

# Tasmanian Legislative Council Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matter



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# Men's Resources Tasmania's response to the Tasmanian Legislative Council Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matters

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## **To the secretary**

Men's Resources Tasmania is pleased to contribute this brief report to the Tasmanian Government inquiry.

Men's Resources Tasmania (MRT) is a community based, not-for-profit organisation that supports and promotes the health and wellbeing of men and boys in Tasmania.

We contribute a male voice to community conversations and public sector policy and provide workshops and presentations on health and wellbeing issues relevant to men and boys in a variety of settings.

We operate through volunteer involvement, with some support from members, member organisations and other supporters. As we are unfunded and this submission is being collated and written through volunteer involvement, we are very limited in our ability to conduct proper consultations and to write a more comprehensive report.

However we have created and promoted a brief survey to gather responses from our supporters, members and interested parties. This submission is based largely on those responses, along with some anecdotal experiences we have gained over the years through our work generally, but specifically in developing our currently operating [Building Pathways](#) program, working to support men engaged in the justice and correctional systems. MRT has considerable experience in working with men using coaching, mentoring and peer support activities.

In the below responses to the Inquiry questions, direct quotes from respondents to our survey will be *italicised*, while any additional commentary from MRT, will be in regular font.

## 1. Factors influencing increases in Tasmania's prisoner population and associated costs;

*There are a multiplicity of social and economic issues driving increases in incarceration outside the scope of a single initiative. Overall the lack of support for exiting prisoners in an environment of inadequate housing supply and stigma affecting employment prospects is a main issue. Individual issues such as poor impulse control and mental health problems can mean that the structured environment of prison is preferable to mainstream life. There are insufficient supports on the outside, those that exist are siloed or time-limited and the issues that former inmates encounter are long term. It is difficult to change behaviour if your peer group is still involved in criminal activity and isolation is difficult to maintain, physically and mentally.*

*Tough on crime policies that produced changes in court outcomes and policing policies. In Tasmania, the drivers are increased likelihood of receiving a prison sentence upon a guilty verdict and increases in average sentence length. Nationally, the expansion of the remand population has accounted for two-thirds of the prison growth. In addition, we know that incarceration is much more expensive than community-based sentences. This goes for both monetary and societal costs. When a person is incarcerated they lose many of their resources, such as employment and housing, and they accumulate debt. Community-based sentences are more effective at reducing recidivism risks and allows the person to remain in the community and with their family/friends, which has benefits for both the person and their networks. Reference for prison growth: Productivity Commission. (2021). Australia's Prison Dilemma. URL: <https://www.pc.gov.au/research/completed/prison-dilemma>*

*Poor rehabilitation, reeducation strategies. Effective programs that are tailored to recidivism are not necessarily valued by the justice system and are by chance. # Poorly designed education system that does not do enough to teach young people sufficient communication skills to successfully navigate their lives*

The Tasmanian Government can do a lot to improve outcomes in the Tasmanian Prison system. However that same government is thwarted by Commonwealth systems and policies that demand a portion of the Australian community live below the poverty line. Policy decisions to maintain a level of unemployment, and welfare payments set at unlivable levels, with crises in other areas such as housing, mean some people who maybe just looking to provide for their family, are forced into, or to return to crime. This is not to condone those crimes, but rather to challenge the systems and decisions which generate such significant inequality, and barriers to more positive outcomes for individuals and the community. Reducing taxes over many decades for the most well off, and the resulting cuts to services and supports that affect everyone, hit the most vulnerable the hardest. They also have resulted in the system overall insufficiently resourced to provide restorative, rehabilitatory and positive reintegration outcomes.

Governments' responses to these issues has continued to be to build more prisons, rather than working up stream to prevent problems from occurring in the first place. Unless systemic and attitudinal change by Government is initiative, outcomes will continue to deteriorate.

