



Submission on Education and Workforce Recommendations:

Impact on Incarcerated and Formerly Incarcerated Women

## Introduction

Incarcerated and formerly incarcerated women, particularly Aboriginal women, are among the most excluded groups in Australia's education and employment systems. Decades of punitive policy, systemic racism, and gendered violence have entrenched barriers to learning, skills recognition, and economic participation.

We welcome the opportunity to respond to these draft recommendations. However, unless deliberate and explicit inclusion is built into their design and implementation, these reforms risk entrenching the digital divide, excluding prison-based learning from recognition, and perpetuating employer discrimination against women with criminal records.

This submission outlines how each recommendation could affect criminalised women and what changes are needed to ensure they deliver equity, not exclusion.

### **Draft Recommendation 1.1 – National Lesson Planning Platform**

Nil

### **Draft Recommendation 1.2 – Equitable Access to Edtech & AI**

A national rollout of edtech and AI presents both opportunities and risks for criminalised women. Often, women leave prison with little to no digital literacy due to years of disconnection from technology, placing them at a severe disadvantage in education, work, and parenting.

#### *Bridging the Digital Divide*

Many incarcerated women are digitally excluded due to long periods without internet or technology access. In prison, internet access is often non-existent, and opportunities to use computers are limited to a small range of approved activities. This creates a widening skills gap in an increasingly digital world. Upon release, women are expected to navigate online job applications, digital banking, government services, and their children's online schooling with little or no recent experience. If educational technology (edtech) and artificial intelligence (AI) become further embedded in schools, vocational training, and tertiary education, the lack of digital literacy will further disadvantage criminalised women in employment, study, and even in their role as parents supporting their children's learning. This is especially acute for Aboriginal women, who are already disproportionately incarcerated in prison and face compounded systemic barriers.

### *Opportunities*

If designed and implemented inclusively, edtech and AI have the potential to transform access to education for incarcerated women. Secure, offline-compatible tools could be integrated into prison education programs to provide hands-on experience with technology. This would allow women to learn 21st-century skills, from basic computer literacy to digital content creation and online research, while also building confidence to engage with new technologies. For mothers, it could provide a bridge to their children's schooling, enabling them to better understand and support the digital learning tools their children use in mainstream education. If access continues post-release, these tools could also support further study, vocational retraining, and small business development, particularly for women in rural or remote communities where technology access can be limited.

### *Risks*

Without deliberate planning, the national adoption of edtech could deepen existing inequities. Incarcerated and formerly incarcerated women often have the least access to devices, reliable internet, and training, not just because of prison restrictions, but also due to poverty, unstable housing, and ongoing system contact post-release. If the national rollout of new digital tools assumes a baseline level of digital access and competency, criminalised women will be left behind, further entrenching their exclusion from education and employment.

To be equitable, implementation must:

- Fund digital literacy programs inside prisons and post-release.
- Provide low-bandwidth or offline-compatible edtech tools for restricted environments.
- Prioritise content that is culturally relevant, trauma-informed, and accessible to learners with low literacy.

If access is not guaranteed in prisons, the reforms risk accelerating the exclusion of women already on the wrong side of the digital divide.

## **Draft Recommendation 2.1 – National Credit Transfer & Recognition of Prior Learning**

### *Recognition of Prior Learning – Unlocking Invisible Skills*

A national system for credit transfer and Recognition of Prior Learning (RPL) could be transformative for incarcerated and formerly incarcerated women, but only if it fully includes the learning, training, and work experience gained inside prison.

Every year, women in prison complete vocational qualifications, short courses, and accredited training in fields such as hospitality, construction, cleaning, hairdressing, horticulture, animal care, and office administration. Many also undertake microcredentials in areas like first aid, food safety, and workplace health and safety. Beyond formal training, women participate in peer education, cultural leadership roles, and mentoring, as well as extensive unpaid or underpaid labour for prison industries, often running kitchens, laundries, gardens, and maintenance services that are essential to the prison's operation. This work develops valuable skills in leadership, teamwork, problem-solving, and technical trades. Yet, despite the time, effort, and expertise invested, these skills are routinely dismissed or ignored upon release, leaving women to start from scratch in the labour market.

Our recommendations:

- *Explicit inclusion* of prison-based vocational qualifications, microcredentials, cultural leadership, and peer education roles in the national RPL database.
- *Recognition of informal skills* gained through prison industries work, parenting programs, peer mentoring, community work inside, and cultural teaching and knowledge sharing.
- *Support services* to help women navigate the RPL process, recognising the systemic barriers they face, including low literacy rates, limited digital skills, and a lack of access to past records or certificates due to prison bureaucracy or lost documentation.

#### *Why this matters*

Without these measures, women's hard-earned skills will continue to be undervalued, reinforcing cycles of poverty and exclusion. Failing to recognise prison-based learning wastes public investment in education and training programs, and undermines women's ability to secure meaningful employment, pursue further study, and contribute their skills to their communities. For Aboriginal women, it also erases the cultural knowledge and leadership that is vital to community survival and healing.

### **Draft Recommendation 2.2 – Training Incentives for Small and Medium Enterprises (SME)**

#### *Tackling Systemic Employment Discrimination Through SME Training Incentives*

For many women leaving prison, the single greatest barrier to rebuilding their lives is not a lack of skills or motivation, it is the entrenched discrimination against people with criminal records in the labour market. Even when women have relevant qualifications, extensive work experience, and a strong desire to work, blanket exclusions, stigma, and employer misconceptions routinely shut them out of job opportunities.

