



Submission to the Queensland Productivity Commission: Inquiry into imprisonment and recidivism

Australian Community Support Organisation

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Contents

Introduction	3
Who are we?	3
Our experience and capability	4
Key issues facing the offenders we support	5
<i>Access to Sustainable and Affordable Housing</i>	5
<i>Alcohol and other Drug Treatment</i>	8
What Lessons can be learnt from practices in other jurisdictions?	9
<i>Housing</i>	9
<i>Temporary release programs</i>	11
<i>Listen to the voice of someone who has been through it</i>	12
<i>Alternative options for non-violent offenders on parole</i>	13
References	15

Introduction

Thank you for the opportunity to contribute to Queensland Productivity Commission's (QPC) *Inquiry into Imprisonment and Recidivism*. ACSO is a community-based support service providing a second chance to over 15,000 persons engaged in, or at risk of engagement in the criminal justice system each year. Our 400 strong workforce comprises expertise from the justice, psychological, health and community sectors to name a few. We work alongside community partners including Swinburne University, Melbourne University, the Centre for Forensic Behavioural Science and work collaboratively with our government partners including the NSW, QLD and Victorian Correctional Services and the Department of Health and Human Services (Victoria), NSW Health and Queensland Health.

The following submission provides examples of our experience in supporting individuals who are engaged in the criminal justice system and our endeavours to support offenders in their journey towards rehabilitation and reintegration. In accordance with the *Terms of Reference* ACSO provides the following:

- A summary of the key challenges the client group faces when leaving custody and practical solutions
- Cost effective methods for supervising offenders in the community
- Knowledge and insight from ACSO's Consumer Advisory Group (CAG) which comprises ex-clients, carers and family members.

ACSO has limited the scope of our submission to the operation of the current system and recommendations for improvements. ACSO, in developing this response, has considered the experiences of our clients and staff and consulted with our Consumer Advisory Group. Direct staff feedback was gained through a series of consultations with senior and direct service staff in areas of forensic disability and mental health, forensic drug and alcohol assessment, post release housing, post release case management and specialist sex offender case management.

Who are we?

Established in 1983, Australian Community Support Organisation (ACSO) offers a diverse range of criminal justice programs in Victoria, New South Wales and Queensland, specifically tailored to the most marginalised members of our community. Our programs include pre-release transition-oriented programs; post-release case work, forensic alcohol and drug assessment treatment, offender housing programs and forensic disability support programs. The participants we support

experience a range of complexities including disability, mental health concerns, long-term homelessness and unemployment; they are those on parole, remand, community correctional orders and supervision and detention orders.

Our experience and capability

ACSO operates at all points in the justice continuum providing early intervention, diversion, pre-release and post-release services. The following provides a brief outline of a selection of our current programs and services;

CREST (QLD): ACSO delivers the CREST program in south-east Queensland delivering three primary components;

- In-prison information and referral service: An open access service, available to all prisoners, located within the custodial center with the primary aim of providing information and basic support regarding reintegration.
- Post release support: This service provides holistic and integrated pre and post release services with the aim of supporting offenders to access appropriate community supports as they require.
- Parole support: Provides time-limited support for parolees who may be at risk of breaching their parole conditions due to heightened risk and other factors (e.g. housing instability, re-engagement with past co-offenders).

COATS Community Offender Advice and Treatment Service (VIC): We are the only centralised forensic alcohol and other drug intake service in Australia. We provide intake, assessment, brokerage and referral for all mandated forensic clients across the state, receiving referrals from youth justice, the Adult Parole Board, Courts, Prisons and the Department of Health and Human Services.

RECONNECT (VIC): ReConnect is funded by Corrections Victoria to support 623 participants per annum on parole and straight release to transition into the community in a manner that decreases their risk of offending whilst increasing their ability to successfully engage and participate in their local community. The program is provided to participants on a voluntary basis, with the aim of addressing broad risk factors that contribute to successful engagement (e.g. housing, education, employment, mental health and wellbeing, AOD and social connectedness).

Forensic Residential Services (VIC): Residential program for persons with intellectual disability engaged in the criminal justice system. We operate 10 residential properties, housing 50 people per

annum and providing support to those on a range of orders including post-sentencing orders, community correctional orders, community treatment orders and the sex offender register.

