



**JESUIT SOCIAL SERVICES
SUBMISSION**

**Investigation into the rehabilitation and reintegration of prisoners
in Victoria – Discussion Paper**

December 2014

For further information, contact:

Julie Edwards, CEO, Jesuit Social Services

Tel: 03 9421 7600 Email: julie.edwards@jss.org.au

Introduction

Jesuit Social Services welcomes the opportunity to contribute to the Victorian Ombudsman's *Investigation into the Rehabilitation and Reintegration of Prisoners*.

For over 37 years, we have accompanied people involved in Victoria's criminal justice system. Today we continue our work with people in the justice system through our Brosnan Centre programs supporting people exiting prison and youth justice facilities. This includes the Corrections Victoria Reintegration Program in North and West Metropolitan Melbourne, the African Volunteering and Mentoring Program ('AVAMP'), and the Next Steps and Perry House residential programs.

As the discussion paper notes, over the past four years the number of prisoners in Victoria increased substantially, from 4,578 to 6,258 people, largely as a consequence of the law and order agenda pursued by the previous Victorian Government, including reforms to bail, sentencing and parole.

This has almost doubled prison spending, which has increased from \$492.6 million in 2009-10 to 942.1 million in 2014-15, but has failed to make our community safer. Instead, reported crime has risen. Over the same period the effectiveness of the corrections system in promoting positive behaviour change has decreased; with the reimprisonment rate increasing from 33.7 per cent in 2009-10 to 39.5 per cent in 2013-14.

This significant increase in the number of people cycling in and out of prison is a telling symptom of an increasingly dysfunctional system unable to respond effectively to the flood of new prisoners.

The *Discussion Paper* has usefully drawn attention to several other aspects of dysfunction connected with overcrowding in our prison system, including backlogs in assessment, long waiting lists for access to programs, and inappropriate accommodation arrangements.

We have directly seen concerning consequences of overcrowding in prisons in our work with people transitioning back into community. These include:

- Increased prisoner numbers putting pressure on access to fixed resources within prisons, like the gym, canteen and other recreation facilities. This creates stress and distress for prisoners who miss out on an opportunity to use these services, and can brew into conflict.
- An increasingly unsafe environment with rates of prisoner on prisoner assaults increasing.
- Increased stress associated with the reduced capacity to have 'time out' from other prisoners. This was particularly reported as a problem for women at Tarrengower, which has more recently reached capacity.
- Prisoners struggling to access rehabilitative programs in prison, even those they've been mandated to complete, partly because there are too few spaces in programs, and also because prisoners are frequently moved around. This results in a great deal of confusion for prisoners about when they can expect to be released, as access to parole is conditional on completion of programs. The confusion makes planning for transition very difficult, adding further stress to what is already a stressful time for prisoners.

We are also very seriously concerned that overcrowding has compromised Corrections Victoria's ability to manage the safety of more vulnerable prisoners, with less capacity to separate prisoners vulnerable to sexual assault or standover from more violent or aggressive prisoners.

Issues within the prison system that extend beyond the impact of overcrowding include:

- general concern around the quality of assessment and case management in custody
- instances of good practices and programs in custody but no system-wide approach to planning custodial programs, and investing in expanding good practice, and
- a lack of staged preparation for release, with the anxiety around release not managed and people released into community with little support.

We also note the very real difficulties people experience as they transition from prison back to community and struggle to navigate health, housing and welfare services that often lack the resources and expertise to meet their complex needs. This gap is most acute for women exiting prison who very frequently return to living environments in which they are at risk of violence, because there are no appropriate and affordable housing options. When combined with social isolation and stigma this creates a recipe for reoffending, not only for women but for all people leaving prison.

All of these pressures impact most heavily on the most vulnerable people with whom we work, including women, Aboriginal people, older and younger people, and those living with a disability. Our experience and the findings in the *Discussion Paper* are reinforced by a range of indicators of prison safety, health, education, and access to services which have all gone backwards over recent years.

We endorse the view that this public policy failure is not a reflection on the leadership, or staff, of Corrections Victoria, who are managing a prison system intended for significantly fewer people.

This submission outlines some steps to be taken to confront this challenge and strengthen the Victorian justice system's approach to changing people's behaviour. It takes into account the context of increasing complexity among people involved in the justice system complexity and more punitive responses to their behaviour. Action will only produce results if it is underpinned by leadership from government to reinvigorate the *Reducing Reoffending Framework* and to strengthen collaboration with the community. Specific areas for action we have identified both in custody and community include:

- individualised approaches to meet the needs of people, particularly members of vulnerable groups including women, young people, Aboriginal people, older people, and people living with physical or intellectual disabilities
- embedding an end-to-end case management approach with high quality assessment and planning
- embedding therapeutic programs, services and approaches across the system and developing trauma-informed and restorative justice practices that are tailored to meet the needs of vulnerable groups
- providing clear pathways through learning and into work both in custody and the community, and

- developing staged transition options that rebuild connections to community, provide for intense support, and link in with safe, stable and secure housing.

Reducing reoffending can contribute to a safer community by reducing crime. There is also some potential to reduce the costs of our justice system. Using modelling developed in New South Wales we have calculated that a 15 per cent reduction in the rate of re-imprisonment would reduce Victoria's male prison population by 458 people. A conservative estimate of the real cost savings that this would lead to for the corrections system finds a reduction in expenditure of between \$15.2 and \$23.4 million per annum (Jesuit Social Services, 2014).

Before considering specific reforms to the corrections system to achieve these outcomes, this submission will briefly explore some of the critical contextual factors that significantly influence people's involvement with the justice system and our capacity to support them to become productive members of the community.

Complexity, disadvantage and stigma - the context of people in the justice system

People in the criminal justice system often have a range of complex needs

The complex characteristics of people in the justice system influence the system's capacity to support their rehabilitation and reintegration.

