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29/04/2022

## Inquiry into children of incarcerated parents

Dear Secretary,

Students for Sensible Drug Policy at the University of Melbourne (SSDP UniMelb) thanks the Victorian Government for the invitation to submit to this inquiry and supports its decision to investigate the issue of children with incarcerated parents. We (SSDP UniMelb) would like to comment on the below terms of reference:

*(b) what policies exist and what services are available, including consideration of those in other jurisdictions;*

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## Background

### SSDP Australia

Students for Sensible Drug Policy Australia (SSDP Australia) is a national youth-led organisation that empowers and represents young people to bring change to drug policy.<sup>1</sup> Young people are the most likely age group to use illicit drugs<sup>2</sup> and the most likely to want drug policy reform,<sup>3</sup> yet they are the least likely to be involved in decision-making about drug-related policies and programs.

SSDP Australia neither condemns nor condones drug use. We are informed by the evidence of what works and doesn’t work and recognise that while abstinence may be the best form of harm reduction, many continue to use drugs without wanting to immediately abstain. Students who use drugs face challenges overcoming stigma and discrimination in accessing health, education and platforms for advocacy. By empowering the collective capacity of students to keep themselves safe

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<sup>1</sup> Students for Sensible Drug Policy Australia (2021), available online 2/12/2021: <https://www.ssdp.org.au/>

<sup>2</sup> Australian Institute of Health and Welfare (AIHW) (2020) National Drug Strategy Household Survey DSHS 2019 Main Report (Report edition: 16 Jul 2020), p.35  
<https://www.aihw.gov.au/reports/illicit-use-of-drugs/national-drug-strategy-household-survey-2019/contents/table-of-contents>

<sup>3</sup> Kari Lancaster, Alison Ritter, Francis Matthew-Simmons (2013) Young people's opinions on alcohol and other drugs issues. National Drug and Alcohol Research Centre, University of New South Wales p.141, available online:  
<https://ndarc.med.unsw.edu.au/sites/default/files/newsevents/events/RP27-young-peoples-opinions.pdf>



and advocate for change, we hope to improve the lives of young people and shift political, policy and community perspectives.

Our organisation is a collection of students involved in clubs formed at university campuses around Australia; the University of Melbourne and La Trobe University in Victoria; University of Western Australia and Curtin University in WA; and Macquarie University and the University of New South Wales in NSW. This submission provides the Committee with a unique perspective from young people with a passionate interest in drug policy.

## SSDP UniMelb

SSDP at the University of Melbourne (SSDP UniMelb) was established in 2016 and is an affiliated student club with the University of Melbourne's Student Union (UMSU). We are made up of a grassroots network of students and allies working towards meaningful reforms grounded in evidence, compassion and human rights. We have been connecting with like-minded peers and academics to bring about harm reduction programs for young people for over five years.<sup>4 5 6</sup>

One factor that has been a common feature amongst SSDP UniMelb members is the value they gain from having a safe environment for an open conversation about a topic often seen as taboo. Issues of alcohol and other drugs are also highlighted as a pivotal issue for youth, with three in ten respondents in the Mission Australia annual youth survey highlighting this as a key priority.<sup>7</sup> We welcome the opportunity to put forward a submission and hope that including the opinions of students and particularly young people who encounter licit and illicit drug use will help shape policy that is effective and relevant.

The SSDP UniMelb team consists of students from a wide array of disciplines such as public policy, social work, psychology and neuroscience. This diversity of background helps inform our belief that

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<sup>4</sup> Cooke, H. & Priess, B (2016) 'Student union to hand out drug-testing kits at the University of Melbourne campus' *The Age*, available online 21/10/2021:

<https://www.theage.com.au/national/victoria/student-union-to-hand-out-drugtesting-kits-at-university-of-melbourne-campus-20160920-grkh27.html>

<sup>5</sup> Shearer, C. (2016) 'Melbourne Uni's student union will soon hand out free drug testing kits' *Vice* (online 21/10/2021):

