



# STAYING OUT

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This program has been classified MA 15+ Consumer Advice: Drug Use

A  
STUDY  
GUIDE

**S**taying Out follows the troubled journeys of two people, Terry McKinnon and Christie Atkins, leaving prison to make new lives on the outside. They are long-time criminals who are determined that this time they will go straight. Staying Out is about their lives during their first year of freedom and traces how they make the transition from their oppressive yet safe and structured prison lives, into a world of space, choice and temptations.



THIS *CINEMA VERITÉ* DOCUMENTARY traces how Terry and Christie come to terms with the 'outside world', learning to renegotiate their place in it, the problems they encounter, the relationships they forge or rebuild, their strengths and weakness, their disappointments, their revelations and how they gain a new realistic understanding of the people they have to be in order to cope with freedom.

This documentary will be of interest to teachers and students in senior secondary school in the areas of English, Legal Studies, and Film and Media Studies. This study guide focuses on providing students with background information on the topics of 'Dealing with Drug Addiction' and 'Dealing with Sentencing' issues in Australian Law. The approach taken is based on critical literacy, giving students tools to interrogate the film as a text and engage in broader discussion and research of the issues raised by *Staying Out*.

**ACROSS THE CURRICULUM  
Before Viewing—General  
Discussion & Activities**

**Values Clarification Continuum**

Students stand along a line that stretches across the classroom from Strongly Agree to Strongly Disagree.  
(See chart at bottom of page)

The teacher asks a series of simple questions and students move to where they feel most comfortable.



Ask students from different positions to explain their choices.

- Is drug-taking a victimless crime?
- Is shoplifting a victimless crime?
- Is drug-taking more dangerous than shoplifting?
- If a friend of yours was thinking of taking heroin would you try to talk them out of it?
- If a friend of yours was thinking of shoplifting would you try to talk them out of it?
- Do you think the threat of prison can stop people from committing these crimes?
- Do you think people can change and rehabilitate themselves?
- Do people deserve a second chance?
- Can friends and family strongly influence and help people to be rehabilitated?

**Discussion Starters**

- List and discuss different possible meanings or connotations of the phrase 'staying out'.
- What is the popular stereotype of a drug addict?
- What kind of person is attracted to drugs?

1	2	3	4	5
STRONGLY AGREE	AGREE	NOT SURE	DISAGREE	STRONGLY DISAGREE



# STAYING OUT

- Why do people feel they need drugs?
- What images do you associate with prisons? Give examples from other films.
- What are popular stereotypes or film images of prisoners? How are they portrayed?
- What are our expectations of people who have been released from prison?

### Activity

Before viewing the film, ask the students to reproduce a full-page copy of the timeline grid below into their exercise books (approximately three lines for each row).

Students should make a series of

TIMELINE	TERRY	CHRISTIE
BEFORE RELEASE		
Your Prediction		
1 Month		
2 Months		
3 Months		
Review Prediction		
Make New Prediction		
6 Months		
9 Months		
One Year		
Review Prediction		
Make New Prediction		

MAIN PROBLEMS	TERRY	CHRISTIE
Before Release		
After Release		

predictions for Terry and Christie, which they can revisit and update throughout the film.

Students should also identify:

- the main problems facing each of these characters before they leave prison, and during their first year of freedom. Do Terry and Christie face different problems?
- what Terry and Christie believe about themselves and their experiences at each point (see Character Analysis p 73); and
- what Terry and Christie have learnt about their 'journey' at each point.

Break the class into small groups to discuss their findings. A volunteer from each group gives a report to the class. The findings are then discussed by the whole class and related to other texts studied so far that year.

Just before their release, Terry and Christie make their own predictions:

**TERRY:** 'This time I will be getting out of jail with a clarity of life that I've never had before. Not so much with expectations. I know I am going to meet problems, but I feel much better equipped to deal with those problems. I'm more realistic'.

**CHRISTIE:** 'When I get out I'd like to get him [Damien, her son] back, but not straight away. Once I get out there and back on my feet then I'll gradually get back into his life. I can't just expect to get out there and fit back into his life. I have to gradually work my way back in now'.

- How realistic are these expectations?
- What are the major differences between Christie and Terry's expectations?
- Do these statements match what occurs?



I know I am going to meet problems, but I feel much better equipped to deal with those problems.

