



Submission to the Victorian State Budget 2016-17

March 2016



**Jesuit
Social Services**
Building a Just Society

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Introduction

Jesuit Social Services welcomes the opportunity to make a submission on the 2016–17 Victoria State Budget.

The Andrews Government's first budget included welcome investments in education, vulnerable families, employment, public transport and tackling family violence. We believe that the 2016–17 State Budget can build on this platform by expanding investment in prevention and early intervention to address disadvantage and create flourishing communities.

In a tight budget environment each dollar spent on expensive tertiary responses is a dollar not spent on other services that the community values, such as education, health, housing and homelessness support, community services and public transport. Of course, these services are all part of the fabric needed to address the very social problems that contribute to increasing crime, such as educational disengagement, concentrations of long term unemployment, drug and alcohol problems and family dysfunction.

Since 2011, the budget allocation for correctional services in Victoria has risen by 31 per cent, from \$714.8 million to \$1.04 billion (combining operating expenditure and capital costs)¹. Our budget submission provides solutions that will help stem the trajectory of growing costs caused by imprisonment and – most importantly – address the entrenched, localised disadvantage that is present in Victoria.

Using our experience of working with young people and adults involved in the criminal justice, education and training, and mental health systems, as well as a robust evidence base, Jesuit Social Services proposes a series of practical reforms to support people in building pathways to productive lives, to reduce crime and to strengthen our communities.

We call on the Victorian Government to invest in five priority areas:

1. Implementing place-based approaches to address entrenched disadvantage.
2. Ensuring there is a full continuum of diversion in Victoria's youth justice system.
3. Building an effective and sustainable adult criminal justice system.
4. Enhancing pathways to participation for people who are disengaged from learning and work.
5. Improving support for people with mental illness and complex needs.

FIGURE 1. REDUCING THE COST OF DISADVANTAGE IN VICTORIA

1. Target entrenched disadvantage

- Invest in communities with persistent levels of disadvantage to reduce crime and incarceration
- Invest in universal services that give young people the best chance to thrive
- Invest in programs that enhance social cohesion

2. A full continuum of diversion in Victoria's youth justice system

- Adopt a preventative restorative justice program to divert children in Out-of-Home Care from the justice system
- Expand the Central After Hours Assessment and Bail Placement Service and other after-hours services
- Expand the Intensive Bail Support program
- Expand the 12 month Youth Diversion Pilot Program from the Children's Court
- Prevent our most vulnerable children cycling through the justice system by expanding support programs

3. An effective and sustainable adult criminal justice system

- Focus on alternatives to prison
- Commit to a 15% reduction in reoffending
- Expand integrated models of court-based support (e.g. Assessment and Referral court list, Drug Court, Court Integrated Services Program) to meet demand
- Ensure prisons are safe and prepare people for release
- Invest in more intensive transition support for highly vulnerable people exiting prison
- Address the housing needs of people leaving prison
- Address the specific needs of:
 - Aboriginal people
 - women leaving prison
 - young adults in the justice system

4. Pathways to participation for people who are disengaged from learning and work

- Fund support for disengaged and high needs learners
- Provide clearer pathways from learning into work

5. Better support for people with mental illness, AOD and complex needs

- Support multiple entry points into the mental health service system through investment in soft entry points, assertive outreach and enhanced capacity
- Support specialist programs that provide ongoing engagement for people with multiple and complex needs
- Invest in intensive housing and support packages for people with complex needs and challenging behaviours
- Create an integrated plan for mental health and AOD services across the criminal justice system

Our proposals will help ease the growing pressure on the Victorian budget in areas of high expenditure and escalating demand – most particularly, on our tertiary services such as hospitals, police, courts and corrections. They will provide vulnerable and disadvantaged Victorians with real opportunities to more meaningfully participate in our community. And ultimately, they will contribute to a safer, fairer and more productive Victoria.

Who we are and what we do

Jesuit Social Services works to build a just society by advocating for social change and promoting the health and wellbeing of disadvantaged people, families, and communities. We seek to address disadvantage and influence hearts and minds for social change in the following ways:

- **effective services** – by partnering with people most in need and those who support them to address disadvantage
- **education** – by providing access to life-long learning and development
- **capacity building** – by refining and evaluating our practice and sharing and partnering for greater impact
- **advocacy** – by building awareness of injustice and advocating for social change based on grounded experience and research
- **leadership development** – by partnering across sectors to build expertise and commitment for justice

The promotion of education, lifelong learning and capacity building is fundamental to all our activity. We believe this is the most effective means of helping people to reach their potential and exercise their full citizenship. This, in turn, strengthens the broader community.

Our service delivery and advocacy focuses on the following key areas:

- **justice and crime prevention** – people involved with the justice system
- **mental health and wellbeing** – people with multiple and complex needs and those affected by suicide, trauma and complex bereavement

- **settlement and community building** – recently arrived immigrants and refugees and disadvantaged communities
- **education, training and employment** – people with barriers to sustainable employment

Our direct services and volunteer programs are located in Victoria, New South Wales and Northern Territory, and include:

- **Brosnan Services** – supporting young people and adults in the justice system, and assisting them to make a successful transition from custody back into the community. Within the suite of services are Perry House, Dillon House and Youth Justice Community Support Services.
- **Jesuit Community College** – increasing opportunities for people constrained by social and economic disadvantage to participate in education, work and community life and reach their full potential.
- **Connexions** – delivering intensive support and counselling for young people with co-occurring mental health, substance and alcohol misuse problems.
- **Artful Dodgers Studios** – providing pathways to education, training and employment for young people with multiple and complex needs associated with mental health, substance abuse and homelessness.
- **The Outdoor Experience** – offering an alternative treatment service through a range of outdoor intervention programs for young people aged 15 – 25 years, who have or have had issues with alcohol and/or other drugs.

Research, advocacy and policy are advanced through our Policy Unit, which coordinates across all program and major interest areas of Jesuit Social Services.

Our wider context: the challenge of overcoming disadvantage

Every Australian should have access to the opportunities in life that will enable them to flourish – to complete their education, to get a job, to access safe and affordable housing, to raise their children in safe communities and to see the next generation thrive.

In 2015, Jesuit Social Services along with Catholic Social Services Australia released the findings of its *Dropping off the Edge* report (DOTE)², which found that complex and entrenched disadvantage continues to be experienced by a small but persistent number of locations in each state and territory across Australia, including in Victoria.

Of particular concern for Jesuit Social Services is the concentration and web-like structure of disadvantage within a small number of communities across the state. Our research found that those living in the three per cent most disadvantaged postcodes in Victoria are:

- twice as likely to have criminal convictions
- three times more likely to be experiencing long term unemployment
- 2.6 times more likely to have experienced domestic violence
- 2.4 times more likely to be on disability support.

The persistent nature of locational disadvantage becomes obvious when we compare the findings of our 2015 study with previous studies undertaken in 2007, 2004 and 1999. For example, 25 of the state's 40 most disadvantaged postcodes in DOTE 2015 were also found to be 'most disadvantaged' in the 2007 study³ (the other 15 postcodes did not show significant increases or decreases) and the postcodes in the most extreme categories have been quite consistent over the past 15 years (in 1999, eight of the 12 names in the top two bands were the same for 2015).

Jesuit Social Services has consistently argued that public policy must pay greater attention to the role of structural factors and social inequality as key determinants of health and wellbeing, and therefore as drivers of demand for community services.

In addition to addressing structural determinants, the Government can also tackle disadvantage through the provision of services. Here investment must be forward looking and preventative. From our experience, we

know the best way to reduce crime and the burden on our criminal justice system is to tackle its root causes. In order to do this we need effective universal services in education, health and family services, as well as access to safe and affordable housing. We need to be able to respond to people in our community who fall through the cracks, and provide holistic interventions during times of crisis. And, fundamentally, we need to commit to long-term, local, community-led solutions in areas of deepest disadvantage.

The wider community sector, businesses and private philanthropy all have a vital role to play as key partners with the Government. Jesuit Social Services is proud to be an active member of Victoria's vibrant community sector and to partner with the Government in delivering services. Our submission is intended to complement the recommendations made by the broader community sector, particularly those made by its peak body, the Victorian Council of Social Services.

Royal Commission into Family Violence

The Royal Commission into Family Violence represents a critical opportunity for government, in partnership with the community, to make real and lasting changes in the area of family violence. Based on our experience with those who perpetrate violence, we know that a proactive and systemic approach to family violence – one that is effectively integrated with social services working with both perpetrators and victims – can promote safety and reduce family violence offending. Our budget recommendations concerning family violence are contained in our submission to the Royal Commission, and therefore are not covered in detail here.

We welcome the funding announcements the Victorian Government has already made in this area and look forward to additional dedicated investment to fully implement the recommendations of the Royal Commission.

Priority areas for the 2016–17 Victorian State Budget

Budget Priority 1: Target entrenched disadvantage in Victoria

A small number of communities in Victoria experience persistent and entrenched disadvantage. A new approach is needed so we don't continue to fail the three per cent of communities that bear the greatest burden of disadvantage. A sustained long-term commitment across the government, community and business sectors is urgently required to resolve this complex problem.

