

# BREAKING SILENCE

'In Search of Safety': Solutions from survivors of staff-perpetrated sexual violence in custody

**"We have lost our freedom, our families, our voice  
and our dignity, what else can you take from us?"**

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## EXECUTIVE SUMMARY

**Women in custody continue to face staff-perpetrated sexual violence, silenced by a culture of fear, retaliation, and systemic neglect.**

The 'In Search of Safety' (Owens Wells & Pollock, 2017) survivor-led roundtable, hosted by the Centre for Criminology Law and Justice (CCLJ) UNSW is the first of its kind in Australia to place survivor voices at the center of solutions.

Despite recent high-profile Inquiries, including the Special Commission of Inquiry into the Offending of Former Correctional Officer Wayne Astill at Dillwynia Correctional Centre, survivors report little has changed. Women remain vulnerable to abuse, with staff exploiting their power unchecked, and whistleblowers, both inmates and staff targeted for retaliation.

Survivors reject reforms that rely solely on corrections administrators, those same actors responsible for the culture of impunity. Instead, survivors call for:

- Independent oversight and transparent reporting, modelled on international best practice.
- Survivor-led safety initiatives, including education, advocacy, and peer support.
- Public awareness campaigns to break the silence and mobilise political will for change.
- Systemic inclusion of incarcerated women in national violence prevention strategies.

Survivors are clear: change must be survivor-led, independent of corrections, and resourced to ensure lasting systemic reform. Anything less risks perpetuating the cycle of harm.

### Roundtable key findings highlight:

- Staff sexual violence exists on a continuum, from coercion to rape, behaviours that degrade and dehumanise women in custody are embedded in daily custodial practices.
- Survivors and their families face profound trauma, exacerbated by a lack of safe reporting pathways and fear of reprisals.
- The system fails to rehabilitate; it compounds trauma and obstructs reintegration.
- Accountability mechanisms remain broken, with survivors expressing deep distrust in existing complaint processes and leadership.



# BACKGROUND

**Sexual violence is at the most severe end of a continuum of correctional staff behaviour that ranges from threats and intimidation, coercion, sexual harassment, psychological, verbal and physical abuse, and occurs more frequently but negatively impacts women's identities, rehabilitation and reintegration into the community.**

This project is funded by the CCLJ UNSW and led by victim-survivors of staff-perpetrated sexual violence in custody. This report is the beginning of real conversations with trusted allies about the realities and impacts of staff-perpetrated sexual violence against women in custody. This type of violence is deep-seeded and ingrained in correctional environments that harm individuals whom the state has a responsibility to 'correct' and rehabilitate.

This report is the first of its kind to ask survivors what they see as the contributors and solutions to sexual violence against women by corrections staff and aims to work towards:

- Providing an avenue for self-representation for victim-survivors by enhancing 'capital' through connection, information sharing, and collaboration.
- Fostering avenues for new perspectives, learning and education, raising awareness and countering mainstream narratives that stigmatise and dehumanise people in custody.
- Mobilise the community to apply political pressure, influence policymakers, and drive systemic change.
- Improve institutional responses to sexual violence and the treatment of people in custody through increased accountability and alternatives.

The findings of this report highlight the endemic nature of staff-perpetrated violence within corrections and institutional attitudes that create unsafe spaces where women are silenced and fear reprisal if they speak up. They are not alone in their victimisation; their families are often indirect victims who suffer from grief and guilt because of their inability to protect their loved ones when they are inside.

Incarceration often intensifies vulnerability, fails to address underlying causes, and discourages healthy emotional expression. For women, survival means navigating dangerous relationships, unclear loyalties, and the threat of staff abuse. Trust and safety often come from solidarity among women, but pressure on staff to protect each other enables unethical behaviour.

When due process and accountability mechanisms fail and in the absence of strong leadership and disciplinary action, outside advocates are key to ensuring women's rights are upheld.

State and national plans to end violence against women and or respond to sexualised violence neglect the experiences of incarcerated women, and correctional agencies continue to act with indifference regarding their treatment because of the severe lack of accountability, which can only be fostered through independent oversight and greater public scrutiny.

Preventative measures are pivotal to keeping women safe in custody, including external monitoring of staff who demonstrate pre-cursory behaviour, increased advocate in-person visits to correctional centres, and development and dissemination of information about safety precautions for women going into prison.

Additionally, survivors believe it is necessary to build professional relationships with corrections administrators and work collaboratively to improve systems and responses. Transparency and accountability are strengthened by independent oversight of corrections and the reform agenda.

Regular reporting mechanisms to monitoring trends, raise public awareness and increase the political appetite to combat the problem effectively is pivotal to bring about meaningful systemic change within corrections.



# INTRODUCTION

## Past Inquiries.

The issue of staff-perpetrated sexual violence against incarcerated women has only recently been publicly acknowledged through the Special Commission of Inquiry (SCI) into the Offending of Former Correctional Officer Wayne Astill and Dillwynia Correctional Centre, led by the Hon Peter McClellan AM KC. Previous Inquiries in Australia have either overlooked this issue or contextualised the problem within a broader corruption paradigm, suggesting inmates are responsible for exploiting and manipulating vulnerable staff (Goldsmith, Halsey & Groves, 2016).

Historical examples, such as the Royal Commission into NSW Prisons (Parliament of NSW, 1978) investigated sexual misconduct allegations and focused on male inmates' claims against an officer but did not address sexual abuse of female inmates.

Taskforce Themis was established in 2018 to investigate allegations of inappropriate relationships between Corrective Services New South Wales (CSNSW) staff and inmates between 2007 and 2018; the final report is not publicly available. The report found that the most common factor leading to inappropriate relationships between staff members and inmates was trauma on the part of the staff member, either at work or home, which can leave them vulnerable to being exploited by inmates (Exhibit 3 Volume 10 Tab 154 SCI, 2024). This finding aligns with the existing academic literature, which ultimately ameliorates correctional officers' role in misconduct and professional standards and neglects feminist viewpoints of the carceral environment.