There is a range of studies and surveys from Victoria, other states, and nationally that outline some of the characteristics of people in prison including mental illness (Victorian Auditor-General's Office, 2014), alcohol and drug use, exposure to violence and trauma (Johnson H. , 2004), homelessness (Australian Institute of Health and Welfare, 2013), disability, and low levels of education and employment (Department of Justice, 2011).

Recent research in NSW has illustrated how these characteristics often overlap in complicated ways that profoundly influence people's interactions with the criminal justice system. This research found that 69 per cent of a sample of prisoners had multiple and complex needs (Baldry, Dowse, & Clarence, 2012). Compared to those without complex needs, this group were more likely to have earlier contact with police, be victims as well as offenders, have been clients of juvenile justice, and had more police and prison custody episodes over much of their lives (Baldry, 2013). A greater portion of Aboriginal people in this study had multiple and complex needs as well as greater numbers of interactions with the criminal justice system (Baldry, Dowse, McCausland, & Clarence, 2012).

Jesuit Social Services sees this complexity among people we work with, many who are entrenched in the criminal justice system. A recent snapshot of people accessing Jesuit Social Services adult justice transitional programs found that:

- 64 per cent have a diagnosed mental illness
- 24 per cent have some form of cognitive disability (ABI or Intellectual Disability)
- 70 per cent had current or a history of alcohol and drug abuse, and

- only 14 per cent have completed education to year 12 or its equivalent.

The nature and complexity of the issues experienced by people in the criminal justice system has become more prominent over the past two decades. This has been driven by a range of factors, most notably the closure of state run mental health and disability residential institutions between the 1980's and 1990's (Gerrand, 2005). This increasing complexity has been noted in reports by the Victorian Auditor General into the needs of prisoners (2003), the review of education and training provision in Victorian prisons (BearingPoint Inc, 2003), and the Complex Needs Report published by the Victorian Department of Human Services (Office of the Public Advocate, 2003). The criminal justice system in Victoria must have the capacity to respond to these needs if it is to better rehabilitate or reintegrate these people.

They come from our most disadvantaged communities

It is also important to note that disadvantage faced by prisoners often also extends to their communities, many of which are characterised by high levels of disadvantage. Studies undertaken by Professor Tony Vinson for Jesuit Social Services found that 25 per cent of adult prison admissions in 2003 came from 2.1 per cent of Victorian postcodes (Vinson, 2004), that 25.4 per cent of young adults (aged 18 to 24) who were remanded between 2008-10 came from 2.2 per cent of Victorian postcodes (Ericson & Vinson, 2011), and that 25.1 per cent of children with youth justice orders in 2010 came from 2.6 per cent of Victoria's postcodes (Jesuit Social Services, 2013).

These communities are characterised by entrenched and overlapping disadvantage on a range of indicators. Our *Dropping Off the Edge* study found a striking degree of disadvantage among 3 per cent of localities in each jurisdiction compared with the remaining 97 per cent (Vinson, 2007). The web of disadvantage in these communities is supported by 'struts' including low family income, low skilled workers, high rates of Year 12 incompleteness, long-term unemployment, generally limited education, limited post-schooling qualifications, limited computer use and lack of access to the internet (Vinson, 2007).

Our response remains largely punitive and excludes the most vulnerable

Despite evidence of the growing complexity and disadvantage that underlie offending, over the past two decades increasingly punitive criminal justice policies have been pursued in Victoria. This is evident in the increases in the length of prison sentences and the reduction in flexibility for decision makers in relation to sentencing, parole and bail. While tougher approaches to family violence and sexual offences against children have been driven by genuine community concern at tackling these crimes, there has also been a strong streak of law and order 'populism' driven by the tabloid media that has affected the breadth of sentencing approaches.

This is evident in the fact that much of the increase in prison numbers over the past four years has been driven by people imprisoned for non-violent offending. The number of people in prison for these categories of offending grew 43 per cent from 2,535 to 3,634 between 2010 and 2014, while the number in prison for crimes against the person grew by 24 per cent from 2,002 to 2,480 over the same period (Australian Bureau of Statistics, 2014). A consequence of this approach is that Victoria's

prisons have become the 'asylums of the 21st century' and the pressure that they experience impacts on their ability to support people to rehabilitate.

Punitive law and order rhetoric and approaches can have other impacts. The challenges of community attitudes and support for people exiting prisons have been made clear by research into the attitudes of Victorians to released prisoners which found that while there is some support for policies to provide housing and employment, many people are uncomfortable working with or living near people who had been in prison (Hardcastle, Bartholomew, & Graffam, 2011). Researchers concluded that the Not In My Backyard (NIMBY) phenomenon was something that could be used to understand people's attitudes in this area (Hardcastle, Bartholomew, & Graffam, 2011). This corresponds with the experience of Jesuit Social Services staff, who believe that specific isolation and lack of wider acceptance by the community can impact upon people living in prison.

Recommendation 1: Instead of stigmatising and warehousing disadvantaged people in prisons through punitive law and order policies, there must be coordinated efforts across government and the community to tackle the disadvantage that underlies offending and invest in evidence informed services that respond to people with complex needs.

Within the justice system, a starting point must be to reconsider reforms to bail, sentencing and parole that have driven up prison numbers and to develop therapeutic alternatives to custody for people with higher needs.

Leadership within the justice system to strengthen rehabilitation and reintegration

Criminal justice policies can have a significant impact on people's rehabilitation and reintegration into the community after leaving prison (Wright & Cesar, 2013). Given this, clear political and policy leadership is required in Victoria if any efforts to strengthen rehabilitation and reintegration are to be successful. Fortunately, there are past examples from both Victoria and elsewhere in Australia and internationally of good practice in this area.

