

Craig Minogue (1962 -)

Currently a prisoner, formerly an underworld figure, and now an author and academic.

The following selected quotes are from articles in academic journals, chapters in books, and academic conference papers that have been published by Craig W. J. Minogue BA(Hons). Mr Minogue also contributes to community education projects in the fields of criminal law and human rights. For further biographical details, links and other publications see:

- **About the author**
- **Why Craig Minogue is in prison?**
- **Other publications**
- **External links to documents of interest**

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Quotes From: Craig Minogue, 'Isolation', *Eureka Street: A magazine of theology, the arts and public affairs*, Vol.4, No.8, October 1994, p.23.

I remember laying on the concrete floor, my naked body shaking from the bitter cold and isolation that ran through me like an alternating current. With the sound of dried blood crackling in my beard and toilet paper wrapped around my hands and feet, I wondered what I had left as a human being.

The world and all of its social structures that had comforted and conditioned me up to that point evaporated, I was no longer part of the social world, and I could not picture what lay beyond the inner walls of the cell, it was all blank. So I thought of what I was, I looked to that part of me which they could not strip from me, or beat out of me, and then I concentrated on the warm patches that were my bruises and striped shaped baton welts, and tried, and succeeded, in making the warmth spread by an act of imaginative will. I slept, another day in the isolation of an Australian prison.

Quotes From: Craig Minogue, 'Human rights and excursions from the flat lands', *Alternative Law Journal*, Vol 25, No.3, June 2000, pp.145-146.

In trying to sum-up my experiences for this article I reflected back to an early directions hearings in the Federal Court, the issues to be dealt with on the day fizzled out and the Judge apologised to the parties. I jokingly replied, "At least I've had a day out." It was not much of a joke and more for the amusement of the Judge and my playing on the ignorance of those who don't know the reality of a day out from prison. A lawyer who was acting as my media spokesperson, wrote a few days later and said that it must be '...a different experience for you zipping along at 100kms and seeing the horizon as apposed to the flat world of prison'. I wrote back:

There are no windows, it is pitch black in the back of a prison van. And I get motion sickness, and the exhaust fumes that belch into the caged compartment in which I am locked, make me ill. Each time I go and come back from Court I very nearly throw-up. I get a one step glimpse as I get

off the van and step through the back door of the Federal Court, and that's only of the media pack. If I am "*lucky*" I can occasionally get a glimpse of people on the street if a scratch has been made in the layers of black paint on the windows.

This is no day out, prefaced and concluded as it is by the borderline sexual assault of the strip search; the prison guard instructing me to "*Lift your ball bag!*" and "*Bend over and spread e'm!*" so he can peer up my anus.

Yes the prison environment is a very flat place, but that is not just the limited to the topography, it also includes the philosophy and thinking, what there is of it, and the general lack of any real purpose. Engaging in the intellectual arena of the Federal Court is a nice change and I almost feel like a real person again, but ultimately they all turn away from me and shuffle out back to chambers and I'm sent back to the flat lands.

Quotes From: Craig Minogue, 'Forced labour at Barwon Prison: a brief history of a refusal to work for Colorific Australia', *Abolition* Vol.1 August 2001, pp.4-6.

The *Corrections Act* 1986 compels prisoners to work when ordered to do so. Under the cover of a letter dated 18 May 1999 I wrote to the WorkCover Authority (Victoria) and asked: 'If I injure myself at work in a prison industry am I covered by WorkCover? Can I make a claim like any other worker?'

Although I am forced to work for the profits of a private company in prison workshops, the Manager of the WorkCover Advisory Service, in a letter dated 10 June 1999 (ref 99/1370), I was advised: ‘In accordance with the section 5 of the *Accident Compensation Act* 1985 prisoners are not workers as there is no contract of service and no worker/employer relationship. Accordingly, a prisoner injured while performing work in prison has no entitlement to compensation under WorkCover.’