<https://www.vice.com/en/article/qb5zqv/melbourne-unis-student-union-is-going-to-hand-out-free-drug-testing-kits>

<sup>6</sup> Barro, C. (2016) 'More student unions want drug testing kits at universities' *Mojo News*, available online 21/10/2021:

<https://www.mojonews.com.au/page/more-student-unions-want-drug-testing-kits-at-universities?amp=1>

<sup>7</sup> Fildes, J., Liyanarachchi, D., Perdriau, A., Plummer, J. and Wearing, A. (2019) Close to home: young people and the impact of alcohol and drug use by family and peers. A 2018 Youth Survey report. *Mission Australia: Sydney, NSW*, available online 4/12/2021:

<https://www.missionaustralia.com.au/publications/youth-survey/1300-close-to-home-young-people-and-the-impact-of-alcohol-and-drug-use-by-family-and-peers/file>



a holistic approach is needed to sensible drug policy reform and that this is best achieved via different sections of the community working together.

## Rights of the Child

SSDP UniMelb points to the United Nations Convention on the Rights of the Child to understand the legislative and ethical responsibilities that Australia and its states and territories have towards children with incarcerated parents.<sup>8</sup> We remind the Committee that as a nation, we are a signatory and obliged to uphold all of the rights of which this particular treaty articulates.<sup>9</sup> Of pointed interest is Article 5 and Article 9:

*“Governments should respect the rights and responsibilities of families to guide their children so that as they grow up, they learn to use their rights properly.*

*Children should not be separated from their parents unless it is for their own good. For example, if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might harm the child.”*

<sup>10</sup>

We believe harsher prison sentences, especially for nonviolent crimes, may be in breach of the Convention’s rights and responsibilities towards families who are raising their children with love, care and respect. It is our position that incarcerating parents encourages repeat offending and entrenches disadvantages, many of which do not outweigh the community benefits of being ‘tough on crime’ - common rhetoric used amongst politicians.<sup>11</sup>

Legislators may not realise the long term social exclusion that occurs for families with children of incarcerated parents.<sup>12</sup> We urge the Committee to consider the below recommendations, by way of

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<sup>8</sup> UNICEF Australia (2022) ‘Children rights, Simplified. The United National Conventions of the Rights of the Child’ available online:

<https://www.unicef.org.au/our-work/information-for-children/un-convention-on-the-rights-of-the-child>

<sup>9</sup> Australian Human Rights Commission (2022) ‘About child rights’ available online:

<https://humanrights.gov.au/our-work/childrens-rights/about-childrens-rights#:~:text=Australia%20ratified%20the%20CRC%20in,set%20out%20in%20the%20treaty.>

<sup>10</sup> UNICEF Australia (2022) ‘Children rights, Simplified. The United National Conventions of the Rights of the Child’, available online:

<https://www.unicef.org.au/our-work/information-for-children/un-convention-on-the-rights-of-the-child>

<sup>11</sup> Millar, R. (2021) ‘Tough-no-crime leaders playing a game of chicken that will cost us’ *The Age*, available online:

<https://www.theage.com.au/national/victoria/tough-on-crime-leaders-playing-a-game-of-chicken-that-will-cost-us-20211111-p5986q.html>

<sup>12</sup> Gifford, E. J. et al. (2019) ‘Association of Parental Incarceration With Psychiatric and Functional Outcomes of Young Adults, JAMA Network, available online 29/08/2019:



better aligning Victoria's human rights obligations with those specified in the UN Convention of the Rights of the Child.

## 1.0 We recommend that Victoria's criminal justice system move toward a model of drug decriminalisation to decrease the likelihood of children and their parents suffering the long term consequences of a parents' incarceration.