Over recent years, reforms to bail, sentencing and parole have contributed to increases in the numbers of people in prison. As a result, the corrections system has been placed under significant pressure. The focus on punitive law and order policies, combined with pressure on the justice system, has resulted in a vacuum of leadership on the issue of reducing reoffending. One result has been an increase in percentage of people released from prison only to end up returning to prison at some later stage. A key example is the increasing numbers of people ending up back in prison for relatively minor breaches of bail parole with this number more than doubling from 430 to 914 between 2010 and 2014 (Australian Bureau of Statistics, 2014).

The current situation can be contrasted with the early 2000s where there was a concerted effort in Victoria to tackle the issue of reoffending and strengthen rehabilitation and reintegration (Victorian Auditor-General's Office, 2003). The Discussion Paper correctly identifies the fact that Victoria led the nation during this period in innovation in its justice system.

At the heart of these efforts was the *Corrections Long-Term Management Strategy*, which was developed in 2001 and aimed to reduce demand for prison beds and reimprisonment by 10 per cent over five years. Investment and action was taken to realise the aims of the strategy with major initiatives including the development of a pilot home detention program, the expansion of court diversion programs and bail support as well as the development of the *Reducing Reoffending Framework* for the corrections system. Under the *Reducing Reoffending Framework* new assessment and offender management processes were implemented and a range of rehabilitation programs in prisons, as well as pre and post release support were launched.

The *Corrections Long-Term Management Strategy* included investment over five years in a range of initiatives across the criminal justice system, with approximately \$17 million being directed to addressing reoffending over this period (Victorian Auditor-General's Office, 2003). This investment was complemented by a clear change management process, with a Steering Committee overseeing the implementation of the strategy and a development and training program was implemented for frontline staff. During the years that the strategy was operational prison population growth in Victoria briefly stabilised and the reoffending rate declined significantly from 41.8 per cent in 2001 to 33.7 per cent by 2010 (Productivity Commission, 2004, 2011).

Criminal justice systems in Norway (Ploeg, 2011), New Zealand and Singapore have also demonstrated an ability to tackle reoffending. The Singapore Prison Service has been transformed into a leader in rehabilitative corrections with the recidivism rate declining from 44.4 per cent in 1998 to 26.5 per cent in 2009 (Leong, 2013). An ongoing process of change within the organisation, that then moved out into the community took place over several years. Key aspects influencing this success included strong leadership to drive mission and cultural change within the prison service. This underpinned the development of a new operating model for staff within custodial settings, integrated care, networked governance arrangements for prisoner transition services, and new partnerships with the community (Leong, 2013).

Similarly in Norway, there exists a 'whole of government' guarantee making correctional services responsible for planning and meeting the needs of people who are released from prison including employment, education, housing, medical services, addiction treatment services, and debt counselling. An independent study published in 2010 found that the rate of people who were released from prison and reoffending within two years was a low 20 per cent (Ploeg, 2011).

Closer to home, in recent years New Zealand has made impressive progress in working towards a target of reducing reoffending by 25 per cent (Comptroller and Auditor General (NZ), 2013). As the Comptroller and Auditor General noted of New Zealand's approach, "*A 'business as usual' approach would not deliver the amount of change needed to achieve a 25 per cent reduction. Picking an ambitious goal has 'struck the hearts and minds' of staff*" (Comptroller and Auditor General (NZ), 2013).

These efforts have demonstrated success where there is strong leadership that brings stakeholders together to identify common goals and a clear strategy to achieve them. This is an ongoing process that must be underpinned by strong systems of governance, a focus on developing culture within custody, as well as services in the community. Jesuit Social Services has previously called on the Victorian Government to draw from these examples and commit to achieving a 15 per cent reduction in reoffending over the next five years. We believe that leadership from the highest levels

of government is required, and that the Premier and Department of Premier and Cabinet should have responsibility for bringing together stakeholders and overseeing a process to reinvigorate the reducing reoffending framework with the ultimate goal of building a safer community.

Recommendation 2: Clear leadership is required from the Premier to develop and drive a strategy to reduce reoffending by at least 15 per cent over the next five years. This strategy should map out an ongoing process for action, and governance arrangements to underpin this should be put in place.

Responses must meet the needs of vulnerable groups of people

Questions addressed:

4.3 Is more work needed to ensure that the relevant objectives of the Charter, the Aboriginal Justice agreement and the Deputy Commissioner's Instructions are met for indigenous prisoners in practice?

What changes need to be made to better support women after they are released from prison – particularly around the risk of homelessness?

It has become clear from our experience working in the corrections systems that the needs of vulnerable people are not always met. This is particularly the case when the system is under pressure, as it is at present. The demands of managing a growing prison population have resulted in the needs of vulnerable people being neglected.

Through our work we have identified some particularly vulnerable groups and issues that they are experiencing at present, this includes:

- *Women* – women make up a small percentage of Victoria's total prison population, however they are highly vulnerable with most having been victims of sexual, emotional or physical violence (Women's Health Victoria, 2008). This is particularly the case for the small but growing number of Aboriginal women in prison (Victorian Equal Opportunity and Human Rights Commission, 2013). A major issue we have seen is women being released from prison and returning to environments where they are at risk of family violence. The lack of specialised support for women leaving prison under the new Corrections Victoria Reintegration Program (CVRP), and an ongoing shortage of safe, stable and secure housing for women on release are major issues that jeopardize their safety and transition back into the community.
- *Aboriginal people* – the entrenched involvement of people who are members of Aboriginal communities in the justice system is something that has been recognized for several decades. Often this involvement begins at a young age and continues on into adult life (Jesuit Social Services, 2013). While efforts have been made to address Aboriginal overrepresentation and improve the cultural responsiveness of the justice system through the *Aboriginal Justice Agreement*, we endorse the *Discussion Paper's* findings that there are inconsistencies around support and preparation for release. A particular issue we have identified is support to build links to community. From our experience delivering the Konnect program across Victoria (2011-2014) the importance of community for Aboriginal people in their transition from prison became

clear, and this has formed a critical role in our delivery of transition support. This necessitates provision of culturally appropriate support to engage with community and support people's return to it.

