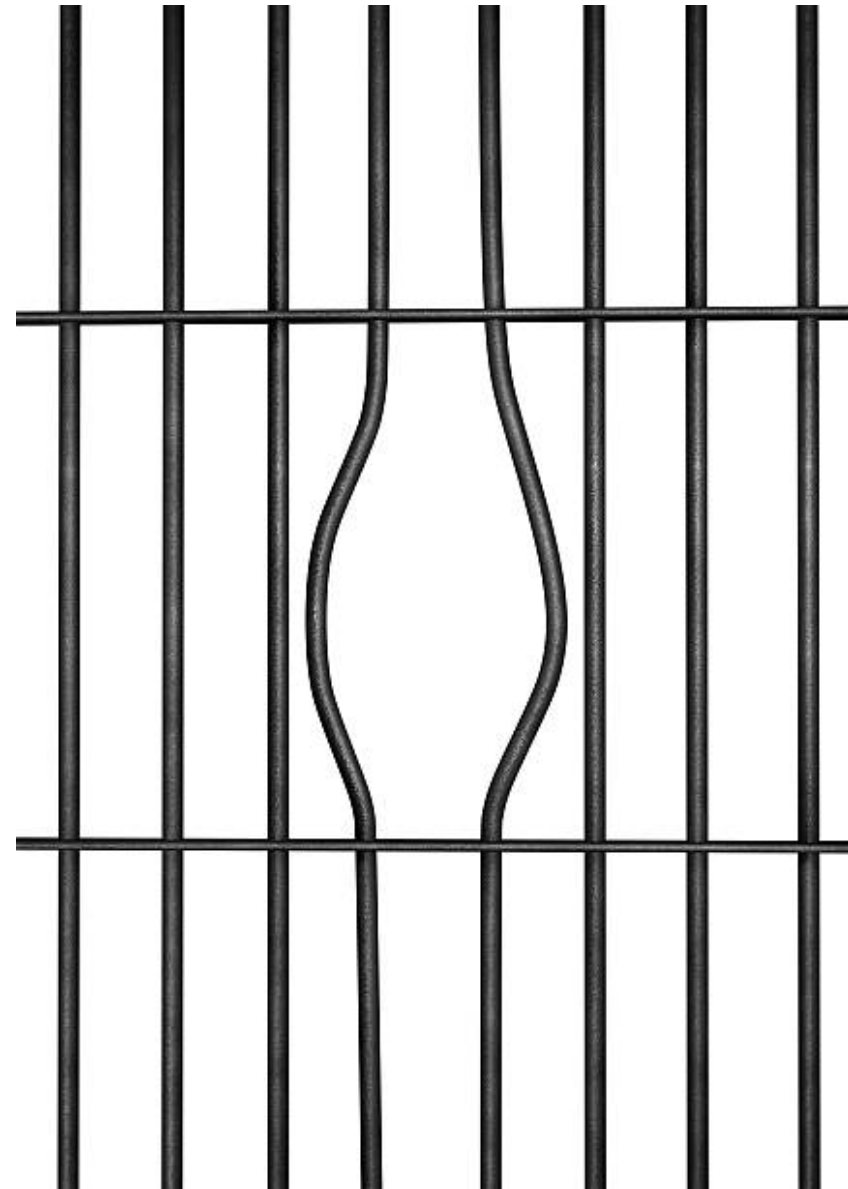




Colonial- carceralism & Family violence

Prepared by Thalia Anthony, Faculty of Law, UTS. Research conducted with Larissa Behrendt, Gemma Sentence and the amazing Aboriginal women we yarned with in NSW prisons

I honour the Larrakia people who are the sovereign people of this land.