The current prohibition of drugs in Victoria harms not just people who use drugs, but also their dependents and family members. The children of incarcerated parents are six times more likely to develop substance abuse issues and twice as likely to develop anxiety disorders.<sup>13</sup> By limiting the number of children forced into this situation we can help prevent substance use disorders and mental illnesses in the community. Handling drug-related issues outside of the criminal justice system and providing more family-orientated support to parents facing drug-related issues, will prevent children from facing these unnecessary struggles as a result of the incarceration of their parental figure.

13% of those imprisoned in Victoria are there on drug offences.<sup>14</sup> Research gathered from California tells us that people incarcerated on drug-related, non-violent charges are more likely to be parents than those who are incarcerated for violent crimes.<sup>15</sup> The criminalisation of drugs is directly connected to the incarceration of parents and the negative impact this has on their children. Drug criminalisation has therefore been shown to disproportionately impact parents more so than non-parents.

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[https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2748665?utm\\_source=For The Media&utm\\_medium=referral&utm\\_campaign=ftm\\_links&utm\\_term=082319](https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2748665?utm_source=For%20The%20Media&utm_medium=referral&utm_campaign=ftm_links&utm_term=082319)

<sup>13</sup> Gifford, E. J. et al. (2019) "Association of Parental Incarceration With Psychiatric and Functional Outcomes of Young Adults, JAMA Network, available online 29/08/2019:

[https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2748665?utm\\_source=For The Media&utm\\_medium=referral&utm\\_campaign=ftm\\_links&utm\\_term=082319](https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2748665?utm_source=For%20The%20Media&utm_medium=referral&utm_campaign=ftm_links&utm_term=082319)

<sup>14</sup> Sentencing Advisory Council (2020), 'Most Serious Offences for Victorian Prisoners', available online 15/04/2021:

<https://www.sentencingcouncil.vic.gov.au/sentencing-statistics/most-serious-offences-for-victorian-prisoners>)

<sup>15</sup> Davis, L. M. et al., (2011), 'Understanding the Public Health Implications of Prisoner Reentry in California' p. 118, available online: <https://www.jstor.org/stable/10.7249/mg1165tce.13?seq=1>



There is no official count for how many children in Victoria have a parent in prison at any given time, but it is reported to be about 43,000 in Australia.<sup>16</sup> It is impossible to quantify the harm being done to children of prisoners in Victoria. Further, there is no dedicated system in place to support them<sup>11</sup>.

Additionally, criminal records for drug offences can limit people's employment opportunities once released from prison and thus, directly impact their ability to provide for their family. This is due to criminal conviction questions required by many employers. This risks people turning to illicit activity that puts themselves, additional family members and children at risk. It also puts children in greater danger of losing their caregiver, due to being arrested.

Refocusing Victoria's criminal justice system towards a drug decriminalisation model will mean there are less children having to rely on a patchwork of services and less children dealing with substance use disorders and mental health disorders, including dual diagnosis in the years to come. Currently, Victoria's criminal justice system is impacting not just people who use drugs, but also their children. SSDP UniMelb supports proactive referral's into Alcohol and Other Drug (AOD) counselling and treatment programs for people who use drugs, rather than punitive jail sentences.

SSDP UniMelb accepts that prison and incarceration play an important role in community safety, but believes outdated attitudes towards drugs and harm reduction are having a significant negative impact on children and families who should not have to suffer from the non-violent actions of their parents. This would have the added benefit of reducing the budgetary cost of corrections in Victoria, as well as ease the pressure on services that support children of imprisoned parents. Again, this includes better protecting the rights of the child, specified in UN Conventions that as a country, we already have a duty to uphold.

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<sup>16</sup> Flynn, C (2022), 'About 43,000 Australian kids have a parent in jail but there is no formal system to support them', available online 24/02/2022  
<https://theconversation.com/about-43-000-australian-kids-have-a-parent-in-jail-but-there-is-no-formal-syst-em-to-support-them-176039>



## 2.0 We recommend that Victoria’s criminal justice system establish needle and syringe programs inside correctional facilities to reduce the likelihood of blood-borne virus transmission, damaged veins and the development of chronic health issues amongst prisoners.

