



SUBMISSION TO THE NEW SOUTH WALES LAW REFORM COMMISSION

Question Paper 4: Reintegration into the community and management on parole

Submitted by: Australian Community Support Organisation

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Australian Community Support Organisation (ACSO)

In the last three decades, ACSO has grown from a small organisation providing a halfway house for ex-prisoners to becoming a leading provider in forensic services in Australia. **Our vision is to create a safe and inclusive community freed of crime and prison.** Our growth is testament to our ethos, "create another chance", and how we go about doing it portrays our values.

ACSO helps people transition from prison, assists them in the community to prevent re-offending and diverts others from committing crime in the first place. We offer innovative services responding to unemployment, mental illness, disability, homelessness, substance use and offending behaviour. These services are delivered through our wrap around service delivery model that integrates our forensic residential, clinical care, disability and mental health case coordination and employment services, to achieve better outcomes for our clients and the communities we serve. ACSO delivers more than 20 programs to approximately 20,000 clients per annum via our four divisions:

1. Forensic Residential Services
2. Clinical Services
3. Complex Care
4. Employment Services

ACSO's work with forensic clients

For over three decades, ACSO has supported hundreds of thousands of correctional clients in a range of correctional settings across the Victorian state who present with complex needs to successfully transition back into the community.

Our programs address long term behaviour change leading to a reduction in recidivism, as we support clients to live law abiding lifestyles ultimately breaking the cycle of release and rearrest. Over the years we have worked in partnership with correctional clients, correctional staff and the community support sector to build safer more inclusive communities addressing behaviour change with offenders. ACSO provides a wide range of specialist services that provide case management and therapeutic support for forensic clients who present with a range of complex needs. These services include:

Our Forensic Residential Services provide a "step up, step down, step out" model of care for individuals with an intellectual disability (ID) and significant offending history, from a range of forensic and specialist disability houses to supported accommodation programs, all designed to address behaviour change, build residents' resilience, life skills and independence.

Our Clinical Services COATS program provides state-wide forensic drug and alcohol triage, assessment and brokerage services to offenders with an AOD problem or a treatment component to their Court order or parole. Through a central intake we triage each referral, from Courts, Prisons, Community Corrections and the Adult Parole Board, and ensure our clinicians conduct a same-day assessment for the most at risk; within 48 hours for those at significant risk and within 5 working days for all other clients, recommending and developing clinical drug treatment goals for each individual.

Our Complex Care Link Out program provides voluntary case management and outreach service for men in prison who are at high risk of reoffending and who seek post-release support. Prior to release, the case manager works with the prisoner to identify needs and develop a release plan. The connection with prisoners prior to their release enhances the chances of the prisoner maintaining their release plan and sustaining a more positive lifestyle. We have built strong relationships with Community Corrections Officer (CCO) staff across Victoria supporting the sharing of information and collaboration to ensure participants meet the conditions of their parole/orders.

Our Employment Services Programs includes Disability Employment Services and our specialist Offender employment service, Job Services Australia and our social enterprises: Pass it on and the Pantry. In these programs, we primarily support job seekers with complex needs including an offending history and high risk of homelessness. Over 55% of our employment services clients have transitioned back into education, employment or training in the past 12 months – a result that is higher than the national average.

The past 30 years of working effectively with forensic clients has not only provided ACSO with the skills necessary to manage the common risks and issues of this client group, but also the capacity to address the wide range of complex needs and compounding factors that are often present as additional risks in relation to this group.

Scope of Our Submission

ACSO welcomes the opportunity to make a public submission to the New South Wales Law Reform Commission regarding Question Paper 4, *Reintegration into the community and management on parole*.

This submission focuses on responding to questions posed in the question paper that lie within ACSO's areas of expertise and experience in the State of Victoria. The content has been collected from discussions with staff who have relevant expertise and experience with clients on parole and with current and former clients who were parole.

