

## **The Case for Single Cells and Alternative Ways of viewing Custodial Accommodation for Australian Aboriginal Peoples**

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### **Abstract**

Until recently there was an assumption that Australian Aboriginal prisoners should be accommodated in dual occupancy or dormitory accommodation while in custody to best meet cultural needs, primarily to prevent social isolation. This historical assumption is reflected in the national guidelines for prison accommodation, various coronial and royal commission recommendations for both police and prison accommodation and evolved from the problem solving approaches to the custodial arrangements of Australian Aboriginal peoples instituted by custodial agencies and stakeholder consultations with Aboriginal groups.

This paper presents the findings from the first empirical study of the needs and preferences of Australian Aboriginal prisoners in custody suggesting that certain types of shared and dormitory accommodation present a myriad of complex implications for Aboriginal prisoners. It suggests shared or dormitory accommodation may not be the most favourable or preferred model for accommodating Aboriginal prisoners and may be a simulacrum in meeting the needs of Aboriginal prisoners for living as a social group. The paper presents new understandings and a number of socio-cultural options for viewing custodial accommodation which have significance to prisoner outcomes at various end-points in the criminal justice system.

### **Introduction**

It appears commonly accepted that it is neither 'safe' nor culturally appropriate to accommodate Australian Aboriginal peoples in single cell accommodation in prison custody. It is sometimes stated that Aboriginal prisoners in isolated single accommodation may have increased feelings of despair, hopelessness and isolation and suffer other adverse psychological effects increasing the risk of unnatural deaths in custody (Reser 1989:13). With a lack of other custodial accommodation alternatives, Aboriginal prisoners are commonly placed in 'double bunked' cells, a practice whereby two prisoners are accommodated in a cell designed for single

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occupancy. In certain other Australian prisons, Aboriginal prisoners are often accommodated in densely populated dormitories.

This paper will examine the impacts and implications of dormitories and ‘double-bunking’ in prisons. The options are often considered as ‘best practice’ for Aboriginal prisoners. This paper partially presents the findings of the first empirical study into the accommodation needs of Australian Aboriginal prisoners in prison custody, conducted with a subject group of 55 Aboriginal prisoners across five prisons in South Australia. It indicates that ‘double-bunking’ and dormitories may compromise the inherent dignity, privacy, and personal safety of Aboriginal prisoners and have adverse implications on the institutional culture and the behaviour modification practices applied in custodial environments. The paper also discusses the necessity for prison environments to move from being designed with an emphasis on security, segregation and separation to recognising the importance of Aboriginal domiciliary practices, lifestyles structured around the social group and the need for Aboriginal prisoners to maintain connections to their country.

### **The Development of Separate Approaches for Aboriginal Prisoners**

It has long been identified that custodial environments are antithetical to the fundamental needs of Australian Aboriginal peoples (Kerr 1988:7). From the 1800s, observations that prison environments did not match the needs of Aboriginal prisoners were recorded. Governor Grey of South Australia stated in 1841, “To a civilised man imprisonment presents but a slight terror. To an Aborigine, the loss of liberty is an almost inconceivable idea. He has never heard of such a thing, and so contrary is it to their habits that it is almost impossible he can ever imagine it” (Grey cited in Kerr 1988:99).

The difficulty of providing custodial environments for Aboriginal prisoners was recognised across Australia. In Western Australia, Rottnest Island Gaol was established in 1838 as an alternative to incarcerating Aboriginal prisoners in the Fremantle Round House. This penal establishment for Aboriginal people operated until 1931 (excepting the period from 1849 to 1855), and was seen to provide greater freedom to Aboriginal prisoners than could be provided within mainland penal institutions (Ferguson 1986, Kerr 1988, Midford 1988, Eckermann 1997, Green and Moon 1997). Within the ‘Quad’ (the prison accommodation at Rottnest Island) Aboriginal prisoners were held together in cells and separated only for reasons of discipline.

Along with the establishment of distinct gaols for Aboriginal peoples, early Australian correctional administrators took a range of approaches to incarcerate Aboriginal peoples. Approaches included the use of larger cells to accommodate several Aboriginal prisoners simultaneously where the standard for non-Aboriginal prisoners was single accommodation (e.g. Roebourne, Greenough, Dongara and Busselton Gaols, Western Australia) (Kerr 1988, Midford 1988, Eckermann 1997).