Initial Transition Service (NSW):

The Initial Transition Service (ITS) works with people leaving custody who have been identified by Corrective Services NSW as requiring additional support. ITS is a 12-week program supporting people with a medium-high or high LSI-R to successfully reintegrate into their communities and comply with their parole orders by linking them with support services in their area. ACSO delivers ITS in four locations around NSW including: Dubbo, Wagga Wagga, Wollongong and Campbelltown.

The Problematic Sexualised Behaviour Service (PSBS) provides 6 – 12 month treatment and intervention to over 29 clients per annum who are diagnosed with an intellectual disability and present with sexual offending behaviours. Specialist clinicians complete a risk assessment and provide the individual with counselling to reduce problematic sexual behaviours. Where appropriate, the service engages with support providers and families to devise culturally appropriate strategies and interventions that will reduce the risk of further sexual offending.

Key issues facing the offenders we support

Access to Sustainable and Affordable Housing

One in every 200 individuals is homeless in Queensland (Queensland Government, 2017) and people with a history of offending, particularly those who have experienced incarceration, are more likely to be homeless owing to a number of factors including family breakdown, loss of employment, and loss of housing whilst in custody (Homelessness NSW, 2019). It's worth noting that short sentences (i.e. sentences under 6 months for the purpose of this document) 'make up 37.7 % of court ordered parole orders and are a large proportion of sentences delivered by the Magistrates' Court' (Qld Parole System Review, 2016, p. 92). The destabilising and disruptive impact of incarceration and release—particularly for the colloquial 'frequent flyers'—on ability to maintain a tenancy and remain financially secure cannot be understated and as such it is a common practice in our offices, to anticipate that ACSO participants will require housing support on leaving custody. Sourcing temporary housing is usually resource intensive whilst sourcing long term, stable and affordable accommodation is near unachievable given the widely acknowledged housing shortage impacting Queenslanders.

ACSO adopts a *Housing First* approach and focuses on this as a primary goal for all people leaving custody in acknowledgement that stable housing is part of the solution in successful community

reintegration (Baldry, McDonnell, Maplestone, & Peeters, 2004; Willis, 2018). The options available for supporting people to gain stable housing in Queensland without using government support are limited and the barriers to accessing housing are compounded for this cohort owing to a range of issues including but not limited to;

- criminal history
- lack of available funds
- poor or negligible rental history
- outstanding rental debts

Frequently, short term accommodation is sourced within boarding houses because it is accessible and affordable. However, high density housing is problematic, and the shared living space is usually with others who exhibit or engage in anti-social behaviours, increased risk of alcohol and substance use, have unmanaged mental health issues and are involved with the justice system to some extent.

Client perspective:

Tom* had been blacklisted from all boarding houses in the area, he had access to very little money and ended up residing with family members despite a history of relationship breakdown which historically never ended well. Within weeks, Tom's mental health had deteriorated, and resumed taking substances as a form of self-medication and stress release; a short time later he returned to custody. This is a common experience our clients face, without being able to source affordable housing, their independence and ability to remove themselves from negative influences is a constant barrier they face.

**Name changed*

At present, there is government funded brokerage being provided in our Queensland 'CREST' program and it is estimated that \$80,000 is spent annually on securing housing. Of the 5,200 annual clients passing through the program, one in every four are requesting support for finding a place to live. Boarding houses in South East Queensland are prominently privately owned and considered 'for-profit'. Our understanding is that they do not engage in risk assessing or formal intake processes when allowing an individual to move in, and do not offer supports to be able to assist the person to manage tenancy and generally result in fast paced evictions if an issue arises.

Facilitating better temporary housing outcomes for clients leaving custody in Queensland

It was recently observed that people in custody were becoming frustrated by the rate of their Department of Housing applications being rejected due to not being completed properly. This has established a collaboration between CREST and Inala Housing (Department of Housing and Public Works) to co-facilitate 1-hour group workshops to provide additional support with understanding the application process, assistance with completing required forms and being provided tenancy information in Wolston Correctional Centre and Brisbane Correctional Centre. The sessions commenced in October 2018 and to date there has been approximately 80 incarcerated people attend these sessions. We have recently been asked to trial the new application form for clients and provide feedback to QCS and Housing on the appropriateness and client experience.

