

Women MPs must show they can make a difference

The Age May 9 2003

Home detention is inimical to women's interests and is a powerful attack on them, writes Mary Crooks.

The recent clamour over Kirstie Marshall's little "stranger in the house" almost suggests that the issue of women in Parliament comes down to whether breast-feeding is permitted there. The gendering of politics, however, is usually much more subtle, as illustrated in the reintroduction this week of the Bracks Government's home detention legislation.

This legislation makes it possible for a number of low-risk prisoners to serve all or part of their sentences within the offenders' homes.

Permission from a partner is required. Intensive surveillance is undertaken by a combination of methods, including visits from corrections officers at any time, detainees wearing electronic bracelets, and partners or spouses reporting aberrant behaviour.

Offenders are required to stay at home most times and not drink alcohol or take illicit drugs. Public debate over home detention takes various lines. Proponents stress what they see as advantages - an alternative to prison and prison brutality; reduced recidivism; keeping families together; and, of course, reduced costs to the state (though the latter is not broadcast too loudly).

Opponents emphasise the difficulties surrounding informed consent; the risk of domestic violence; the distraction from the task of reforming prisons; and the need for more community-sentencing alternatives.

They call on research that shows little positive impact of home detention on rates of reoffending and reduction in prison populations.

Through the debate, however, and apart from reference to domestic violence (certainly an important issue), there is little recognition as to a crucial gender dimension to home detention. Home detention is inimical to women's interests, working against women in a number of subtle and powerful ways.

Most prisoners are men. Most offenders deemed appropriate for home detention by the authorities will be men. The people granting permission will be mostly women. The people urging detainees to stay on the straight and narrow will be mostly women. Those responsible under the act for reporting aberrant behaviour to the authorities will be mostly women. The people making sure that home detention does not negatively impact on families and children will be mostly women.

A woman faced with granting permission for her partner to become a home detainee is placed in an invidious position.

Informed consent? Rather than a free choice, there is likely to be subtle and pervasive relationship pressure. What if she refuses? How will the partner construe her position? What if she grants permission, knowing full well she has done so just to keep the peace? Can she really feel safe against the risk of domestic violence just because the authorities reassure her that appropriate screening and protection will occur?

A woman who lives in the same home as the offender has to make a critical psychological and relationship shift as wife and mother. In effect she is now part of the correctional services system.

She must watch her partner's every movement, his telephone conversations, and conversations with visitors. She must coax him to stay within bounds if his frustration erupts. She must handle the communications about home detention with her children's teachers, local traders and neighbours.

At worst, even without the risk of domestic violence, the experience for her is likely to be demeaning and depressing.

Without committing a crime against the community, she herself becomes something of a prisoner, the home the prison.

My sense is that women out in the broader community feel a strong, intuitive and negative response to the idea of home detention and its impact on women.

It is precisely this empathic response that must be tapped if legislation is to properly account for the realities of women's experience.

Are all our women politicians listening to women in this way and learning how to act on such a response?

Electing more women to parliament is not simply about raw numbers and equal representation. There is an important politico-ethical edge. Women's experience of the world tends to be very different from that of men. No matter how well-intentioned, men cannot adequately represent women's needs and interests. Democracy is healthier and stronger when more women enter politics.

Importantly, however, when we elect women to parliament, we need to be reassured they also represent the needs and interests of women rather than simply adopting uncritically the culture, paradigms and stance of their male counterparts.

Over a century ago, the women's suffrage movement argued that women should have the vote because government of the people, by the people and for the people, should mean all the people and not one half.

Suffragists knew that most laws affected women as much as men and that some laws press grievously on women.

There are now record numbers of women in the Victorian Parliament and around the cabinet table.

Yet, if ever there was a case for Labor and Liberal women to work together along bipartisan lines, and vote down some legislation in the Victorian Parliament this week because it threatens to jeopardise the wellbeing of Victorian women, it is the Home Detention Bill. Then women everywhere would truly start to reap the benefits of more responsive political representation.

They would see, with great relief, that the phenomenon of women in politics is much greater than a debate about breastfeeding little strangers on demand.

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