

# **Catholic Prison Ministry**

## **Submission to the Inquiry on Strategies to Prevent and Reduce Criminal Activity in Queensland**

*Queensland Parliament: Legal Affairs and Community  
Safety Committee July 2014*

\*\*\* CPM is cognisant there are number of statistics presented in this submission which have not been independently verified, however, this is a result of a lack of information being made available by Queensland Corrective Services. We respectfully suggest the committee approach Queensland Corrective Services for this information.

## **Catholic Prison Ministry Submission Rationale**

The number of prisoners being released annually from Queensland prisons is unknown at the time of writing this submission. Queensland Corrective Services (QCS) have previously been reluctant to release this figure publicly. However, through anecdotal information compiled by Catholic Prison Ministry it is believed this figure is approximately 7000 per year. Of those prisoners released, a number of people may reoffend and return to prison.

Since 2012 the Queensland prison population has increased to an all-time high of approximately 7,000 prisoners. This follows a period where the prison populations had remained static at around 5,500 for a number of years leading up to 2012. This rise in the number of prisoners comes at a cost to the state of an extra \$12 million per year.

A significant proportion of those committing crimes and entering prisons both in Queensland and in Australia as a whole have previously been in prison, and are therefore, reoffending post-release. Sixty-five percent of adult prisoners in Queensland prisons in 2013 had known prior adult imprisonment (ABS, 2013) and nationally 58% of prisoners in adult prisons had previously served a sentence (ABS, 2013). It is for this reason there needs to be a focus on providing post-release assistance to prisoners in order to reduce criminal activity in Queensland.

Lack of accommodation, employment opportunities, existing or ongoing substance dependency issues, lack of family support and ineffective pre and post release support are major barriers to ex-prisoners successfully reintegrating into the community. Providing assistance to ex-prisoners to address these barriers not only promotes community reintegration but also has been shown to reduce recidivism and hence provides a safer environment for all.

### **Who Catholic Prison Ministry are:**

Catholic Prison Ministry responds to the issues faced by people affected by the criminal justice system: in court, in prison in community corrections, in families, and in the wider community. We do this by encouraging personal and social change, which promotes and maintains human dignity and the peace of the community.

Catholic Prison Ministry has more than 30 years experiences working with those at risk of incarceration, prisoners, ex-prisoners, and prisoners' families and our support services are targeted and well placed to meet the needs of each target group.

### **Issues Surrounding Leaving Prison**

Recently released prisoners are among the most disadvantaged in the community, often facing complex and difficult issues and facing significant barriers to reintegration into the community (Graffam & Shinkfield, 2012). The needs of released prisoners can be broadly split into the immediate needs of prisoners on release and the broader reintegration needs post-release. When prisoners are released they often require immediate support with transport from the prison, clothing, money, food and accommodation (Walsh, 2004). Following the period immediately after release, ex-prisoners are faced with the challenge of successfully reintegrating into the broader community. In summary, two of the most significant problems faced post-release are housing, which also links closely to chances of recidivism, and a lack of support with reintegration needs.

#### *Strategy 1: Provision of Adequate Housing*

Ex-prisoners are disproportionately represented in homelessness - while the rate of homelessness amongst the general population of Australia is around one percent, it is as high as 28% for ex-prisoners (Baldry, McDonnell, Maplestone & Peeters, 2003). Recent research confirms that a correlation exists between prisoners who struggle to find accommodation, and/or those who are homeless upon their release, and their likelihood to commit another crime (Mills, Gofkovic, Meek, & Mullins, 2013). Prisoners' face a myriad of barriers to securing and sustaining adequate housing post-release including: possible loss of existing housing due to entering prison; limited supply of dedicated housing available to ex-prisoners; difficulty in accessing state or community housing, difficulty in entering the private rental market and the lack of crisis accommodation.

For a prisoner to gain parole, he or she must provide an address to the parole board. This address is then assessed by Probation and Parole for suitability. For the many prisoners who do not have the option of returning to housing with family, or who do not have accommodation that has remained secure through the course of their sentence, they are often unable to provide an address, and as such have limited options.

Queensland's Department of Housing, unlike their counterparts in other states of Australia do not provide dedicated housing for people exiting prison, nor do they provide housing as a 'release' option.

Additionally, community-housing providers in Queensland generally will not provide accommodation or offer an address to people while they are incarcerated; to be considered for community housing you must already be living in the community. Prisoners' options are further limited due to being excluded from the private rental market, as they are not able to apply from prison. There are sometimes possibilities for prisoners to apply to boarding houses or rehabilitation centres, though working with their support works, such as those provided by organisations such as Catholic Prison Ministry. Due to the correlation between homelessness and criminal activity, the issue of housing for people leaving prison is an area that needs to be addressed to reduce criminal activity and reoffending in Queensland.