Jesuit Social Services calls on the Victorian Government, in true partnership with the community, to act immediately to put in place appropriate structures, plans and resources targeted to our most vulnerable communities to effectively break the web of disadvantage. We need a multi-layered, cooperative and coordinated strategy that is owned and driven by the community. It must involve all layers of government and the business and community sectors, reflecting shared responsibility and joint commitment to resolve this entrenched problem. This strategy must take account of the unique characteristics and circumstances of local communities and be sustained over the long term. It should be:

- **targeted** – the response must be targeted or concentrated to specific areas that meet the most severe criteria for disadvantage – in the DOTE 2015 report the communities experiencing the most severe disadvantage represent approximately three per cent of localities nationwide.
- **tailored** – the policies, programs and approach to dealing with disadvantage in a community must be unique to that community's needs, tailored to their particular circumstances, based on the unique linkages between indicators in that area and supplemented by informed audits of existing programs in that locality.
- **integrated and cooperative** – the response needs to acknowledge that disadvantage in one dimension of life (e.g. unemployment) reinforces disadvantage in other areas (e.g. household income). Effective responses to reducing disadvantage must address the multiple and interrelated causes and exacerbating factors that underpin the entrenched nature of disadvantage experienced by communities.

Effective responses therefore involve cooperation between government and departmental portfolios, integrated community initiatives and coordination between different levels of government.

- **focused on the long term** – DOTE 2015 demonstrates that not only is entrenched disadvantage persistent across time but that short-term policies do not work in addressing the experience of disadvantage among communities. A long-term, bipartisan commitment is vital to prevent communities from dropping off the edge.
- **community owned and driven** – community leaders must be engaged to drive sustained change. A new approach must recognise the strength within communities and work with them to build capacity, generate action, attract external resources and maintain direction and energy. There is a well-documented history of the benefit of 'aid', disconnected from the strengthening of specific community capacities, tapering off and disappearing once external inputs cease.
- **engaged at the individual, community and national levels** – research into the outcomes people experience in life demonstrates that individuals are affected by their own capabilities and opportunities, their family circumstances, their community, and the broader social and economic environment. Any effective change in the outcomes for individuals must therefore include action across these three domains of life: individual, community and macro environment.

This approach should also include a focus on preventative measures that strengthen education and social cohesion. There is a strong economic argument for supporting children and families early. Known benefits accrue to the whole of society through enhanced human capital and capability, increased productivity, greater social inclusion and reduced public expenditure on health, welfare and the justice system. Strengthening approaches that empower communities and address underlying drivers of crime will also enhance social cohesion.

Without such action there is a significant risk that some of the state's most severely disadvantaged communities will continue to 'drop off the edge'.

1.1 Invest in communities with persistent levels of disadvantage to reduce crime and incarceration

We recommend that the Victorian Government:

- ***Develop a whole-of-government, long-term strategic approach to address entrenched and localised disadvantage.***
- ***Build on and expand place-based targeted grants as part of the Community Crime Prevention Program.***
- ***Pilot local approaches to crime prevention in disadvantaged communities based on a justice reinvestment methodology, as recommended by the Victorian Ombudsman.***
- ***Trial a targeted place-based approach in one metropolitan and one rural location.***

Dropping off the Edge 2015 found that a small number of Victorian communities experience a web-like structure of disadvantage, with major issues including unemployment, a lack of affordable and safe housing, poor physical and mental health, family violence, child neglect, low educational attainment, and poor quality infrastructure and services. Strategies to reduce crime must include investment in activities that strengthen and build better functioning communities.

Jesuit Social Services advocates for a place-based approach to tackling disadvantage. Investment is required to support local communities to develop their own community goals and lift community participation and wellbeing. This would involve bringing together key stakeholders and organising collaborative efforts in areas such as mental health, education, housing, and child wellbeing and safety. Such an approach needs to employ a long-term horizon if it is going to be able to make any lasting change.

We welcome the Victorian Government's investment in strategies and programs that adopt these approaches, such as the Roadmap to Reform, Children and Youth Area Partnerships, Regional Partnerships, the Education State (Lookout Education Support Centres, Navigator and Learning Place), and Community Crime Prevention (Communities that Care and place-based targeted grants).

While this is a step in the right direction, the limited scope and short-term nature of these initiatives makes lasting and significant change in areas of localised disadvantage unlikely. We call on the Government to commit to a longer-term vision, with greater investment in local communities to lift participation rates in education and employment in particular.

Strong leadership and collaborative effort across government is urgently required to address entrenched disadvantage.

In implementing place-based approaches, government should:

- Assist the development of a change agenda for targeted communities that integrates tailored deliverables across economic, physical, environmental and social spheres of community life.
- Develop change plans with immediate, medium and longer term objectives. These should be reviewed and refreshed at key milestones in the light of experience and new opportunities.
- Identify effective mechanisms relevant to the circumstances and priorities of the community to drive the change agenda.
- Enable expertise and resources to be available to the community to enhance community capacity, stimulate discussion, ideas and solution development.
- Select a number of communities (e.g. one metropolitan and one rural location) to pilot this approach and then plan for broader roll out incorporating the learnings and experience of the pilots.

1.2 Invest in universal services that give young people the best chance to thrive

We recommend that the Victorian Government:

- ***Prioritise investment in universal early years education.***
- ***Address the gap in developmental outcomes (as defined in the Australian Early Development Census) by 2020 for children from Victoria's most disadvantaged communities by prioritising investment to increase access to quality education and care services for vulnerable and disadvantaged families and children.***
- ***Make early learning genuinely accessible for all Victorian children.***
- ***Support children with disabilities and complex needs to access early learning services and receive the additional assistance they require.***

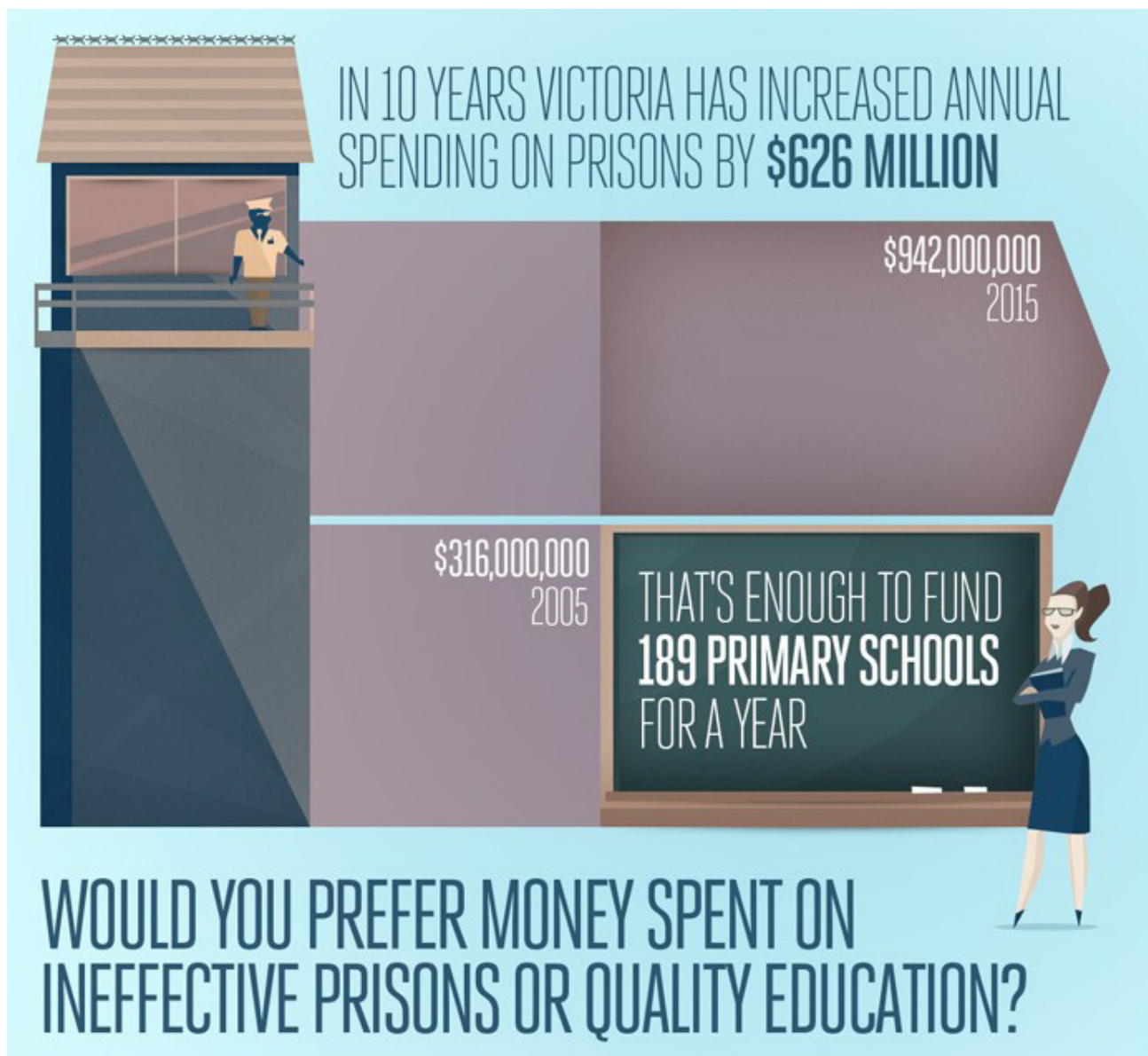
Investment in high quality services for children and parents during the earliest years results in positive outcomes not only for health and wellbeing, but in reducing the likelihood of contact with the criminal justice system⁴. Cost-benefit analysis of early childhood education and care programs shows that they generate more than \$7.00 in benefits for every dollar invested⁵.