## **2. The use of evidence-based strategies to reduce contact with the justice system and recidivism;**

*Caledonian model for family violence offenders is gold standard.*

*Diversion, such as Tasmania's Court Mandated Diversion Drug program and mental health courts, is great, but occurs after someone has already been in contact with the justice system. In addition, they can hinge on a guilty plea, and the expungement of a criminal record is conditional as it hinges on program completion.*

*criminal behaviour is [often] a function of inequalities in housing, education, health (both physical and mental), among others. These are systemic issues that require wholeof-government solutions that break down these inequalities. This should be the long-term goal of our government...*

*intensive programs whilst in prison and good pro-social modelling skills of prison staff who come in contact with prisoners*

*One on one focused tailored programs that include principles of coaching ( not directing or counselling)*

*Scandinavian models of social justice, rehabilitation and reintegration. Causes of crime are addressed.*

*Therapeutic jurisprudence to address the causes of crime. Housing, throughcare, employment, AOD support, mental health etc.*

Using evidence-based strategies to reduce contact with the justice system, requires the Justice system to want to take a restorative approach, and a desire to see those who leave prison as better people than when they entered. There will no doubt always be a small minority of people who will never be rehabilitated, and who will require long imprisonment to maintain safety of the community, however this is not the case for the majority.

There are many evidence-based approaches available from around the world, that use restorative approaches. The Justice Reform Initiative and previous reports in this policy area highlight many such initiatives. The issue requires Governments to make difficult decisions and to work to address concerns that will inevitably be raised by broader community.

It is our experience based on recent activity working to develop a coaching and mentoring program with men recently released, or transitioning from prison, that when real support is provided, many want to, and can do better in their own lives and for their families.

### 3. The provision of, and participation in, services for people in prison and leaving prison (health housing and legal services);

*Having evaluated several programs for people in prison, I have been surprised at how little support has been provided. People can have just missed a program, and released before the next one starts or be ineligible for a variety of reasons. The community expects more investment in rehabilitation than is being provided. On release, the NGOs do a great job, but are restricted by their service agreements on what supports are provided, when and for how long. This is ultimately more expensive than providing comprehensive throughcare.*

*People with shorter sentences (less than 6 months) do not routinely access psychosocial groups within the prison, and often are not accessible for rehabilitation/reintegration support. This is especially problematic for people with psychosocial-related conditions and disabilities- or may require more support. - Navigating NDIS, Disability Pension, and other disability-related services is fraught, and often times the person with the disability (especially if experiencing cognitive impairment and/or literacy challenges) will simply disengage due to challenges, lengthy time and cost of evidencing their disability. Many community programs do not provide a true throughcare option- e.g., Alcohol and Drug treatment residential programs will often not transfer direct from prison despite the first days/week of returning to the community being the greatest time of risk for people overdosing. Stable housing is essential for reintegration, and is very hard to come by, and largely unaffordable.*

Studies by a local academic

*“found that transitional support and housing is imperative for those leaving prison, but that it is very difficult to come by. The current wait for priority housing in Tasmania is over 2 years (105 weeks in October 2022), and it does not prioritise those leaving prison. Without housing, one is not eligible for parole, which means that people remain in the system for longer than necessary. There are some great NGOs out there who work with persons leaving prison, but they are hamstrung by limited resources and funding. Housing and support services for people leaving prison should be a government priority and should therefore be provided by the government.”*

*Minimal healthcare, 3 days worth of medication on release and 28 days to make contact with a gp. This is unattainable.*

*No health support, no AOD support, no mental health support, no housing, no employment, no hope!*

Many respondents report that there is simply a lack of services to Tasmanian's generally, and therefore supports for prisoners at release are all but non-existent, and where are available, can take months to access.

The Government should consider an audit of organisations offering these services, and ensure that there is more collaboration toward positive outcomes. A competitive funding process works against the best outcomes for these sorts of services as organisations are forced to compete for funding, and therefore incentivised not to collaborate and drive towards the most effective outcomes.

Many costs of health and wellbeing, transition, housing and legal services are wasted due to barriers put up by the correctional system. Security and correction can still be maintained at high levels with far less obstruction of access to the services being offered.