The vulnerabilities of sexual assault by staff and other inmates against prisoners with disabilities were raised by Human Rights Watch (2018) during Taskforce Flaxton (2018), which took place in Western Australia and Queensland (QLD). The resulting report from the QLD Crime and Corruption Commission (2018) ignores these concerns and makes a recommendation to enhance staff training about how to manage people with cognitive disabilities.

In Victoria, the Independent Broad-based Anti-corruption Commission (2021) highlighted sexual relationships between male staff and female inmates, with a female inmate's testimony underscoring abuses of power. However, the broader findings focused on how prison conditions reinforce power dynamics that re-traumatise women without directly addressing staff-perpetrated sexual violence.

Despite various Inquiries and Taskforces including the SCI, the sexual abuse of women in custody by correctional staff has not gained adequate attention or traction in Australia. The Greens MP spokesperson for Justice Sue Higgs acknowledged the need for review and overhaul of the entire system (The Greens NSW, 2023) and gross miscarriage of justice leading to the sexual abuse of numerous women in the care of the state, systemic failings and impunity demonstrated on behalf of CSNSW in suppressing the problem (The Greens NSW, 2024).


In the SCI final report Peter McClellan states that "corruption or incompetence" (NSW Government, 2024: 31) on behalf of CSNSW led to the human rights abuses that took place against women in custody for over a decade, yet the same executive (with exception of the CSNSW Commissioner Kevin Corcoran who was stood down following the Inquiry) are responsible for implementing the recommendations which are inadequate anyway to address the underlying cultural facilitators of staff-perpetrated sexual violence.

Some of the cultural facilitators include;

- Passive tolerance, complicity and poor decision-making of the executive.
- Dehumanising attitudes of correctional staff towards people in custody.
- Victim-blaming and delegitimising beliefs (she wanted or deserved it), and
- The system's complete power over women's bodies.

In essence, the SCI final report only legitimises Corrective Services power by providing solutions that expand state protection such as increased surveillance and regulation negating the central role the state plays in sexualised violence (Jackson, 2013).





Victim-survivors of staff-perpetrated sexual abuse play a key role in developing strategies for meaningful criminal justice reform, yet their voices have been overlooked, and advocacy groups have remained controversially silent on the issue. While this project may be the start of a public conversation, the women have been enacting their own solutions, urging people to listen and driving change from the inside out.

## **This project: CCLJ ‘In Search of Safety’ conversations.**

This project was designed in collaboration with survivors, and over the last 12 months, we held multiple meetings with a core survivor leadership group made up of seven women impacted by staff-perpetrated sexual violence in custody. We had candid conversations and liaised with other survivors on the inside and in the community to explore their ideas to keep women safe in custody and respond to staff-perpetrated sexual violence based on experiences **they lived and breathed**.

Meaningful change will not occur within the sector without holding the space for survivors to share their insights and collaborate to develop alternatives and counter exiting narratives that reinforce the institutional status quo. Survivors and allies met for the first roundtable discussion on 7 November 2024.

This project responds to survivors’ calls for safety and the need for ‘real’ change within the system that is led by survivors and advocates rather than those within the government who have vested interests in protecting the reputation of correctional agencies. This project (not just this conversation) will initiate discussions between survivors, advocates, academics and philanthropists to formulate a plan to respond to the problem at multiple levels of society. This project aims to;

- Counter the structural imbalances that have silenced victims by empowering and supporting survivors to come forward.
- Raise public awareness, and change attitudes that delegitimise victims.
- Mobilise the community and apply political pressure.
- Influence policy-making and ensure accountability in the criminal justice system.



# SURVIVORS EXPERIENCE: KEY FOCUS AREAS

The survivor leadership group (herein also referred to as women or survivors) discussed a range of issues that impact their safety in custody. They discussed their experiences, what makes them vulnerable and protects them. They also identified what needs to change within corrections and the criminal justice sector to keep women safe in the future. The following themes were discussed with stakeholders at the 'In Search of Safety' (Owens et al., 2017) roundtable in November 2024.

## **Sense of safety (in custody and the community): The ever present threat of retribution.**

Speaking out about sexual violence takes courage because of the ever-present threat and fear of retaliation not just against the women themselves if they return to custody but the women also raised safety concerns for family, friends and confidantes who remain inside.

Numerous accounts and documented cases show that women have faced retribution for speaking the truth and reporting incidents. During the SCI, Witness B responded to a question from Commissioner McClellan, emphasizing the lack of protection for inmates from staff retribution.

**MR LLOYD:** Have you felt under pressure not to come along, that is, to not come along and tell us what you've told us about?

**WITNESS B:** Yes...

**COMMISSIONER:** What have they (staff at Dillwynia Correctional Centre) been saying to you? What has been said to you?

**WITNESS B:** ... there would be retribution, and it has already started happening. I had case notes - bad case notes put on... And, unfortunately, they can say whatever they want on there. I'm still an inmate, and there are so many other inmates that depend on our good case notes to get us to the Parole Board. And, unfortunately, I've run into one or two over the last couple of months who are applying pressure and making it difficult to -

**COMMISSIONER:** Now, would you be prepared to provide names but not in public?


**WITNESS B:** No. They work at the centre. I've got four and a half years to go. And once this Inquiry is finished, I've got no protection (SCI transcript day 9, p.692).

The survivors said that the only real solution (to reprisal and the cultural issues at Dillwynia Correctional Centre) is to "redistribute all the staff to other locations because nothing will change unless you disrupt the clicks". The survivors provided an example of the day they were at Dillwynia Correctional Centre when victim impacts statements were submitted for Astill's sentencing, they said.

An officer initiated a conversation about the SMAP inmates attending to watch with women from the general population and made a joke about starting a fight; one woman responded in jest, saying that given the opportunity, she would "pump her". This led to (the two women) being surrounded by about 20 correctional officers including the IAT Team and threatened by the area manager that if they started anything she would send the IAT team in to "**stamp on their necks**".