- *Young adults* (those aged 18-24) – young adults are another group who are uniquely vulnerable in the corrections system. Research on adolescent brain development shows that the brain systems governing social and emotional maturity are still developing throughout adolescence and into adulthood (Cauffman & Steinberg, 2012) (Williams, 2012). The young adults we work with in prison are often affected by range of issues including histories of drug and alcohol addiction and mental illness. Many have experience in child protection system and out of home care systems. It is concerning that many are exposed to further trauma in prison as pressures on the system see them housed in unsafe environments. While there are some examples of good practice, the lack of trauma informed practice in custody and the ongoing absence of a youth specific support for those on release is highly concerning.
- *People living with disability* – significant numbers of people in the justice system have a formally identified disability, and there is some evidence that even greater numbers experience borderline intellectual disability or undiagnosed brain injuries (Victoria Parliament Law Reform Committee, 2013). While efforts have been made to make the justice system more responsive to disability, particularly through the *Corrections Disability Framework*, the reality is that significant issues remain around identifying and supporting people with a disability. Of particular concern for Jesuit Social Services are the significant number people with acquired brain injury in the justice system and skills of staff within justice and correctional settings to communicate with and provide support for them.
- *Older people* – an emerging issues in the criminal justice system is older prisoners with over 317 prisoners aged 60 or older in prison in Victoria in 2014, and the median and mean ages of people in prison both increasing by roughly two years over the past decade (Australian Bureau of Statistics, 2014). Issues with older people in prison and on their return to the community include access to health care, housing, and building connections to community. At present, there are very few specific responses for older people exiting prison with mainstream services in the community forced to adapt to issues that older people experience.

The need for the justice system to effectively respond to the needs of vulnerable people has been recognized previously and underpins initiatives such as the *Aboriginal Justice Agreement*, the *Better Pathways Initiative for Women*, and the *Corrections Disability Framework*. Further system wide reforms must draw from these experiences and what has been learnt from them. Clear efforts and resources should be directed towards developing specialized responses to identifying the needs of vulnerable groups and providing support for them in custody and during the transition into community.

Recommendation 3: Strategies and services focused on rehabilitation and reintegration must include flexible and specialised responses that are capable of meeting the needs of vulnerable groups of people. This should include a trauma informed approach for working with women and young adults and strengthening of community and culturally informed support for Aboriginal people.

An end-to-end approach to managing people in custody

Questions addressed:

3.1.3 What is the impact of delayed assessment on the rehabilitation of prisoners?

What assessment information should be available to relevant departmental and agency staff who work with prisoners?

What barriers are there to the sharing of assessment information and how should they be addressed?

3.2.3 How could the Victorian case management model be improved?

While there are instances of good practice in assessing and managing people in the corrections system, on the whole there is significant inconsistency in practice across the wider system. This inconsistency has become exacerbated in recent years due to the pressures of an increasing prison population. It undermines the capacity of the system to identify specific needs and provide supports and services that reinforce behaviour change among people in prison.

In addition to delays noted in the *Discussion Paper*, we have observed two other critical issues when it comes to assessment, planning and case management:

- While assessments are conducted for the significant number of people who re-enter prison after having served a previous sentence, there appears to be little specific focus on why someone has reoffended and ended up back in prison. Ideally, this would be explored in some detail to understand what may have influenced a person's return to prison and any issues that might need to be addressed while they are in custody.
- Assessment and classification has been taking place at the reception unit at Port Philip Prison due to a lack of capacity at the Melbourne Assessment Prison. This is particularly problematic for vulnerable people who may ultimately end up with lower classifications, but spend significant amounts of time at Port Philip awaiting assessment and are housed in units among people with more serious classifications. There are risks associated with this practice, including of assaults and standover tactics which can lead to traumatisation and undermine prospects for rehabilitation.
- Case management is too often confused with the administrative process of managing a person's sentence. Effective case management requires building a stable relationship in order to support a person to identify and then address issues that they face; a process that is difficult to realise in a prison environment. In particular, increased numbers of prisoners mean higher prisoner to staff ratios and more frequent movements of prisoners across the justice system as part of demand management. This can cause instability with relationships between prisoners and staff interrupted by movements and effective case management undermined by movements and very high caseloads.

An end-to-end approach to rehabilitating and transitioning prisoners must be strengthened in Victoria. We welcome a recent emphasis from CV on developing an end to end approach, however a challenge will be implementing this in an environment of high demand and overcrowding. The work

of preparing people to transition from prison to the community should ideally commence the moment they enter custody. This would require:

- comprehensive and high quality assessment as early as possible in a custodial episode with particular sensitivity towards cognitive ability, mental health, gender, cultural factors, and history of offending
- planning including placement in an appropriate environment, identifying vocational, offending risk and wider life skills needs, and
- consistent high quality case management with a single case manager with relatively low caseloads following people across the corrections system.

Recommendation 4: The Victorian Government must resource CV so that they can operationalise an end-to-end approach to management of people in prison that integrates comprehensive assessment, sophisticated planning, and high quality case-management.

Embedding therapeutic, trauma informed and restorative approaches to working with people in the justice system

Questions addressed:

3.3.3 What work needs to be done to ensure that programs offered are effective in improving reintegration and reducing recidivism?

A therapeutic framework

There are some promising programs and support services within the corrections system. In addition to mainstream services, offending behaviour programs and the Transitional Assistance Program (TAP), some of the promising programs that we have observed within prisons include the peer support model used in the Youth and Marlborough units at Port Philip Prison, animal rehabilitation programs at Barwon and Beechworth prisons, and independent living units at Tarrengower and Dame Phyllis Frost Centre.