ACSO Response to Question Paper

Question 4.1: Case Management of offenders in custody

How could case management of offenders in custody be improved to ensure that any issues that may impede successful reintegration on parole are identified and addressed?

As noted in the Question Paper (s4.25), the case plan is a road map intended to lead to reduced risk of reoffending. It is an important aspect of the process of preparing prisoners to live lawfully in the community that should commence at the earliest possible stage of the prisoner's sentence. ACSO believes that by **commencing case management at the point of intake or reception into prison**, it allows the best chances of engaging offenders from the beginning of their sentence and ensures that prisoners are aware of what is expected of them while they are in custody i.e. the pre release programs, services and treatment they are required to attend before parole. This would particularly benefit prisoners with short sentences because their incarceration period might not permit much time for effective planning or case management pre-release.

ACSO's Employment with Conviction model is an example of a case management model that commences at intake in relation to employment pathways. Assessments are conducted at intake and, based on the results, an individual tailored case plan is developed. The benefit of this model is that you can identify past employment the prisoner has engaged in so that they can be linked into a relevant industry, training, education and further career development while they are in prison. ACSO is available for consultation if this is a model that would improve the case management processes for the New South Wales Law Reform Commission.

Constant engagement of prisoners in case planning is another strategy ACSO believes could improve case management of offenders in custody. It encourages rapport building between prisoners and correctional officers, allows officers and prisoners to work together to identify any issues that may impede in the prisoner's successful reintegration and address them via attending additional pre-release programs, and working towards relevant post release support before prisoners go on parole.

Question 4.4: Access to education and work programs in custody

What education and work programs would boost offenders' employability and improve their prospects of reintegration when released on parole?

The offender reintegration literature indicates that the criminal justice system can impact negatively on an individual's ability to find secure accommodation, gain meaningful employment or reintegrate with family and the community within the first two years of their release.¹ A combination of negative experiences for people who have had contact with the Criminal Justice System can place individuals at risk of both reengaging in crime. The statistics in the Victorian Adult Parole Board annual report shows that majority of the offenders that had their parole orders cancelled, only served their parole for 12 months or less before their orders were cancelled.²

ACSO believes that **employment is key**. By providing offenders with the opportunity to gain skills while in custody, it gives them a sense of worth and confidence to find employment when they are released on parole. It is important that **core skills assessments** are conducted during intake to allow both short term and long term prisoners to participate in available education and work programs.

Feedback from our staff suggests that **practical and functional preparatory programs** for education and/or work, which give a level of accreditation or recognition, with the potential for further skills training after they are released should be available for short and long term prisoners. This gives offenders **a sense of structure and continuity** (supporting prisoners who are transitioning from prison to community) as well as a sense of personal achievement. One way of achieving this is by inviting industry partners and potential future employers, such as coffee franchises or a timber company into the prison to provide traineeships to prisoners so that completion of a certificate can lead directly to employment (often with the training provider) post release. This reduces the likelihood of offenders experiencing stigmatisation and discrimination when seeking employment and increases community connectedness and a sense of self worth upon release.

ACSO believes that aside from providing education and work programs to boost prisoner's employability, **the prisoner's motivation and readiness** to participate in education and work programs needs to be assessed at various stages during incarceration. Prisoners' participation in vocational and educational programs is voluntary, therefore there needs to be genuine interest on their behalf. This requires individualised supports to be developed to address barriers identified and offer prisoners the best opportunity to meaningfully engage in educational and vocational development.

Question 4.5: Short sentences and limited time post-sentencing

How could in-custody case management for offenders serving shorter sentences be improved to reduce reoffending and improve their prospects for reintegration on parole?

Corrective Services NSW is not obligated to engage in custodial case planning for offenders with less than 6 months to serve because there is little that can be done for a prisoner by way of program participation in such short time (Question Paper 4, s4.24). As discussed in question 4.1, conducting **case management during intake** is one way of improving the in-custody case management of offenders with short term sentences. Please refer to question 4.1.