There are few dedicated accommodation options for people leaving prison in Queensland. Ozcare Supported Parole Program, funded by Queensland Corrective Services has two facilities that regularly accept male prisoners, located in Townsville and South Brisbane. These establishments only have a small number of beds, with the supply not approaching the demand. It is the experience of Catholic Prison Ministry of an increasing incidence of prisoners remaining in prison; even after their parole application has been approved pending the availability of an address at Ozcare (or elsewhere).

Furthermore, if Ozcare is deemed unsuitable as a release address, either by the parole board, or by Ozcare themselves, then the prisoner is left with no options.

The lack of housing provided to people exiting prison in Queensland is not uniform across all Australian states. Below is the current housing provision across Australian jurisdictions:

- The Northern Territory government provide a small number of beds for those with drug and alcohol dependency issues.
- The Western Australian government provide prisoner and family support through community organisation Outcare, with short-term and emergency accommodation for newly released prisoners for up to three months. Additionally they supply transitional accommodation and support services for up to nine months and long-

term accommodation for up to 18 months for single people just released from prison. Outcare also have a range of head-lease (where tenants can take over the lease to become a housing department tenant) accommodation provided by the housing department specifically for the ex-prisoner population.

- Victoria offers traditional housing placements to ex-prisoners through registered housing agencies. Corrections Victoria has a brokerage program providing financial assistance to ex-prisoners to assist with securing long-term housing outcomes. Victoria also provides crisis accommodation for released prisoners
- The New South Wales government offers placement at three residential facilities Glebe House, Guthrie House and Rainbow Lodge.
- In South Australia the OARS accommodation service has 60 properties state-wide offered through their Integrated Housing Exits Program.

In order to reduce recidivism/criminal activity it is necessary for transitional housing to be provided for those leaving prison to ensure they have safe accommodation upon release. Access to housing is a human right and that all Australian governments have a responsibility to provide "...appropriate and affordable accommodation to all individuals..." (Dutreix, 2003)

#### *Strategy 2: Provision of adequate access to programs in prison and post-release*

The provision of programs and positive reintegration back into the community is vital to reduce recidivism and to maintain community safety. Within the current prison system it is understood by the Catholic Prison Ministry that those serving less than 2 years imprisonment do not have access to criminogenic programs within prison or to the Offender Reintegration Support Service (ORSS-see next paragraph) upon leaving prison. In Queensland 39% of people in prison as of 2005 were serving sentences of less than 2 years (Kinner, 2006). This is a significant portion of the prison population who are unable to access these programs, which could assist them upon reintegration into the community.

Furthermore, long term prisoners do not have access to such programs until toward the end of their sentence: for example, a prisoner with a 15 year sentence might not receive any assistance during their incarceration until 12-13years into their sentence leaving them vulnerable to institutionalisation and therefore less likely to respond to programs. The lack of availability of programs to prisoners presents significant issues as it means

that people are either going un-assisted and therefore un-rehabilitated for prolonged periods of time, or if they are not within the prison system for longer than 2 years, they are barely getting any help for reintegration at all. As mentioned previously, positive reintegration back into the community is vital to reduce recidivism and to maintain community safety.

### **Current Queensland Government response to prisoners being released from prison**

The Queensland Corrective Service's Offender Reintegration Support Service (ORSS) program has been operating since 2007. This service is delivered by a number of community organisations across the state. There are a significant issues facing those being released from prison and there is evidence the current delivery of the ORSS program is not performing as effectively as it could be. In a study undertaken by Catholic Prison Ministry in 2013, 88% of the 42 respondents to a questionnaire had received offers of support from an ORSS worker in areas such as transport from prison, accommodation assistance, Centrelink assistance and clothing. Post-release however, 45% stated they had not contacted by their ORSS worker, 16% had seen their worker once and 31% had heard from their ORSS worker by phone or only very briefly to drop off vouchers (CPM, 2013).

Although the sample group is small, these findings appear to illustrate that the service delivery of the ORSS program did not generally meet the needs or expectations of respondents post-release. As this is the only service funded by QCS/Dept of Justice for assisting prisoners post-release, it is incumbent on Queensland Corrective Services to ensure the program runs effectively and appropriate services are provided to ensure reintegration and safety for those who have recently been released from prison. Catholic Prison Ministry believes that the level of funding provided by the government to assist people leaving prison is grossly inadequate. Service providers appear unable to meet client needs with some ORSS workers reporting a caseload of well over 150. These figures are anecdotal however if they are remotely accurate it is clear that the level of support offered to people leaving prison is token at best, increasing their likelihood of reoffending and returning to prison.