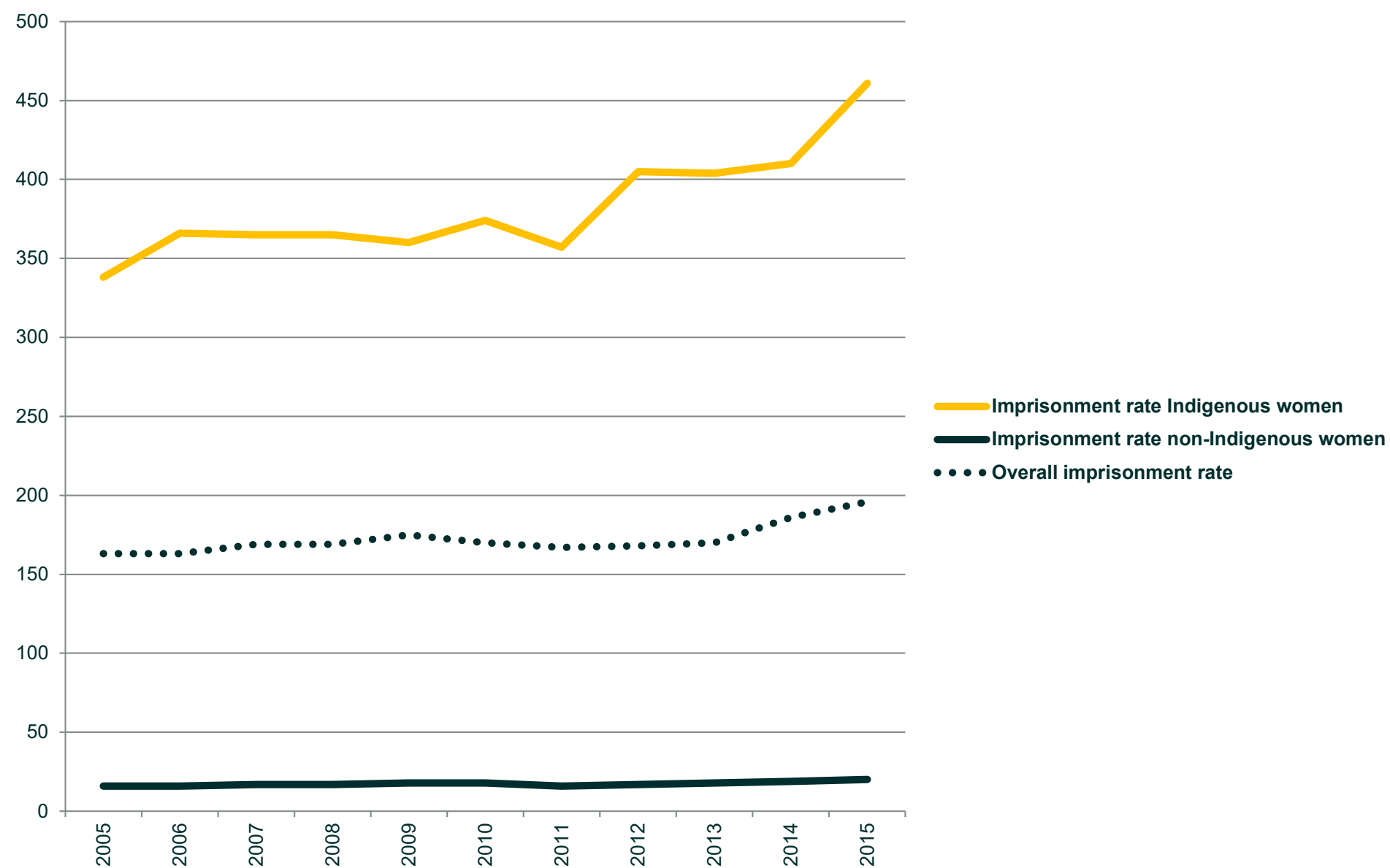
COLONIAL CARCERALISM

- Aileen Moreton-Robinson: ‘White Australia has come to “know” the Indigenous woman from the colonial gaze” in which “Indigenous women are objects who lack agency”
- First Nations women objectified as victims and, increasingly, as offenders (Juanita Sherwood).





COLONIAL PATRIARCHY IN PENALITY: INCARCERATION OF FIRST NATIONS & NON-FIRST NATIONS WOMEN, PER 100,000





What does carceral
colonialism have to do
with family violence?