Feedback from our staff suggests that an **in-court case management and service coordination** model may also be helpful for offenders with short term sentences. Rather than waiting until they are in custody to start the case management process, this process can start immediately after they have

¹ Shinkfield, A.J. & Graffam, J.(2009). Community reintegration of ex-prisoners: type and degree change in variables influencing successful reintegration. *International Journal of Offender Therapy and comparative Criminology*. 53(1) pp. 29-42

² Adult Parole Board of Victoria: 2012-2013 Annual Report,

<http://www.corrections.vic.gov.au/utility/publications+manuals+and+statistics/adult+parole+board+of+vic+annual+reports>

been sentenced so it ensures that the engagement of support services starts at an earlier date and allows for offenders to receive maximum support while they are in custody. Similarly, those individuals who find themselves presenting at court on multiple occasions and for breaches of community based orders may thereby find themselves better equipped to engage in services who will work pro-actively with offenders, in an attempt to address the underlying factors contributing to offending behaviour and to reduce the likelihood of incarceration.

An example of this model is our CATCH program which provides four months of tailored outreach, practical assistance and support to clients with a mental health illness, cognitive impairment or other complex needs, who are involved with the Neighbourhood Justice Centre (including the Magistrates Court). The program was conceptualised in response to staff repeatedly observing unmet needs of individuals leaving court with little support in the areas of housing, pharmacotherapy, medication, access to Centrelink and a range of other psychosocial needs.

Question 4.11: Planning and preparing for release to parole

How could release preparation be changed or supplemented to ensure that all offenders are equipped with the information and life skills necessary to be ready for release to parole?

In Victoria, during 2012-2013, 930 parole orders were cancelled. Out of 930, 868 orders were cancelled due to failure to comply with conditions of parole and 62 orders were cancelled due to further conviction and sentence.³ This highlights the importance of release preparation for prisoners going on parole. Below are some suggestions on how release preparation can be changed or supplemented to improve the prisoners' prospects for reintegration on parole.

The question paper identified some of the challenges of the prison experience such as how daily prison life compromises the prisoners' ability to live independently and their disconnect with technological and social developments occurring in the outside world. We believe there is a necessity for education and work programs to enhance **prisoners' basic life skills**, such as how to catch public transport, budgeting, preparation for future accommodation needs, and literacy & numeracy skills, in order to provide the confidence they need to live independently in the community. There is also greater likelihood of improved reintegration if **pre-parole training is of a substantive duration**, rather than simply one to two days immediately prior to release. The longer duration enables a full synthesis of information and for prisoners to reflect and make positive decisions based on what's learnt.

Feedback from our staff also suggests that **more resources/literature could be made available** to prisoners about technological and social developments, to help avoid them being overwhelmed with unfamiliar aspects in their environment when they are released on parole.

Another suggestion is to have **education sessions** for prisoners about pre-parole requirements, timelines and conditions of parole to familiarise them with the process. Closer to their parole release date, individual assessments of prisoners regarding their intended post-release accommodation, financial means of support and provision of immediate needs such as medications can facilitate their post release support plans. Pre release needs assessments would preferably involve, or the information would be transferred to, offenders' transitional or post-release support workers/agencies.

Prescribed medication was a significant topic that came out of internal discussions with ACSO's clients. For some prisoners, prescribed medication is paramount for diagnosed mental health issues, AOD abstinence or physical health conditions. Once released on parole, sourcing a prescription can be daunting and logistically difficult and can be exacerbated by release far from the parolee's familiar environment. For the types of medication sometimes needed, the parolee requires a non-judgemental or sympathetic practitioner who will not place undue demands on them, such as concrete proof of their

³ Adult Parole Board of Victoria: 2012-2013 Annual Report,

<http://www.corrections.vic.gov.au/utility/publications+manuals+and+statistics/adult+parole+board+of+vic+annual+reports>

condition, or a practitioner who can provide the prescription in a timely manner. The optimal solution would be for Parolees who need prescribed medication to be supplied with a small amount upon release. This could relieve the added stress of trying to source it in a timely manner and also assist in proving their condition and requirements to a medical practitioner later.