An extension of a health-based response towards imprisoned parents who use drugs is to implement free, readily available Needle and Syringe Programs (NSP) inside Victorian correctional facilities. Evidence suggests needles are bought, sold and smuggled into Australian prisons sometimes unhygienically, further jeopardising the health and welfare of imprisoned parents, as well as other inmates more generally.<sup>17 18</sup> By the justice system not providing access to sterile injecting equipment, prisoners commonly share, reuse and resort to potentially contaminated administration attempts to ward off painful withdrawal symptoms.<sup>19 20</sup>

Substance use disorder is categorised by a physical dependence element that can result in life-threatening seizures if the person cannot access the substance in time.<sup>21</sup> It is reassuring that pharmacotherapy programs (i.e. methadone and suboxone substitution therapies) are available in Victorian prisons to address cravings and the physical dependency of particularly opiate dependence. However, SSDP UniMelb believes this is insufficient at remedying the rights and obligations of imprisoned parents to access universal health care, particularly their rights to life and human dignity marked in the 1948, Universal Declaration of Human Rights, by ignoring underground injection practices in prisons.<sup>22</sup> Allowing this to continue, negatively impacts on the

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<sup>17</sup> Justice Action (2019) ‘Needle and Syringe Programs Legal Challenge’ *Justice Action*, available online: <https://justiceaction.org.au/needle-and-syringe-program/>

<sup>18</sup> Rutter, S., Dolan, K., Wodak, A., & Heilpern, H. (2011) ‘Prison-Based Syringe Exchange Programs: A review of international Research and Program Development’ *Nation Drug and Alcohol Research institute (NDARC)*, available online: <https://ndarc.med.unsw.edu.au/sites/default/files/ndarc/resources/TR.112.PDF>

<sup>19</sup> Justice Action (2019) ‘Needle and Syringe Programs Legal Challenge’ *Justice Action*, available online: <https://justiceaction.org.au/needle-and-syringe-program/>

<sup>20</sup> Rutter, S., Dolan, K., Wodak, A., & Heilpern, H. (2011) ‘Prison-Based Syringe Exchange Programs: A review of international Research and Program Development’ *Nation Drug and Alcohol Research institute (NDARC)*, available online: <https://ndarc.med.unsw.edu.au/sites/default/files/ndarc/resources/TR.112.PDF>

<sup>21</sup> Hartney, E. (2022) ‘DSM 5 Criteria for Substance Use Disorders’ *Verywell Mind*, available online: <https://www.verywellmind.com/dsm-5-criteria-for-substance-use-disorders-21926>

<sup>22</sup> United Nations (1948) Universal Declaration of Human Rights, available online: [https://www.un.org/en/udhrbook/pdf/udhr\\_booklet\\_en\\_web.pdf](https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf)



entire family unit, also at odds with the UN Convention of the Rights of the Child for families with incarcerated parents.<sup>23</sup>

By establishing a cost effective, proven health measure, protecting against needle stick injuries, infections and the transmission of blood borne viruses, including Hepatitis C and HIV, the State Government can better uphold its obligations to families, raising and supporting their children, without parents' developing chronic health conditions whilst inside Victoria's correctional facilities.

<sup>24</sup> Making NSP's accessible in prisons, enables parents who use drugs to fulfil their roles as caregivers and guardians in the long term, as well as having a chance at a better life.

### 3.0 We recommend that Victoria's criminal justice system implement harm reduction 'care packages' to prisoners upon discharge, including take-home naloxone to avoid unexpected overdoses.

SSDP UniMelb commends the Federal Government for introducing a national, freely available take-home naloxone program earlier this year for people who are available to revive those, having an opiate overdose.<sup>25</sup> Along with the roll out of NSP's in prisons, we recommend that a complimentary harm reduction 'care package' service be established and given to those being discharged from prison. These 'care packages' would include sterile injecting equipment, naloxone nasal sprays and harm reduction resources to former prisoners, so as to support safer drug use by vulnerable prisoners.