Building research ground-up and de-centering institutions

- Mudgin-gal
- Waminda
- NSW Aboriginal Legal Service
- Wirringa Baiya
- SWOP
- Grandmothers Against Removals
- Deadly Connections


sista2sista



**Aboriginal Women's
Advocacy Group**




Stories of First Nations women in prison



“I’m afraid of breaking an AVO because we have got kids together.”




Hyper-surveillance
of First Nations
women due to
AVOs



“[The police officer] knocks at the door on any day of the week at any time because there’s an AVO”



Carceral experiences

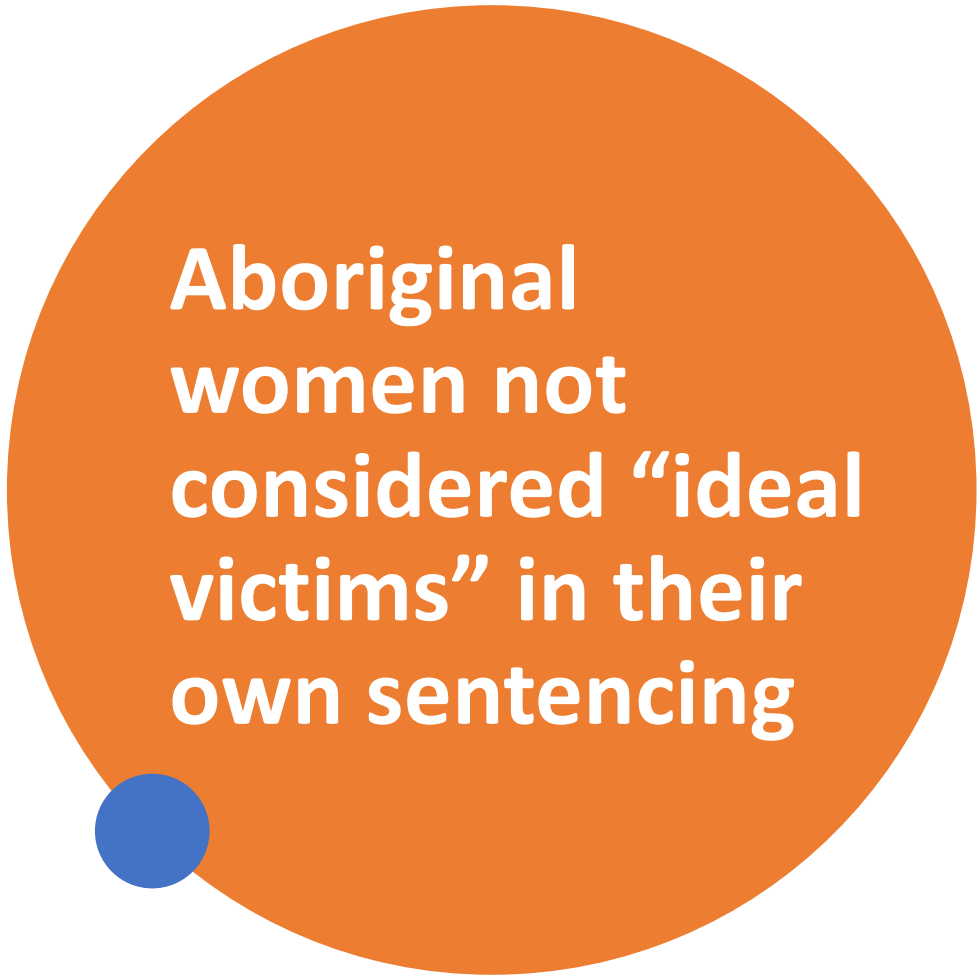



“We’re not being treated like mothers. We are strong independent black women and we deserve our rights, you know?”




Depriving children of their First Nations mothers

“By taking our children away from us. Putting us behind [bars], they don’t care about them. No one wants their kids more than their own family...”