The Victorian Government can give children the best opportunity to thrive by enhancing maternal and child health services, developing support programs for

parents and ensuring all children have access to high quality early learning programs.

Investment in education and lifelong learning is also crucial. A number of Australian and international studies have demonstrated a strong relationship between school performance, retention, truancy and involvement in crime⁶, however, the Victorian education system has many gaps that allow struggling students to disengage. Victoria needs an education system where every child is provided with the support and opportunities to succeed.

FIGURE 2. COMPARISON OF SPENDING ON PRISONS AND EDUCATION IN VICTORIA



Source: Prison spending figures sourced from 2004–05 and 2014–15 Victorian Budget Papers. State primary school figures sourced from the Productivity Commission, Report on Government Services 2014.

Investment in early childhood and education services can drive economic development and provide extraordinary returns compared with money spent at the tertiary end. Well-funded universal services lead to reduced spending on child welfare, health and social services, remedial education programs and the criminal justice system.

strengthen initiatives to enhance social cohesion, with a particular focus on areas of entrenched disadvantage.

1.3 Invest in programs that enhance social cohesion

Jesuit Social Services congratulates the Victorian Government on the establishment of the Social Cohesion and Community Resilience Taskforce to address social cohesion and prevent violent extremism in Victoria.

For almost 40 years, Jesuit Social Services has been working with vulnerable groups – including severely disenfranchised young people, new migrants, refugees and asylum seekers – in the areas of community development, criminal justice, and training and employment to improve personal resilience and build a strong sense of belonging and social cohesiveness. Our work goes to the heart of the strategic framework to strengthen Victoria's social cohesion by addressing issues of belonging, leadership, social justice, equality and participation.

Our programs in this space include:

- community building programs in western Melbourne with newly arrived communities (particularly Somali, Eritrean, Ethiopian, Afghan, Iranian, Karen and Sudanese groups)
- leadership programs for young people from African countries
- the African Visitation And Mentoring Program (to help prisoners with an African background to transition successfully back to the community)
- the African-Australian Inclusion Program (to help skilled migrants gain local work experience and a sense of belonging)
- engaging with Pacific Islander young people and their families to improve cultural connection, reduce crime and build employment pathways.

Building on our extensive grounded experience, we have developed significant insight into the critical success factors for achieving social cohesion and community resilience. We encourage the Government to build on the work of the Taskforce and to further

Budget Priority 2: A full continuum of diversion in Victoria's youth justice system

Our rate of youth incarceration has declined by 75 per cent since 1981 and we outperform nearly all Australian states and territories in key indicators including recidivism and crime rates⁷. This is the result of policies and investment focused on preventing crime, diverting children and young people from the justice system, and supporting services that foster positive relationships between people who offend, victims and the wider community. Partnerships between government, the courts, public sector agencies and the community sector have been critical to this success.

Through Jesuit Social Services' experience and research, particularly *Thinking Outside: Alternatives to Remand for Children* (2013)⁸, we know that opportunities are still being missed to intervene and divert vulnerable children and young people from the criminal justice system. All too often this vulnerable group ends up having ongoing involvement in the criminal justice system. We commend the Victorian Government for its commitment to an innovative youth justice approach and call on it to take steps in the 2016–17 Budget to further invest in and strengthen the system and ensure that current gaps are addressed.

Further investment in evidence-based programs and approaches will strengthen our capacity to divert children and young people from the justice system. In Victoria, we are fortunate to have infrastructure and expertise in our youth justice system which can be strengthened and bolstered in order to maximise impact. Below we outline several proposals that would achieve this, along with policy and legislative reforms that would further support an effective youth justice system. The outcomes of these initiatives will be better pathways for vulnerable children and young people, less burden on Victoria's police, courts and custodial services, and ultimately a safer community.

2.1. Adopt a preventative restorative justice approach to divert children in out-of-home care from the justice system

Investment: Expand restorative justice conferencing where out-of-home-care placement breakdown risks involvement in the justice system.

Through our research and experience, Jesuit Social Services has identified links between young people's involvement in the out-of-home care system and youth justice.

The Commission for Children and Young People's recent inquiry into the provision of residential care services to Victorian children and young people⁹ found that young people living in residential care:

- experience multiple placements changes
- are exposed to other young people with high-risk behaviours
- often lose contact with family, culture, school and community supports
- are at greater risk of developing mental health problems, substance abuse, experiencing homelessness and involvement with the youth justice system.

The Youth Parole Board¹⁰ reports that 62 per cent of youth parole clients were current or former Child Protection clients, and 36 per cent of youth justice clients had parents or siblings who have been imprisoned. Over half (57%) had first engagement with the criminal justice system at age thirteen to fifteen.

In practice, we have observed young people living in out-of-home care settings being arrested and remanded over the weekend only to be released straight back to community and the same care placement setting at a court sitting on Monday. *Thinking Outside* highlighted that children in out-of-home care are highly vulnerable to being placed on remand, often because police are called by staff in residential care facilities to respond to behaviour that in other circumstances would not merit police involvement (such as taking food from the fridge), or because they come under additional scrutiny in residential care and staff call police to report breaches of bail, such as being late for a curfew.

Jesuit Social Services believes that there is an opportunity to work in a better way with young people who find themselves in challenging situations in Out-of-Home Care settings. Currently these young people have limited access to a therapeutic, diversionary, restorative based process to work through the issues they face. Too often, the criminal justice system ends up being the default response for these young people. We feel that a scripted restorative justice process using the methodology of Group Conferencing could be an effective means of addressing conflict and repairing the harms experienced by young children in residential units.

The effectiveness of Group Conferencing has been already demonstrated within the youth justice system. A 2010 evaluation of Victoria's Youth Justice Group Conferencing program conducted by KPMG¹¹ showed that it was effective in diverting young people from more intrusive interventions (70% of participants received a Good Behaviour Bond) and in reducing reoffending (19.2% of program participants reoffended within 24 months compared with 42.9% of a comparison group). The evaluation also found that all of the victims and family members (100%) and the majority of young offenders (91%) strongly agreed, or agreed, that they were satisfied with their involvement with the whole Group Conferencing process.

Additional investment would provide an effective therapeutic and restorative intervention at the pre-court/pre-sentence stage to address issues that contribute to young people's challenging behaviour within residential units and therefore divert them from possible criminal charges.

2.2. Expand resourcing to the Central After Hours Assessment and Bail Placement Service (CAHABPS) and other after-hours services

Investment: Expand CAHABPS and after hours support to divert children and young people from custody, including funding for:

- ***Operation between 3:00am and 9:30am***
- ***Extended coverage to provide outreach services and face to face assessments in major regional centres during peak periods where there are high volumes of youth justice involvement***
- ***Brokerage funding for CAHABPS to purchase emergency short term accommodation placements and support from a register of providers on a needs basis.***

Although a majority of arrests of children and young people in Victoria take place outside of business hours, almost all services for young people are only open between 9:00am and 5:00pm on weekdays. A key component of after-hours support is the Central After Hours Assessment and Bail Placement Service (CAHABPS) which assesses children, provides necessary supports, and advocates in favour of bail to police and bail justices. Placement options are often limited and there are no resources to purchase accommodation for children. Also, CAHABPS can only provide outreach services and assessments in metropolitan areas.

There is a clear need to extend the opening hours of the service between 3:00am and 9:30am to ensure equal and consistent access to the program after hours and provide in-person assessments in regional areas during peak periods (i.e. where there are high levels of arrests of young people out of hours). The 57 per cent increase in the number of children being admitted to remand in the past year (from 112 to 176) highlights the need for full after-hours access to bail assessment and placement services¹².

2.3 An expanded Intensive Bail Support program

Investment: Expansion of the Intensive Bail Support program to regional areas through the provision of funds to existing regional youth justice units and organisations working in this area.

Community-based bail support services provide an alternative option to remand for children who might otherwise be remanded due to the risk they present. The need for these services was made clear in *Thinking Outside* which found that a number of children are on remand for extended periods only to be released on bail. Remand places a significant burden on the youth justice system.

From our ongoing research, consultations and practice experience with youth remand it has become clear that support for young people on bail in regional areas is not sufficient. A result of this is that young people from regional areas are more likely to be remanded in custody in Melbourne, away from their family and community supports.