## **Crime prevention strategies**

### *Increased post release support*

As seen in other states and across the world prevention programs, such as drug and alcohol services and employment assistance have been effective in reducing recidivism of those who have previously been imprisoned. Post release assistance plays a major role in stopping people from returning to prison. Catholic Prison Ministry has developed the Reintegration Support Program (RSP) which has now been running for five years and has assisted approximately 1,100 ex-prisoners. The program has proven to be successful through several evaluations. The strength of the RSP model is in the funding stream through the federal government Department of Employment who provide an Employment Pathway Fund for the most disadvantaged jobseekers. The delivery of this successful program is dependant on referrals from employment agencies and as such the ability of this service to reach those clients most in need of support ex-prisoners is inconsistent.

The RSP provided by Catholic Prison Ministry works with Employment Service Providers to provide barrier management and assist Job Seekers secure employment through securing accommodation, applying for identification and transport, sourcing basic necessities such as clothing and food, undertaking drug and alcohol counselling, accessing family and relationship support and intervention, and developing behaviour management strategies. Recent program evaluations demonstrate significantly higher employment outcomes for Stream 4 job seekers engaged with RSP than those being supported solely by the Employment Service Providers. This service can be provided at a low cost as payment can be drawn from the Employment Pathway Fund under Job Services Australia EPF guidelines for Professional Services including Mental Health Support Services, with RSP fees being aligned with the standard fee for allied health professionals.

Employment is not the single panacea for an ex-prisoner to remain out of prison or in reducing crime although it does promote accountability, commitment and stability that in turn can contribute to reducing criminal activity (Gideon, 2010). Multiple studies have highlighted that gaining employment post-release has effectively reduced recidivism (Zweig, Yahner & Redcross, 2011). A study in Victoria of 3,034 registered participants in an employment assistance program indicated a low rate of reoffending

(7.46%) for the entire program participant group with engaged in the program (Graffam, Shinkfield & Lavelle, 2014). Furthermore, when comparing 600 program participants with non-participants it was shown that participants had significantly lower levels of recidivism. This therefore indicates post-release employment support programs provide positive benefits in reducing recidivism/reoffending (Graffam, Shinkfield & Lavelle, 2014).

#### *Drug and alcohol programs*

Drug programs in the Canada and U.S. have been effective in significantly reducing offending and drug related offences (Somers, Currie, Moniruzzaman, Eiboff & Patterson, 2012). Furthermore a study into the Magistrates Early Referral Into Treatment (MERIT) program in NSW indicated that there was a 30% decrease in risk of recidivism (out of 1160 MERIT participants), suggesting that the MERIT program may be associated with reduced criminal offending (Larney & Martire, 2010). Although Queensland has a Court Diversionary program it only assists those with minor drug charges in a one off program. MERIT, however, provides the offender with a case manager to assist with appropriate drug treatment services and ongoing support (Larney & Martire, 2010).

Similarly in Australia alcohol use has been closely linked to violent crime (Morgan & McAtamney 2009). Due to the stress related to reintegrating into society, there is also a further need for alcohol programs upon release to reduce alcohol related crimes.

According to the Australian Institute of Health and Welfare (2013), 70% of prison entrants reported that they engaged in illicit drug use in the 12 months prior to prison. Furthermore, the Drug Use Monitoring in Australia (DUMA) program collected both self-report and urinalysis data from over 400,000 police detainees which states that two in every three offenders detained tested positive to at least one drug (Gaffney, Jones, Sweeney & Payne, 2010). This shows a significant link between drug use and offending and therefore a need for drug programs post-release for those who have been using drugs in prison and post-prison.

#### *Family and social support*

A study in the U.S. explored the effectiveness of two post-release programs that assisted those who had been in drug programs within prison (McKiernan, Shamblen, Collins, Strader & Kokoski, 2013). Both were community based programs which sought to



strengthen individuals post release, and their families, with both programs showing effects on reducing recidivism. (McKiernan et al., 2013). Furthermore, a study that surveyed 413 prisoners who had been released from prison in the U.S. found that those who returned to family relied heavily on them for support and effective reintegration, (Naser & La Vigne, 2008). This can put pressure on families which may indicate a need for support when reconnecting with them post-release. This is due to social support being integral to reintegration into a community.

### **Integrated Response**

Due to the complexities of post release, it is necessary to use an holistic approach to address multiple issues. A Government Department in the U.S. released guidelines for an integrated response called the Integrated Reentry and Employment Strategies: Reducing Recidivism and Promoting Job Readiness which utilises research into reducing recidivism to assist policymakers, program administrators, and practitioners to improve re-entry for people with criminal histories (Rosen & Tran 2013). It promotes understanding the need for placing individuals in services that are tailored to meet their needs due to the multifaceted nature of issues faced by people post-release (Rosen & Tran, 2013). From the information provided above it is possible to conclude that reintegration programs can be effective in reducing recidivism. These programs and guidelines are important to note as a reduction in recidivism can also indicate a reduction in criminal activity.