However, the availability and quality of these programs vary and are influenced by a range of factors. Some of these are local, with strong leadership from prison governors and the commitment of staff and prisoners factors that influence the development and success of programs. More broadly, there are issues with the resources allocated to support services, particularly for health and mental health services. These have previously been noted in investigations by both the Ombudsman and Auditor-General (2012). It is our experience that the increasing numbers of people in prison have meant that many of the issues identified with services have not been fully resolved and in fact that growing numbers of prisoners are placing even greater pressure on services and infrastructure across the system. At present, even basic services like prison canteens and gym facilities can struggle to cope with demand from the number of people in prisons.

A more strategic approach to planning and resourcing programs and services in prison is needed to ensure that effective and evidence based programming and practice is embedded across the entire corrections system.

This should build on the existing risk needs responsivity approach that underpins the current Offender Management Framework as well as emerging research on what works in bringing about change in people who offend and supporting them to desist from offending. This research stresses six central themes (McNeill, 2012) that should inform rehabilitation programs and practice:

- approaches to intervention must accommodate and exploit issues of identity and diversity.
- the development and maintenance not just of motivation but of hope should be key tasks for workers
- relationships are important, not just between workers and offenders but also between offenders and those who matter to them
- offenders have strengths and resources that can support their rehabilitation – both personal strengths and resources and strengths and resources in their social networks
- interventions need to encourage and respect self-determination, work with offenders not on them
- interventions should work on human capital and social capital

Realising these principles in practice must involve strengthening therapeutic approaches across correctional settings in Victoria. Therapeutic approaches focus on bringing about behaviour change by facilitating personal development, vocational skill building, counselling and supporting people through multiple coordinated services. Research into programs working with people in prison has found that those with a therapeutic philosophy were found to be notably more effective than those with a punitive and control focused philosophy (Lipsey, Howell, Kelly, Chapman, & Carver, 2010).

A therapeutic approach requires strengthened health, mental health, and education and training support (discussed below). However, in addition to support services, it can also include programs and practice approaches that differ significantly to what is currently the norm in correctional practice.

An example of this is the ‘therapeutic communities’ model which operates in several prison systems worldwide, and has similar features to independent living units and the peer support approaches in some parts of the Victorian corrections system. A well known example of a therapeutic community is HMP Grendon in England, which has operated for several decades. It focuses on achieving behavioural change through several small communities of prisoners living together in units and undertaking a therapeutic program. Features of the program include prisoners having greater responsibility for running prison facilities, greater therapeutic involvement by staff and increased interactions with family and others outside of the prison community (Bennett & Shuker, 2010), (Wilson & McCabe, 2002).

Recommendation 5: A framework for planning and resourcing therapeutic programs and services in correctional settings should be developed and implemented over time throughout the entire corrections system.

Developing trauma-informed and restorative approaches

In addition to a therapeutic approach, there is also an opportunity to influence the factors that underpin desistance by developing trauma-informed and restorative approaches and programs in Victoria's corrections system.

There is clear evidence on the experience of trauma, particularly among women in prison, as well as the risk that the prison environment may exacerbate this (Stathopoulos, 2012). There are also challenges in implementing trauma-informed approaches in correctional settings given the nature of prison environments, the need for practices of control and surveillance, and the instability that people in prison often experience (Stathopoulos, 2012). Nonetheless, there is an emerging body of opinion in favour of trauma informed practice both in Australia and internationally (Stathopoulos, 2012) (Miller & Najavits, 2012), as well as some discrete examples of that efforts to implement trauma informed care within corrections system (Patterson, Uchigakiuchi, & Bissen, 2013).

Restorative justice practices and programs have increasingly been brought into the heart of justice and corrections systems worldwide. Restorative approaches seek to hold offenders to account for their actions and to provide them with the opportunity to restore their broken relationship with the victim, the community and, in many cases, with their own family. The approach is widely utilised, particularly in youth justice systems where it underpins youth justice group conferencing. More broadly, restorative approaches have been used both in custody and in the transition process from custody to the community. This has happened in the Victorian youth justice system where Jesuit Social Services Youth Justice Group Conferencing Practitioners have begun to facilitate restorative justice conferences for children and young people in youth justice facilities.

Another example of restorative justice in custodial settings is the concerted effort made in the 1990's in Belgium to embed restorative practices and program. Each prison in the country had a restorative justice coordinator appointed and tasked with developing and implementing a restorative approach in each prison, including through staff development and programming (Stamatakis & Vandeviver, 2013). The approach has also informed approaches to reintegration, with the US state of Vermont, for example, directing funding towards a range of restorative informed transition programs including Circles of Support and Accountability, community panels, and mentoring programs to support prisoners on release into the community (Fox, 2011).

Recommendation 6: Corrections Victoria should pilot trauma-informed and restorative programs and practices across the system. Specific action should include embedding trauma informed practice in the women's correctional system and piloting restorative programs in custody and during the transition process.

Pathways into learning and onto work

Questions addressed:

3.3.3 Should assessment of a prisoner's language, literacy and numeracy skills upon reception be compulsory?

Should there be uniform standards for provision of education across all prisons?

What is the appropriate way to measure the effectiveness of education and training programs?

Low levels of education and high rates of unemployment are major issues experienced by people in Victoria's prison system. Only 6 per cent of male and 14 per cent of female prisoners have completed secondary education or higher (Department of Justice, 2011).

Given this, concerted action to address educational disadvantage for people within the corrections system is clearly required. Yet due to limited resources only 38.1 per cent of eligible people in prison in 2012-13 were enrolled in education programs (Productivity Commission, 2014). Our experience is that the provision of learning opportunities and programs varies between prisons. While there are good programs including Industry Skills Centres and the Second Step Program operating at some prisons, they do not operate on the scale required to impact upon the wider educational disadvantage that is common among people in prison.

As a result, most prisoners exit custody into further unemployment with Baldry et al (2003) finding that among a sample of people exiting prison in Victoria and New South Wales 75 per cent of those seeking work were unemployed. Our experience confirms this experience. Often we find that people we work with leaving prison have not had their learning and employment needs adequately assessed or addressed in custody. This means that action will commence after release, with valuable opportunities to intervene in custody being missed.