The evaluation of the pilot program of intensive bail support in metropolitan Melbourne found that children participating in the program were found to have successfully made it to court without being rearrested or breaching their bail¹³. We recommend that the State Government increase funding to the Intensive Bail Support program so that it can be expanded to regional areas. This could be achieved through additional resourcing of youth justice units and community sector youth justice services in rural and regional areas.

2.4 Expand the 12 month Youth Diversion Pilot Program from the Children's Court

Young people have a unique capacity to be rehabilitated, however Victoria is missing crucial opportunities to divert young people and set them on a path to a better future. Across the state, diversion programs are often limited in their eligibility, catchment

area or have unstable funding. In addition, there is significant variation across metropolitan and regional areas in relation to access to key support services. As a result, two young people with the same offence and circumstance can end up with dramatically different outcomes in the Children's Courts.

Diversion makes sense because it helps young people to take responsibility for their actions without the long term harm that comes from contact with the youth justice system. Diversion also reduces offending and is cost-effective. Research shows that community-based diversion costs 10 per cent or less of the amount required to detain someone in a juvenile justice facility¹⁴.

The Victorian Children's Court recently funded a 12 month Youth Diversion Pilot Program which commenced in mid-2015 in the Dandenong, Broadmeadows, Werribee, Ballarat, Ararat and Stawell Children's courts. A young person appearing in the Children's Court for a first or second time for a low level offence can be referred to the diversion program by the Magistrate. If the young person successfully meets the requirements of the Diversion Plan then a criminal conviction will not be recorded. This has many positive benefits, including enhanced prospects for engaging in future employment.

The pilot program has received consistently positive feedback from Victoria Legal Aid, police prosecutors and the broader court network. Ninety-four per cent of participants have successfully completed the diversion program, and early indications demonstrate positive impacts for young people across a range of indicators, including participation in education, training and specialist services, and making amends in relation to their offending.

2.5 Prevent our most vulnerable children from cycling through the justice system

We recommend that the Victorian Government enhance intensive support for the most vulnerable children in the criminal justice system by:

- ***Implementing the recommendations of the Youth Justice Community Support Service (YJCSS) evaluation to provide additional resources to support brokerage, and increase the availability and range of alternative housing. In adult justice programs transitional programs, brokerage of \$1,500 per client is allocated. A similar amount would provide means to support young people***

on YJCSS with housing costs and engage them in education.

- ***Expanding Next Steps, a supported residential program run by Jesuit Social Services for young people with complex needs who are involved in the criminal justice system and at risk of homelessness. The program is demonstrating success in stabilising the housing needs of a highly vulnerable group of young people, however at present the availability of supported housing for this group remains a major issue.***

Research shows that there is a small number of highly vulnerable children and young people who are at risk of having ongoing and repeated involvement in the criminal justice system.

Since 2008 we have worked as a lead provider in partnership with the Department of Health and Human Services and community sector agencies to deliver YJCSS. YJCSS provides a coordinated response for highly vulnerable children and young people in the youth justice system including those leaving custody, on community orders with intense needs, or with history or risk of homelessness. Support is grounded in evidence of 'what works' and includes the provision of stable housing, access to mental health and drug and alcohol services, and access to education and training opportunities. YJCSS has highly skilled practitioners who are able to provide ongoing intensive support that focuses on building relationships and supporting program participants to become engaged and productive members of our community.

A Victorian Government evaluation of YJCSS found it had resulted in improved services and practices in supporting vulnerable children and young people in the criminal justice system. Importantly, YJCSS clients report positive experiences, including that they feel their needs are understood and they can access support. The YJCSS Evaluation recommended additional funding to support brokerage, and increasing the availability and range of alternative housing.

In particular, we have identified a pressing need for an appropriate range of housing services for vulnerable young people involved in the criminal justice system. We have developed a response to these issues through the Next Steps project, which is a model of supported accommodation for young people aged 16-24 who have been involved in the criminal justice system and are at risk of, or experiencing, homelessness. This project is funded through the Victorian Government's Homelessness Action Plan.

Next Steps aims to prevent homelessness and reduce recidivism rates. Its key features include long-term intensive case management support, small caseloads, stable and appropriate housing, and outreach to young people and their families. Next Steps recognises the importance of stable housing and provides accommodation for three participants at any one time in a residential setting at Dillon House. Dillon House offers 24 hour on site support for up to twelve months while permanent housing is sourced.

In particular, Jesuit Social Services has identified the need for a dedicated program for young women based on the Next Steps model.

2.6 Additional policy directions

There are a number of additional steps the government can take to further strengthen the youth justice system and support the diversion of children and young people away from the criminal justice system. This includes:

Implementing a legislative framework for diversion for young people

Introducing legislation to mandate diversion would create more consistency around when diversion should be considered as an option, and a framework for what should be taken into account.

Despite a strong culture of support for diversion across much of the youth justice system, Victoria has very few legislative protections to ensure that children are diverted away from the criminal justice system. Unlike every other Australian jurisdiction, Victoria's legislative framework does not include a presumption for police to informally divert children from the justice system by use of a caution. This limits the options available to decision makers across the youth justice system and contributes to inconsistent practice. We believe the legislative framework in Victoria should be strengthened to facilitate equitable access to diversion in the Children's Court.

Strengthening the dual track system for 18–20 year olds

Under Victoria's dual track system, young adults aged 18 to 20 years who are convicted of a crime can be sentenced to a youth justice custodial centre for up to three years instead of an adult prison. While young adults are able to access dual track once sentenced to custody, this often occurs after significant contact with the adult justice system through adult courts,

remand in adult prisons, and sentencing in the adult community corrections system.

In all but exceptional circumstances, courts and custodial facilities should adopt the principles of therapeutic jurisprudence when dealing with young people up to 21 years of age. This should include expanding the operation of the dual track system beyond prisons to courts, remand facilities and community corrections. Sentencing law and policy should also maximise the opportunity for young people to serve their sentences in the dual track system.

Raising the age of criminal responsibility to 12 years

A small number of vulnerable children enter the criminal justice system at a very young age. According to Crime Statistics Agency data, 347 children aged 10 or 11 years in Victoria were recorded as an alleged offender by Victoria Police in 2014–15⁴⁵. We know this group is among the most vulnerable in our community.

The most effective approach to prevent these children's trajectories into the justice system is to address the issues driving their vulnerability such as family dysfunction, trauma, abuse and neglect. In line with international standards, we recommend raising the age of criminal responsibility to the age of 12 and putting in place evidence-based approaches to supporting vulnerable children who are below this age. This could include less formal methods of holding them to account, such as the restorative justice and family centred approaches.

Budget Priority 3: An effective criminal justice system that contributes to a safer community

The Victorian criminal justice system faces an unprecedented challenge in dealing with significant increases in the number of people in the state's prisons. Given the pressures the criminal justice system is facing, Jesuit Social Services supports investment to ensure that the system is able to continue to deliver justice, to protect the community, and uphold the basic human rights and dignity of people in the system. This must include appropriate environments and services for individuals in custody with complex mental health and drug and alcohol issues. It should also include investment to improve the efficacy of programs aimed at rehabilitation and diversion from the justice system. In light of this, we recommend the following measures to reduce the pressure on the criminal justice system and promote a safer Victoria.

3.1 Focusing on alternatives to prison

Jesuit Social Services accepts that in certain circumstances the seriousness of the crime and/or the need to contain specific offenders will mean that prison is the only option available to a court (e.g. in instances of serious violent or sexual offending where there is a significant risk of further harm to the public). Where this occurs, prison must provide an environment not only to contain but also to offer opportunities to deal with the offending behaviour.

Policies that promote widespread use of imprisonment as a means of enhancing overall safety of the community do not work and in fact can have the opposite effect. Research by Victoria's Sentencing Advisory Council and the NSW Bureau of Crime Statistics and Research (BOCSAR) has shown that the deterrent effect of imprisonment lies somewhere between non-existent and extremely marginal¹⁶. This adds to existing research which has shown that prison does not aid the rehabilitation of offenders and instead increases the chances of individuals reoffending and having sustained careers in the criminal justice system^{17,18}. Alternatives to imprisonment have some impact on reducing reoffending when compared with imprisonment¹⁹.

The wider economic and social costs of imprisonment should be considered in policy decisions in this area. Clearly there are social costs associated with reoffending as well as impacts upon others in the community, including the children and families of people who are incarcerated.

3.2 Commit to a 15 per cent reduction in reoffending over the next five years

The Victorian Government should commit to achieving a 15 per cent reduction in reoffending over the next five years. Victoria's recidivism rate is at a 10-year high of 44.1 per cent (for 2014–15), up from a low of 34 per cent four years ago²⁰. Recidivism represents a significant cost to the Victorian community and presents a significant opportunity for savings. Modelling undertaken for Jesuit Social Services in 2014²¹ shows that a 15 per cent reduction in the rate of male reoffending could save the corrections system between \$15.2 million and \$23.4 over the long term. Achieving this reduction would also result in significant savings beyond prisons, including for mental health units, hospitals, police and other community support services.