### Character Analysis Chart

NAME: TERRY/CHRISTIE	AS SEEN BY SELF	AS SEEN BY OTHERS
As a parent		
As a lover, partner, wife, husband		
As a prisoner		
As a criminal		
As a son/daughter		

- How do others see them?
  - Do other people's attitudes towards them change over the eighteen months of the documentary?
  - Does their attitude towards themselves change over the eighteen months of the documentary?
- (see chart bottom left)

### ENGLISH

This film will fit in with any unit exploring the themes of change, growth and developing self-understanding and self-knowledge. What does someone *believe* at the outset of an experience and what do they *know* by the end? How do the inward and outward journeys reflect and reinforce each other?

#### Vocabulary List

Define these words

REHABILITATION, DETERRENT, RETRIBUTION, PUNISHMENT, LENIENCY, DECLARATION, INCAPACITATION, ILLICIT, STEREOTYPE, RESTORATIVE, DIS

COURSE, METHADONE, CONNOTATION, DECRIMINALISATION, SOCIO-ECONOMIC, INCARCERATION, OPIATES, RECIDIVISM

#### Character Analysis

When analysing a character we look at their skills, personal qualities, background, relationships and behaviours. With Terry and Christie we must remember they are real people—not fictional characters—and yet a storyteller has shaped how we view them. We can also give different readings of characters and see them from different viewpoints.

- How do Terry and Christie see themselves?

In initiating this discussion, teachers need to know biographical details of the two characters.

#### Terry McKinnon:

- His mother deserted the family when Terry was nine months old.
- He was raised by his grandmother and an aunt until he was six.
- He returned to his family after his father remarried.
- He was declared 'an uncontrollable child' at age sixteen and sentenced to thirteen months in a boys' home.
- By eighteen Terry was jailed for stealing and 'break and enter' offences.
- Within months of his release he was back inside for armed robbery convictions.

- He married in 1976 and has two children, a boy and a girl.
- He stayed out of jail while married, but his marriage collapsed in 1982 and he became a heroin addict.
- He was convicted of three armed robberies in 1983, all performed to support his addiction.
- He was released after three and a half years, in 1987.
- He was convicted of a string of armed robberies in 1988, and sentenced to nine years in prison with no parole.
- Release date: 20 May 1996.

Problems facing him on release this time:

- In his rare periods outside jail he has worked as a clerical officer, a storeman and a scaffolding rigger, but considers himself unskilled.
- He lost his fingers in an industrial accident while in prison.
- He is forty-four years of age.
- Terry is the only criminal in his family and the others (including his barrister brother) do not want to know him. Effectively he has no family and almost no support.

#### Christie Atkins:

- Christie's violent, alcoholic father abused his wife and two children throughout her childhood.
- Christie ran away from home at thirteen and began shoplifting and stealing to support herself.
- She was expelled from school and began using drugs.
- She was detained for the first time at fourteen.
- She has been jailed for various drug-related crimes, including shoplifting, 'break and enter' and stealing.
- This time Christie was classified as a C3 inmate, which meant she was entitled to day release once a month to see her son.
- She fell pregnant a second time to boyfriend Paul while on day release.

Problems facing her on release this time:

- She is pregnant.
- Outside of jail, she has previously only worked in short-term casual jobs, so she has no work references.
- She has attended technical courses while in jail, but still considers herself unskilled.
- She has only managed to stay off heroin while in jail.
- She is currently on a methadone programme to help her give up her heroin addiction.
- Christie's only brother is a long-time criminal.
- Her boyfriend Paul is a long-time criminal and drug abuser, but is also trying to go straight.
- She needs to secure Damien's trust again and cannot afford to fail in his eyes.

#### Writing In Role Activities

- Write, as either Terry or Christie, a poem in any genre that they might write before their release from prison and a poem they might write a year later.
- Write diary entries/letters as either Terry or Christie before their release, at one month, three months, six months and one year after their release.

#### Role Play Activities

- As a friend/parole officer/parent/partner/lawyer/social worker, give advice to Terry, Christie or Damien on dealing with any of the problems identified in the timeline grid.
- Students devise a set of questions they would like to ask Terry or Christie about any aspect of their lives as revealed in the documentary. A student or teacher, in the role of Terry or Christie, answers these questions at a forum, e.g. news conference, Parole Board meeting, school P&C meeting.

#### Listening Activity

There are several songs on the soundtrack written by Mick Thomas of Weddings, Parties, Anything and by Terry's mate, Shane Austen. Discuss the role music plays in the film.

- How do the lyrics provide a commentary on the events?
- How does the style of music relate to what happens on screen? Think of the instruments, the tempo and the overall sound. What music do we associate with prison films? 'Rain In My Heart' by M. Thomas 'It Might Just Work Out' by M. Thomas and S. Austen 'I Give Up' by S. Austen

#### LEGAL STUDIES

In a society increasingly concerned with law and order, 'truth in sentencing' and the safety of the community, many ask why Australia's justice system and rehabilitation schemes are not showing more positive results. This documentary attempts to provide some answers to these questions from the perspective of two people who have experienced that system first hand.

