful engagements, building strategic partnerships and aligning the delivery of our services to the Victorian Muslim communities. ICV’s vision and purpose as a community sector leader is built on the foundation of a common humanity, transcending differences. Its commitment to creating a strong sense of belonging has led to an increasing respect for shared beliefs and values resulting in deeper connections within diverse communities. The ICV runs a plethora of different programs, including two that relate to the justice system – the Prison Chaplaincy program and the Muslim Connect Community Reintegration Support program.

ICV Prison Chaplaincy Program

The ICV Muslim Prison Chaplaincy program has operated for many years, and aims to enrich and address the needs of incarcerated Muslims by providing a high quality of spiritual care practice for prisoners, to prisoners' families, to ex-prisoners and to staff within the Prison. The chaplains respond effectively to the diverse spiritual and religious needs of the prisoners, the prisoners' families, to ex-prisoners and staff.

Following the onset of COVID-19 pandemic in 2020, the ICV Chaplaincy team was called upon to go on a Hybrid/Remote chaplaincy approach due to restrictions and social distancing protocols put in place by the Department of Justice. While work-prioritisation

is a professional skill which Chaplains excel at given the multiple demands and expectations placed on them every day, it is important to note that the ICV chaplaincy team have willingly and generously responded to the additional challenges and responsibilities placed upon them.

The ICV chaplaincy services in prisons are always in high demand and this demand has increased significantly in 2020/2021. People both inside prisons and outside in the community looked to Chaplaincy throughout 2020/2021 for reassurance and support. Chaplaincy has been that valuable link between the prison and the community throughout the upheaval that the international pandemic has caused. Chaplaincy has served on the front line during the COVID-19 pandemic and played its part as an essential support during this pandemic.

ICV Muslims Connect Post-Release Community Reintegration Support Program

The Muslim Connect program has been run by the ICV for over a decade. Muslim Connect is a pre/post-release community reintegration support program for exiting Muslim prisoners and is funded by the Department of Justice and Community Safety (DJCS) via its PIP Wisdom grant scheme. Muslim Connect offers mainstream prisoner reintegration support programs, cultural brokerage as well as providing clients who aren't eligible for support from mainstream programs a host of services to cover gaps in their overall support plans.

The program operates in all Victorian prisons and the contract for Muslim Connect is managed by the Transition and Reintegration Unit at DJCS. Some of the services offered by the program include mentoring, advocacy and referrals to any service or institution clients need to engage in their journey to re-establish themselves and reintegrate back into society.

The program works with the National Zakat Foundation (NZF) to financially support clients. This model is used to cover costs of items such as, but not limited to, housing

establishment, medical, education, counselling, transport and other necessities clients require.

Over the last 12 months, the program supported almost 120 community members who were either released from prison or at the end of their imprisonment terms. One of the biggest challenges faced over this period was the shortage of housing and the ending of the federal government's COVID-19 financial support schemes such as Job Seeker and Job Keeper.

The program works with housing access points such as Launch Housing, Unison and Haven Safe Homes to support clients in accessing temporary housing, as well as access to the Victorian government's From Homelessness to Home Program (H2H). The program's most notable support contribution to clients, that were granted medium term accommodation through the H2H program, was to facilitate access to housing establishment funds through the NZF. The program also assisted clients in the purchase and delivery of household goods to their new homes.

Recommendations

1. Prison Staff Training and Awareness

(i) Prisons need to implement regular staff training in cross cultural communication and specific training that relates to the most relevant/basic Islamic practices such as obligatory prayers and fasting so as to be able to accommodate Muslim inmates in a more faith/cultural appropriate way.

- *“Prison officers need more training on Islam. They came into my room told me to get up while I was praying”*

(ii) Prison staff need education on the spiritual needs of prisoners that are wanting to change religion. Currently, prisoners are often dissuaded because non-Muslim prisoners have to be interviewed by the head chaplain who is also a Catholic chaplain. This is not ideal as there have been cases where individuals have been dissuaded from completing the conversation process.

- (iii) It is also important for the Correction Victoria staff to note that the Muslim chaplains are qualified imams. They hold the authority of giving religious rulings on the Islamic matters so any opinion provided on religious issues is valid and no third party is required to pass on an opinion.
- (iv) During the month of Ramadan (as in the coming years the month of Ramadan will occur during the summer months) taking any medicine in the daylight hours invalidates the fasting. The health professional has to be clear. If medicine is necessary and cannot be given after sunset the Muslim inmate must be advised not to fast. If arrangements of providing medicine after sunset are possible he/she can fast.