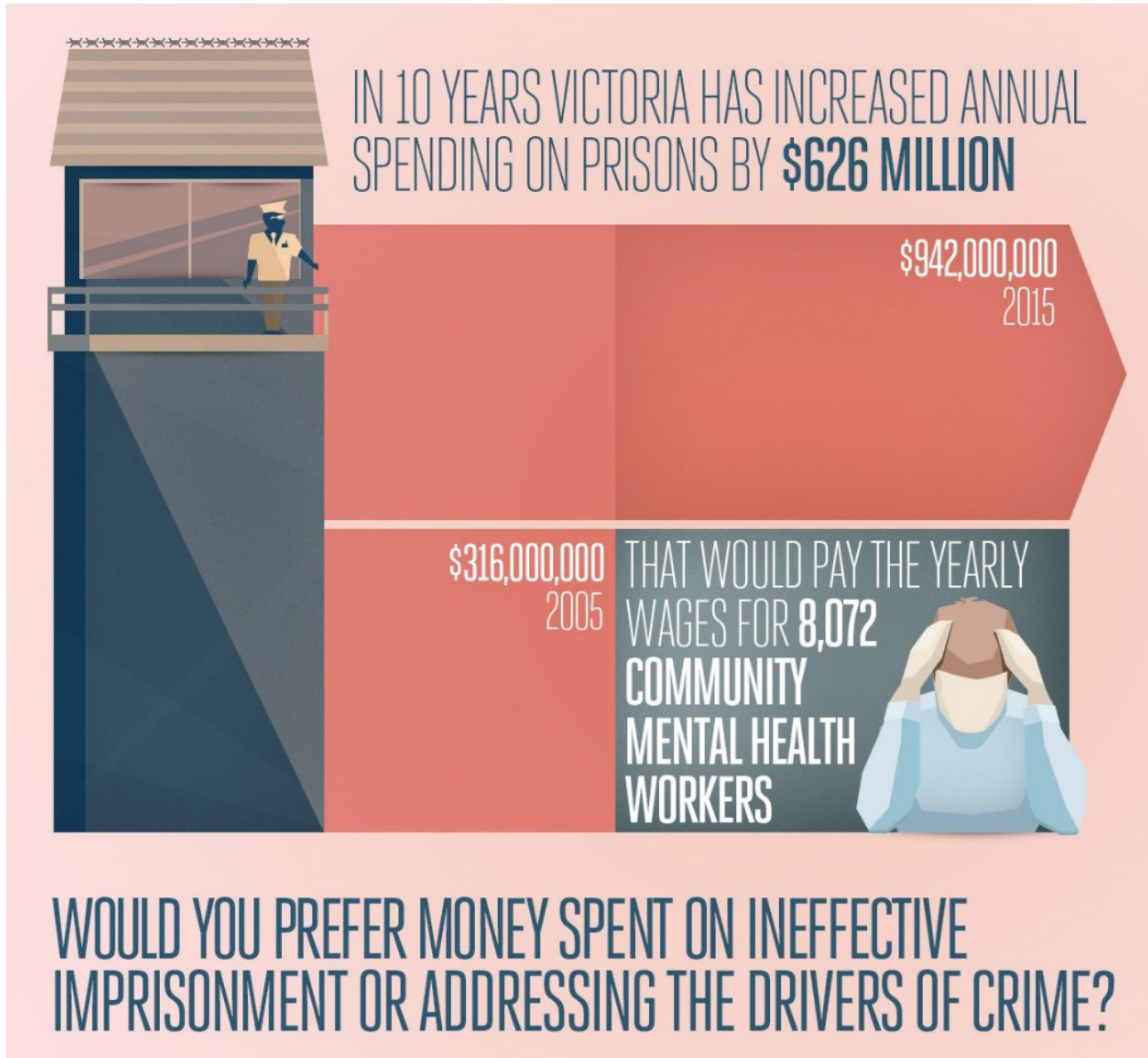
This could be done through a whole-of-government and community approach that is informed by 'collective impact' principles and practice. By directing funds into addressing our state's housing crisis, education and training instead of our prison system, we could work to prevent crime before it occurs and ultimately lessen the strain on our justice system.

3.3 Expand integrated models of court programs to prevent the significant number of people with multiple and complex needs from cycling in and out of the justice system

Thousands of Victorians go before the Magistrates Court each year, many of whom have multiple and complex needs. As highlighted by the Victorian Ombudsman, alternative justice and sentencing approaches – which assist people involved in the court system who are experiencing a range of issues, including disability, substance abuse, cognitive impairment or mental illness – are achieving positive results by reducing reoffending and helping address the underlying drivers of crime. These include:

- the Drug Court in Dandenong: 34 per cent reduction in reoffending within 24 months
- Koori Courts operating in Melbourne and regional Victoria: reduction in recidivism among Koori defendants
- the Court Integrated Services Program in Melbourne, Sunshine and the Latrobe Valley: almost \$2 million in avoided costs of imprisonment per annum

FIGURE 3. COMPARISON OF SPENDING ON PRISONS AND MENTAL HEALTH WORKERS IN VICTORIA



Source: Prison spending figures sourced from 2004–05 and 2014–15 Victorian Budget Papers. Costs of community mental health workers calculated from rates for experienced outreach and counselling staff at Jesuit Social Services.

- the Assessment and Referral Court List at the Melbourne Magistrates' Court for people with mental illness or cognitive impairment: an estimated benefit of between \$2 and \$5 for every dollar spent
- the Neighbourhood Justice Centre Collingwood: 16.7 per cent reduction in reoffending within 2 years
- Criminal Justice Diversion Program for first-time or low-risk offenders: 94 per cent of participants successfully completed the program
- the CREDIT/Bail Support Program: 2.5 per cent of participants who successfully completed this program received a custodial sentence, compared to 30 per cent of nonparticipants

Currently these proven court based approaches do not have state-wide coverage and have limited capacity

to meet demand. The success of these programs presents a strong case for expanding these models to other communities throughout Victoria, which would benefit from wider coverage and increased access to these and other specialised courts.

3.4 Address the specific needs of Aboriginal and Torres Strait Islander people in the justice system

We recommend that the Victorian Government:

- *Increase the number of identified positions for Aboriginal Wellbeing and Aboriginal Liaison Officers, consistent with the higher rates of Aboriginal and Torres Strait Islander incarceration.*
- *Fund ongoing cultural awareness training for all staff in prisons, and those delivering services to prisoners.*
- *Fund identified positions in prisons for Aboriginal and/or Torres Strait Islander case managers to work with prisoners.*

There is significant over-representation of Aboriginal prisoners and offenders in the criminal justice system. Victoria's Aboriginal prisoner population has doubled over the past decade²² and the daily average number of Indigenous prisoners increased by 20 per cent between 2012–13 and 2013–14 (compared with a 12.3% increase for non-Indigenous prisoners)²³. With the high rates of incarceration of Aboriginal people, including the significant increase of Aboriginal women entering the prison system, and the links between out-of-home care placements and juvenile justice, there is a greater need to ensure the issues facing Aboriginal people in prison are front and centre of planning and delivery of prison and post-release services.

3.5 Ensure that prisons are safe, provide adequate support services and prepare prisoners for release

We recommend that the Victorian Government:

- *Invest in a significant expansion of dedicated health beds within the system.*
- *Act on the findings of the 2015 Ombudsman's Report that found a lack of medical services at regional prisons, inadequate assessment times, and lack of screening for acquired brain injury and intellectual disability²⁴,*
- *Provide adequate access to men's behaviour change programs in prison.*

Support programs within prison are required to help prisoners address the reasons behind their offending, including substance abuse, mental health issues, poverty, poor literacy and numeracy, or lack of vocational or living skills. Reforms to bail, sentencing and parole resulted in Victoria recording its highest prison population of 6,506 in January 2015. As a consequence there are now more barriers to people accessing programs and supports both within prison and after their release.

While the Government is to be commended for increased funding for prisoner health, education and rehabilitation services (including men's behaviour change programs), the limited investment in these programs means that people who enter prisons are not prepared for their release. Too often people exit prison no better off, and in many cases more likely to reoffend.

3.6 Invest in more intensive transition support for highly vulnerable people exiting prison

We recommend that the Victorian government:

- *Provide the services available in the Judy Lazarus Transition Centre to a larger number of prisoners.*
- *Identify and fund options to address post-release housing for former prisoners.*

People exiting prison in Victoria include some of the most vulnerable and disadvantaged members of our community. Yet the limited support that is available to them means they often cycle through the justice system. The Victorian Ombudsman's *Investigation into the Rehabilitation and Reintegration of Prisoners in Victoria (2015)* reported that only 700 of the approximately 6,600 people who leave prison each year are provided with transitional support and most of this group receive between 3 and 22 contact hours of support. The limited nature of support means people exiting prison do not get to adequately address the problems they face and this, in turn, exacerbates the likelihood of reoffending.

Post-release services help people find housing and work, and access health and other support services. However, only one in five prisoners receive post-release support from Corrections Victoria, and less than two per cent have access to housing through state government programs specifically for former prisoners²⁵. Existing services target the most serious offenders and those most likely to be a risk to the community. This leaves many people transitioning out of prison with only limited access to post-release support.