ACSO have also modified the application processes for clients seeking accommodation through boarding house providers prior to leaving custody. Originally, clients were writing letters to boarding houses seeking accommodation assistance, there was little correspondence back from the boarding houses and most clients had did not receive an outcome on whether they had secured accommodation. Boarding house providers have told ACSO staff that they 'rarely opened any of the letters and would discard most of them'. New processes implemented allowed for clients to complete an application form and return it to the ACSO in-prison workers who can then refer the clients to boarding house providers. ACSO use their community networks to seek appropriate vacancies for the person and continue to do this until the person is accepted. Clients are generally only notified once they are accepted to alleviate the constant rejection, they experience each time they are refused accommodation.

Since December 2018, ACSO has noticed a vast improvement with boarding house referrals with the in-response rates from boarding house managers being provided in a timely manner. Additionally, ACSO has been able to provide advocacy support to clients to ensure they are able to access and afford the accommodation they are placed in.

In Victoria, ACSO invests in establishing head lease housing, supporting individuals into an agent managed property leased by ACSO until such time the person is able to demonstrate an ability to take on the rent. In addition to providing a property, ACSO supply a Housing Support Worker who supports the person to manage any issues that arise along with upskilling an individual on how to manage neighbour disputes, understanding the role of a tenant and landlord, how to budget and pay rent on time and navigating the state tendency laws. This allows a six or twelve-month placement opportunity for an individual to gain knowledge, create a positive rental history, increase skills on maintaining a property, towards breaking the cycle of homelessness.

Alcohol and other Drug Treatment

Working with a significant proportion of people in Queensland leaving a custodial centre has provided insight into the ability of individuals in our service to access alcohol and other drug treatment support. We are familiar with research which suggests that 67% of this particular group have reported using illicit drugs 12 months prior to prison, however their ability to receive appropriate and tailored support is a different story and it appears outcomes are rarely measured (AIHW, 2015). At present, we have found limited assessments taking place in custody and more of than not our in-prison clients are directed by AOD service providers to write a letter to request a place in the facility. This is problematic, primarily as literacy rates are low and the information that is to be provided is self-reported and may not encapsulate the information necessary to make informed decisions about a person's treatment.

In contrast, in Victoria, all mandated persons leaving prison receive alcohol and drug assessment and where relevant treatment via ACSO's Community Offender Assessment and Treatment services (COATS) which has been in operation for over 17 years. As the only centralised intake and assessment service of its kind in Australia, COATS specialises in addressing the AOD needs of offenders with often complex needs. Our AOD clinicians are continually upskilled and are cognisant of the complex interplay between offending, substance use and mental health. COATS also provides in-custody assessment for some cohorts, particularly those who are high-risk.

Staff perspective

Recently, an ACSO in-prison support worker met Jordan* a first nations person serving his second custodial sentence. Jordan was requesting support in completing an AOD assessment for a referral; they were unable to complete it themselves due to low literacy levels. Jordan had an urgent deadline to meet with needing the referral in place to assist with his parole application and had very limited support options. Whilst running through the questions with Jordan, the in-prison worker realised that the situation was not within a confidential space, overtly personal and far from a culturally appropriate situation. Jordan became disempowered and shamed by voicing their drug use history in the crowded environment, the support worker potentially missed key information due to not specialising in AOD assessing and felt that the situation was not client focused.

**Name changed*

ACSO has found varying trends across the states in which we operate, in the ReConnect program (Victoria) we find that the wait time into AOD services is typically 2-4 months which results in a sharp decline in motivation and willingness to engage in the lead up to treatment. In Victoria, ACSO provides bridging support (i.e. Brief Intervention, motivation work) in the lead up to treatment which generally leads to better success rates. Unfortunately, we do not have the ability to provide bridging support in New South Wales and Queensland due to the current funding arrangements, which means often relying on other service providers. ACSO are strong proponents for providing post-release bridging support, particularly bridging that comprises support for AOD and mental health, housing and crisis support as these have the potential to divert individuals away from engaging in offending or high-risk behaviours (i.e. drug trafficking, sleeping rough, poor mental health leading to police intervention).