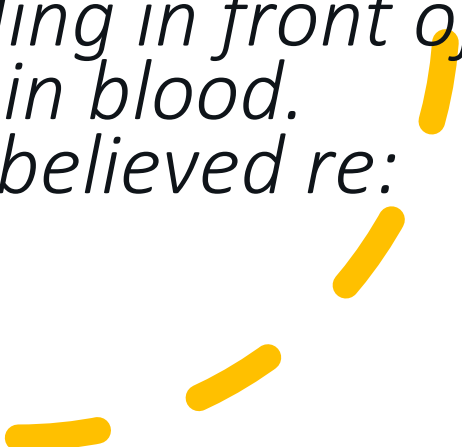


Aboriginal
women not
considered “ideal
victims” in their
own sentencing

- 
- *“I have been through domestic violence while pregnant with the father of my kids and in and out of refuges to be stable with my kids and have done counselling about it, but got told [by the judge] it wasn’t traumatising enough.”*

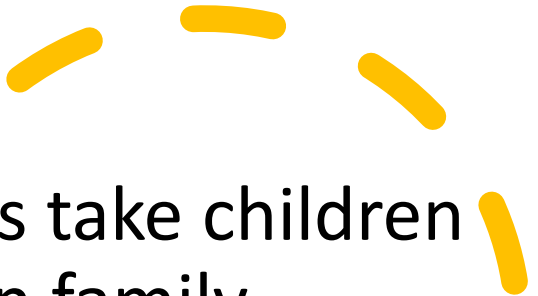




Implications of white carceral feminist approaches to family violence

- Coercive control parliamentary debates and most research in 2021/2 sidelines First Nations women except as ideal victims
 - Chelsea Watego: *Coercive control offences 'would result in more Indigenous women being imprisoned than protected'.*
 - Ashleigh Donohue: *'Aboriginal women are not believed when there standing in front of police busted up and dripping in blood. How the hell they going to be believed re: coercive control?'*
- 




Family violence and child protection interventions

- 
- Child welfare authorities take children when police intervene in family violence.
 - Similarly with reports to child welfare: *“My DOCS worker told me, if I work with her and be honest with her, she will help me. But she used that against me [to take my kids]”*



Carceral impacts of AVOs on First Nations children in care



“AVOs that are ostensibly a measure to protect vulnerable people are used by foster carers against Aboriginal girls who disobey them. So the AVO will specify that the child cannot conduct themselves in certain ways.”

(NSW Aboriginal legal service)

**Conclusion:
from
colonial
carceralism
to First
Nations
women's
sovereignty**

✿ Storywork: *my stories are my spirit*

✿ Self-determination: *the system
needs to listen to us so we can tell
our solutions*



References

Thalia Anthony, Gemma Sentance & Larissa Behrendt (2021) “We’re Not Being Treated Like Mothers”: Listening to the Stories of First Nations Mothers in Prison, 10(3) *Laws*, 1-18.

Harry Blagg and Thalia Anthony (2019) *Decolonising Criminology* (Palgrave), Chapter 9 on ‘Carceral Feminism: Saving Indigenous Women from Indigenous Men

“We’re Not Being Treated Like Mothers”: Listening to the Stories of First Nations Mothers in Prison

Thalia Anthony^{1,*}, Gemma Sentance¹ and Larissa Behrendt²

¹ Faculty of Law, University of Technology Sydney, Sydney, NSW 2007, Australia; Gemma.Sentance@uts.edu.au

² Jumbunna Institute for Indigenous Education and Research, University of Technology Sydney, Sydney, NSW 2007, Australia; Larissa.Behrendt@uts.edu.au

* Correspondence: thalia.anthony@uts.edu.au

Abstract: This article is based on research with over 160 First Nations women in South Wales, Australia. The research identified the lived experience of prison for First Nations women in prison. Our research methodology was guided by an Aboriginal advisory body called *sista2sista*. It was based on the principles of *Dadirri* in listening to the stories of First Nations women in prison on their terms. Consequently, the research was not about the criminal sentencing process itself, but about the impact of prison on their capacity to be caregivers in the community, including as mothers, sisters, teachers and role models. The findings from this research are dual. First, the need to and empowering First Nations women in prison in policy and practice for women. Second, the need to decarcerate First Nations mothers and to ensure their voices, priorities and aspirations, to ensure the system is able to care, nurture, strengthen and

Decolonising Criminology
Imagining Justice in a
Postcolonial World