We welcome the Victorian Government's stated commitment to slow the rate of people returning to prison²⁶ and initiatives aimed at supporting prisoners to rehabilitate contained in the 2015–16 State Budget. However, the Victorian Government can do more to help people released from prison reintegrate into the community by increasing the transition planning and support available to prisoners.

3.7 Address the housing needs of people leaving prison

We recommend that the Victorian Government:

- *Seek to prevent homelessness amongst people exiting prison by delivering a diverse range of housing and support options to meet their needs.*
- *Better coordinate access to housing support and services in the justice system for people exiting prison. This could be done through funding for a single housing access point in order to ensure that all people in prison with housing issues are able to access support in custody to plan for housing when they are released into the community.*

Housing is a critical issue for people leaving prison. Having stable and affordable housing can make a significant difference in the life of a person leaving prison and whether they reoffend, yet almost half (43%) of prisoners exit custody into homelessness²⁷. In Victoria, significant limitations on the availability of housing and support mean many highly vulnerable people exiting prison are homeless or accommodated in inappropriate housing, such as unregistered private rooming houses or motels. For people seeking bail or parole, lack of suitable housing can prolong the time they spend in custody²⁸.

Safe and affordable housing is fundamental to people's ability to get their lives back on track, and it is vital that housing issues be resolved prior to release from prison. A range of appropriate housing options is needed, as well as support to maintain housing²⁹. This could include: exploring head leasing arrangements; additional brokerage funding to support people's access to the private rental market; and priority access to the public housing waiting list.

3.8 Address the specific needs of women leaving prison

We recommend that the Victorian Government:

- *Expand the availability of affordable and appropriate housing for women exiting prison.*

- *Support reintegration of women prisoners by establishing a transitional support facility and staged release program for women.*

The women's imprisonment rate has climbed over the past decade, up 40 per cent between 2005 to 2015³⁰. The Victorian Ombudsman has recommended that the Department of Justice and Regulation investigate options to ensure the specific needs of women prisoners are recognised. A small number of male prisoners can access 25 beds at the Judy Lazarus Transitional Centre, which has been found to reduce recidivism and better prepare people for transition back to the community. This model provides a staged release which has been shown to help people develop the skills and confidence to live in the community. Unfortunately there is no comparable service available to women. The Government should improve reintegration for women prisoners by establishing a transitional support facility and staged release program for women.

A lack of safe and affordable housing has been identified as a significant criminal justice and public safety issue for women exiting prison, particularly Aboriginal women³¹. Research shows that a high proportion of women who exit prison, including Aboriginal and Torres Strait Islander women, are too often forced to return to unsafe and insecure housing (including family violence situations) due to a lack of affordable housing options³², and unstable housing has been found to be the most significant factor affecting return to prison outcomes³³. The Government must invest in safe and affordable housing options for women exiting prison.

3.9 Address the specific needs of young adults in the justice system

We recommend that the Victorian Government:

- *Provide more intensive, therapeutic interventions focused on personal development through personal and vocational skill building, housing support, counselling and reintegration support for young adults post-release and on community corrections order.*

Several factors put young adults at more risk of becoming involved in offending behaviour, including high levels of mental health problems, higher levels of substance misuse, unemployment, homelessness, educational disadvantage and a lack of family support³⁴. We know that a significant number of young adults in the justice system are faced with considerable

difficulties and that without assistance will be more likely to reoffend. Recent reports find that:

- Young adults (18–25) are over-represented in the prison system – they comprise 12 per cent of the prison population³⁵, but only 9 per cent of the general population³⁶.
- In 2014–15 the recidivism rate for prisoners in Victoria under 25 years of age was 52.7 per cent, more than 8 per cent higher than the rate for the general population⁹.
- Victoria has only one dedicated youth unit, housing 35 of the 751 young offenders in adult prisons.
- Current post-release support is voluntary and some individuals, particularly younger adults, are unlikely to put themselves forward for access to post-release support programs while in custody.

However, young adults are more amenable to rehabilitation than older adults who commit the same offences. The high rates of reoffending on release from prison indicate that the current corrections system is failing too many young adults.

Currently existing transitional services (such as ReConnect) do not target young adults and as a result many young people do not access these programs, or do not receive the type of support they need. In response to this, Jesuit Social Services proposes to deliver a youth specific program (for those 18–25 years with provision for those up to 30 years of age) to break the cycle of offending before it becomes entrenched. It will address the key difficulties facing young adults including providing pathways to education, employment, housing and reconnection to family and community, as well as provide support for people to recognise the impact of their offending on individuals, family and community.

The program model will draw on our expertise in the delivery of post-release programs to young adults – including the Youth Justice Community Support Service – and work in partnership with other agencies to provide a 'wrap around' response.

Budget Priority 4: Support for pathways to participation for people who are disengaged from learning and work

Participation in education, training and employment can produce significant economic and social benefits for individuals and the wider community. The Productivity Commission notes that employment is the most robust factor for keeping people out of poverty³⁷. In 2010, more than 30 per cent of people who were unemployed experienced deep social exclusion³⁸. Based on our experience working with people experiencing disadvantage, we suggest pathways to participation in Victoria can be strengthened in the following ways.

4.1 Fund support for disengaged and high needs learners

We recommend that the Victorian Government create a dedicated flexible funding stream to support the access of disadvantaged learners to high quality education and training programs.

Research shows that disengaged and high needs learners* face a range of challenges and barriers to engaging and completing education and training. This includes low levels of prior achievement, limited access to education, social barriers, and negative experiences and/or attitudes to learning³⁹. In order to overcome these barriers, potential learners need support to deal with any issues affecting their ability to access and engage in education (their support needs) and also instructional support to help them learn (their learning support needs)⁴⁰.

Changes to the Vocational Education and Training (VET) sector have had a negative impact on hard-to-reach learners, with a decline in enrolments particularly for young people without Year 12 or equivalent qualifications and Aboriginal and Torres Strait Islanders, and poor student transitions to further study and/or employment. Australian Bureau of Statistics data reveals that approximately 10 per cent of the Victorian adult population are outside the workforce, not engaged in study and do not hold Year 12 or equivalent qualifications⁴¹.

Research and our experience shows that successful programs have four key characteristics: intensive and sustained engagement, support for wider needs of learners, flexible learning environments and support for pathways into further work or learning. Importantly, the cost for these resources is not covered by standard Adult Community and Further Education

(ACFE) or Victorian Training Guarantee (VTG) related training subsidies.

Jesuit Social Services believes that better engagement and attainment outcomes for high needs learners could be achieved if resources were available to provide the supports they require. We believe that the development of flexible funding packages to meet the costs of students' needs would support greater participation in learning and employment opportunities.

4.2 Clearer pathways from learning into work

We recommend that the Victorian Government:

- ***Fund Learn Local Networks to develop employment pathways through partnerships with local employers, other training and education and community organisations.***
- ***Support demand-led models, fostering business and community partnerships in order to better provide for sustainable employment outcomes, including ongoing post-placement support.***
- ***Support new industry-led pathways through learning and into work for people with high needs.***
- ***Provide pre-accredited, Certificate I and II courses that engage hard-to-reach learners fee-free (or for a very small capped co-payment amount).***
- ***Ensure that Certificate I and II qualifications provide a hands-on or work placement component.***

Significant numbers of people with high learning needs are being 'churned' through training and employment programs that do not provide meaningful pathways to participation and employment. Over the past five years the availability of training in Victoria has been expanded through the Victorian Training Guarantee (VTG) and federally funded employment programs have become universally available. However, at the same time there has been a decline in resources available for supporting individual learners and issues remain with the quality of training and services that are provided. As a result, pathways to participation and employment are not being provided for high needs learners.

The people we work with are often frustrated at the lack of access to valuable work experience and employment opportunities. This is most acute for

* Learners aged 15–64 years, who are not in school and have not completed Year 10 or above, are disengaged from training and employment. They face barriers that make it difficult for them to make the most of education and training opportunities provided through the mainstream vocational training system.

people from disadvantaged backgrounds who often lack extensive employment experience.

In response to these issues, Jesuit Social Services, through the Jesuit Community College, is focusing on embedding pathways into employment and participation in our training and learning programs. Elements of a pathways approach can include embedding pathways in the learning program, integration with work experience and employment opportunities, and utilisation of intermediate labour market programs such as social enterprises. There are many examples of promising initiatives in these areas, including Jesuit Social Services own Ignite Cafe Social Enterprises which provide on the job training and experience to people seeking work in the hospitality industry, and the African Australian Inclusion Program which works in partnership with major employers (including the National Australia Bank) to provide paid work experience placements for skilled migrants.

Investment is required to support the development of new models that provide integrated learning and employment pathways for people with high needs. These models should: refine existing good practice; build an evidence base for what works; and link in with existing initiatives and networks focused on education, training and employment (including Learn Local Networks).

