

## **Inquiry into the impact of drug-related offending on female prisoner numbers: Victorian Government Response**

As a consequence of increasing female prisoner numbers and corresponding rise in drug and drug related offending among women, in May 2010, the Parliament of Victoria requested that the Drugs and Crime Prevention Committee, which is a Joint Investigatory Committee of the Parliament, inquire into and consider the impact of drug-related offending on female prisoner numbers. In particular, the committee was asked to:

- ♦ examine the impact of drug-related crime on the female prisoner population;
- ♦ review the demographic profiles of women in custody for drug offences and the types of drug offences;
- ♦ examine underlying causal factors which may influence drug-related offending and repeat offending that result in women entering custody; and
- ♦ recommend strategies to reduce drug-related offending and repeat offending by women, including strategies to address underlying causal factors.

### **Recommendations**

On 6 October 2010, the Interim Report was tabled in Parliament with a number of recommendations made:

Committee Recommendations	Support or Don't support	Explanation
Recommendation 1 There should be a range of housing options available to women if they require it whilst on bail or post-release	Support	Appropriate accommodation is an essential foundation for successful transition from prison into the community.  An Australian Institute of Criminology study of housing and homelessness outcomes for ex-prisoners found that stable accommodation was likely to contribute to a decrease in re-offending and drug use <sup>1</sup> . Further, the research also indicates that the number of times an offender moved was one of the highest predictive factors of their likelihood to re-offend <sup>2</sup> .

<sup>1</sup> Dr Eileen Baldry, Dr Desmond McDonnell, Peter Maplestone and Manuel Peeters, 'Ex-prisoners and accommodation: what bearing do different forms of housing have on social reintegration for ex-prisoners?', AHURI Positioning Paper No. 27, AHURI, March 2002, p. 12.

<sup>2</sup> Baldry, McDonnell, Maplestone & Peeters, 2002.

		<p>Analysis that informed the Better Pathways strategy development found that approximately one third of women prisoners have a history of homelessness prior to imprisonment, with more than half of those women having moved accommodation one or more times in the previous 12 months<sup>3</sup>.</p> <p>The <i>Better Pathways: an integrated response to women's offending and re-offending</i> strategy (Better Pathways), in partnership with Housing and Community Building, Department of Human Services (DHS) provides funding for ten transitional bail properties for women in the metropolitan area, two Indigenous women's transitional properties in Shepparton and Mildura, and six additional housing support packages (nomination rights). The funding includes tailored support to individuals including assistance in securing long term accommodation.</p> <p>There are a range of housing options funded through the Corrections Victoria Housing Program for women while on bail or post-release.</p> <p>The Corrections Victoria Housing Program coordinates supported housing responses in partnership with social housing agencies, Housing and Community Building and other DHS program areas, and the Court CREDIT/Bail program.</p> <p>In addition, nomination rights to three properties for Indigenous women have been secured to allow some flexibility in location for Indigenous women.</p> <p>As well as this, Corrections Victoria in partnership with Women's Housing Ltd, has provided funding to pilot one-off brokerage so that 27 homeless women offenders (primarily ex-offenders post release) receive a package of support to assist them to establish themselves in rental accommodation.</p> <p>Through the <i>Women's Integrated Support Program</i> (WISP) a further thirteen properties are provided for women on parole or straight release (including housing and support). These properties are a component of the housing information and referral response and are funded and delivered through Housing and Community Building.</p>
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<sup>3</sup> Demographic profile analysis undertaken by Corrections Victoria in the initial development of Better Pathways

<sup>5</sup> Lipsey, 1995 in Zaks, D, *Correctional Services Employment Program (CSEPP), Literature Review of Offender Employment Programs*, Victorian Association for the Care and Resettlement of Offenders (VACRO), October, 2003 & Rahill-Beuler & Kretzer, 1997; Soothill & Holmes, 1981, & Uggen, 2000 in Graffam, G, Shrinkfield, A, Lavelle, B, *Creating a Pathway to Reintegration: The Correctional Services Employment Program (CSEPP)*, Final Report, January 2005, p 26.



<p>Recommendation 2</p> <p>The provision of dedicated housing for women offenders should be the responsibility of the Department of Justice</p>	<p>Not supported</p>	<p>Through the Corrections Victoria Housing Program, Corrections Victoria works in partnership with social housing providers. Social housing providers are funded by Corrections Victoria, in partnership with Housing &amp; Community Building, DHS, to provide dedicated housing for women offenders and state-wide specialist housing responses.</p> <p>The Department of Justice (DOJ) will continue the partnership arrangements between Housing &amp; Community Building and social housing providers to ensure ongoing improvement of access to social and public housing for those who need it.</p> <p>Within this context, it is important to note that the Victorian Government is currently reviewing homelessness policy direction.</p>
<p>Recommendation 3</p> <p>Any post release housing or accommodation options should include a women's transitional housing and support centre</p>	<p>Support in principle</p>	<p>As a result of the challenges that community reintegration poses and the complex nature of women offenders, it is important to support women prisoners on their return to the community to ensure they make a successful transition and to minimise the risk of their returning to custody.</p> <p>Through the Corrections Victoria Housing Program, social housing providers are funded by Corrections Victoria, in partnership with DHS, to provide dedicated housing for women post release and specialist housing responses.</p> <p>DOJ will continue the partnership arrangements between Corrections Victoria and social housing providers.</p> <p>The Corrections Victoria housing and support model established in partnership with Women's Housing Ltd, is providing funding to pilot one-off brokerage payments so that 27 homeless women offenders (primarily ex-prisoners post release) receive a package of support to assist them to establish themselves in rental accommodation.</p> <p>The Corrections Victoria Housing Program funds both accommodation and support packages to women, including women post release, to facilitate the transition from prison and support the reunification of women with their children in safe and stable accommodation.</p> <p>The current arrangements provide a flexible, effective and cost-effective response.</p>