So WorkCover does not have jurisdiction and the State Government has taken away the common law right to sue ones employer, not that I am “employed” anyway, so who has jurisdiction if a prisoner is injured whilst working a machine or driving a forklift? The answer of course is no-one.

I am forced to work against my will. I am then paid a small gratuity for that forced labour, which is then promptly taken away from me by the people who pay it, because I have to buy food, bedding, footwear and toiletries.

Quotes From: Craig Minogue, ‘A true romance and the price people pay’, *Deakin Literary Society Newsletter*, No. 60, Deakin University Geelong, July/August 2002, p.6.

People pay. People will pay to read the book of my life. People will pay to watch the movie of my life. People will pay to be entertained by the violence that I was, the violence that was and is done to me. People will pay for any violence, *The Big Hit*, the *Reservoir Dogs*, the hero lives, the *Pulp Fiction*, the hero dies, the *True Romance*, the blood runs and people pay and never stop paying.

Quotes From: Craig Minogue, 'The Magic Bullet: Education & the Answer to Crime in Australia', House of Representatives Standing Committee on Legal and Constitutional Affairs - 'Inquiry into Crime in the Community: Victims, offenders and fear of crime' Canberra, July 2002. Also published in *Crossfire* No.10, 22-7-2002, Deakin University Geelong, pp. 16-19.

Why should prisoners be allowed to educate themselves? Prisoners should be directed in education and training, and not exploited in Prison Industries. For a person in custody, especially a person held for a long term, to have the best chance of not re-offending upon release is for that person to have opportunities to do something positive with their lives, to have an enlightened and educated view of the world and their place in it. This would be beneficial to everyone concerned especially the community. And the community should appreciate that it has a vested interest in educating and training its imprisoned citizens and helping those people find the right path, not simply exploiting them as commercial fodder in slave labour industries.

Quotes From: Craig Minogue, 'An Insider's View: Human rights and excursions from the flat lands', in BROWN, David and WILKIE, Meredith, (eds.) *Prisoners as Citizens: Human Rights in Australian Prisons*, The Federation Press, Annandale NSW, 2002, pp. 196-212.

What international remedies are available to agitate prisoners' rights issues? In theory, Australia is internationally accountable for violations of the ICCPR, including by Federal, State or Territory governments under the provisions of the First Optional Protocol ("the FOP") to the ICCPR. Article 1 of the FOP states that Australia will 'recognize the competence of the

[Human Rights] Committee.’ The Commonwealth Attorney-General, ... has made the current Commonwealth Government’s position on this issue clear; and that is to deny responsibility.

Quotes From: Craig Minogue, ‘Human Rights and life as an attraction in a correctional theme park’, *Journal of Prisoners on Prisons*, Canadian Scholars Press Toronto, Volume 12, 2003 pp.44-57.

I have been in prison since May 1986, and since then it has been the routine practice of prison authorities in the Australian state of Victoria to display prisoners as one would display animals in a zoo. ... The tour groups come from, colleges of technical and further education, Universities, social workers, community groups like Lyons, Apex and Rotary Clubs. Police and prison officers visiting from interstate or overseas (tax write offs), television producers and crews (making the crime shows more realistic), and the friends and family of prison staff and sundry others make up the tour groups.

...

On one occasion I found eight people in my cell, one fellow was running his index finger along the spines of my books and another was reading the Cell Card which details my private property and which carries my name. On this same visit I saw the Chief Prison Officer of the Division open the door of a cell to show the visitors a cell that had a computer in it. The door was opened the from the side it that swings out and back against the wall, therefore the officer was the last of the group to see a man sitting on the toilet in the cell. The prisoner on the toilet was no doubt a bonus which was explained away by the officer as: “And this is a prisoner using the toilet.” I read the sub-text being: “*Look, we’ve toilet trained them.*”

Quotes From: Craig Minogue, 'Excluding Prisoners from FOI in Victoria', *Freedom of Information Review*, No.104, April 2003, pp.26-30.