The importance of education and employment to a successful transition from prison to the community is well known (Davis, Bahr, & Ward, 2013). A recent study in the UK found that people released from prison sentences of less than one year who found employment had a 9 per cent lower reoffending rate during their first year than those who did not work (UK Ministry of Justice, 2013). Participating in work and learning can have a positive impact through meaningful activity, structure and routine, the development and maintenance of hope and self-esteem, and the ability to make social connections.

Given the importance of employment, pathways into learning and work in the Victorian prison system need to be strengthened. This should involve additional investment in learning with a strong focus on building people's foundational skills, and on pathways through learning and into work. From our experience and research working to support people involved in the justice system to access learning we have seen what works, it is a holistic focus with intensive support to engage and sustain learning, engaging pedagogy, and clear pathways into through learning and into work (Davies, Lamb, & Doecke, 2011) (Te Riele, 2014). In custody this would require more holistic engagement and learning needs identification as well as expanding intensive support and flexible learning options.

Expanding pathways through learning and into work could be achieved by expanding the Industry Skills Centre programs that currently operate at several prisons. In addition to this, there is a clear need to rethink pathways to work from custody. Here the *Sentenced to a Job* initiative which was recently launched in the Northern Territory provides one example of how training and work in prison industries with employment opportunities in the community. Under this approach, local employers influence the operation of training and work experience in custody, and provide work opportunities for people to undertake day release to participate in employment and to continue in this work when they finally released. This supports the transition process through staged work release and has the potential to reduce some of the anxiety associated with release.

Recommendation 7: Further investment is needed in strengthening learning and employment pathways for people in the justice system. This should be directed towards engagement, learning needs assessment, flexible training and learning programs, and work pathways through Industry Skills Centres and employer led programs.

A staged transition to community

Questions addressed:

3.4.3 What are the critical needs for transition services for women and for men?

What is the impact of higher prisoner numbers on transition services?

3.5.3 How can transitional support programs be adapted and funded to better meet the needs of prisoners both pre and post release?

Are there innovations which could assist in better responding to the substantial problem of sustainable housing for post release prisoners?

Increasing numbers of people are being released from Victoria's prisons. Ideally, at the stage of release from custody effective management and access to education, training and job pathways will mean that a strong foundation for life back in the community will have been put in place. From our experience we have seen that this is often not the case. Instead, there is a great deal of instability and uncertainty around the process of release from custody, with dates not clear and arrangements for secure and sustainable accommodation often not in place. These factors can further heighten a sense of anxiety among people that is often already elevated at this time.

A further issue is the absence of support and services for many people leaving custody. The Judy Lazarus Centre with its staged approach to transition has capacity for only 25 people at any point in time while the outgoing Intensive Transitional Support Program and Corrections Victoria Reintegration Program are tightly targeted to specific cohorts of people leaving prison. As a result there are many unmet support needs among people leaving prison, particularly around housing and connections to the wider community. Action is required to address these issues through staged release, intensive support, and a greater range of safe, secure and stable housing options.

Staged release

The current arrangements for release on parole or straight release for the vast majority of people exiting prison need to be reformed and replaced, wherever possible, with a process of staged release into the community. Ideally this will be linked in with employment and training in the community.

Currently, the best example of this in the Victorian justice system is the Judy Lazarus Centre which places a particular emphasis on engaging participants in work and education. This model is being used or adapted on a wider basis in other jurisdictions worldwide, most notably the United Kingdom where there are plans to establish a network of 70 resettlement prisons throughout the country (Grayling, 2013).

A staged approach could also include measures such as day release for people to attend work or study. In Sweden, since 2007 authorities have had special actions available to them in managing people prior to release from prison. These actions allow for conditional release during the day to work, attend education, or health related treatment services, the ability to be transferred to an external transition house, or release to home with electronic tagging.

Recommendation 8: A widespread approach to staged release from custody should be developed in Victoria for people in prison with low to medium risk ratings. As part of this, a trial of day release to attend study or work and build other connections to the community should take place.

Intensive support services

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 get stuck in the revolving door of the justice system.

While Corrections Victoria has begun the process of implementing a new model of transitional support, it is clear that this may not provide adequate coverage or an appropriate level of support for many of the most vulnerable people exiting prison, including young people aged 18-24, women, and Aboriginal people.

A key element of any strategy to reduce reoffending must be the development and evaluation of new approaches to supporting highly vulnerable people exiting prison. New approaches should be informed by emerging evidence on desistance (McNeill, 2012) and what works in supporting people to move away from the justice system. In practice this will mean:

- Providing support over longer periods of time, including engaging with people prior to release from custody.
- A therapeutic, trauma-informed approach focused on building capabilities and increasing soft skills.
- Age, gender and culturally appropriate responses.
- Integrated responses to meet the multiple and complex needs of people exiting custody. Existing efforts to integrate services and funding in Victoria, such as MACNI and Services Connect provide potential approaches that could be utilised moving forward. The availability

of a flexible range of secure and stable accommodation, including with ongoing support, is crucial.

Recommendation 9: Invest in longer, deeper and fuller approaches to transitional support for highly vulnerable people exiting prison.

Resolving housing issues

Around 43 per cent of prisoners exit custody into homelessness (Australian Institute of Health and Welfare, 2013). In Victoria, we have seen how 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 vulnerable women and young people this can put them at risk of being exposed to violence and trauma.

Given safe and affordable housing is fundamental to people's ability to get their lives back on track, 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 housing (Baldry, McDonnell, Maplestone, & Peeters, 2003) (Willis, 2004).