This type of verbal intimidation is common, however, reprisal may not necessarily be direct or immediately known. There are reports of staff obscuring their tactics under the guise of legitimate policies and practices. Women disclosed concerns about staff recording misleading information in case notes and colluding with other inmates to target women. Inmates are vulnerable to manipulation by staff and work with them against other women out of fear and/or receiving privileges. There is no accountability over what staff write in case notes and no way to challenge what is recorded, which can have devastating outcomes for women who are regressed in their classification or deemed not suitable for release from the State Parole Authority, particularly where inmates are subject to the oversight of the Serious Offenders Review Council and have specific behavioural conditions they must adhere to whilst in custody. One survivor provided the following example of how she was unfairly regressed based on false evidence which another inmate was coerced into submitting.





I was accused of intimidating another inmate and was tipped from a transitional centre back to the gaol. It took six weeks for charges to be brought against me, but there was no evidence, and the charge was dismissed. I later found out that the GM of the centre coerced a false statement from another inmate against me. After many years, I thought I could start to move forward, but taking my progression away without any evidence caused psychological harm...

Women suggested when accusations are made against another inmate, a consistent process must be followed by staff to ensure inmates are protected against false allegations and one way to mitigate this problem is through mediation. Further, survivors felt when they have issues with officers, these problems should be recorded including who it is with and what the issue was (pre-cursory behaviour); this ensures inappropriate staff are flagged and monitored and women warned about unsafe people.

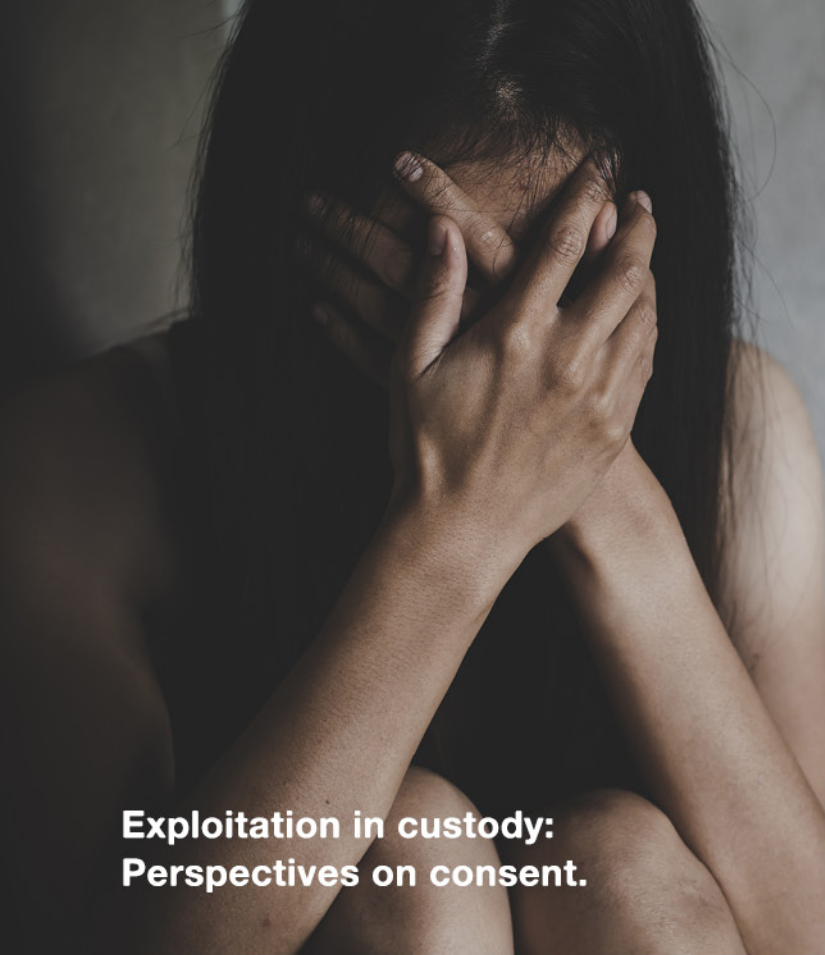
## The impact on families: the indirect victims.

Women advised that when they were being victimised in custody, they did not dare to tell their families about what was going on. The perpetrator had access to personal information, told them he had links to outlaw motorcycle gangs and was an ex-police officer. The women reported a real and significant fear that their families would be targeted if they reported. They stated that they could not speak about it to families because, in the case of Astill, even when families would come to visit, he would oversee the visits and ensure they were aware he had access to information, including where their families lived.

The women recalled that when their families suddenly learnt what happened (years after the abuse took place), their parents and loved ones experienced severe adverse emotions, including grief and guilt, **because they were unable to protect their daughters, mother or sister.**

One woman said that before her father knew what happened, her dad “would say that he was glad that she was in custody because at least he knew she was safe, he was not going to get a phone call late one night that she was in hospital or dead...” However, this was an idealisation because later, when she disclosed the abuse she suffered in gaol, he apologised for ever thinking she was safe inside. Survivors also advised that their family members have received threats from unknown people if their daughters, mothers and sisters continue **to speak out.**





## Exploitation in custody: Perspectives on consent.

Survivors perspectives about inmates capacity to have consensual relationships with staff vary. Some women thought that sex between staff and inmates is inevitable, but sexual violence is a problem, and it was noted that “girls” use their sexuality to get what they want.

On the contrary, survivors suggested any sexual interaction in custody between staff and inmates is not consensual because the officer should know better. Regardless of inmates using their sexual capital, survivors stated that officers have gone through the academy; they should not cross personal boundaries no matter how the inmate acts and “if staff cannot control their urges, they should not be in those positions and they should get another job”.

## Modus Operandi.

Perpetrators of staff sexual violence use their position of power to groom, isolate either psychologically or physically, verbally threaten or physically abuse women in custody. Staff misuse incarcerated women's personal information and circumstances to create opportunities to take advantage of their vulnerabilities and needs, knowing women's personalities and what brought them to prison, weaponise them to enhance sexual predation or to control, intimidate, threaten and assault other women who have the courage to stand up against staff perpetrators. Women discussed multiple incidents where this occurred. Horrendous sexual acts are enacted or transacted through quid pro quo systems based on privilege, favour giving or threat if sex is refused.