*Staying Out* is an excellent resource for the practical demonstration of issues at the heart of Year 11 Units such as 'Crime and Society' or 'Society and the Law',<sup>1</sup> which deal with the issues of the role of law in society: who administers it, how is it administered, and on whose behalf or to whose benefit is it administered.

- Dealing with Drugs: Aspects of *The Drugs Misuse Act 1986* (QLD) or the *Federal Customs Act 1901*. The film provides insights into the lives of people affected by drugs and what can be done for them. How far should protection of people go?
- Dealing with Sentencing: The film also allows us to look at the impact

of various forms of punishment for offences against the public interest, ranging from community service to imprisonment, and to question their effectiveness and relative merits.

### After Viewing

- Discuss what is meant by the terms 'justice' and 'retribution'. List synonyms.
- What types of rehabilitation are available?
- What preparation is in place for people getting out of prison?
- What are the differences between Terry and Christie's prison conditions?
- What are some sentencing alternatives and options?
- What types of adjustments have to be made when someone leaves prison?

### Dealing With Drugs

Both Terry and Christie are heroin addicts and have been for many years. Terry has been clean for a long time when he leaves prison and yet he eventually falls back into old habits and begins using again. How much of this do you think is due to his failure to cope with pressure, his association with other drug users, psychological difficulties and peer pressure, or boredom and opportunity?

### Activity

Read the following passages and discuss in relation to the film.

*Some advocates of legalization or decriminalisation of drugs such as heroin often refer to drug addiction as a victimless crime, claiming that the taking of drugs only hurts the user. Supporters of legal shooting galleries and free needle distribution programmes for addicts claim that these moves are actually of benefit to the community as they significantly lower the risk of disease*

*and death among drug users and therefore lower the level of danger and financial cost to the community at large.*

### Three Excerpts from *Australian Parliamentary Library Background Paper*:<sup>2</sup>

1 Injecting drug use is often associated with chaotic lifestyles, unemployment and poor education ... One Western Australian study of injecting drug users who had been in treatment found that only 24 per cent had completed secondary schooling and about 80 per cent were unemployed. However, more recent work ... found that 44 per cent of such drug users were married or living with their sexual partner, nearly 24 per cent had finished high school, about 22 per cent had completed trade or technical school education, nearly 7 per cent had finished a university or college course, 46 per cent were employed and nearly 17 per cent owned or were buying their own home.

2 Illicit drugs are a problem within Australia's prison system. This is so for at least two reasons. Some offenders enter prison with an existing drug habit. Others acquire a habit during their incarceration because of the availability of drugs in jail and the boredom and stresses of prison life. Where their drug use involves injecting, the likelihood is that injecting equipment will be shared and either not cleaned effectively or not cleaned at all, with the attendant risk of disease transmission both inside the prison system and outside once the offender is released. A review of harm reduction strategies put it this way: over half the prison population in Australia, about 14,000 at any one time, are IDUs [injecting drug users] and about half of these can be expected to share needles during their incarceration which is, on average, about four months. It has been estimated that some needles at Long Bay prison complex are in use thirty to forty times per day.

3 The relationship between crime and illicit drug use is not a simple one. Criminological research indicates that illicit drug use itself is not necessarily the trigger for a person to commit crimes: drug users may have committed offences before they began using illicit drugs. However, it does seem likely that once a person becomes an illicit drug user, he or she may commit offences more regularly in order to pay for their drug habit. Other data shows that in addition to dealing in drugs, the major sources of income for heroin users include property crime, prostitution, shoplifting, fraud and armed robbery.

### 'Going Straight ... Back to Jail (extracts)'<sup>3</sup>

By Tim Anderson

*In NSW, while the prison population almost doubled during the '90s, robbery and serious assault rates also rose slightly. The murder rate has been fairly stable for the past century ...*

*Australian criminologists Sat Mukherjee, David Brown and Russell Hogg have demonstrated that there is no substantial link between general crime rates and prison rates, mainly because of low rates of reporting and detection. But there is a more disturbing link between prison and violent crime: crimes of violence are often committed by those who have been institutionalised. At any time there are more than 20,000 Australian prisoners, but more than double this number (most serving short sentences) are released every year. These people have a social impact: they may be men who are unable to relate to women, who have a poor sense of managing money and who are used to having all their decisions made for them, thus having little sense of responsibility. ...*

*By the time an individual has committed a serious violent crime, he or she enjoys very little public sympathy.*

thy for a disadvantaged background. But if we want to understand violent crime we must look at these links. Canadian and US research on long-term imprisonment has looked at the effects of the deprivation of liberty, autonomy, security and heterosexual relationships and concluded that some former prisoners lead 'normal' lives, others remain dependent and unproductive, while others 'leave angry and full of vengeance'. Those who are imprisoned young may have great difficulty ever leading a 'normal' life. ...