Budget Priority 5: Better support for people with mental illness, alcohol and drug issues and complex needs

We support a holistic approach to mental health that takes account of key drivers of poor mental health, including poverty and disadvantage, discrimination, family dysfunction and histories of trauma. We know that mental illness (as well as alcohol and drug issues) is often a contributing factor to involvement in the criminal justice system. Strategies are required to address the drivers of poor mental health, and to provide service responses that better assist people experiencing poor mental health, including youth specific responses.

A small number of people in Victoria with multiple and complex needs struggle to remain engaged in formal treatment and support services. They can face a range of co-occurring issues, such as homelessness, disability, substance misuse, health problems, and involvement in the child protection and criminal justice systems. These overlapping issues often mean that recovery is harder to achieve and sustain.

We support the Victorian Government's 10 Year Mental Health Plan, including the commitment to develop a comprehensive strategy to divert people with mental illnesses from the criminal justice system, as well as the recognition that people with multiple needs too often fall through the gaps.

The availability of safe, secure and stable housing is a major issue for many in our community, but particularly for people with mental illness and complex needs. Without intensive support to access and sustain appropriate forms of housing many of these people will continue to experience homelessness and will have contact with acute services in the community.

5.1 Support multiple entry points into the mental health service system

We recommend that the Victorian Government provide ongoing investment in multiple entry points to the mental health service system so that people with complex needs, including young people and those experiencing homelessness, are supported to access services. This investment should be directed towards the following engagement approaches:

- *Soft entry models – such as the integrated Artful Dodgers and Connexions programs at Jesuit Social Services.*
- *Assertive outreach – such as Connexions at Jesuit Social Services, or McCauley Community Services for Women, where workers follow up with people who have been identified as needing support. Specialist assertive outreach focuses initially on developing a trusting relationship to create a foundation that enables discussion of mental health issues.*
- *Embed capacity in services providing crisis support – such as homelessness assistance, where workers who have developed a relationship to address accommodation needs are able to engage more deeply with the client around their mental health.*

Engaging people with mental health issues in support and treatment services can be extremely challenging. Many people do not recognise their experience as a mental health problem and/or may be reluctant to define their issues in terms of mental illness. Accessing help can feel daunting and services are often limited. These problems are often more acute for people experiencing disadvantage, including vulnerable young people who lack the supportive peer relationships which are often crucial to seeking further help.

Reforms to community mental health services and the National Disability Insurance Scheme (NDIS) have resulted in funding being cut to many of the existing 'soft entry' points for people into mental health services. 'Soft entry' points to mental health services provide safe places for people to engage and develop trusting relationships that are essential for them to create a pathway to recovery. Relationship-based approaches are especially important for young people who may be experiencing their first symptoms of mental illness.

Investment is needed to strengthen entry points to the mental health service system for vulnerable and disadvantaged groups. We support a 'no wrong door' approach that builds capacity for initial intake and assessment into the services that people are already accessing and integrates rather than separates the two functions. Intake and assessment functions should be built into frontline services, including homelessness, community mental health and youth services. This should be complemented by the capacity for people to walk in to provider agencies to go through the process of intake and assessment face to face.

Community mental health support services offer intake and assessment via telephone, while the NDIS has a standardised individual assessment and planning process. While these processes may streamline access

for a large percentage of service users, they will be less effective in engaging people with more complex needs. Paradoxically, these are often the people with greatest need for such services.

5.2 Support specialist programs that provide ongoing engagement for people with multiple and complex needs

We recommend that the Victorian Government:

- *Invest in specialist pathways to recovery that include 'enhanced care' approaches for extended periods to keep people with multiple and complex needs on a pathway to recovery. This will complement services within the new Mental Health Community Support Services system, the NDIS, and justice services.*
- *Carefully monitor the impact of NDIS reforms, working closely with the Commonwealth Government to ensure that people with mental health problems do not miss out as services transition into the NDIS.*
- *Invest in targeted youth specific programs that can engage young people, develop pro-social opportunities for social inclusion and provide pathways to employment or other meaningful participation in community life.*

There are a small number of people in Victoria with multiple and complex needs who struggle to remain engaged in formal treatment and support services. Services often lack the resources and expertise to work with this group and, as a result, people often present at more costly tertiary services (e.g. ambulance call outs, emergency department presentations, mental health services, police engagement and prisons). This includes people with histories of trauma, substance abuse, mental illness, intellectual impairment or acquired brain injury. This group commonly has significant and prolonged contact with the justice system, acute health services, and other community services such as homelessness support agencies. Despite intensive investment of multiple services this group often have extremely poor outcomes, including entrenched involvement in the justice system, long-term unemployment, chronic illness and early death.

Over the past decade, efforts have been made to improve the support provided to people with more complex needs, including through the Multiple and Complex Needs Initiative. This has had some very positive outcomes, but has been constrained by strict

eligibility criteria. More recent initiatives to integrate services have also had some positive outcomes at trial sites, however there is concern about the capacity of these types of models to address gaps in available services. The Victorian Government needs to create space for diversity and smaller units of service delivery that complement large multi-area mainstream services that, by their nature, are not necessarily best placed to meet the needs of local communities.

Services that create space to establish trusting relationships and provide a safe place in community where people can have multiple needs met are incredibly important – particularly for the most complex service users. Importantly, these services create 'anchor points' in the community where people know they can go if they need help.

We support the commitment to integrated services in the Victorian Government's 10 year Mental Health Plan and the recognition that people with multiple needs, particularly young people, too often fall through the gaps.

5.3 Invest in intensive housing and support packages for people with complex needs and challenging behaviours

We recommend that the Victorian Government:

- *Take renewed action to tackle housing affordability and to significantly expand the supply of social housing to keep pace with population increases.*
- *Invest in housing and support packages that aim to stabilise housing and build social inclusion to enable people with complex needs to maintain their housing and more productively participate in the community.*

The availability of safe, secure and stable housing is a major issue for many in our community, but particularly for people with mental illness and other complex needs. We know that 43 per cent of people exiting prison do so into homelessness⁴², while a University of NSW study on multiple and complex needs found those with complex needs experience greater homelessness and housing disadvantage⁴³.

While homelessness services provide critical interventions for people experiencing temporary housing crisis, they operate in an environment where resources are limited and there are significant barriers to supporting people with more intensive needs. These pressures mean that they often struggle to support

the small but significant number of people in the community with a combination of complex needs and challenging behaviours that put them at heightened risk of prolonged homelessness, social exclusion and contact with the justice system.

The changes to community mental health services means that there are no longer specialist mental health supports within homelessness services, which has exacerbated the difficulty of effectively supporting homeless people with complex needs. Without intensive support to access and sustain appropriate forms of housing, many of these people will continue to experience homelessness, and will have contact with other acute services in the community.

In response to these issues, Jesuit Social Services runs Perry House, a living skills residential program for young people with intellectual disabilities who are involved with the criminal or youth justice systems. Perry House workers facilitate the development of independent living skills from a strength based practice approach which promotes resilience and a 'can do' approach to life. Each resident is supported to develop a 12 month program plan which aims to optimise their capacity to live independently in the community. Activities may include reconnection to family, engagement in employment, training or education, financial management, good communication and use of technologies.

One of the greatest barriers we experience in this program is a capacity to exit our participants into safe, appropriate and affordable housing. More investment is required to expand housing programs for people with multiple and complex needs, and to provide appropriate housing options upon exit.

5.4. Create an integrated plan for mental health services (including drug and alcohol services) across the criminal justice system that improves the mental health care of people in prisons.

We recommend that the Victorian Government:

- *Expand diversion options and support services for people with mental illness appearing in court.*
- *Enhance the provision of mental health services in custody.*
- *Ensure intensive support for people exiting custody with mental illness so that they are linked in with community mental health services.*

Mental illness and alcohol and drug issues are often contributing factors to involvement in the criminal justice system. Recent data on prisoner health indicates that between 30 to 50 per cent of prisoners face varying levels of mental health problems (including drug and alcohol abuse⁴⁴).

Despite the alarmingly high incidence of mental illness among people in contact with the justice system, mental health services across the justice system are under-resourced and fragmented. These issues have been identified in several investigations and inquiries over many years⁴⁵.

The number of male prisoners per mental health bed rose from 85 in 2009–10 to 110 in 2013–14⁴⁶. Despite this increase there is no current plan that integrates a mental health response across police cells, prisons, mental health facilities and services for people with offending backgrounds in the community. This situation has implications for community safety with time in prison increasing the chances of further offending.

We support the Victorian Government's 10 Year Mental Health Plan and the commitment to develop a comprehensive strategy to divert people with mental illnesses from the criminal justice system by strengthening pathways to early community treatment and support.