The prison conditions for non-Aboriginal prisoners during the early history of Australia varied significantly from the Aboriginal experience (Kerr 1988). Early prison administrators across Australia experimented with a range of penal philosophies, particularly favouring the model prisons based on the English 1799 Penitentiary Act. This Act specified that gaols should be built to house one inmate per cell and be operated on a 'silent' system with continuous labour. Placing prisoners into separate cells formed part of the 'rehabilitation' process (Spens 1994).

It can be seen from the available evidence that at least to some extent<sup>3</sup> correctional practice and prison conditions for Aboriginal and non-Aboriginal prisoners have differing historical trajectories and lived experiences. Prison accommodation norms for Aboriginal prisoners became cemented in the early experiences with assumptions that 'best practice' accommodation for Aboriginal prisoners consisted of more socially dense environments.

### **Dormitories as 'best practice' for Aboriginal Prisoners**

The assumption proliferated and persisted without a major examination of the needs of Aboriginal prisoners. Gaols developed individual strategies at locations where there were larger populations of Aboriginal prisoners. Prisons often preferred the use of dormitory accommodation for Aboriginal prisoners. For example, Gladstone Gaol in South Australia (decommissioned 1975) had a separate section with yard and cells for Aboriginal prisoners which were physically separated and distinct from accommodation in the rest of the gaol. Each cell accommodated up to eight Aboriginal prisoners. Similarly, Alice Springs used dormitories for Aboriginal prisoners (decommissioned 1996). Amnesty International described the conditions for Aboriginal prisoners at the Old Alice Springs Gaol as follows:

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<sup>3</sup> Albeit difficult to fully gauge systematically and longitudinally in any quantitative manner given the paucity of Australian prison archival records from the 19<sup>th</sup> century and early 20<sup>th</sup> century.

The dormitory ...occupied a whole building beneath a single roof with solid walls but spaces below the eaves for ventilation. The interior was entirely open plan but was subdivided by mesh wire into seven or eight sections in each of which were six or seven beds (bunks and singles), an unscreened urinal and a cold water tap. There were no facilities, nor indeed space for prisoners to keep personal possessions. Because the sub-divisions were made of wire it was possible for the prisoners to see and have contact, if they shouted, with any other prisoner in the building. The dormitory we saw contained approximately 40 prisoners, all of them Aboriginal people” (Alice Springs News December 10th, 1997).

These individual prison strategies found their way into government reports and recommendations without any comprehensive research or reference back to the views of the Aboriginal prisoners. For example, in 1973, the South Australian Criminal Law and Penal Methods Reform Committee of South Australia (the Mitchell Committee) noted that “Aborigines become depressed when placed in single cells. They prefer dormitories shared with other aborigines” (Criminal Law and Penal Methods Reform Committee of South Australia 1973:206). Densely populated dormitories became the correctional norm for many Aboriginal prisoners in Australia, and up until the 1980s examples of dormitories used to accommodate Aboriginal prisoners could be seen at Fannie Bay Prison and Alice Springs Prison in the Northern Territory, Cadell Training Centre, Port Augusta and Gladstone Prisons in South Australia, and Wyndam and Kalgoorlie Prisons in Western Australia, as well as others in different states.

### **A shift to ‘double-bunking’ as ‘best practice’ for accommodating Aboriginal Prisoners**

In the 1980s, reforms occurred in the Australian prison system, resulting in the rebuilding and up-grading of many Australian prisons (Vinson 1999), and the discontinuation of dormitory accommodation in most states except where there were large populations of Aboriginal prisoners deemed as ‘traditionally oriented’. The newly built and re-developed prisons of the 1980s generally included single cells for prisoners in line with various international and national standards and guidelines (e.g. the International Covenant on Civil and Political Rights, the United Nations Standard Minimum Rules for the Treatment of Prisoners, and various versions of the Standard Guidelines for Corrections in Australia). As prison populations burgeoned across Australia, it became accepted practice to ‘double-bunk’ prisoners in cells designed for single occupancy.