While correctional staff adamantly differentiate themselves from former colleagues like Astill who was convicted in 2023 of 34 offences against multiple women in custody and sentenced to over 23 years, they lack awareness of how their own behaviours mimic the tactics the perpetrator used to target harass, manipulate, coerce, isolate and control women in prison.

Sexual violence is at the most severe end of a continuum of staff behaviour that ranges from threats and intimidation, coercion, sexual harassment, psychological abuse, and verbal and physical abuse, which occur more frequently and negatively impact women's identities, rehabilitation and reintegration into the community.

# REHABILITATION FALLACY

## Insufficiencies in programs.

Survivors spoke to friends and colleagues who largely said that they get their information about prison from what they hear in the media or television. The people they spoke to have an expectation that when a person goes to prison, they should “come out a better person” and that there is some form of rehabilitative value in incarceration.

Many members of the public acknowledged that prison would be a scary or violent environment, which they suggested is more likely because of fights between inmates and that staff played a key role in keeping women safe in custody, even if they were unsure if this occurred in reality.

The public believe prison should rehabilitate, address why a person is in custody, and help people acquire the skills to reenter the community and build a better life. For instance, one person said:

The system should help you rehabilitate and become a better person. I would expect that certain classes would be offered depending on why you were in there...courses to help you not re-offend.

On the contrary, survivors thought rehabilitation in custody is a fallacy and provided multiple reasons why they thought the system, programs and environment are not conducive to supporting them to improve themselves or prepare to reintegrate back into the community. All the women acknowledged that the quality of programs and access to them was problematic.

The programs are rubbish, and the only reason why women do it is to get parole. I am convicted of murder, and I had to show that I have done things to address it... So, they give you an assessment: have you ever used drugs – no, have you ever used alcohol, no... any association with criminals – you have scored too low to do any programs. So in 15 years, when I go to sit before the parole committee, and they say to me, what have you done?... Well, nothing really. I have just been here in gaol. Do you think I am getting out?

I had to get a psychiatrist to recommend I do courses, I had to do correspondence courses and get my family to go to the book repository and do it independently to show that I had done something to prevent me from doing something like that again... but the likelihood of me reoffending is 0.001%, but we are regarded as high risk. The programs should be open to anyone who wants to do the programs.

Women believe the programs fail to address the reasons they came into custody. One survivor highlighted the link between offending and their past experiences of victimisation and the absence of adequate responses to help recover and heal from trauma, she said.

**There is a reason why women end up in gaol: because they were sexually abused as a child, or come from broken homes and bad partners... They are not all bad people, but they don't take that into consideration, they just don't want to know about it.**

Survivors discussed criminogenic programs where facilitators, not counsellors, expect them to speak about their childhood and past trauma in front of other inmates (particularly if they want to get a good record of participation). They said talking about these things in front of other inmates is unsafe because it creates opportunities for information to be used against them, increases their vulnerability, and negative responses severely damage a woman's psyche. One survivor said, women are expected to get too personal in group settings and open up wounds without adequate space, time and professional support to assist in the aftermath, when muster comes, it becomes the responsibility of other women in their housing units to comfort distressed women and to educate them about the rules of the goal meaning that if they cry, the officers will come in teams without any compassion and isolate them from any source of comfort. Survivors emphasises that the courses are not designed for women and do not acknowledge women's unique pathways into crime.



## Damaging practices.

**Suppressing normal emotions resulting from trauma and victimisation is viewed as the antipathy of rehabilitation and compounds women's oppression.**

The custodial environment and women's experiences of victimisation in prison counteract the tools they learn in programs. One survivor said, on the one hand, she was learning new ways to manage her emotions and change her responses to domestic violence, but at the same time, she was being abused by a staff member, and rather than implementing the strategies to talk about what was happening she could not speak up out of fear of being retaliated against and tipped to another prison. Many women said that they had to suppress healthy normative emotions while in custody, not just at the time when the abuse took place but also during the trial and throughout the Inquiry because "if you are sad, you end up on a RIT, or if you are angry, you end up in segregation, and this ends up being recorded and speaks to your stability".

## Dehumanisation and impact on successful reintegration.

Women with backgrounds of domestic violence are re-traumatised in custody when staff behave in ways that further denigrate them which is detrimental to their rehabilitation and reintegration back into society. Survivors felt that "the custodial environment should be about healing, yet it does the opposite". One woman described the damaging impact of being treated poorly in custody. She said:

Take the sexual abuse out the equation, it is the attitude that women inmates are the scum of the scum, it's the intimidation and psychological abuse. Their attitude (staff) is that we deserve everything we get, but our punishment is being there, not being treated like garbage. She went on to say:

**"We have lost our freedom, our families, our voice and our dignity – what else can you take from us?"**

Aside from the cultural enablers such as the blue code and lack of disciplinary action that contributes to the mistreatment of women in custody, survivors felt the calibre of staff is not commensurate to the seriousness of the role. They said:

[Working in prisons] is a huge responsibility, the training is not enough... It is a dangerous job, they need to take it seriously... they must be professional and have the ability to manage really difficult situations... Instead, the situation is that we are in control and what we say is right and bugger you, they will give you 50 reasons why they cannot assist you... it takes multiple attempts (forms and follow-up forms) to get anything done if you are lucky.

Survivors said that if they "don't act out and put on a show, they get nothing; the more polite you are, the less you get" and these dynamics do not help when a woman comes out of custody.


On the contrary, friends and colleagues hoped when a woman goes into custody, they "would be treated like a human-being, because you need that to rehabilitate. **You do the crime obviously, but you don't want them to be treated in a way like subhuman regardless of what they did**".

The public also believe that successful reintegration is dependent on the opportunities inmates have in gaol, for instance, one person said:

What happens once you are out depends on what happens on the inside, but once you're out, often you are basically on your own, and in my opinion, there are no resources to help reintegrate or address any of the sensitive issues that have happened to you while you were incarcerated. It depends on what you have experienced on the inside and how long you have been on the inside. Everyone's situation is different, but the aftermath... the system is responsible for providing this assistance.