Question 4.18: Housing for parolees

What changes need to be made to ensure that all parolees have access to stable and suitable post-release accommodation, and that post release housing support programs are effective in reducing recidivism and promoting reintegration?

In Victoria, sourcing and organising suitable housing can be very difficult for parolees. This difficulty also exists for parolees who have immediate (short term) accommodation arranged but no further accommodation beyond, and for others the only accommodation forthcoming, either privately or through short-term support, is rooming house accommodation, which can sometimes facilitate return to AOD consumption and its effects. The problem of sourcing accommodation can be exacerbated for offenders whose parole conditions prevent them from accessing certain types of accommodation or accommodation in certain locations.

It is important to identify, prior to release, what type of accommodation is most suitable for each offender. A review of the offender's housing history and an assessment of their needs (mental health, intellectual disability, acquired brain injury) could be conducted to ensure that offenders are placed in an accommodation that provides **wrap around support** that are **responsive to their needs**.

As suggested earlier in the submission, an increase of **information provision** for prisoners and **housing specific support** pre-release could be valuable for prisoners whose parole conditions will limit or restrict their housing options, or those who only have short-term housing options. **Succession and exit preparation** to ensure that the appropriate supports are in place and well established prior to exit is critical to the ongoing success of the offender's reintegration back into the community. Skilled support workers will help parolees arrange accommodation that is safe for everyone: the offender, other parolees residing in the same accommodation and the community.

The following example shows how an ACSO support worker provides post-release support to a parolee:


Mike's reintegration case plan has identified a need for assistance to combat his drug use and deal with a traumatic childhood. Mike has some family support from his mother. His package identifies four months post-release support. The support worker co-ordinates Mike's self directed support package as follows:

- Mike is referred to the ACSO COATS program for an assessment and treatment is purchased from the local community health centre for counselling for 10 sessions.
- The support worker discusses the referral with the community health centre and they make a referral for Mike to a methadone prescribing medical practice and pharmacy as part of his drug treatment. The support worker talks with the Centre Against Sexual Assault (CASA) who agree to provide counselling for Mike and support for sexual abuse as a child. Mike agrees for personal information to be disclosed.
- The support worker contacts Home Ground and the Housing Options worker spends time with Mike and they complete a Segment 1 housing application.
- The support worker employs a 'One Client One Plan' approach that outlines what each agency is providing, which is signed by each partner agency and Mike. The support worker coordinates a case conference after eight weeks which the four agencies attend. The meeting indicates Mike is making very strong progress, is no-longer using drugs and has reduced his methadone dose. Now that Mike is becoming more stable, the support worker links him into employment support with an employment services agency. The support worker attends the first appointment where an employment pathway plan is agreed upon. The agency agrees to fund Mike to gain his fork

lift truck licence. On completion Mike starts work as a forklift driver on the docks. Mike exits the program with a job and housing, substance free.

Summary

- ACSO believes that case management plans need to be individualised and responsive to the needs of each offender. Overall, it was apparent from the feedback given by our clients that every parolee experience was different from the next, which suggests there is, or would be, difficulty with a one-size-fits-all approach to the issues experienced by offenders on parole.
- Pre-release programs are important to prepare offenders for release. They need to be available to prisoners whether they have a short term or long term sentence, and early engagement is preferable. These programs and education help equip prisoners with the skills, support and networks they need to successfully reintegrate into the community.
- Although our experience and knowledge is based in Victoria, ACSO is willing to provide further specific consultation around the NSW parole reform agenda or to have discussions about any ACSO models referred to in our submission.

Signature of Authorised Officer	
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Title/Office Held	CEO
Date	20 th December 2013