The practice of 'double-bunking' in prison custody was then reinforced by the Royal Commission into Aboriginal Deaths in Custody (RCIADIC). In the interim report, Royal Commissioner Muirhead initially discussed the issue of sharing cells with reservation, stating that "sharing a cell will provide little benefit if the whole gaol environment is one of oppression and hostility" (Muirhead 1988:36). He later conceded that "...my present view is that cell sharing is likely to reduce the incidence of deaths in custody and parties who have made submission to the Commission have claimed this to be so" (Muirhead 1988:36). In the final report of the Royal Commission there was an emphasis on prison accommodation for Aboriginal prisoners to allow flexible and culturally appropriate living. Based on findings that most Aboriginal deaths in custody were by hanging and occurred when prisoners were alone in their cells, with social isolation as one of the critical factors in unnatural deaths in custody, the RCIADIC final report gave support for cell sharing recommending that "Corrective Services should recognise that it is undesirable in the highest degree that an Aboriginal prisoner should be placed in segregation or isolated detention" (Johnston 1991 3:334).

The practice of 'double-bunking' continued to grow across Australia. In the 1990s, the Standard Guidelines for Corrections in Australia (1989) was revised by the Conference of Correctional Administrators with the amendments to allow 'certain groups' of prisoners to be 'double bunked' or accommodated in dormitories. The revised guidelines stated "...in new prisons, accommodation should generally be provided in single cells or rooms. Provision should be made however, for multiple cell accommodation for the management of particular prisoners" (Conference of Correctional Administrators 1996:5.23). By the late 1990s, the practice of 'double-bunking', as well as providing very socially dense prison accommodation for Aboriginal prisoners were accepted and rarely questioned. Memmott and Eckermann reporting on their consultations with Aboriginal correctional stakeholders stated "...the use of single cells for Aboriginal prisoners will not be appropriate in many circumstances" (Memmott and Eckermann 1999:8).

Thus, it is currently often perceived (with some logical and historical arguments to support it), that 'traditionally oriented' Aboriginal prisoners are 'best' accommodated in dormitory accommodation while 'double-bunking' is the 'best' accommodation option for other groups of Aboriginal prisoners. Both options are advocated as methods to reduce instances of self-harming and suicidal behaviours through increased social interaction that encourages a 'buddy' system of

mutual observation, caring and psychological monitoring. These ‘best practices’ appear to have grown from early approaches and separate ways of accommodating Aboriginal prisoners. However, the assumed preferences of Aboriginal prisoners for socially dense accommodation have been ascertained through observations by correctional staff and stakeholder consultation, rather than consultation with the Aboriginal end-users.

In more recent years post RCIADIC, correctional administrators have seen a rise in the numbers of Aboriginal prisoners requesting single accommodation, and are beginning to voice concerns in accommodating Aboriginal prisoners in ‘double-bunked’ or dormitory accommodation. At this point, any deviations from these practices are not condoned by State Coroners, national guidelines or other recommendations. Deviating from these practices may leave correctional agencies open to criticism should critical incidents occur.

### **The issues involved with ‘double-bunking’ and dormitories**

There is considerable debate within the literature on the benefits of ‘double-bunking’ or using dormitories as prison accommodation. The international literature advocates the use of single accommodation on the basis that dormitories, dual cells and ‘double-bunking’ deny the prisoner privacy and dignity (Dawes 1997). In the United States, high levels of violence, gang membership, gang violence and illegal drug use are noted to be prevalent where prisoners share accommodation (Peguese and Koppel 2003). Psychologists condone socially dense prison environments on the basis that these environments produce negative emotional reactions, higher rates of non-compliant behaviour (Megargee 1977, Nacci et al 1977), reductions in the individual’s task accuracy, and increases in sleeping difficulties and illness complaints<sup>4</sup> (McCain et al 1980). Overseas, it has been noted that prisons with high social densities have higher death rates, with higher natural death rates among ‘elderly’ prisoners and increased violent death rates, and suicides<sup>5</sup> (Paulus et al 1978).

It should also be noted that arguments centred on the use of ‘double-bunking’ and dormitories as mechanisms to reduce instances of self-harming and suicidal behaviours through increased

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<sup>4</sup> McCain et al (1980) provide some discussion of the significance of increases in illnesses complaints (i.e. complaints of illnesses to the prison medical services). The researchers suggest that complaints of illness may be response to a stressful situation and in part reflect real pathology. They conclude that further research is required to conclude increases in real pathology as result of exposure to crowded conditions.