#### **4. Training and support initiatives for corrective service staff related to increasing individual well-being, professionalism, resilience and reduced absenteeism;**

Unfortunately a problem with our survey, means we are not able to pass on responses from others.

MRT has a range of activities that can serve to be part of improved support for corrective services staff.

Our male-friendly 'Starting conversations' workshops provide strong direction and skills for having difficult conversations and improving workplace culture amongst staff. Details of this program will be on our website soon. MRT staff have considerable experience in working with men, and people who work in male-dominated sectors. We offer coaching and mentoring skills and supports for individuals and groups.

#### **5. Innovations and improvements to the management and delivery of corrective services that may be applied in Tasmania, including to future prison/detention centre design;**

- *More investment in throughcare, in prison and on release.*
- *Funding for housing. Greater identification of people with disabilities, including those with cognitive impairment and brain injury. State-funded support and services for people who are not eligible for NDIS; and funded Throughcare programs that provide greater support for people reintegrating- particularly for people experiencing psycho-social conditions and financial hardship.*
- *Officers should be trained in trauma informed processes and be held accountable for unreasonable behaviour.*
- *An effective case management system for inmates that involves sufficient individual planning to assist in rebuilding a persons life. A well-being programme supported by external organisations who have a focus and skills for working with men.*

Incarceration, the removal of freedom is the punishment handed out to people who have broken the law. Where release is planned and expected, the community is entitled to expect that people leaving prison will have gained new skills, a new appreciation for their role in society, and capacity to participate as a community member.

We recommend that the Prison and corrective services system radically rethink its approach to prison, properly enabling community organisations like MRT and others to work constructively to help rebuild the lives of offenders before they attempt to reintegrate into the community. The current system, in our experience, and according to much of the feedback we have received, works against community services, and places too much focus on punishment, rather than restorative approaches and real rehabilitation. We acknowledge that long-term incarceration will be required for some people to protect the community, however many in the corrective services system can return to being constructive and contributing members of the community if they receive genuine support.

## 6. Any other incidental matters.

In our developing coaching and mentoring program, we are regularly hearing stories of men leaving prison, who face so many barriers to making any progress, from the moment they leave the prison. They may want to reestablish connection with children, but their housing situation will often not make this possible.

Lack of housing options often result in men leaving prison, returning to the community or family environment that led them to commit their crimes in the first place.

Fines that might have been imposed before, or as part of their sentence, should be worked off or paid while in prison so they don't have the additional barrier of debts when they leave, making it difficult to pay rental bonds, purchase a car to be able to get to work etc.

Social supports need to be developed prior to the end of their sentence so that there are supportive and constructive relationships in place before they leave, and some continuity in some non-family, pro-social relationships can occur. The MRT coaching and mentoring program Building Pathways is well placed to provide such transitional support. We're currently self funding a trial of this program, as well as contributing considerable volunteer time and resources.

The Government's own [Guiding Principles for Prisons in Australia 2018](#), outcome five, focuses on rehabilitation and reintegration and lays out clear guidelines and recommendations to achieve such an outcome. Adherence to the government's own guiding principles would lead to improved outcomes for the whole community.

There are many other reports from Government and government institutions in Tasmania and the Commonwealth of Australia that suggest a compassionate or a restorative approach to prison reform. Some are listed below. All of these reports suggest a clear need to change our approach to prison in Tasmania and nationally.

2022 [Report on Government Services](#) ABC media

2021 [The Prison Dilemma – Productivity Commission](#)

2021 [State of Incarceration report -Tasmania. Justice Reform Initiative](#)

2021 [Jailing is Failing – The Justice Reform Initiative](#)

2018 [Tasmania's prison system 'overcrowded' and under severe pressure, report finds](#) ABC Media

MRT is grateful for the opportunity to be able to contribute to this inquiry. We're happy to continue to contribute to the discussion and efforts to address recidivism and associated issues in Tasmania.

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