It is well known that overdose risk is higher for people after a period of abstinence or less frequent use, including prison sentences, where tolerance lowers.<sup>26</sup> Many imprisoned parents who use drugs

<sup>23</sup> UNICEF Australia (2022) 'Children rights, Simplified. The United National Conventions of the Rights of the Child' available online:

<https://www.unicef.org.au/our-work/information-for-children/un-convention-on-the-rights-of-the-child>

<sup>24</sup> Australian National Council on Drugs (2014) 'Australia commemorates 20 years of needle and syringe programs,' *Australian National Council on Drugs*, available online:

<http://www.atoda.org.au/wp-content/uploads/2018/01/Australia-commemorates-20-years-of-needle-syringe-programs.pdf>

<sup>25</sup> Australian Government (2022) 'About the take home naloxone pilot' *The Department of Health*, available online:

<https://www.health.gov.au/initiatives-and-programs/take-home-naloxone-pilot/about-the-take-home-naloxone-pilot>

<sup>26</sup> Harm Reduction Coalition (2020) 'Opioid overdose basics: overdose risks and prevention' *Harm Reduction Coalition*, available online:

<https://harmreduction.org/issues/overdose-prevention/overview/overdose-basics/opioid-od-risks-prevention/>



are more likely to have an accidental overdose in the community upon leaving a correction centre. A way to minimise the harms associated with overdose, is to educate prisoners about:

- Using drugs with friends and not alone<sup>27</sup>
- Training prisoners on how to administer naloxone<sup>28</sup>
- Using smaller dosages and waiting for longer period to re-dose<sup>29</sup>
- Using fentanyl testing strips before drug use<sup>30</sup>
- Providing support lines to help facilitate help-seeking behaviour<sup>31</sup>
- Using NSP's in local areas<sup>32</sup>

We advocate for practical 'care packages' to be adopted, addressing the above dot points, utilising the freely accessible, take-home naloxone program implemented by the Federal Government, state funded NSP services and harm reduction pamphlets on safer drug use practices. This encourages the use of life saving medications in a timely manner for imprisoned parents, subsequently avoiding additional traumas and set-back for their families and children.

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<sup>27</sup> Harm Reduction Coalition (2020) 'Opioid overdose basics: overdose risks and prevention' *Harm Reduction Coalition*, available online:

<https://harmreduction.org/issues/overdose-prevention/overview/overdose-basics/opioid-od-risks-prevention/>

<sup>28</sup> Harm Reduction Victoria (2022) 'Training: HRVic provide practical education and training for a unique peer-spective of living and lived of substance use,' *Harm Reduction Victoria*, available online:

<https://www.hrvic.org.au/training>

<sup>29</sup> Harm Reduction Victoria (2016) 'Opioids' *Harm Reduction Victoria*, available online:

[https://www.hrvic.org.au/files/ugd/ebb8bf\\_b9cfc981f3ed4ddaaf769395b74ede92.pdf](https://www.hrvic.org.au/files/ugd/ebb8bf_b9cfc981f3ed4ddaaf769395b74ede92.pdf)

<sup>30</sup> Harm Reduction Victoria (2016) 'Opioids' *Harm Reduction Victoria*, available online:

[https://www.hrvic.org.au/files/ugd/ebb8bf\\_b9cfc981f3ed4ddaaf769395b74ede92.pdf](https://www.hrvic.org.au/files/ugd/ebb8bf_b9cfc981f3ed4ddaaf769395b74ede92.pdf)

<sup>31</sup> Everymind (2019) Mindframe for Alcohol and Other Drugs: Guidelines for communicating about alcohol and other drugs, *Everymind*, available online:

[https://mindframemedia.imgix.net/assets/src/uploads/Mindframe\\_AOD\\_Guidelines.pdf](https://mindframemedia.imgix.net/assets/src/uploads/Mindframe_AOD_Guidelines.pdf)

<sup>32</sup> Victorian Government (2022) Needle and Syringe Program' *Victorian Government*, available online:

<https://www.health.vic.gov.au/aod-treatment-services/needle-and-syringe-program>



## 4.0 We recommend that family-inclusive treatment options be provided to parents caught with small quantities of currently illegal drugs, including in assertive outreach home-detoxification programs.