<sup>5</sup> Nevertheless literature in the area of suicide appears relatively meagre (McCain et al 1980).

social interaction remain commonly challenged within the literature, with most authors suggesting that the increased stresses on individuals may increase suicide rates (Paulus et al. 1978). The use of 'double-bunking' and dormitories appears to have grown. However it could be cynically argued that this is because it is an easy and useful tool to manage burgeoning prison populations, rather than to address the specific needs of Aboriginal prisoners.

In doctoral research conducted by one of the authors (Grant 2007), Aboriginal prisoners in South Australia were consulted to investigate the issues surrounding safe, suitable and appropriate accommodation for Aboriginal prisoners in prison custody<sup>6</sup>. The needs and preferences of the subject group, consisting of 55 Aboriginal prisoners from a diversity of Aboriginal language groupings and housed at five South Australian prisons were investigated using a three-stage interview process. The methodology included gathering personal and incarceration details, and a directed choice experiment employing photographic sets and drawing techniques to elicit design preferences (Grant 2007: Chapter 2). One of the key findings of the research concerned the territoriality, personal space, privacy and personal safety issues which arise from the use of 'double-bunking' and dormitories for Aboriginal prisoners. It was found that 77% of the subject group recorded a preference for single-occupancy accommodation albeit simultaneously along with environmental design initiatives which integrate the needs of the social group into the prison environment.

### **Personal Safety in 'double-bunked' cells and dormitories**

The South Australian research touched on the issue of the personal safety of the individual with reference to rape among the Aboriginal prisoner population. Prisoner rape has not been widely researched in the Australian context (Heilpern 1998:3), and the culturally specific factors in regard to the incidence and reporting of rape among the Aboriginal prisoner population are not well understood. The occurrence of rape was not addressed directly through the author's South Australian research, but the issue most certainly emerged during subject interviews.

Australian correctional administrators have maintained a number of practices in the placement of Aboriginal prisoners which may increase the incidence of rape. The practice of placing younger Aboriginal prisoners with an older or experienced Aboriginal prisoner (often a

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<sup>6</sup> The doctoral dissertation by Elizabeth Grant entitled 'Safe, Suitable & Appropriate Environments for Aboriginal Prisoners: A Study of Prisons in South Australia' was submitted for examination to the University of Adelaide in July 2007.

family or kin member) in a 'double bunked' cell on reception into the prison often occurs as a response to the recommendations of the final report of RCIADIC in many prisons. Prisons with dormitory accommodation often place incoming Aboriginal prisoners in such dormitories preferably with family and kin. It has been thought that the practices increase the support available for the reception prisoner, leading to a less traumatic induction into the prison environment. Whereas there may well be positive advantages from such, it would appear that both practices have the potential to increase the incidence of rape among Aboriginal prisoner population. Within the study, anecdotal evidence indicated that prisoner rape occurs and may occur between Aboriginal family or kin members. Rape within the Aboriginal prisoner population and between family members is conceivable given "...many Indigenous men have now been raised in environments where trauma, low self-esteem, abuse, violence, alcohol, substance abuse and role confusion have been evidenced across generations" (Commission for Children and Young People and the Aboriginal and Torres Strait Islander Advisory Board 2001:8). Consequently, few subjects wished to be or wished other young men to be accommodated in 'double-bunked' arrangements and some subjects had reservations about the placement of younger Aboriginal men in dormitories. However, many Aboriginal prisoners were reluctant to discuss the issue in great detail. The authors are of the view that a rethink of 'double-bunking' and dormitories must occur to allow Aboriginal prisoners support during critical times while simultaneously allowing personal security, privacy and protection in potentially hostile environments.

### **Personal Space and Privacy**

Aboriginal subjects in the South Australian study identified that 'double-bunking' intruded into their personal space, increasing their spatial density<sup>7</sup> to an extent that their ability to perform certain activities was compromised. It was found that the ability of Aboriginal prisoners to perform certain private routines and activities was connected to reducing stress levels and their feelings of well-being. For example one subject stated:

I prefer a single cell. You have more privacy and you can do what you like. I like to train at night. I like to move around the cell, pace up and down if I do that I can think straight.