Small and medium enterprises (SMEs) are a major employer across Australia, yet without targeted inclusion measures, training subsidies and government incentives risk entrenching this discrimination. Financial support to SMEs will have little impact on justice outcomes if it flows to businesses that refuse to hire people with criminal records, effectively rewarding exclusionary practices with public funds.

Our recommendations:

- *Tie SME training subsidies to fair-chance hiring policies.* Employers should be required to demonstrate inclusive recruitment practices for people with criminal records as a condition of receiving public funds. This ensures that subsidies expand opportunities for those facing the highest barriers, rather than reinforcing their exclusion.
- *Fund employer education campaigns* to dismantle stigma and challenge myths about hiring criminalised women. Evidence shows that people with criminal records are often loyal, reliable employees when given a fair chance, and that employment is a critical factor in reducing recriminalisation. Campaigns should be designed by women who have lived experience of incarceration.
- *Support Aboriginal-led SMEs* to employ Aboriginal women leaving prison, recognising their dual roles as cultural leaders and economic contributors in their communities. Such investment strengthens community-controlled economies and self-determination.

#### *Why this matters*

Without these safeguards, SME incentives could further concentrate opportunities in the hands of those already employable, while women with criminal records, especially Aboriginal women, remain locked out of the labour market. Employment is not simply an economic outcome; it is a foundation for stability, housing security, community connection, and breaking cycles of criminalisation. If government incentives

are to be effective in addressing skills shortages and improving workforce participation, they must explicitly dismantle the systemic barriers that keep criminalised women from work.

### **Draft Recommendations 3.1–3.4 – Reforming Occupational Entry Regulations**

#### *Reforming Occupational Licensing – Opening Pathways Without Reproducing Exclusion*

Overly restrictive occupational licensing keeps many criminalised women locked out of employment for years, even decades, after they have completed their sentence. In many sectors, from trades and hospitality to professional services, licensing regimes impose automatic disqualifications or lengthy exclusion periods for anyone with a criminal record, regardless of the nature of the offence, its relevance to the job, or the time elapsed since it occurred.

For women leaving prison, this means that qualifications such as those in social work, cannot be used in the community. In some cases, women graduate with certificates or degrees that are effectively useless in the outside labour market because the licensing framework bans them from becoming accreditation within their profession. This includes fields such as social work registration, nursing, teaching, early childhood education, and security work, where registration bodies have the power to refuse or revoke licences on the basis of a criminal record.

These barriers often operate through subjective “fit and proper person” tests or blanket offence exclusions that take no account of rehabilitation, the time passed since the offence, or the relevance to the role. Such tests are particularly harmful for criminalised women, especially Aboriginal women, as they can entrench moral judgments and racial bias. Even where no formal exclusion exists, complex and opaque appeals processes, combined with stigma and a lack of legal support, prevent many women from challenging decisions.

Reforming licensing to remove excessive barriers can create new opportunities, but deregulation without explicit anti-discrimination protections risks replacing formal exclusions with informal bias. If licensing rules are relaxed but no safeguards are put in place, employers and registration bodies may still reject applicants with criminal records based on stigma and assumptions, perpetuating the same cycle of exclusion under a different guise.

Our recommendations:

- *Pair licensing reforms with strong anti-discrimination protections* for people with criminal records, ensuring that reduced formal barriers translate into actual access to jobs.
- *Create alternative entry pathways* for women who gained trade, hospitality, or service skills in prison, such as provisional licences, supervised practice arrangements, or recognition of prison-based work experience.
- *Include cultural safety and gender equity criteria* in all licensing reviews to ensure Aboriginal women, who are disproportionately criminalised, benefit from reforms and are not left behind in male-dominated or culturally unsafe sectors.

#### *Why this matters*

Licensing reform without equity safeguards risks widening the gap between those who already have networks and privilege and those who face entrenched discrimination. For criminalised women, the ability to use their skills in paid employment is not just about economic participation, it is about

rebuilding lives, securing housing, reconnecting with children, and breaking the cycle of poverty and incarceration. True reform means ensuring that when women have done the work to gain qualifications, the system does not slam the door on them the moment they try to use them.

## Conclusion

The recommendations under consideration have the potential to remove barriers and open pathways, but only if they are deliberately designed to include those who are most excluded. For incarcerated and formerly incarcerated women, particularly Aboriginal women, education and employment are not just policy goals. They are critical levers for survival, family connection, and community leadership.

Yet our current systems too often fail to recognise the skills we already hold, denying us access to the tools needed to build new ones, and lock us out of employment through stigma, regulation, and discrimination. Without explicit measures to address these systemic barriers, the reforms outlined in this inquiry risk reinforcing the very inequities they seek to dismantle.

Our submission calls for:

- Guaranteed access to education technology and resources inside prison and post-release.
- Full recognition of prison-based learning, formal and informal, in national credit transfer and RPL systems.
- Binding commitments to fair-chance hiring in all government-funded training and incentive schemes.
- Licensing reform paired with strong anti-discrimination protections and culturally safe pathways.

These are not optional extras, they are the conditions under which reform can genuinely deliver equity and opportunity. Any education or workforce policy that ignores the realities of criminalised women will leave behind the very people most in need of change.

The voices and experiences of incarcerated and formerly incarcerated women must be at the centre of design, implementation, and evaluation. Only then can we move beyond token inclusion and towards a future where all women, regardless of their criminalisation, have the right and the opportunity to learn, work, and thrive.

Yours sincerely



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