The idea that corrections work with women to prepare them for release was contested. Survivors said women are often released without anything, sometimes on weekends or Friday afternoons, and by Monday, they are back in custody.





Survivors discussed being released without savings from their inmate bank accounts, into homelessness or temporary accommodation where they were required to share spaces with males, which for women who have histories of domestic or sexual violence is inappropriate and causes significant distress. They emphasised that often, women do not have the same social or community support as men when they get out. The system is designed for men and is not suitable for the very different experiences of women. As a result, they felt that more effort must be made to help women prepare for release, which is not currently the case.

The women felt “when you go into custody, you just become a number and the officers do not really care about you, and this is why there is such a high turnover rate of return”.

**Despite correction’s legal requirement of care, the system absolves itself of the responsibility to care.**

## CHALLENGES AND CONSIDERATIONS

### The culture of silence: Snitching.

Survivors reported a magnitude of reasons why women in custody are reluctant to report, including their experiences of victimisation before coming into custody and past experiences with police that contribute to their distrust in the system. They also discussed the need to navigate the complexities of the prison environment, including living with women who may be working against them and that “even if you try to do the right thing and report it, from any angle (meaning from staff or other inmates), you will be seen as a ‘dog’, so you can never really get it right”.

They suggested, there is a difference between how women in prison engage officers and do their time based on the length of their sentence. For instance: Women who are more transient, coming in and out of custody with short sentences, go in ‘to get a break from their lifestyle’; people who are doing life or longer sentences do go completely differently, they try to build rapport with staff whereas, **‘people like me don’t want to be remembered.’** Women describe how their views on officers vary and potentially inhibit reporting or even being seen speaking to staff.

Although not all women shared the same sentiment some agreed with the following statement:

“Some would say – blue and green should not be seen without handcuffs in between; they are not there to give us an easy time unless you are screw fuckin’ lovers”.

Depending on women’s unique circumstances, including their backgrounds, attitudes and experiences with police, people in positions of authority, the amount of time they have done or how much time they have to go moderates the way they interact with staff and their willingness to report.

Women also highlighted the repercussions from inmates if they report corrupt staff because other women may be receiving benefits or access to otherwise inaccessible resources. One woman survivor said, **“you are cast as a dog if you do speak out, so no one can protect you”.**

## The culture of silence: The blue code.

It is well documented in the SCI (2024) that women attempted on numerous occasions to report the misconduct to officers and senior management who failed in their legal and professional responsibilities. An example was provided where officers observed another staff member being inappropriate and could have intervened but turned a blind eye.

One member of staff would come in and look a woman up and down and make suggestive comments; she was so uncomfortable, and he did every time he came in; there were three other officers with him, and why didn't they ever pull him up and they never made complaints.

The women felt staff are able to get away with this type of behaviour because:

it's a boy's club, and if the officers make a complaint, they turn on them... because they have been able to get away with it so long they are not even fearful of being reprimanded and that officers should not be so quick to think they are going to get away with it.

However, women recognised that "officers go to work to earn money. They don't go there to do on anyone, and they see people like Astill get away with it for years, and if they speak out about it, they are the ones who lose their jobs" because they are labelled as troublemakers. Essentially, the women felt that this is why the staff did not follow through with the complaints that inmates raised because they put their own livelihood at risk.

An example of staff's livelihood being threatened was given in evidence by Senior Correctional Officer Renee Berry when she was called to the Shari Martin the General Manager's office in 2016 after she reported allegations about Astill's inappropriate behaviour towards an inmate.

**MS BERRY:**... And she said, "If you keep going, I'm going to get your rank taken off you. You're going to have no job." As soon as she said that, I'm just thinking of my six children. And like I said, just - it was - it was bastardisation.

**MS BERRY:** That's fine. So after she finished berating me and - and threatening me about my job and basically telling me to shut up about Wayne Astill, I walked out of that - she told me to get out. She didn't tell me (indistinct) she didn't tell me to get the fuck out. She just told me, "Get out." I did.

There are multiple accounts from staff about bullying and harassment when they reported Astill's behaviour to higher-ranking staff and where the perpetrator himself became aware of complaints (SCI 2024 p.2934). Despite the adverse consequences for staff in their attempts to escalate complaints, the women lived in real fear every day of what he may do next. As one survivor articulated, **"the staff got to leave the centre each day, and the women had no other access to outside reporting avenues"**, so relied heavily on their reports being taken seriously by staff, escalated and responded to appropriately.

The women acknowledged there are good staff and "new staff come in with good intentions, but after they have been burnt by manipulative inmates or are targeted by other staff and bullied for trying to help or treating women in custody with respect, which is against the code, they either assimilate or get pushed out and leave corrections". Women recounted that after the trial and during the SCI, they increasingly grew the courage to speak up about mistreatment and document complaints against staff, and because the staff felt threatened, they started to target what they perceived to be the source of that, which included advocates.



## Safety amongst women in custody.

**Being unprepared and not knowing how to navigate the dynamics of the custodial environment can lead to further trauma.**

Safety in prison refers to being psychologically and physically safe from harm, and one source of violence often overlooked is abuse perpetrated by staff. Despite being incarcerated with women who commit various types of crimes or who are from different backgrounds the women in the survivor leadership group spoke about finding safety amongst each other in custody. They noted that in prison it is important to choose the people you trust wisely; for instance, one woman said, “the worst of the worst of women in NSW are in there for serious crimes, but they are not all wicked people... She went on to say. “There are quite well-educated people in custody who may also be drug addicts, and when off the drugs, they are different people entirely, but you need to be selective with who you associate because you see the worst and the best side of people in custody”.



