

a global voice
for women

Soroptimist International



Federation of the South West Pacific

Brisbane Inc

ABN: 80 232 074 742
2015**PRESIDENT**Norah Blunden
C/- 2012/12 Edward St
Brisbane
Queensland
Australia 4000**SECRETARY**Gayle Carrick
C/- 2012/12 Edward St
Brisbane
Queensland
Australia 4000
[REDACTED]**TREASURER**Megan Dell
C/- 2012/12 Edward St
Brisbane
Queensland
Australia 4000**IMMEDIATE PAST
PRESIDENT**Gayle Carrick
C/- 2012/12 Edward St
Brisbane
Queensland
Australia 4000**PROGRAMME
CONVENOR/ UN LIAISON
PRESIDENT ELECT**Kylie Hillard
C/- 2012/12 Edward St
Brisbane
Queensland
Australia 4000Email:
sibrisbane@siswp.org

4 April 2016

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000**By email:** lacsc@parliament.qld.gov.au**Penalties and Sentences (Queensland Sentencing
Advisory Council) Amendment Bill 2016****Background:**

1. Soroptimist International works to ensure that the voices of women and girls around the world are included in international decision making and the policy setting, as well as within Australia. Soroptimist International is active at all of the major United Nation centres around the world maintaining a network of permanent representatives. The organisation holds a General Consultative Status with the United Nations Economic and Social Council and maintains official relations with several agencies and technical bodies.
2. As an advocacy body for women, the members of the Brisbane Club of Soroptimist International advocate for long term, effective, and workable solutions to the issues affecting equality for women, with a particular interest in the eradication of domestic and family violence.

Summary:

3. In relation to the *Penalties and Sentences (Queensland Sentencing Advisory Council) Amendment Bill 2016* ("the Bill") amending the *Penalties and Sentences Act 1992* ("the Act"), the members of the Brisbane Club of Soroptimist International support the Bill, however, recommend that section 201 be amended to include a mandatory women's position.

Recommendation - Amendment to s 201 to Add a Mandatory Women's**Position:**

4. Pursuant to section 201 of the Bill, one of the 12 members of the Sentencing Advisory Council must be an Aboriginal or Torres Strait Islander person.
5. This is expressly said to "*support an understanding of the issues facing Aboriginal and Torres Strait Islander people that contribute to their overrepresentation in the criminal justice system, the Bill provides that at least*

one member of the [Queensland Sentencing Advisory Council] must be an Aboriginal person or Torres Strait Islander.”¹

6. We submit that aside from ensuring diversity among members of the Sentencing Advisory Council, there are other benefits of having a women’s mandatory position on the Sentencing Advisory Council.

Consideration of Women as a Minority Group Affected by Domestic and Family Violence

7. There has been considerable domestic and family violence law reform in Queensland over the past 12 to 18 months.
8. With these changes will likely be an increased desirability to seek “guideline judgments” from the Sentencing Advisory Council and there will be also be an increased need for reports to be provided on sentencing for the new justice regime and criminal offences.
9. Statistically, as women are frequently the victims of domestic and family violence, the legal effects upon them are highly relevant in achieving the goals of the Bill in considering “*justice matters relating to domestic and family violence*” as noted by the Honourable Premier Palaszczuk in the First Reading Speech² as one of the roles of the Bill.

Consideration and Recognition of the Increasing Numbers of Women in Custody

10. With high rates of victims of domestic and family violence also experiencing homeless, abuse and prejudice, they become involved in the criminal justice system in unique and different ways compared to men.
11. While recognising that the overall percentage of women in custody is low compared to men,³ in 2012 the Australian Institute of Family Studies published a detailed report that reveals:⁴
 - 11.1. The rate at which women are being incarcerated in Australia has increased dramatically in the last 20 years. Reviewing data collected between 1995 and 2002, the Australian Bureau of Statistics calculated that the female imprisonment rate had more than doubled (58%) over those seven years;
 - 11.2. In 2010, the ABS reported that the last 10 years (1999-2009) had seen an increase of 60% in the female prison population;
 - 11.3. Over the same period, the characteristics of the female inmate population have changed, with more mental ill-health, substance abuse and social disadvantage present, particularly among remandees; and
 - 11.4. In terms of violent offending, both internal and external factors contribute. External factors related to social disadvantage can lead to the commission of violent crimes by women. Violence may stem from poverty, lack of education and unemployment, homelessness and a history of exposure to domestic and family violence and child sexual abuse.

¹ Explanatory Notes to the Bill, page

² <http://www.parliament.qld.gov.au/documents/tableOffice/BillMaterial/160315/Penalties.pdf>, website accessed 4 April 2016

³ <https://www.adcq.qld.gov.au/human-rights/women-in-prison-report/women-in-prison-contents/women-qld>

⁴ “Addressing women’s victimisation histories in custodial settings” <https://aifs.gov.au/publications/addressing-womens-victimisation-histories-custodial-settings/profile-women-prison>, website accessed 4 April 2016 (references omitted)

12. According to the Australian Bureau of Statistics, in Queensland between 2014 and 2015 there has been an increase in women prisoners.⁵
13. Studies also suggest that indigenous women are more likely to be incarcerated compared to indigenous men.⁶

Conclusion:

14. We submit that the above warrants consideration of a mandatory women's position. We are happy to be involved in any additional consultation that may take place on this submission and the Bill as well as later reviews of the Act and establishment of the surrounding infrastructure.
15. We would be pleased to participate in the consultation process further.

Kind regards,

Norah Blunden

Norah Blunden

President, Soroptimist International of Brisbane Inc

Enquiries to:

Soroptimist International of Brisbane Inc, President – Norah Blunden, [REDACTED],

[REDACTED]

Soroptimist International of Brisbane Inc, President Elect and Spokesperson – Kylie Hillard, [REDACTED]

[REDACTED]

Soroptimist International of Brisbane Inc, Immediate Past President – Gayle Carrick, [REDACTED],

[REDACTED]

⁵ Australian Bureau of Statistics, <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2015~Main%20Features~Queensland~22>, website accessed 4 April 2016 - The male imprisonment rate increased from 354 to 362 prisoners per 100,000 male adult population and the female imprisonment rate increased from 36 to 38 prisoners per 100,000 female adult population.

⁶ "Women in prison in Qld" [Anti-Discrimination Commission of Queensland, https://www.adcg.qld.gov.au/human-rights/women-in-prison-report/women-in-prison-contents/women-qld#Link3](https://www.adcg.qld.gov.au/human-rights/women-in-prison-report/women-in-prison-contents/women-qld#Link3), website accessed 4 April 2016