2. Prison Facilities

- (i) Muslim prisoners need a space at each prison to conduct their congregational prayers not only on Fridays but also the regular 5 daily prayers that have prescribed times that change depending on the time of year. Muslim prisoners have been reprimanded for praying in the yard during the week because they don't have access to the spaces in the units to perform congregational prayers. Most units have spaces that can be utilised for congregational prayer outside of Fridays.
 - *"At Marngoneet during Jumuah we don't have the space booked, they let us use it but it's booked for another program."*
 - "We don't have a regular Imam for Jumuah at Marngoneet"
- (ii) Proper amenities and amenities must be provided so that Muslim prisoners can adhere to their faith obligations.
 - *"The use of utensils that have been used by other prisoners to cook pork, is a big problem for us, they tell us to wash it. People who don't live in this environment don't know how much of a problem it is for us to use these utensils. Muslims in the community wouldn't eat food cooked in these utensil, why is it okay for us?"*
 - *"I was tipped out of Beechworth for exposing the prison for repackaging halal meat at a local butcher that isn't run by Muslims and where pork is also handled. Even the*

assistant commissioner did not disagree that what Beechworth prison was doing was wrong, his only comment was that I went about it the wrong way.”

- *“We need Microwaves to be able to reheat food during Ramadan, this is necessary for Suhoor (late night meal, between 12-6am depending on what season Ramadan falls) and dinner because we don’t have access to the kitchens around that time.”*
- *“Kitchens at MAP haven’t been inspected for over ten years to make sure halal rules are being followed. How often are these audits meant to be conducted?”*

3. Resolution of Issues

- (i) DCIs are localised plans that are specific to each individual prison, prisons need to consult the ICV on their DCIs to address the many issues raised by Muslim prisoners.
 - *“Other communities get the good treatment every community deserves but when it comes to us, they tell us no, when we ask for what’s our right, they say this is according to regulations”*

4. Religious Education and Personal Growth

- (i) Religious and spiritual training can play a key in the rehabilitation journey of Muslim Prisoners. Short courses for personal development and transformation to enhance a change in prisoner’s perception of self and others has great potential to shift attitudes and behaviours. To run these ‘short courses’ a proper procedure should be allowed including enrolment, a set weekly/fortnightly time slot in addition to the ritual prayer, group activity and achievement celebration time (on completion).
- (ii) There are some prisoners who wish to educate themselves in ‘Islamic Studies and Arabic Language’ they should be allowed to take up approved courses in Islamic Studies being provided by reputable Islamic Institutions that offer distance learning.
 - *“I personally I reverted to Islam and have been fortunate to have Muslim brothers around me”*
 - *“Biggest problem I had was Islamic education”*

- *“Being in prison is an opportunity to learn because you have the time”*
- (iii) ICV Prison Chaplaincy should be allowed to supply approved books to the prisons/correctional centres libraries so inmates can borrow the books for reading. The books will belong to the prison’s libraries.
- *“Even when we have the books we can’t understand it, we need people to teach us.”*

5. Enhanced Chaplaincy Services

- (i) Regular access to prison chaplains must be a priority, this is not always the case.
- *“We need a chaplain to come in at least a month before Ramadan to attend meetings and advocate for us to make sure everything is ticked off and current, because prison managers are relying on old fatwas (religious edicts) to make decisions”*
- (ii) While chaplains are not counsellors or mental health professionals, it is important to recognise that religious beliefs and practices impact mental wellbeing. Mental health professionals who do not understand this complex relationship between Islamic life and mental health in the lives of their Muslim patients inevitably leave a gap in their ability to care for and treat Muslim Prisoners. We would like to see more interface between Islamic chaplains and mental health practitioners in the Justice System.
- (iii) Chaplains need to receive relevant training in mental health; they also need to establish a good working relationship with mental health professionals in their settings in an effort to better serve their Muslim congregations keeping in mind that their profession has very limited role.
- (iv) Chaplains interacting with mental health professional should be strongly encouraged to refer and encourage Muslim prisoners to see mental health professionals because while prayer, reading Quran and many other recommended therapies in their ‘medicine bag’ can help alleviate mental pressure, treatment by a professional is vital especially for severe mental health issues.

- (v) It is also important for the Correction Victoria to note that the Muslim chaplains are qualified imams. They hold the authority of giving religious rulings on the Islamic matters so any opinion provided on religious issues is valid and no third party is required to pass on an opinion.

6. Operational Matters

- (i) Many issues exist around establishing and maintaining contracts with various Prisons for Chaplaincy work. This is most prominent in private prisons, where there may be delays for months, and it is a tedious process for all faith groups to engage with many of these prisons. The result can be support for prisoners being seriously delayed due to the inability of prison management to work with the various faith groups in an acceptable time frame. We would recommend the processes and management behind private prisons is reviewed, and they are more accountable for the quality of their work.