Many medium-to-long-term prisoners emerge from jail with little money and nowhere to stay. Little wonder many return to offending. Where do young prisoners learn basic skills such as finding work, managing money, preparing food, establishing normal adult relationships, talking to the opposite sex, creating a home? ...

The Australian Institute of Criminology observes that 'once juveniles have experienced a relatively large number of court appearances, the type of penalty imposed ... makes no impact' on their recidivism rates. ...

While long-term prisoners often adapt to prison life and stabilise their behaviour there, this says little about their social reintegration. Researchers Zamble and Porporino say that, with few opportunities in the regimented prison world to practise 'mature, effective coping strategies', the social skills of long-term prisoners are unlikely to improve. It is well recognized that a relatively small group of repeat offenders are charged and convicted over a large proportion of serious crime ...

'If the person is not released, he will not re-offend'. [One] ... response, favoured by NSW Police, is to intensively police repeat offenders until they re-offend and are jailed again. ...

A better considered response is to reduce levels of institutionalisation, particularly for young people. Many Australian states have diversionary programmes for young offenders which are consistent with the recommendations of many official inquiries, and with the Convention on the Rights of the Child. Similarly, restorative justice initiatives, where the victim may be compensated by the offender, have become popular. A recent study by the Australian Institute of Criminology showed they have a better rehabilitative potential than traditional sanctions. However, according to Ian O'Connor, a Professor of Social Work and Social Policy at the University of Queensland, 'The shift to restorative justice in Australia has been distorted by the strength of punitive and exclusionary discourse ... Restoration and reconciliation become transformed into making the juvenile offender pay—letting the victim get his pound of flesh'. In the prison system, some process of readjustment and reintegration is critical. This must involve access to socialising programmes such as work release and study leave, available only at the lowest security rating. But because of tightened classification processes, most long-term prisoners in NSW never reach the lowest security rating. They are desocialised and then dumped onto the streets.

Tim Anderson spent seven years in NSW prisons after wrongful convictions. He is a lecturer in political economy at the University of Sydney.

- What evidence does Anderson use to support his argument that prison policies increase the crime rate?
- In what ways could the writer's experience create bias or insight?

## Topics For Research/ Discussion

- Methadone. How effective is it? How does it work? Who controls it?
- Legalisation and Decriminalisation. How do they differ? Who would benefit from these approaches? What drawbacks are there?
- Does society have the right and duty to protect people from addiction?
- Are there more effective ways of dealing with drug addiction than imprisonment?
- What is done in prison to counter drug addiction and rehabilitate users?
- How does heroin affect family life? What could have happened to Christie's baby?
- What are the arguments for and against safe legal injection rooms or shooting galleries?

## Sentencing and the Law

- Were Terry and Christie dealt with fairly?
- What choices would you have made as a judge? Justify your response.

## Rehabilitation

One of the principles of sentencing is that of rehabilitation. This means that offenders are re-educated, re-trained, counselled and given appropriate medical or psychological treatment so they can change their old inappropriate ways of behaviour and fit back into society. A basic assumption here is that if we identify why people are offending we can then help them and so lessen the chance of re-offending.

## Questions For Consideration

- Is there evidence in the film that Terry and/or Christie were given medical assistance and counselling to overcome their addiction?

- Is there evidence they were re-trained or educated to help them get a job on release and so stay away from crime?
- What kinds of assistance should be available to offenders like Terry and Christie to help them stay straight and to 'stay out'?
- Do family and friends need educating, counselling and support too?

### Role Play Activities

Imagine you are the Legal Aid solicitor for either Terry or Christie. Terry has been charged with possession of drugs and with intent to supply, Christie for shoplifting.

- Give them advice before the court case.
- After the court case, discuss the outcomes. Were you happy for them as their solicitor?

### Guest Speakers

Are there any parole officers, prison wardens, ex-drug addicts, Salvation Army workers, halfway-house managers, doctors or police in your area who could be guest speakers?