There are a wide range of treatment programs available in the South East Queensland region in the community, however it is rare to be able to take someone from custody directly to the treatment centre or rehabilitation/detox facility. This is where there is scope to ensure that we increase capacity to endorse throughcare principles to achieve better outcomes for people. The cost involved with government funded rehabilitation centres is generally \$700 per person before they can be accepted, unfortunately more often than not people leaving custody are relying on the emergency payment from Centrelink which is \$500~. ACSO negotiates with some providers to use brokerage to pay \$200 to secure a bed for the person, with the agreement the client will pay the rest with their next pay cycle.

What Lessons can be learnt from practices in other jurisdictions?

Housing

It is a common practice that individuals seeking parole who cannot demonstrate stable accommodation may not be released until such time that they can demonstrate this. If the risk to the community can be managed, the person should be supported to find a safe place to reside in whilst going through the court process; especially in a case when there is no conviction. Diverting someone away from the prison system allows for growth for the person and gives opportunity to take another path. Two alarming statistics that are in QPS initial draft report are that 31% of the prison population in Queensland are unsentenced and that prior to entering custody 22% of the prison population were either sleeping rough or were residing in temporary housing. This area is where ACSO believes there is substantial opportunity for diverting people from having a long history within the criminal justice system, by allowing people a safe space to rebuild their lives, resulting in

support services such as ACSO can then do what they do best and start to focus on the person's criminogenic needs.

Solution 1: The Atrium Program

A relatively new initiative which ACSO is leading in Victoria, is a collaboration between ACSO, Melbourne City Mission and Caraniche which aims to deliver housing options, case support and Alcohol and Other Drug treatment options to individuals on bail and involved with the Court Integrated Services Program. This is important as this group of people are likely to return to custody based on not being able to access appropriate and court approved housing and gives opportunity for government and non-government service providers to work together in order to achieve better outcomes and keep people out of prison.

A summary of the service delivery model for the Atrium Program is that it;

- offers a supported process which entails an intake/screening and assessment process to ensure suitable housing is sourced,
- takes into consideration additional support areas such as addressing the individuals criminogenic needs to divert them from further involvement with the criminal justice system and;
- has response times included to ensure smooth processes and accountability for each agency to work within.

It is too early to be able to evaluate the program but it is expected to achieve significant changes for the people involved and result in increased diversions. It also is an indicator of the bold changes that can be made when specialist support agencies work together to achieve outcomes. This model can be applied for specific groups of people within the criminal justice system, not just those on bail.

Temporary release programs

The practicality of developing temporary release programs in the final stage of a prison sentence is worth further exploration. To be able to provide opportunities to people leaving prison in a staged and supported process would be an area ACSO would be in favour of. We have found that working with those who have spent considerable time in a secure facility are overwhelmed with their release and have difficulty with grasping some basic life functions in their first few weeks of release and can lead to an increased risk of instability. To be able to offer an avenue which assists in supporting their reintegration and allows for creating a better success rate on their parole is a solution worth our attention.

Client perspective:

George* was released after a 22-year sentence for murder and his first observations were, *'everything in prison was structured, when you get out it feels chaotic. Why didn't anybody help me with basic life skills; like using a mobile phone and or planning my day. I had no idea what to do at Centrelink...any support would have been great'*.

**Name changed*

Majority of ACSOs service delivery models have an area for pre-release support work to occur. This allows for rapport building, goal setting and boundary setting to occur in a secure environment and can set the scene for release day and the following weeks. Unfortunately, it can be quite challenging to achieve this, primarily due to external factors – prison access or unplanned lock downs, support workers managing community clients and prioritising their risk first, clients enrolled in other programs or employed etc.

Solution 2: Temporary Release Programs

It would be anticipated that Corrective Services would identify the individuals and take into consideration appropriate risk assessing, ACSO would then envisage that short term periods of support (4 – 6 hours) would consist of developing and increasing their daily living skills and support to engage in community, prosocial and other community activities. If we were really ambitious, there would be supported living arrangements for approved people to reside for short stays to have a transition period to living full time in the community with a parole order. When leaving custody, the smallest aspects such as understanding how to use public transport to attending a parole appointments, can put unnecessary pressure on a person and greatly lessen

their chance of living a different life. Community approaches have proven to be more cost effective and with appropriately trained support staff engaging with the person, there could be avenue for better long-term outcomes.