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<sup>7</sup> Spatial density is the amount of space available to each person (Holahan 1982).



You can't do that when your cellmate is watching TV. I get a bit jittery if I don't move around. (Ngarrindjeri Man, aged 29, Adelaide Remand Centre.)

Hence, decreasing the spatial density and intruding into the personal space of the individual with 'double-bunking' may compromise prisoners' well-being.

At the same time, many of the Aboriginal subjects observed fixed routines in their prison life which were used as personal coping mechanisms in the prison environment. 'Double-bunking' appeared to comprise the ability of the prisoner to observe personal routines and undermined personal coping mechanisms. One subject stated:

It is hard when you are sharing, you have to adapt with what your cellie wants. Like, I like to have something to eat at night and my latest cellie doesn't eat at night so I don't. It is always hard to share the tellie and that. (Pitjantjatjara Man, aged 24, Yatala Labour Prison.)

Some subjects indicated that the inability to observe routines was often likely to lead to friction between prisoners sharing cells. In a number of instances subjects indicated that deviation from set routines may lead to violence. For example:

If a cellie started going to the toilet at night he wouldn't be in with me for long. I'd give him one chance but after that he'd be in the infirmary. (Narranga Man, aged 37, Adelaide Remand Centre.)

Aboriginal prisoners were also concerned about taking on responsibility for other Aboriginal prisoners while housed in 'double-bunked' accommodation. One subject illustrated the daily stresses:

You have to have a single cell; you need to do your own time not someone else's. If the bloke with you has a hard night, you have a bad night. I don't want to be responsible for someone else. (Ngarrindjeri Man, aged 41, Mobilong Prison.)

Only a small minority of the subject group were willing to share accommodation when at-risk of self-harm to the other party was imminent. Most were reluctant to take on the responsibilities and stresses of sharing space with another at-risk Aboriginal prisoner. One subject illustrated this:

I don't want to responsible for someone else. The Rossi Inquest<sup>8</sup> showed that. The bloke on the bottom bunk woke up in the morning with blood dripping on him when the other guy on the top bunk topped himself up by slitting his throat. If that wasn't bad enough he was up on murder charges for a while. I don't want responsibility for some else. I don't want to look after some young guy. I just want my own space. (Ngarrindjeri Man, aged 41, Port Augusta Prison.)

In the past, it has been generally assumed that Aboriginal prisoners are willing to take sole responsibility for another Aboriginal prisoner. This study indicated that taking responsibility for another party in 'double-bunked' accommodation by acting as mentor and listening was extremely stressful. Aboriginal prisoners preferred to take responsibility for vulnerable Aboriginal prisoners as a group collective. However it must be stressed that at the same time, Aboriginal prisoners did not wish to be isolated and alone in a cell (particularly after prison lock-down) and wanted contact with other Aboriginal prisoners especially those belonging to the same kin and family group. Such contact could be achieved by visual, verbal and aural means.

Many younger Aboriginal subjects in the study noted that being accommodated in dormitories fulfilled some of their needs in regard to remaining as a social group but were very problematic in terms of intra and inter family and kin divisions, social density and privacy, and the spatial allowances required by Aboriginal prisoners. The younger subjects noted that dormitory accommodation may be acceptable where there was strict division between different language groupings, and the prisoner placement practices were mindful of the frictions between family and kin members. However whilst conceding this, most also noted that it would be difficult for correctional administrators to effectively conduct the social placement of Aboriginal prisoners without the advisory input of the prisoners themselves. Older Aboriginal prisoners (aged over 25 years), within the study were generally very reluctant to be housed in dormitory accommodation.

### **The flow-on effects of dormitory accommodation and 'double-bunking'**

Accommodating prisoners in dormitories and 'double-bunked' arrangements has the capacity to increase the social density of the prison with a flow-on effect to resource and program availability and delivery, behavioural management strategies and the culture of the institution.

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<sup>8</sup> See Dawes (1997) for a further description of the events and outcomes of the unnatural death of a prisoner at Yatala Labour Prison, South Australia and the subject of the Rossi Inquiry.

The high social densities which go hand in hand with housing prisoners in 'double bunked' or dormitory accommodation tend to adversely affect every prisoner.