National and state level housing and homelessness policies should develop and invest in a range of initiatives including:

- A single housing access point and support service for people in the justice system.
- A rental brokerage service supporting people exiting prison to access the private rental market; a model trialled with homeless people in the UK and Victoria (Coutts, D'Arcy, Harris, & Janicejevic, 2009).
- Accommodation and intensive therapeutic support for people with complex needs and challenging behaviours, including for people on bail or parole. This should include gender specific and culturally appropriate options for women and people who are members of Victoria's Aboriginal communities. The Journey to Social Inclusion Project demonstrated the value of ongoing and intensive housing support for chronically homeless people. A cost-benefit analysis of this project found that over a 10 year time frame it is calculated that for every dollar invested there was a saving of \$1.30 (Johnson, Kuehnle, Parkinson, Sesa, & Tseng, 2014).

Recommendation 10: Prevent homelessness among people exiting prison by developing a cooperative approach with housing services to support vulnerable people exiting prison. This should include the development of a diverse range of housing and support options targeted at vulnerable cohorts including women, young people and people living with intellectual or physical disabilities.

Jesuit Social Services: 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.

Jesuit Social Services works where the need is greatest and where it has the capacity, experience and skills to make the most difference. Jesuit Social Services values every person and seeks to engage with them in a respectful way, that acknowledges their experiences and skills and gives them the opportunity to harness their full potential.

We do this by intervening directly to address disadvantage and by influencing hearts and minds for social change. We strengthen and build respectful, constructive relationships for:

- **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

Currently our direct services and volunteer programs are located in: Victoria, New South Wales and Northern Territory. Services 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.

- **Community Programs:** working with people on public housing estates across metropolitan Melbourne, including the African Australian and Vietnamese communities
- **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.
- **Support After Suicide:** supporting people bereaved by suicide, including children and young people.
- **Western Sydney Program:** delivering social enterprise and other community building that provide affordable food, training and employment opportunities to people living in the area of Mount Druitt, Western Sydney.
- **Just Leadership:** Working in partnership with community and corporate enterprises to foster leadership for a just society. This includes the African Australian Inclusion Program, a professional bridging program developed in partnership with the National Australia Bank.
- **Capacity building** activities in Central Australia with Aboriginal communities to improve their situation and to have more control over their lives. This work started in 2006 after local community and church leaders approached us for support.

Research, advocacy and policy are advanced through our Policy Unit, coordinating across all program and major interest areas of Jesuit Social Services. Our Learning and Practice Development Unit builds the capacity of our services through staff development and training as well as articulating and disseminating information on best practice approaches to intervening with participants across our programs.

Bibliography

- Australian Bureau of Statistics. (2014). *Prisoners in Australia - 2014*. Australian Bureau of Statistics.
- Australian Institute of Health and Welfare. (2013). *The Health of Australia's Prisoners 2012*. Canberra: Australian Institute of Health and Welfare.
- Baldry, D. E., McDonnell, D. D., Maplestone, P., & Peeters, M. (2003). *Ex Prisoners and accomodation: what bearings to different forms of housing have on social reintegration*. Australian Housing and Urban Research Institute AHURI.
- Baldry, E. (2013). Disabling Justice . *Insight* , 26-28.
- Baldry, E., Dowse, L., & Clarence, M. (2012). *People with Intellectual and Other Cognitive Disability in the Criminal Justice System*. sydney: University of New South Wales.
- Baldry, E., Dowse, L., McCausland, R., & Clarence, M. (2012). *Lifecourse Institutional Costs of Homelessness for Vulnerable Groups*. School of Social Sciences, University of New South Wales.
- BearingPoint Inc. (2003). *The Review of Education and Training Provision in Victorian Prisons - the Way Forward*.
- Bennett, P., & Shuker, R. (2010). Improving prisoner-staff relationships: exporting Grendon's good practice. *Howard Journal of Criminal Justice* , 491-502.
- Carlton, B., & Baldry, E. (2013). Therapeutic Correctional Spaces, Transcarceral Interventions - Post-release support structures and realities experienced by women in Victoria, Australia. In B. Carlton, & M. Segrave, *Women Exiting Prison - Critical Essays on Gender, Post-Release Support and Survival* (pp. 56-73). Routledge.
- Cauuffman, E., & Steinberg, L. (2012). Emergin Findings from Research on Adolescent Development and Juvenile Justice . *Victims and Offenders: An International Journal of Evidence-based Research, Policy and Practice* , 428-449.
- Comptroller and Auditor General (NZ). (2013). *Department of Corrections - Managing Offenders to Reduce Reoffending*.
- Coutts, S., D'Arcy, A., Harris, L., & Janicejevic, I. (2009). Private Rental Access Program: Debunking the Myth of the Impossible Private Rental Market. *Parity* , 40-41.
- Davies, M., Lamb, S., & Doecke, E. (2011). *Strategic Review of Effective Re-Engagement Models for Disengaged Learners*. Department of Education and Early Childhood Development.
- Davis, C., Bahr, S., & Ward, C. (2013). The Process of Offender Reintegration: Perceptions of What Helps Prisoners Reenter Society. *Criminology and Criminal Justice* .
- Department of Justice. (2011). *Statistical Profile of the Victorian Prison System - 2006-07 to 2010-11*.
- Equal Opportunity Commission Victoria. (2006). *Women Prisoners in Victoria*. Melbourne: Equal Opportunity Commission Victoria.