### **Some of the strategies women use to protect themselves and other women included:**

- When being called up to the office, always attend with another inmate.
- If approached in the housing area by a staff-perpetrator, women advised the officer that the woman was in the shower, knowing that officers should not go into this area unaccompanied.
- Keeping records about what was happening, which assists to make complaints later. But, be careful about how or what you write because if records are found or confiscated, this can lead to retribution.
- Notifying women if they knew that staff were offering incentives to other inmates to intimidate or bash them (in some cases, staff would also give women the heads up).
- Pre-emptively ramping your own cell to ensure that staff have not planted anything.

Women acknowledge that when going into custody for the first time, they “have no idea of what is going to happen; you are just thrown in amongst it, and you have to survive the best way you can...” They said that women are in a state of disconnection when they go in, they are often quite mentally unstable, and negative interactions with staff and other inmates aggravate these problems. Some women emphasised that you have to be careful of who you trust in that environment because often “you are at risk by other inmates, and if you don’t want to get caught up in it all, then you are a threat”.

One woman said, if she had advice for herself before she went in, it would be to “be careful of the first inmate who approached you because they are there to suss you out and take control of you particularly if they think you are an asset to them... women need to be prepared for this because if you share too much information, they might use it against you and target you”.



## Lack of strong leadership.

**Women highlighted the absence of strong leadership means that there is no accountability in corrections, particularly when inmates are isolated from their families and do not have access to people outside to escalate complaints.**

The responsibility to ensure a safe custodial environment is frequently undermined by the actions or inaction of those entrusted with the care of inmates, including administrators and corrections staff. The women believe the absence of consequences and lack of disciplinary action enables individuals to act with impunity. One survivor recalled her experience in a facility in a different jurisdiction, she stated:

There are no repercussions for staff who target women... I was put in handcuffs, marched off and put in the detention unit for two nights (Saturday to Monday morning)... the officers had it in for me, and when they got me to the detention unit, they made me take off my clothes, stand up against the wall with hands up, they humiliated me... the next time a different officer came into the room I stood in the position, and he told me that I didn't have to do that, but the other officers told me that it was required when an officer walked into the room... they were never answerable for how they treated me. This was an abuse of power.

Survivors explained the lack of action as resulting from the 'blue code' and complexity of managing a correctional centre, particularly due to opposing expectations of staff and inmates. They said, "Governors are flat out trying to run the centre, so they are not up to the task of making sure that women are safe in goal". Testimony by former General Manager Shari Martin on day 21 of the SCI supports the women's viewpoint when she acknowledges that on a basic level, she was unaware of the difficulties in getting staff to perform their roles or follow directions. **Based on the survivor's logic, when correctional centre management fails, women are susceptible to harm.**

**MS MARTIN:** I disagree. I - I - I believe the majority of the staff at Dillwynia were very - very good staff.

**COMMISSIONER:** Well, do you think that maybe you didn't fully understand what was going on in the gaol?

**MS MARTIN:** I may have not fully understood the -

**COMMISSIONER:** Well, you're responsible for the gaol. You should have known what was going on, shouldn't you?

**MS MARTIN:** Yes, I should have.

**COMMISSIONER:** Well, do you accept that having regards what Ms O'Toole said (regarding the difficulties she had with managing staff), you may not have known what was going on?

**MS MARTIN:** I may not have known. Correct. (SCI 2024, p. 2235-36)

Survivors further articulated that "aside from priorities such as being responsible for the operations of the centre and keeping control of the staff, they do not have the time to manage inmates' complaints. As a result, when issues pop up, they are not handled properly, and nor do they put it in the hands of where it can be handled properly because they want to keep it quiet". They suggested the balance between keeping staff happy and ensuring inmates are safe and treated appropriately by staff is challenging, but "that is the Governor's responsibility and they must be prepared to step on toes including the Public Service Association and do the right thing - that is leadership".

The existing Governor of Dillwynia Correctional Centre, Nicola Chappell, stated in her evidence at the SCI (day 26, p. 2939) that the leadership team is responsible for driving cultural change with respect to the tolerating retribution or bullying of staff and inmates who either 'paper another officer' or report unethical or criminal behaviour. It was the perception of the survivors that true leadership which ensures incarcerated women are treated with dignity and staff are held accountable for poor behaviour, **is yet to be seen within corrections.**

## Independent oversight and accountability.

Apart from the SCI emphasising the need for independent oversight of the reform agenda based on concerns that previous recommendations from Taskforce Themis and Operation Esty had yet to be enacted by CSNSW, this report identifies multiple examples why there is a need for greater transparency and accountability within corrections. The lack of safety within prisons, not necessarily only sexualised violence but all forms of degrading and unethical behaviour that provoke fear and anxiety, the fallacy of correctional rehabilitation, lack of disciplinary action and an absence of strong leadership are challenges that are unlikely to be resolved without an Independent Authority to monitor, apply pressure and drive real change.

Survivors emphasised independent oversight and greater public scrutiny are necessary to increase transparency and accountability within a corrupt and broken system. They felt that it was absolutely necessary that correctional administrators adhere to UN protocols and treaties, and one survivor drew attention to the interesting timing of the former CSNSW Commissioner Kevin Corcoran refusing the UN entry into correctional facilities in 2022.

On 18 October 2022, media outlets reported on 'NSW's refusal to allow UN inspectors in prisons', all other states and territories in Australia cooperated with the requests to facilitate surprise visits, raising concerns from the Human Rights Commissioner as to whether NSW's prisons meet the minimum standards as set out in the Optional Protocol to the Convention Against Torture which the Commonwealth Government ratified in 2017 (The Guardian, 2022). The Australian Human Rights Commissioner and the Federal Attorney General asked whether blocking entry pointed to violations, including prisoners being treated without dignity and being subject to degrading treatment or punishment. Concurrently, the media was also reported on Astill's sentencing hearing, where victims described the lifelong impacts of being sexually abused by a correctional officer (McKinnell, 2022). McKinnell (2022) from ABC reported:

In a victim impact statement, one of the women said she was alone, uncertain of her surroundings and isolated during her first time in jail when Astill took advantage of her. She questioned how she could ever look her children, siblings and parents in the eye without feeling dishonour for them.

"Every time I look at myself, I see his hands and how he is touching me, which makes me feel disgusting," ...