Resource and program availability and delivery must be considered in unison with the accommodation arrangements for prisoners. Moves to increase social densities of prisons through double-bunking and increasing accommodation capacities of dormitories should not be made without consideration of the number and delivery of programs, staffing and the capacities of program areas. Increasing social density through 'double-bunking' and increasing the accommodation capacities of dormitories typically reduces program accessibility and availability for prisoners through increased demand for programs. Prisoners within the study suggested that individual case management is affected, along with their ability to access and complete programs necessary to achieve parole. Quite simply, short-term measures to cope with a burgeoning prison population may result in prisoners being incarcerated for longer periods.

A lack of single cells or other means to isolate prisoners within their 'normal' prison environment has a particular impact on the behaviour management strategies used by correctional staff. Prisoners are not able to be isolated in individual cells, therefore there tends to be a greater reliance on the use of segregation units for behaviour management. Prisons without single cells may note prisoners are sent to segregation more frequently and for longer periods of time. Within the South Australian study where double-bunking was commonplace, 85% of the subject group indicated they had been housed in segregation accommodation and as a group reported over 100 separate instances of segregation. Thus, a ludicrous situation exists whereby Aboriginal prisoners are accommodated in share accommodation in compliance with the recommendations of the RCIADIC, then are frequently segregated with disregard for the same recommendations. At this point, there needs to be a rethink of behavioural management strategies to understand that it is highly undesirable to segregate Aboriginal prisoners in cells that impose high levels of sensory deprivation.

There are also health concerns with 'double-bunking' and dormitory accommodation. An increased risk of contracting contagious diseases may be present when prisoners share accommodation and choose to share the use of needles, razors, tattoo guns, pipes and similar items (Coroner of South Australia 2000). The detrimental effects of passive smoking may also increase in shared accommodation (Office of the Minister of Corrections New Zealand 2005).

The culture of the institution is also affected by 'double-bunking' and increasing accommodation capacities of dormitories. It has already been stated that socially dense prison environments produce negative emotional reactions, higher rates of non-compliant behaviour (Megargee 1977, Nacci et al 1977), reductions in the individual's task accuracy, and increases in sleeping difficulties and illness complaints<sup>9</sup> (McCain et al 1980).

### **Alternative Accommodation Options**

Aboriginal peoples require custodial accommodation which allows flexible and communal living but simultaneously allows privacy and personal security for the individual. The final report of the RCIADIC (1991) contained recommendations for consideration of shared accommodation facilities for Aboriginal prisoners to facilitate and replicate flexible community living. These recommendations for custodial accommodation for Australian Aboriginal peoples have largely been ignored in favour of recommendations which stipulate that the segregation of Aboriginal prisoners is highly undesirable. Both sets of recommendations should be seen in unison rather than separate goals to be achieved

Understanding the intricacies of the domiciliary needs of Aboriginal prisoners is important. Aboriginal people in custody continue language grouping, kin and family relationships from outside the prison environment, and for many subjects in the study, these relationships may be the only consistent factor in their lives. The Office of the Inspector of Custodial Services Western Australia noted that "a climate of historic and continuing deprivation, where access and opportunity has been stunted, 'family' has remained an unassailable constant for Aboriginal people" where "...losing contact with family is to lose a life line ...lead[ing] to distress and trauma" (Office of the Inspector of Custodial Services Western Australia 2002:10). Members of Aboriginal social groups need close physical proximity (Reser 1989), and at the same time need to be able to maintain privacy, territoriality and personal safety. Most Aboriginal subjects indicated that having single cells would be optimum, however, there was a real need to stay in contact with other prisoners at all times and remain as a social group for group and personal support. For example:

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<sup>9</sup> McCain et al (1980) provide some discussion of the significance of increases in illness complaints (i.e. complaints of illnesses to the prison medical services). The researchers suggest that complaints of illness may be a response to a stressful situation and only in part reflect real pathology. They concluded that further research is required to conclude increases in real pathology as result of exposure to crowded conditions.

I would be good to be able to talk to the cousins after lock down. I want my own cell but I also want to be able to get to them if they need me. Just in case the cousins are calling out for help. Just in case they are slicing up or doing something silly. (Narranga Man, aged 21, Adelaide Remand Centre.)