In this age of information, it can be said that information about your affairs is part of who you are as an individual. And when that information is concealed the individual starts to feel as invisible as the documents that cannot be released. The concealment of information, and the suppressing of individual humanity has become part of the prison power game in the form of the convoluted FOI processes.

I hear prisoners say: "When I was a real person ..." meaning: "When I was outside ..." I say this myself because there it is a kind of reverse empowerment in accepting the lowly status and then throwing it back in the faces of the people who profess to be the forces of law and order in an egalitarian society, but who are in fact the forces of discrimination and oppression. There is, however, a very real problem associated with the exclusion of people from a society to a point where they are considered, and come to view themselves as nonhuman. And that problem is, that the pain experienced because of that exclusion will be returned ten fold, when those dehumanised and disenfranchised people are released into a community to which they owe nothing but bitterness.

Quotes From: Craig Minogue, 'That's when the trouble started: Tertiary study behind bars', *Crossfire* (Deakin University Student Association Magazine) Issue 3, May 2004, Deakin University Geelong, pp.16-17.

I received a book from the University library ... It was titled *Master of Wisdom: Writings of the Buddhist Master Nagarjuna*. It is a large hard covered book with colour plates and

translucent pages protecting the plates. This book came with a number of others in a large envelope. I saw that the book had been damaged on the leading edge, and that it had a number of gouges out of the covers and scrape marks on the edge of the pages. I inspected the envelope thinking it had been damaged in the post, but no, the envelope was fine.

I sat with th book in my hands looking at the very fresh damage, and it came to me, a voice, the book itself spoke and revealed what had happened to it in its journey to me through the prison mail room.

...

“Wait-a-fucken-minute! What’s this?”

“I don’t be knowen what this wise-dom is, but we’re the only masters here!”

“Who [smash on edge of desk] does this fucken Minogue [smash on edge of desk] think he fucken is [smash on edge of desk]?”

Quotes From: Craig Minogue, ‘A Pathology of the medical treatment of a prisoner’, *Charter*, Edition 61, Autumn 2004, pp.10-11.

The bad feeling in the Unit builds because one of our fellow prisoners was dying and nothing was being done. A prisoner, who has a reputation for violent and direct action, indicates to staff that he has a improvised knife, he shows it to them, and says “I will run to Paul’s cell now and stab him, so he will then get medical attention, or will you do something now?” Men are standing on the second story landings of the Unit calling out support for the man at the officer’s station brandishing the

knife.

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This story of neglect ... is not at all unusual. Prisoners who cannot, because of illness, walk to the medical centre are routinely told: "Well, if you can't walk down to the medical centre you're too sick to see the Doctor." I have helped carry sick, semi-conscious men to the officer's station and deposited them in the door way so the staff can't move in and out for their coffee and cigarette breaks - "You can't leave him there Minogue" they bellow after me.

Quotes From: Craig Minogue, 'The Use of a Military Level of Force on Civilian Prisoners: Strip Searching, Urine Testing, Cell Extractions and DNA Sampling In Victoria', *Alternative Law Journal*, Vol.30, No.4, August 2005, pp.170-173.

The fact is that in Victoria extreme force is routinely used by police and prison officers, and sadly this is just not a problem about the conduct of police and prison officers, as medical professionals and scientists uncritically accept these procedures for taking a forensic sample, which by their very nature can only but violate the human rights of an individual. This is no academic point. At Bendigo Prison men were gassed and assaulted with a life threatening level of force to make them compliant enough for unlawful DNA samples to be taken.* While these attacks were taking place, medical professionals and scientists stood by until it was their turn to step in and penetrate the skin and take the blood.

* For the Supreme Court finding that taking the DNA sample was unlawful see *Lednar & Ors v Magistrates' Court and Anor* (2000) Vol. 117 Australian Criminal Reports, p.396 .

Quotes From: Bree Carlton and Craig Minogue, 'It's Back to the Future: Have the Lessons of Jika Jika Been Forgotten?' Presented by Dr Carlton at the 11th International Conference on Penal Abolition (ICOPA), at the University of Tasmania in Hobart, 7-11 February 2006.