**"What he did to me is a scar that will be there forever... "I can never forgive you for the things you have done to me when I was so vulnerable."**

The woman said she had nightmares, and developed an eating disorder, as a result of the anxiety and stress caused by Astill's offending.

The survivors questioned whether the decision to refuse the UN entry was a deliberate act to prevent access to independent avenues of reporting. While the NSW Government invested \$30 million into reforms, survivors felt that the recommendations do little to address the problem because;

- There are very few preventative measures.
- They are inadequate to resolve the cultural enablers and facilitators of staff-perpetrated sexual violence, such as the blue code, passive tolerance and lack of disciplinary action.
- Over-rely on staff implementing policies and practices in a professional and ethical manner.
- Do not suitably deter staff from mistreating or dehumanising women in custody.
- Assume that more senior staff and, or decision-makers are not corrupt.

The recommendations are counterintuitive to the findings of the report, given that CSNSW's 'corruption or incompetence' was responsible for the numerous systemic failings brought to light resulting from human error (deliberate or not) by multiple staff and Executive level management up to the Commissioner. CSNSW has a track record of ignoring the findings of previous Inquiries yet, corrective services remain ultimately responsible for implementing the reforms and reporting to the Secretary when there were numerous documented accounts during and post-Astill's offending where decision-makers obscured the true nature of the problem.





**The outcomes of SCI were initially met with dissatisfaction by many survivors. Conversations amongst the survivor leadership group is that the Inquiry was the first time anyone has taken this problem seriously, and it is a platform for the movement forward.**

In addition to the inadequacies of the reform agenda, the Secretary set up a taskforce to oversee the implementation of the recommendations. However, information about progress and implementation is not publicly accessible and has not been widely reported. There is also no available data on the extent and nature of staff-perpetrated sexual violence in Australia. The Australian Institute of Health and Welfare collects information on inmate-on-inmate sexual violence but neglects staff-perpetrated sexual violence.

One survivor said, **“if no-one is even measuring the problem, how and why would they formulate a plan to reduce or eliminate it?”**. Similar to public health surveillance, where indicators and trends are reported regularly, problems can be identified earlier and political pressure applied to respond (Austin & Salter, 2022). Furthermore, despite serious conversations to interrogate societal responses to domestic, family and sexual violence, conversations about women in custody, who are one of the most marginalised groups in Australia, continue to be ignored, and their plight is almost entirely excluded from state and national plans.

One survivor highlighted the importance of raising public awareness she said:

Similar to the new ads on TV which teach kids about consent and domestic violence, if we mark a date specifically for sexual abuse in prison and we raise awareness and prevention... My two sons are growing up, my son just had his own baby, a daughter, and I am a grandmother, so heaven forbid something happened 20, 30 years down the track, and I might not be here, this roundtable may not be here, so for the next generation and the generation after that, it's got to follow through, not just for our kids, but our grandbabies as well... **because it's bigger than just us...**

Survivors discussed learning from progress made in the United States with the enactment of the Prison Rape Elimination Act 2003 (PREA), which was mandated across all US jurisdictions in 2014. PREA establishes mechanisms such as the National Prison Rape Elimination Commission (NPREC), an independent body responsible for auditing correctional centres, publishing and disseminating information about incidents, ensuring compliance and incentivising prison administrators to adhere to policies that respond to sexual violence in prisons. NPREC's aim is to increase oversight, reporting and accountability about sexual violence in US prisons by carrying out public hearings, evaluating best practices, and developing national standards.



# OUTSIDER INSIGHTS

## Inaction and barriers to responding: The unheard realism.

Stakeholders raised concerns by way of written submissions to the SCI about the extent and nature of the problem which extended far beyond Dillwynia Correctional Centre and the scope of the Inquiry. They discussed the cultural enablers of sexual violence in custody that inhibit reporting, their clients' fear of retribution and actual retaliation if they report, staff attitudes and practices that dehumanise women in custody, associated trauma, barriers to accessing support services and flaws in Victims' Rights legislation in responding to staff-perpetrated sexual violence.

Although allies were aware of the Inquiry and at least anecdotally or intellectually understood the harm, when allies directly heard from survivors, they were shocked at the insidious nature of the women's experiences, the levels of degradation and harm beyond the actual incident/s of sexual violence, their feelings of terror, continued concern for their own and their families safety. One of the allies suggested, **these realities "were lost throughout the Inquiry"**.

The devastating impact and unnecessary harm associated with staff-perpetrated sexual violence contradicts any notion of rehabilitation and constitutes cruel and inhumane detention. Allies heard that the trauma stemming from staff-perpetrated sexual violence is compounded by inadequate responses from the system and a severe lack of institutional care, which undermines the experiences of victims because they are inmates.

One of the allies said, "you would think that this was something out of the movies, not something that is actually happening in prison in Australia today". Even when faced with the harsh truth, it is hard to comprehend that in an era where gender-based violence is seemingly high on the Government agenda, incarcerated women, who are one of the most marginalised groups, **"are literally forgotten"** (statement from a member of the public – video resource) not only by society and correctional institutions but also in state and national plans. Allies suggested a win would be getting this issue on the national agenda.

## Commodifying criminal justice (one narrative).

Correctional administrators drive the narrative surrounding staff-perpetrated sexual violence and corrections as a whole. There is no other narrative, and what is put out to the public or to people in the sector lacks scrutiny. Concerns were raised about the current messaging from CSNSW after the SCI, with senior leaders continuing to downplay the seriousness of the issue.

## Ethics of escalating complaints when clients are not safe.

Allies said when they escalate complaints through appropriate channels within corrections, this has resulted in retaliation against their client, which makes it difficult for service providers to raise problems when their client's safety is at risk.

## Conflict of interests arising from taking a stance.

It was put to the allies that lobbying and social action are constrained when the non-government sector relies on funding streams from the criminal justice system, which from the leadership team's perspective, has been a problem that has created an advocacy gap and perpetuated silence. Pecuniary interest was highlighted as a concern but was not the only barrier allies articulated needed careful consideration. More important was the belief that corrections will limit, if not completely obstruct, outsiders' access to their clients in custody if they were to take a public stance on the problem.