REFERENCES

1. Productivity Commission 2015, *Report of Government Services 2015, Corrective Services, Single Jurisdiction Data – Victoria*, viewed 1 March 2016, <http://www.pc.gov.au/research/ongoing/report-on-government-services/2015/justice/corrective-services>
2. Vinson, T & Rawsthorne, M 2015, *Dropping off the Edge 2015*, Jesuit Social Services and Catholic Social Services Australia, <http://www.dote.org.au/findings/full-report/>
3. Vinson, T 2007, *Dropping off the Edge: The Distribution of Disadvantage in Australia*, Melbourne and Canberra: Jesuit Social Services and Catholic Social Services Australia, http://www.jss.org.au/files/Docs/policy-and-advocacy/publications/DOTE_2007.pdf
4. Homel, P 2004, The whole of government approach to crime prevention. *Trends & Issues in Crime and Criminal Justice*, No. 287, Australian Institute of Criminology, November 2004, viewed 1 March 2016, <http://www.aic.gov.au/publications/current%20series/tandi/281-300/tandi287.html>
5. The Organisation for Economic Co-operation and Development (OECD) 2012, *Investing in high-quality early childhood education and care (ECEC)*, viewed 29 January 2016, <http://www.oecd.org/education/school/48980282.pdf>
6. Weatherburn, D 2001, 'What causes crime?' Crime and Justice Bulletin, *Contemporary Issues in Crime and Justice*, Number 54, February 2001, viewed 1 March 2016, <http://www.bocsar.nsw.gov.au/Documents/CJB/cjb54.pdf>
7. Cunneen, C 2013, *Alternative approaches to the boundaries of youth justice systems*. National Justice Symposium 2013 – Overview, Melbourne: Jesuit Social Services.
8. Jesuit Social Services and Effective Change Pty Ltd 2013, *Thinking Outside: Alternatives to remand for children*, Richmond, Jesuit Social Services.
9. Commission for Children and Young People 2015, *'...as a good parent would...' Inquiry into the adequacy of the provision of residential care services to Victorian children and young people who have been subject to sexual abuse or sexual exploitation whilst residing in residential care*, Melbourne, Victoria.
10. Youth Parole Board 2015, *Annual Report 2014–15*, Melbourne, Victoria.
11. KPMG 2010, *Review of the Youth Justice Group Conferencing Program*, prepared for the Department of Human Services, http://www.jss.org.au/files/Docs/Programs/justice%20and%20crime%20prevention/Final_Group_Conferencing_review_full_report.pdf
12. Miletic, D 2015, 'Children languishing on remand 'scandalous': Child Commissioner', *The Age*, 24 August, viewed 1 March 2016, <http://www.theage.com.au/victoria/children-languishing-on-remand-scandalous-child-commissioner-20150818-gj1hek.html>
13. Department of Human Services 2011, *Annual Report 2010-11*, Victorian Government, Melbourne.
14. KPMG 2010, *Review of the Youth Justice Group Conferencing Program*, prepared for Department of Human Services, http://www.jss.org.au/files/Docs/Programs/justice%20and%20crime%20prevention/Final_Group_Conferencing_review_full_report.pdf
15. Crime Statistics Agency 2016, *Alleged Offender Incidents*, viewed 29 February 2016, <http://www.crimestatistics.vic.gov.au/home/crime+statistics/year+ending+september+2015/alleged+offender+incidents>
16. Wan, W, Moffatt, S, Jones, C & Weatherburn, D 2012, 'The effect of arrest and imprisonment on crime', *Contemporary Issues In Crime and Justice*, No. 158, Sydney: NSW Bureau of Crime Statistics and Research, viewed 26 February 2016, <http://www.bocsar.nsw.gov.au/Documents/CJB/cjb158.pdf>
17. Day, A, Howells, K & Rickwood, D 2004, 'Current Trends in the Rehabilitation of Juvenile Offenders', *Trends and Issues in Crime and Criminal Justice*, 1-6
18. Makkai, T, & Payne, J 2003, *Drugs and Crime: A Study of Incarcerated Male Offenders*, Research and Public Policy Series No.52, Canberra: Australian Institute of Criminology, viewed on 18 February 2016, http://aic.gov.au/media_library/publications/rpp/52/rpp052.pdf
19. Gelb, K 2013, *The Perfect Storm? The Impacts of Abolishing Suspended Sentences in Victoria*, Melbourne: Catholic Social Services Victoria, viewed 18 February 2016, <http://www.css.org.au/Portals/51/The%20Perfect%20Storm%20-%20The%20Impacts%20of%20Abolishing%20Suspended%20Sentences%20in%20Victoria,%2011%20December%202013.pdf>
20. Productivity Commission 2016, *Report of Government Services 2016, Corrective Services, Single Jurisdiction Data – Victoria*, viewed 1 March 2016, <http://www.pc.gov.au/research/ongoing/report-on-government-services/2015/justice/corrective-services>
21. Jesuit Social Services 2014, *Strengthening prisoner transition to create a safer Victoria*, <http://www.jss.org.au/files/Docs/>

- policy-and-advocacy/publications/Strengthening_prisoner_transition_to_create_a_safer_Victoria_June_2014.pdf
22. Australian Bureau of Statistics (ABS) 45170 - *Prisoners in Australia, 2013*, viewed 29 February 2016, <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/45170main+features402013>
23. Productivity Commission 2015, *Report of Government Services 2015, Corrective Services, Single Jurisdiction Data - Victoria*, viewed 1 March 2016, <http://www.pc.gov.au/research/ongoing/report-on-government-services/2015/justice/corrective-services>
24. Victorian Ombudsman 2014, *Investigation into Deaths and Harms in Custody, March 2014*, viewed 29 February 2016, <https://www.ombudsman.vic.gov.au/getattachment/2998b6e6-491a-4dfe-b081-9d86fe4d4921>
25. Victorian Ombudsman 2015, *Investigation into the rehabilitation and reintegration of prisoners in Victoria*, p. 7, <https://www.ombudsman.vic.gov.au/getattachment/5188692a-35b6-411f-907e-3e7704f45e17>
26. <http://www.premier.vic.gov.au/333-million-to-ease-the-strain-on-our-corrections-system/>
27. Australian Institute of Health and Welfare (AIHW) 2013, *The health of Australia's prisoners 2012*. Cat. no. PHE 170. Canberra: AIHW.
28. Ericson, M and Vinson, T 2010, *Young people on remand in Victoria. Balancing individual and community interests*, Jesuit Social Services, Richmond, http://www.jss.org.au/files/Docs/policy-and-advocacy/publications/Young_people_in_remand_in_Victoria_-_Balancing_individual_and_community_interests.pdf
29. Baldry, E McDonnell, D Maplestone, P & Peeters, M 2003, *Ex-Prisoners and Accommodation: What Bearings do different forms of housing have on social reintegration?*, Australian Housing & Urban Research Institute, <http://www.austlii.edu.au/au/journals/CICrimJust/2003/22.pdf>
30. ABS 2016 45170 - *Prisoners in Australia, 2015*, viewed 1 March 2016, <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/451702015?OpenDocument>
31. State of Victoria 2013 *Unfinished business: Koori women and the justice system*, Victorian Equal Opportunity and Human Rights Commission, http://www.humanrightscommission.vic.gov.au/media/k2/attachments/Unfinished_business_-_Koori_women_and_the_justice_system.pdf
32. Ibid.
33. Victorian Ombudsman 2015, *Investigation into the rehabilitation and reintegration of prisoners in Victoria*, p. 109.
34. Irish Penal Reform Trust 2015, *Turnaround Youth: Young Adults (18-24) in the Criminal Justice System - The case for a distinct approach, May 2015*, <http://www.iprt.ie/files/IPRT-Turnaround-web-optimised.pdf>
35. Ibid.
36. ABS, *Table 3235.0 - Population by Age and Sex, Regions of Australia, 2014*, <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/3235.0Main+Features12014?OpenDocument>
37. McLachlan, R, Gilfillan, G and Gordon, J 2013, *Deep and Persistent Disadvantage in Australia*, Productivity Commission Staff Working Paper, Canberra.
38. <http://www.pc.gov.au/research/supporting/deep-persistent-disadvantage/deep-persistent-disadvantage.pdf>
39. Ibid.
40. Regina Hill Effective Consulting 2013, *Jesuit Community College Evaluation Report*, Department of Education and Early Childhood Development, Melbourne.
41. Ibid.
42. ABS 2006 2914.0 - *Census of Population and Housing - Fact Sheets, 2006*, <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2914.02006?OpenDocument>
43. AIHW 2013, *The health of Australia's prisoners 2012*. Cat. no. PHE 170. Canberra: AIHW. <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129543945>
44. Victorian Auditor-General 2014, *Mental Health Strategies for the Justice System*, Melbourne, Victoria.
45. Baldry, E., Dowse, L., McCausland, R & Clarence, M 2012, *Life course of institutional costs of homelessness of vulnerable groups*, Report to FaHCSI. <https://www.mhdcd.unsw.edu.au/sites/www.mhdcd.unsw.edu.au/files/u18/Lifecourse-Institutional-Costs-of-Homelessness-final-report.pdf>
46. AIHW 2015, *The Health and Australia's Prisoners 2015*, <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129553682>
47. Victorian Auditor-General 2014, *Mental Health Strategies for the Justice System*, <http://www.audit.vic.gov.au/publications/20141015-MH-Strategies-Justice/20141015-MH-Strategies-Justice.pdf>