- Ericson, M., & Vinson, T. (2011). *Young People on Remand in Victoria*. Jesuit Social Services.
- Fox, K. (2011). Redeeming Communities: Restorative Offender Reentry in a Risk-Centric Society. *Victims and Offenders: An International Journal of Evidence-based Research Policy and Practice* , 97-120.
- Gerrand, V. (2005). Can Deinstitutionalisation Work? Mental Health Reform from 1993 to 1998 in Victoria, Australia. *Health Sociology Review* , 255-271.
- Grayling, R. H. (2013). *70 Resettlement Prisons Announced for England and Wales*. Ministry of Justice (UK).
- Hardcastle, L., Bartholomew, T., & Graffam, J. (2011). Legislative and Community Support for Offender Reintegration in Victoria. *Deakin Law Review* , 111-132.
- Holland, S., Pointon, K., & Ross, S. (2007). *Who Returns to Prison? - Patterns of recidivism among prisoners released from custody in Victoria in 2002-03*. Melbourne: Department of Justice Victoria.
- Jesuit Social Services. (2014). *Strengthening Prisoner Transition to Create a Safer Victoria*.
- Jesuit Social Services. (2013). *Thinking Outside - Children on Remand in Victoria*.
- Johnson, G., Kuehnle, D., Parkinson, S., Sesa, S., & Tseng, Y. (2014). *Resolving Long-Term Homelessness - A Randomised Controlled Trial Examining the 36 Month Costs, Benefits and Social Outcomes From the Journey to Social Inclusion Pilot Program*. St Kilda: Sacred Heart Mission.
- Johnson, H. (2004). *Drugs and Crime - A Study of Incarcerated Female Offenders*. Australian Institute of Criminology.
- Leong, L. (2013). *The Story of the Singapore Prison Service - From Custodians of Prisoners to Captains of Lives - A Case Study*. Singapore Civil Service College.
- Lipsey, M., Howell, J., Kelly, M., Chapman, G., & Carver, D. (2010). *Improving the Effectiveness of Juvenile Justice Programs*. Georgetown: Centre for Juvenile Justice Reform.
- Maguie, M., & Raynor, P. (2006). How the Resettlement of Prisoners Promotes Desistance from Crime: Or Does It? *Criminology and Criminal Justice* .
- McNeill, F. (2012). Four Forms of 'Offender' Rehabilitation: Towards and Interdisciplinary Perspective. *Legal and Criminological Psychology* , 1-19.
- Miller, N., & Najavits, L. (2012). Creating Trauma-informed Correctional Care: A Balance of Goals and Environment. *European Journal of Psychotraumatology* .
- National EQUAL Offenders Network. (2007). *Re-Integrating Ex-Offenders into the Labour Market - Learning from European Neighbours*. Federal Ministry of Labour and Social Affairs (Germany).
- Office of the Public Advocate. (2003). *From Corrections to the Community - the Need for Transitional Support Services for Offenders with a Cognitive Disability*.

Patterson, M., Uchigakiuchi, P., & Bissen, T. (2013). Can Prison Be a Place of Healing? The Trauma-Informed Care Initiative at the Women's Community Correctional Centre. *Multidisciplinary Research on Hawaiian Well-Being* .

Ploeg, G. (2011). *Norway's Reintegration Guarantee*.

Productivity Commission. (2004, 2011). *Report on Government Services*.

Roberts, J. (2011). Innovation in Vocational Education and Training in Corrections Victoria. *Australasian Corrections Education Association (ACEA) Conference*. Surfers Paradise.

Segrave, M., & Carlton, B. (2013). Introduction - Gendered Transcarceral Realities. In B. Carlton, & M. Segrave, *Women Exiting Prison - Critical Essays on Gender, Post-Release Support and Survival* (pp. 1-11). Routledge.

Smyth, R. (2011). *Costs of Crime in Victoria*. Monash University.

Stamatakis, N., & Vandeviver, C. (2013). Restorative justice in Belgian prisons: the results. *Criminal Law and Social Change* , 79-111.

Stathopoulos, M. (2012). *Addressing women's victimisation histories in custodial settings*. Australian Institute of Family Studies (AIFS).

Te Riele, K. (2014). *Putting the Jigsaw Together: Flexible Learning Programs in Australia*. Melbourne: The Victoria Institute for Education, Diversity and Lifelong Learning.

UK Ministry of Justice. (2013). *Analysis of the impact of employment on re-offending following release from custody using propensity score matching*.

United Nations Office on Drugs and Crime. (2012). *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*.

Victoria Parliament Law Reform Committee. (2013). *Inquiry Into Access to & Interaction with the Justice System by People with an Intellectual Disability & their Families & Carers*.

Victorian Auditor-General's Office . (2012). *Prison Capacity Planning*.

Victorian Auditor-General's Office. (2003). *Addressing the Needs of Victorian Prisoners*.

Victorian Auditor-General's Office. (2014). *Mental Health Strategies for the Justice System*.

Victorian Equal Opportunity and Human Rights Commission. (2013). *Unfinished Business: Koori Women and the Justice System*. Melbourne: Victorian Equal Opportunity and Human Rights Commission.

Victorian Government. (2013). *Victorian Government Aboriginal Affairs Report 2012*. Melbourne: Victorian Government.

Victorian Ombudsman. (2014). *Investigation into deaths and harm in custody*. Victorian Ombudsman.

Vinson, T. (2004). *Community Adversity and Resilience - the distribution of social disadvantage in Victoria and New South Wales and the mediating role of social cohesion*. Jesuit Social Services.

Vinson, T. (2007). *Dropping off the Edge: The Distribution of Disadvantage in Australia*. Melbourne and Canberra: Jesuit Social Services & Catholic Social Services Australia.

Williams, H. (2012). *Repairing Shattered Lives: Brain Injury and its Implications for Criminal Justice*. Barrow Cadbury Trust.

Willis, M. (2004). *Ex-prisoners, SAAP, Housing and Homelessness in Australia*. Australian Institute of Criminology.

Wilson, D., & McCabe, S. (2002). How HMP Grendon 'Works' in the Words of Those Undergoing Therapy. *The Howard Journal of Criminal Justice* , 279-291.

Women's Health Victoria. (2008). *Women and Corrections - Gender Impact Assessment 3*. Melbourne: Women's Health Victoria.

Wright, K., & Cesar, G. (2013). Toward a More Complete Model of Offender Reintegration: Linking the Individual, Community, and System-Level Components of Recidivism. *Victims and Offenders* , 373-398.