Listen to the voice of someone who has been through it

ACSO's consumer advisory group formed in 2011 as an initiative to involve ex consumers for advice. The Consumer Advisory Group (CAG) team are a group of 12 ex consumers who are actively engaged and involved in an array of service, advice and reviews within the scope of justice. To date, the CAG team have been involved in reviewing and providing feedback of programs and literature for ACSO and the services provided. ACSO recognised that service users were an important factor in engaging with the people in who ACSO provide for. Through this initiative, CAG has undertaken many invaluable roles within the organisation.

An outline of their achievements is inclusive of, but not limited to:

- Provided information for the Court system, Prisons and input into Royal commissions and inquiries.
- Participating in the mailing project, reviewed and gave feedback on literature and texts being sent to clients with mental health issues and who are on the waiting list for services.
- CAG members actively participate in Staff Inductions, sharing their experiences and outlining the importance of workers in working with clients from the Justice System.
- CAG members have recently secured an opportunity with Victoria University to create awareness of social injustices, labels and the difficulties of rebuilding their life with an offending past.
- Gave feedback and recommendations regarding a Tender on the needs of people granted Bail from Prison and the Courts.
- Reviewed and made recommendations for the Consumer Intake Assessment phone lines for Mental Health and, Drug and Alcohol Treatment Services
- Gave feedback and made recommendations on ACSO's Client Consent and Obtain Information Form, which was forwarded to the Senior Manager, Quality Safety and Risk.

- Participated in a Focus Group reviewing and making recommendations on “The Quit Pocket Leaflet” for offenders, to assist them to not smoke upon their release from prison. Recommendations will be forwarded to the “Quit Program – Cancer Council.”

ACSO are proactive in seeking opportunities for CAG engagement. This is both within our own organisation as well as other organisations and sectors. Quite commonly, CAG actively provide awareness and ideas from their own personal experiences. Raising awareness and challenges they have faced through the lens of someone who has a lived experience in focus.

The CAG team are both an integral and invaluable resource to our organisation. They are informative and open about their experiences. They have acquired further skills and knowledge through their membership with ACSO, advancing their confidence and awareness of their voice and the importance of their insight. CAG has been a stepping stone for members to increase their sense of belonging in their advocacy and are appreciated in their direction for ACSO to remain relevant for the people they service.

Alternative options for non-violent offenders on parole

It would be ACSOs observation that administrative violations are key drivers of people on parole returning to custody for not fulfilling their parole obligations. By increasing resources within the parole space, there is opportunity to increase the number of individuals placed on supervision in the community and decrease the amount that are in the correctional centres. This is particularly important for people who are **non-violent** and generally have difficulty meeting their parole obligations due to failing to report, testing positive for substances and non-engagement with treatment providers. It appears that this group of people are sometimes hesitant to receive supports until receiving formal warnings from parole, and then there is a rush to engage in a support service. Unfortunately, this cycle is apparent for a significant volume of our clients. Operationally, our reflection would be that there needs to be a segregated pathway for these people to receive more intensive wrap-around support when this occurs. The positive for this scenario is that the client group are generally known as service seekers and not considered dangerous to the community which gives us the opportunity to think of cost-effective solutions. Offering a throughcare model alongside parole will enhance the outcomes of people successfully reintegrating into the community in a more cost-effective way. This cohort of people can be used to improve opportunities for us to increase public safety and reduce future incarcerations.

Solution 3: Solution for non-violent offenders who commit non-technical violations on parole

ACSO would recommend developing a trial program which allows for a different pathway for this cohort. Once the person has received a breach notice and providing, they fit certain criteria (low community risk, unstable housing, non-technical violation etc), they can be diverted from returning to a correctional centre by relocating into a 24-7 supported environment for a six-week period, where they are essentially given a second chance. A 12-bed residential property that allows for a holistic wraparound supports to be provided.

The person can access to supports in house, using this to understand that it is their final opportunity to reside in the community and to make the most of this opportunity. This gives opportunity for State government and Non-Government organisations to work alongside in a collaborative manner to reduce the reincarceration rate. Ideally, there would be a parole officer on site, access to a psychologist, drug treatment services and other integrated services options that can assist with treatments and supports as required. There can be formalised breach reports with an analysis for treatment, options to electronic monitor the offender and a transparent and collaborative affiliation between the support organisations and Corrections.

Once again, thank you for this opportunity.

Regards

Vaughan

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