## Psychological or physical inertia.

Allies unanimously agreed serious consideration must be given to the solutions put forward by the survivor's leadership group (Action Plan - page 23) and also to what the stakeholders themselves can commit.

Allies agreed there is a need for strategic action encompassing the survivor's insights, given their experiences illuminate such a hidden issue and are vital to informing responses to staff-perpetrated violence.

Allies discussed the need for proper solutions, not just those that "band-aid the problem".

The sense that the survivors have consistently been let down by the system, and in response, stakeholders want to avoid false promises, yet were dedicated to thoughtful consideration about what they themselves, as individuals, teams and organisations, can genuinely contribute.

Stakeholders individually expressed their support through assistance to access avenues for resource development, strengthening and building connections and philanthropy.

A respected position in the roundtable was the first in an ongoing conversation about how to keep women safe in custody and improve the conditions within corrections. While abolition was put forward as the only pure solution, it is necessary to continue to pursue short and medium term actions that have a direct impact on people in custody today.

'Survivors saving themselves' was a notion put forward by one lived-experience expert and stakeholder. The survivor leadership group is a necessary instrument to lead the movement forward with support of their allies.

Allies reinforced the sense of solidarity felt by other women still inside who learnt there is a survivor leadership group advocating for change within corrections on the outside.



# KEY FINDINGS

## 1. Insidious nature of staff-perpetrated sexual violence.

Staff-perpetrated sexual violence against women in custody is widespread and systemic, facilitated by entrenched cultural norms within corrections. This violence exists on a continuum from coercion, threats, and harassment to rape, and is embedded in everyday custodial practices. Survivors highlighted that these behaviours are often normalised and go unchecked due to complicit cultures and weak oversight.

## 2. Families as indirect victims.

Families and children are indirect victims, often learning of the abuse years later, leading to grief and guilt. Survivor's silence is perpetuated because of the fear of reprisal against themselves and their loved ones.

## 3. Rehabilitation fallacy and compounded trauma.

Rehabilitation in prison is a “fallacy”, programs are tokenistic, male-centric, and delivered in unsafe group settings. Programs fail to address the complex trauma which often underpins women's pathways into custody. Incarcerated women, many of whom have histories of trauma and abuse, face conditions that mirror coercive control and domestic violence dynamics. Degradation is used as a tool by staff to assert power over female inmates and dehumanisation sets women up to fail on return to the community. There is a divergence between correctional officer's ‘duty to care’ and their responsibility to care for people in the system.

## 4. Culture of silence and retaliation.

The culture of silence and staff solidarity at all costs prevent complaints from being acknowledged or acted upon. Survivors and staff alike reported that whistleblowers are ostracised, bullied, or subjected to retaliation. In contrast, women in custody who report abuse risk further victimisation, case notes being weaponised against them, false charges, or punitive measures such as segregation or regression in classification.

## 5. Lack of safe reporting pathways.

Complaints and reporting mechanisms are fundamentally unsafe and ineffective. Survivors lack confidence in internal complaints processes and external reporting lines are either inaccessible, monitored by staff, or lack independence.

## 6. Failure of institutional leadership and accountability.

Persistent leadership failures at all levels, including centre management, executive corrections leadership, and oversight bodies allowed the problem to go unaddressed. Decision-makers failed to act on known risks, ignored previous Inquiry recommendations, and obstructed access to independent scrutiny.

## 7. Obstruction of transparency and independent oversight.

Reduced access for external advocates and corrections' control over public narratives obstruct transparency. There is no national data collection on staff-perpetrated sexual violence, impeding systemic reform and political accountability.

## 8. Survivor-led insights and solutions are critical yet overlooked.

Despite their lived expertise, survivors are excluded from policy-making and reform processes. Survivors pragmatic recommendations are ignored in favour of top-down, agency-led reforms that protect corrections' interests rather than centering safety and justice for women.





# ACTION PLAN

Survivors welcome the opportunity to meet with correctional administrators to help improve the system's responses to staff-perpetrated sexual violence in prison, not limited to enhancing staff-training and education for women in prison. One survivor stated "it has happened, there has been an Inquiry", she went on to say, it is invalidating to continually reclaim her victimisation but the next step is to work with corrections to bring about the necessary changes to keep women safe in prison.

Survivor's recommendations require more than financial investment, they require long-term commitment from allies, decision and policy-makers and politicians who are willing to face hard truths and accept that accountability is key to bring about meaningful and sustainable cultural change. It begins by genuine acknowledgement of the harms and the willingness to listen to survivors and their solutions.

Survivor recommendations.	
Preventative measures – safety in custody.	
1.	Develop survivor-led educational resources for women in custody that include information about staying safe in custody, pre-cursors, and grooming behaviour and safe reporting avenues. This training should be available publicly and delivered by women with lived-experience to women in prison.
2.	Work with corrections to enhance staff training in relation to women's experiences of imprisonment.
3.	Increase the frequency of in-person visits from organisations and advocates to gaols, to enhance transparency in correctional environment, staff accountability and confidential reporting avenues.
4.	Each organisation maintain a private list to monitor correctional staff who display pre-cursory or inappropriate behaviour.
Transparency and accountability.	
5.	Independent oversight of corrections, not only the reform agenda. Including developing indicators to measure and track the problem, regular reporting, and publishing of information about trends and patterns in correctional misconduct.
6.	Establish regular working groups with allies to enhance information sharing, oversight and advocacy.
Raising public awareness.	
7.	Increase the number of survivors on lived experience advisory panels to consult on relevant topics and improve knowledge gaps.
8.	Increase dissemination of information through newsletters, research, media campaigns, and public events to raise public awareness and improve the treatment of women (more generally all people) in custody.
9.	Enhanced lobbying to politicians and decision-makers to promote inclusion of safety for women in custody on the national agenda and state strategic plans to end violence against women.
Survivor support.	
10.	Establish a peer support group for survivors.

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