### **Cost effectiveness of crime prevention strategies**

Information from research taken by Jesuit Social Services (JSS) (2014) into Victoria's prison system indicated that a reduction in recidivism of just 15% would result in a reduction of 458 men in the male prison population. A reduction in the prison population also leads to a reduction in costs for keeping an individual in prison and the cost of crime (JSS, 2014). Morgan & McAtamney (2009) estimate that alcohol-related crime in Australia during 2004-05 cost \$1.7b.

Clearly, it would be more cost effective to fund prevention, reintegration and diversionary programs, than to place people in prison after they have re-offended or breached bail. In 2012 the Queensland government removed diversionary courts such as the Special Circumstances Court, the Murri Court and Drug Courts.

These courts were able to divert people from the prison system by ordering them to participate in programs that would allow them to address their criminogenic behaviours. According to the President of the Queensland Law Society, Dr John De Groot (Queensland Law Society, 2012) the shutting of these courts would not save money for the Government, as suggested, but would end up costing more in the long run as these courts reduced the number of people being imprisoned, saving approximately \$200 per day per person.

### **Alternatives for return to custody for minor breaches**

A study undertaken by Cullen, Jonson & Nagin (2011) in the U.S regarding incarceration suggests that imprisonment does not reduce recidivism more than non-custodial sentences. Criminologists go so far as to suggest that imprisonment is not only a cost to the community, but it also deepens illegal involvement (Cullen, Jonson & Nagin, 2011). This is supported by study undertaken by Bales & Piquero (2011) who assess the effect of imprisonment on reoffending relative to a prison diversion program, comparing over 79,000 people sentenced to prison and 65,000 sentenced to Community Control between 1994 and 2002 in Florida. The study reached the conclusion that imprisonment exerts a criminogenic effect on reoffending compared to non-incarcerative sanctions (Bales & Piquero, 2011).

Supporting this was a meta-analysis on 85 research articles surrounding reoffending and imprisonment, stating that there was a 14% increase in recidivism for those sentenced to custodial sanctions, compared to those with non-custodial sanctions (Jonson, 2010). Due to the substantial amount of research suggesting that imprisonment does not reduce recidivism and can increase it, it is important to look at alternatives for return to custody for minor breaches.

Additionally, the unseen cost centres on the life of the person being returned to custody. After their release they may have started to re-establish their life; found accommodation and household goods, gained employment, reunited with their family etc. We understand some response is necessary for parole breaches however we suggest that in many cases the response is overly punitive and out of context with the level of the breach.

## **Recommendations**

### **1. Department of housing to provide dedicated transitional housing for prisoners post-release:**

As noted above, obtaining housing can be very difficult for those being released from prison and there is a significant link between homelessness and reoffending. It is for this reason that to reduce criminal activity it is necessary to provide transitional housing for people post-release.

### **2. Provide parole programs for minor breaches**

It is estimated that around 40% of the prison population in Queensland are in custody due to breaches of parole. Whilst a proportion of those return to custodies are due to further charges, there is a great number who have breached various conditions such as consuming alcohol, drugs or were late to a parole appointment. Provision of programs run by the not-for-profit sector would substantially reduce the number of people being returned to prison, saving the State of Queensland millions of dollars.

### **3. Substantially increase expenditure on pre and post release support:**

Post release programs, such as those noted above, have been recognised as effective in reducing recidivism and criminal activity through supporting people pre and post-release and assisting with life skills and with issues that have been linked to offending. An expansion of eligibility to programs in prison must be introduced along with earlier access during a prisoners sentence to criminogenic programs in prison.

### **4. Reinstate Diversionary Courts**

The amount of money saved for the government by the drug court alone was in excess of \$41m (Queensland Law Society, 2012). Furthermore, in a report published by the Australian Institute of Criminology (Payne, 2008) stated that the general offending of graduates of the Drug Court program was reduced by 80% compared to 12 months prior to undertaking the program.

## **Conclusion**

In Queensland prisons 2013, 65% of prisoners had known prior adult imprisonment (ABS, 2013). Nationwide, 58% of prisoners in adult prisons had previously served a sentence (ABS, 2013). This indicates that both in Queensland and Nationwide, a

significant proportion of those committing crimes have previously been in prison. It is for this reason, understanding the post-release needs of those leaving prison and meeting those needs is paramount to reducing recidivism and criminal activity in Queensland. Research indicates that drug and alcohol programs, employment programs and adequate support regarding housing and other practical needs post-release are all effective in reducing recidivism.

Although there are post-release programs in place in Queensland they are clearly inadequate. Funding for post release support requires a substantial boost to come close to meeting the needs of people leaving prison, which in turn will lead to a lowering of the recidivism rate and a safer community. We believe that dedicated transitional housing must be provided by Queensland Department of Housing. These steps are necessary not only because they assist those in need, but because they can effectively reduce recidivism and criminal activity, and are more cost-effective than imprisonment.

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