### Other Possible Activities on the Theme of Second Chances

- Debate: do people deserve second chances?
- Write a short story on second chances.
- Write an essay about second chances.
- Write a newspaper editorial: do people deserve second chances?
- Write a letter to the editor or to the court as an advocate of leniency in sentencing.
- Write a victim impact statement as someone who has been robbed by an addict.

## FILM AND MEDIA STUDIES

*Staying Out* is an example of *cinema vérité* where the camera is an observer of life, taking a 'fly on the wall' approach to the subject. The film-makers were often forced to quickly relocate to suit Terry or Christie. They also had to have piles of release papers available and race to get permission to shoot in different environments. This is very different from fiction films where location scouts have found the best sites and angles for shooting and lighting, plus obtained all relevant permission to film in advance. In many ways, this documentary illustrates a kind of guerrilla approach to film-making. However, although little can be done in advance to stage scenes, afterwards, in editing, film-makers make creative choices about what to put in and what to leave out of the film.

Critical literacy means that not only do we ask questions about the words and images in the text, but that we ask about the outside cultural forces that help inform and create this text.

- Whose voices are privileged? Who don't we hear discussing Terry and Christie?
- Can we rely on the word of any of the people who speak in the film? Do some speakers seem more trustworthy than others? Why do you think this is the case?

### Discussion of Author Bias

Critical literacy asks: 'Who is the author?' and 'What are they getting out of producing the text?' To help answer these questions and as the basis for class discussion, here is the background of the writer/director, Sally Browning.

Sally Browning is a graduate of the Australian Film, Television and Radio School. She has produced numerous documentaries for in-

ternational audiences, including several award winners, such as *The Diplomat*, about Nobel Peace Prize winner and East Timor leader, José Ramos Horta. Browning makes socially aware commentary and developed an interest in prison reform after making an international award winning documentary, *Women Heal Women*, about AIDS and Hepatitis C amongst disadvantaged women's groups such as prison inmates.

### Questions for Discussion About the Writer/Director

- Why do you think Sally Browning has chosen to make this documentary?
- What background does she bring to the text?
- How does her background inform the text?
- What do you think she hopes to achieve with this text?

## Freedom and Imprisonment

### Imagery

Discuss with the class how a film-maker uses imagery to construct how an audience views a narrative. Examine this film in terms of its visual metaphors—particularly the use of grills, shutters, bars, closing and closed doors, enclosed spaces, keys, locks, routine, uniforms, form-filling, bureaucracy. These images can be contrasted with the very rare images of open spaces, sunlight and scenery (9.12-9.40, 11.30-11.50, 12.47-13.11, 13.22-13.40, 23. 24-24.17, 31.50-34.10, 48. 09-48. 37, 50.28-54.33, 56.10-to end).

Point out to the class that even after Terry and Christie are released, the film-maker continues to use images of imprisonment. Discuss why this choice might have been made. Discuss how accurate it is in terms of what is happening in Terry and Christie's lives.

## Scene Setting

Discuss the use of bedrooms and kitchens in the way Terry and Christie are depicted. How many kitchens is Christie seen in? How is Christie depicted in the kitchens? How is she depicted in the tuckshop? How is Terry depicted in his cell and then in his various bedrooms? What is different in all of these scenes? Is *anything* different in these scenes? What is the film-maker showing here? What point is being made?

## Characterization

Christie's children, Damien and Dylan, are usually shown in sunlight, whereas Christie, Terry, Paul and Renee are frequently seen half in shadow. Discuss the effect this has on how we view them.

## Some Recommended Web Sites on Drugs and/or Shoplifting

<http://www.nzdf.org.nz/drug-information>

<http://www.drugwise.org.uk/>

<http://kidshealth.org/en/teens/shoplifting.html?ref=search>

<http://kidshealth.org/en/teens/your-mind/>

<https://www.theguardian.com/society/drugs>

## ENDNOTES

<sup>1</sup> Susan Currie and Derek Cameron, 'Crime and Society', *Law: A Course in Legal Studies*, Moreton Bay Publishing, 1996.

<sup>2</sup> Jennifer Norberry, 'Illicit Drugs, The Law and Their Use in Australia', *Australian Parliamentary Library Background Paper*, no.12, 1996-97, Law and Bills Digest Group.  
<http://www.aph.gov.au/library/pubs/bp/1996-97/97bp12.htm>

<sup>3</sup> Tim Anderson, 'Go straight...back to jail' in *Sydney Morning Herald*, 15 November 2001, p 15.

## STAYING OUT

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Producer: Leisl Hillhouse  
Executive Producers: Sharon Connolly, Megan McMurchy  
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