The need to access the social group is greater for Aboriginal prisoners during periods of stress (Reser 1989:15). In the custodial environment, stress is generally highest during the early stages of confinement (Zamble and Porporino 1988). Unfortunately, the high security environments generally provided for induction prisoners are in stark contrast to the needs of Aboriginal prisoners during this stressful period. Previous recommendations have included suggestions for twin-cells and dual cells in inflexible high-security environments (e.g. Reser 1989:36). These recommendations do not reflect the needs of Aboriginal prisoners to live as a social group and place the responsibility of a vulnerable prisoner onto one Aboriginal prisoner rather than the group.

A 'best practice' option may be to establish Aboriginal living units within the prison which contain a number of individual cells and communal living areas. Subjects within the study supported the establishment of dedicated Aboriginal units on the basis that firstly prisoner placement in such a unit reflected language, family and kin relationships of the individual and secondly that the quality of the environment such units should not fall below the architectural quality generally provided in the greater prison environment.

The subject group suggested that such units should have varying accommodation capacities according to the different domiciliary needs of the various Aboriginal groups. Subjects from the study who may be considered as 'urban' Aboriginal prisoners suggested an accommodation capacity of approximately six to ten prisoners. Subjects from remote Aboriginal communities suggested somewhat higher capacities suggesting that from eight to 15 prisoners should occupy each unit. Discussions of other areas within accommodation where the prisoner may be vulnerable (e.g. bathrooms) were not addressed by the South Australian study and may need further consultation. Subjects suggested 'lockdown' (if required) should occur to the unit rather than each cell and prisoners should be able to move around the unit at all times. At the same time, each cell/bedroom could have the ability to be secured by the prisoner to fulfil privacy and personal security needs.

The study also identified that Aboriginal prisoners require spatial allowances greater than currently provided in prison accommodation. Living and sleeping areas need to be larger to allow individuals to observe routines and conduct physical activities (walking, exercising) which act as personal coping mechanisms. Subjects in the study also advised that the relationship of the custodial environment to the external environment also needed re-examination. Prisons need to be located on or near the lands of the group and need to allow the prisoners to view and access the external environment without interruption.

## **Conclusion**

Understanding and translating the salient aspects of the culturally specific responses of Australian Aboriginal peoples to custodial environments may produce prison environments which greater meet the needs of the groups and reduce the adverse effects commonly caused by custodial environments. The practices of accommodating Aboriginal prisoners in dormitories and 'double-bunked' single cells are commonplace in Australia and have evolved separately from the penal philosophies underpinning the approaches to the incarceration of non-Aboriginal peoples in Australia. The use of dormitories for Aboriginal prisoners was commonplace across Australia until the 1980s when most states reformed their prison systems. 'Double-bunking' evolved as 'best practice' for accommodating Aboriginal prisoners after the 1980s prison reform period where prisons were redeveloped predominately with single cell accommodation. In other areas, where there were greater proportions of the Aboriginal prison population seen as 'traditionally oriented' the use of dormitories persisted. The use of 'double-bunking' and dormitories was reinforced when many correctional administrations literally interpreted the recommendations of the Royal Commission into Aboriginal Deaths in Custody by not segregating Aboriginal prisoners. The practices of 'double-bunking' and further increasing the holding capacities of dormitories can be sometimes favoured by correctional agencies as they allow the management of increasing prison populations without expending capital for the construction for new prisons. While using these strategies to manage increasing prison populations, correctional agencies have found that behavioural management strategies require the segregation of higher numbers of prisoners into isolation cells as prisoners cannot be isolated in their 'normal' living environment. Hence, the segregation of Aboriginal prisoners continues, albeit, in more alienating environments.

Both 'double-bunking' and the use of dormitories present a number of issues for Aboriginal prisoners and fail to address the culturally specific needs of Aboriginal prisoners. Neither accommodation option preserves the privacy, personal security and meets the cultural needs of the users and may increase the incidence of rape, the effects of passive smoking and the spread of contagious diseases among the Aboriginal prisoner population. A rethink of accommodation options in Australian prisons must occur to provide Aboriginal prisoners support during critical times while simultaneously allowing privacy and protection in a potentially hostile environment.

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