Rather than teaching by the example of humanity, *inhumanity* is the guiding modality of the hi-tech 'supermax ' and 'management' prison. In short these 'prisons with prisons' are making it worse not better.

The problem for the community is not just that the modalities of the hi-tech supermax and management regimes are inflicting physical and psychological harm on a small number of people held in these units who will one day be released back into the community. Such hi-tech, dehumanising modalities are also becoming the norm, therefore extending the damaging impact to those imprisoned in the mainstream prison system. This process of 'normalisation' of the maxi-maxi security regime, or what has been referred to as a process of 'Marionisation' is currently underway in all areas of Melbourne's Barwon Prison.

About the author:

An 'about the author' blurb is included in some of the above quoted publications. The following about the author quote has been taken directly from that published material.

Craig W.J. Minogue has survived in prison since 1986, his release date is in 2016. Completing a BA(Hons) in 2005, which was his first formal scholastic achievement, he is now working on his PhD in Applied Ethics and Moral Philosophy at La Trobe University. Craig is a social justice advocate who assists his fellow prisoners with equitable access to the

Courts, information about the law, and educational programs. He is also an unofficial volunteer crisis and acute mental health care worker. Craig is a regular contributor to community legal education projects and he has peer reviewed publications in the fields of philosophy, literature, criminal law, human rights and prison issues. He also creates art when he can and he has a number of works hanging in public buildings in Melbourne, Australia. Craig Minogue is currently in custody at Barwon Prison in Lara Victoria.

Why Craig Minogue is in prison? See:

- www.wikipedia.org/wiki/Craig_Minogue

Other publications by Craig Minogue that have not been quoted from on this page:

Craig Minogue, 'Legal professional privilege?', *Alternative Law Journal* Vol 17, No.6, December 1992, p.5.

Craig Minogue, 'Frustrated Access to Educational Programmes', *Abolition*, Vol.1 August 2001, pp. 12-24.

Craig Minogue, 'Downsizing', *Winnowings*, School of Literary & Communication Studies, Deakin University Geelong Victoria, 2002, pp.146-150.

Craig Minogue, 'Welcome home dad', *Crossfire* (Deakin University Student Association Magazine) No.15, 07-10-2002, Deakin University Geelong, p.8.

Craig Minogue, 'Post-Apocalyptic Landscaping and Keeping Your Head Down: Tertiary study behind bars', *Crossfire* (Deakin University Student

Association Magazine) Issue 4, August 2004, Deakin University Geelong, p.14.

Craig Minogue, *Dealing With The Criminal Justice System: A Practical "How To" Handbook*, Darebin Community Legal Centre Inc., October 2006.

External links to documents of interest:

www.wikipedia.org/wiki/Craig_Minogue

www.arts.monash.edu.au/criminology/staff/jude-mcculloch.html

www.worldlii.org/int/cases/UNHCR/2004/52.html

www1.umn.edu/humanrts/undocs/html/954-2000.html

www.lawreview.law.uwa.edu.au/_data/page/36536/Prisoners_Rights.pdf

www.justiceaction.org.au/ICOPA/icopaXI_PB1.html

www.justiceaction.org.au/ICOPA/icopaXI_docs/pdfs/CrltnB_Mino.pdf

www.theage.com.au/news/Education-News/When-class-is-a-prison/2005/04/15/1113509921653.html?from=moreStories

www.law.monash.edu.au/castancentre/conference2001/papers/naylor.html

[www.nswccl.org.au/docs/pdf/\(2000\)%20191%20Civil%20Liberty.pdf](http://www.nswccl.org.au/docs/pdf/(2000)%20191%20Civil%20Liberty.pdf)

www.altj.org/index.php?option=Articles&task=viewarticle&artid=44

www.hreoc.gov.au/Human_Rights/prisoners/toc.html

www.djnr.ca/law/auprisoners

www.aph.gov.au/house/committee/laca/crimeinthecommunity/report/appendixa.pdf