Research has shown that family inclusive treatment options are very effective in supporting someone who has a substance use disorder.<sup>33</sup> Australian non-for profit organisation, Family Drug Support evidences that when the family is engaged and connected to the person with additional support in place for themselves, including psychoeducational and counselling services, the entire family does better, including the person who uses and the family members supporting them.<sup>34</sup>

SSDP UniMelb believes that the family-inclusive practices by that of Family Drug Support and other Victorian-based drug and alcohol services, including APOD Family Support Services, should be transferred into the assertive outreach detoxification space, where extra assistance is provided to parents, having drug withdrawals in the family home.<sup>35 36</sup>

SSDP UniMelb suggests that having social workers registered with the Australian Association of Social Workers, providing family-inclusive, home detoxification programs would be an optimal way of securing a high quality and meaningful service for families of incarcerated parents, including the opportunity of linking children in with child and family programs, and youth services.<sup>37</sup>

The availability of such programs to the families and children of incarcerated parents, can improve the resilience of families affected by drug use and help prevent additional harms coming to their children. This, of course, better strengthens our alignment with the UN Conventions previously mentioned in this submission that both the Victorian and Federal Governments are obliged to meet.

Family inclusive drug treatment, in conjunction with a decriminalisation approach to drugs, can potentially have enormous benefits on people who use drugs and their families.

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<sup>33</sup>Ulaş, E; Ekşi, H (2019) 'Inclusion of Family Therapy in Rehabilitation Program of Substance Abuse and Its Efficacious Implementation', *The Family Journal: Counselling and Therapy for Couples and Families*, available online: <https://journals.sagepub.com/doi/full/10.1177/1066480719871968>

<sup>34</sup> Grethin, A., Trimmingham, T., Chang, T., Farrell, M., Ross, J. (2015) Coping with problematic drug use in the family: an evaluation of the stepping stones program' *Drug and Alcohol Review*.

<sup>35</sup> Alcohol Prescription and Other Drug Family Support (APOD Family Support). 'Welcome to APOD Family Support', available online: <https://apod.org.au/>

<sup>36</sup> Family Drug Support (2022) 'Support the family, improve the outcome workshops', available online: <https://www.fds.org.au/meetings-and-events/support-the-family-improve-the-outcome>

<sup>37</sup> Australian Association of Social Workers (AASW) (2020) 'The Australian Association of Social Workers Code of Ethics 2020', available online: <https://www.aasw.asn.au/document/item/1201>



## 5.0 We recommend that social housing providers be prohibited from evicting tenants if they have only been charged, but not convicted of a crime.

The criminalisation of drugs negatively impacts the ability of people who use drugs to maintain suitable accommodation for themselves and their children. Currently, tenants in Victorian social housing can be evicted for being involved in any drug-related activity. This includes just being charged (not convicted) of drug offences as well as if a person only receives a community-based sentence.<sup>38</sup> This impacts both the person charged with drug offences and their children who may be left without accommodation, if their parent is incarcerated. This further exacerbates the trauma for children who are separated from their parents, due to incarceration as their fundamental need for secure accommodation is unable to be met.

SSDP UniMelb urges the Victorian Government to find safer and more adequate solutions for parents charged with drug offences, including the adoption of a decriminalisation model as mentioned already in Recommendation 1, as well as, continuing to house themselves and their families, regardless of the parents' potential, criminal status in respect to drug charges.

## 6.0 We recommend that parenthood and familial situations be more formally taken into consideration when granting bail.

Official statistics indicate that about 35% of Australian prisoners are currently on remand and have not been sentenced.<sup>39</sup> This means that an exceptionally large number of people are being detained before conviction. When the accused is a parent, this can be detrimental to the welfare of their family. Incarceration disrupts parent-child relationships, as restrictive visitation policies are not designed to reflect the needs of children.<sup>40</sup> Without bail, parents are limited in their ability to emotionally and logistically prepare their family for these potential consequences of imprisonment following a guilty verdict.

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<sup>38</sup> Engage Victoria (2021) Social Housing Regulation Review, *Fitzroy Legal Service submission*, p. 4. 1 available online: <https://engage.vic.gov.au/download/document/21118>

<sup>39</sup> ABS (2021) Prisoners in Australia, Available online: <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release>

<sup>40</sup> Davis, L. M. et al., (2011), 'Understanding the Public Health Implications of Prisoner Reentry in California' p. 120, available Online: <https://www.jstor.org/stable/10.7249/mg1165tce.13?seq=1>



As such, we believe that, when there is no indication that the parent is a danger to the child's wellbeing, the parent should be granted reasonable bail. This gives them the opportunity to use the pre-trial period to spend time with their child/children, and to organise the best way to support their family during a potential incarceration. This would be beneficial for both the parent and the child in question, making this period far less traumatic for the family.

## 7.0 We recommend that the government establish a dedicated service for children of incarcerated persons.

Currently there is no dedicated support system in place for the children of imprisoned parents in Victoria.<sup>41</sup> SSDP UniMelb recommends that such a service be established to support the complex needs of children whose parents are about to be sentenced. This should include ensuring the child has access to psychological services, alcohol or other drug services, stays in school/training/employment, can access legal advice and have a means to maintain communication with their incarcerated parent where appropriate. Establishing such a service would help ensure that children of incarcerated parents do not fall through the cracks and are given every opportunity to succeed.

It is suggested that the Committee look to *Operation Paramount* that is being trialled by local police in the UK in conjunction with the "Children Heard and Seen" charity.<sup>42</sup> *Operation Paramount* uses data to focus support services on families with an incarcerated parent and then tailors a package of support for the family.<sup>42</sup>

## Conclusion

We reiterate that the health and welfare of children should be centralised to any regulatory and/or legislative response designed to better support families with imprisoned parents. Public policies should aim to reduce harm and rehabilitate important members of our community, including children and families, by using the structural and ethical guidelines provided by the United Nations Convention on human rights, particularly that of the Rights for the Child treaty.

Drug criminalisation has proven ineffective at delivering such goals and instead, profited those supplying illegal underground markets. A policy response of decriminalisation allows the Victorian

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<sup>41</sup> Flynn, C (2022), 'About 43,000 Australian kids have a parent in jail but there is no formal system to support them', available online 24/02/2022  
<https://theconversation.com/about-43-000-australian-kids-have-a-parent-in-jail-but-there-is-no-formal-system-to-support-them-176039>

<sup>42</sup> Thames Valley Violence Reduction Unit (2021) News, (available online:  
<https://www.tvvru.co.uk/paramount/>



Government to displace illegal drug trading without further punishing individual users, ex-users and improves connections, social support and integration as well as, preserving the family unit where possible and the trajectory of individual children.

We are grateful to the Committee for their efforts in setting up this Inquiry and respect the complex challenges confronting this type of policy reform. Mainstream understandings and skewed media dialogue can present barriers to change. We hope that the Committee will carefully consider the evidence, including the recommendations put forth of this submission, as well as the final report, being able to inspire and shape rights-based policy change in the future.

SSDP UniMelb would welcome the opportunity to elaborate on this written submission and provide a verbal presentation to Inquiry Committee members.

Yours sincerely,

**Students for Sensible Drug Policy at the University of Melbourne**

[Redacted signature line]

Chloe Span (Secretary);  
Nathan Ivetic (Committee Member);  
Emily Stephens (Committee Member);