<p>Recommendation 4</p> <p>That the Better Pathways evaluation report be made publicly available so that future programs to address women's offending can be developed based on its findings</p>	<p>Not supported</p>	<p>The Victorian Government has invested \$59.2 million between July 2005 through to June 2014 in the <i>Better Pathways: an integrated response to women's offending and re-offending</i> (Better Pathways) strategy and a full evaluation of the strategy will be completed by December 2012.</p> <p>The Better Pathways interim evaluation report was provided to Corrections Victoria in May 2009. The report was based on analysis of Better Pathways initiatives to June 2008. The executive summary of this is available on the DOJ website.</p> <p>The executive summary states that;</p> <p><i>'While noting significant limitations in relation to the data due to the two year time lag in measuring recidivism, the evaluation report was very positive about the Better Pathways Strategy, reaching the following conclusions:</i></p> <p><i>Conclusion 1: Better Pathways has contributed to a reduction in the rate of imprisonment.</i></p> <p><i>Conclusion 2: The responsiveness of the corrections system to women has improved.</i></p> <p><i>Conclusion 3: Access to services has improved.</i></p> <p><i>Conclusion 4: Some programs should be considered as key enablers, rather than initiatives in and of themselves.</i></p> <p><i>Conclusion 5: Correlation to recidivism outcomes is unclear at this stage.</i></p> <p><i>Conclusion 6: The range of tailored community and transitional support programs provided by Better Pathways have kept women out of prison.'</i></p> <p>The Victorian Government does not intend to release the full report. The report findings are based on limited data as implementation of initiatives was at an early stage when the evaluation was conducted, and a comprehensive evaluation is currently underway. At the time of completing the PricewaterhouseCoopers evaluation it was too early to determine the impact of the strategy on recidivism.</p> <p>The evaluation report identified two areas for enhancing the effectiveness of Better Pathways and these are being responded to:</p>
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		<ul style="list-style-type: none"> <li>▪ Implementing a quantitative data set that tracks outcomes at the program level, and</li> <li>▪ A more coordinated approach across and between correctional programs through enhanced pathway planning linked to the Victorian Intervention and Screening Assessment Tool.</li> </ul> <p>Statistical trends in women's imprisonment will continue to be closely monitored. The period 2003-2008, which was the focus of the evaluation, saw a decline in rates for re-offending and imprisonment of women. However, more recently the number of women in prison has increased, largely due to increased numbers of women awaiting sentencing. This trend suggests that a key future challenge for Better Pathways initiatives will be to meet a growing demand for its services and programs.</p> <p>Corrections Victoria is undertaking further evaluation of the Better Pathways strategy and has recently tendered for a post release survey of women prisoners to be completed by December 2012.</p> <p>A Better Pathways Evaluation Framework has been developed and will guide ongoing data collection and monitoring to June 2014 and provide an evidence base for future planning.</p>
<p>Recommendation 5</p> <p>That the Victorian Government recommend to COAG that women's medical services whilst in prison should be provided and funded by Medicare to ensure that medical services are comparable to those available to the general public.</p>	Not supported	<p>Through the operation of section 19(2)(d) of the <i>Health Insurance Act 1973</i> (Cth) prisoners are ineligible to receive Medicare benefits. Unless the Commonwealth Health Minister directs otherwise, Medicare benefits are not payable for professional services provided by an authority established by a law of the Commonwealth, a law of a State or a law of an internal Territory.</p> <p>Therefore, while a prisoner may be entitled as an Australian citizen to a Medicare card, owing to the person's legal status as a prisoner they are ineligible to access the Medicare Benefits Schedule (MBS). As only people eligible to receive a Medicare rebate can purchase subsidised medication through PBS, prisoners are also ineligible for the PBS (although limited exceptions apply in the case of certain drugs).</p> <p>Within the Victorian prison system, the range of health services that are provided to prisoners includes many services that are not funded by Medicare in the community. These services include a range of allied health and nursing services. Services which would attract Medicare rebates in the community (generally medical services) are</p>

		<p>currently fully funded by the State, without the gap fee that is usually payable in the community unless providers bulk bill.</p> <p>Changing the funding model would have significant implications for the Justice Health service model. A fee for service model promoted by Medicare is quite different to the 'capitation' (block funding) model employed in Victorian prisons. For example, fee for service models require specific services to be differentially priced. This can create perverse incentives to deliver the most lucrative mix of services rather than the most clinically appropriate mix for the client group.</p> <p>In addition Medicare funding for primary care services in the community is one of a number of income streams that make those services viable. General practices, for example, receive incentive payments for meeting specific treatment targets (e.g. immunisation), lump sum payments for some capital projects, differential payments for regional and rural locations, private payments through gap fees, and a range of other types of payments.</p> <p>Consequently, changing the funding model for prison based Justice Health services to a Medicare-based model will not deliver community equivalent services without additional funding streams. Changes to funding models creates different service incentives, and will affect how services are delivered. The Government does not support seeking to extend Medicare funding to prisoners in Victoria in the absence of a comprehensive health costing review conducted to ensure that the impact of a Medicare-funded model is well understood.</p>
<p>Recommendation 6</p> <p>That women should be provided with adequate free toiletries including soap, shampoo and deodorant. Currently women need to purchase such items with funds received as a result of working in the prison.</p>	Support in part	<p>On reception to prison, female prisoners are provided with adequate free toiletries, including soap, shampoo and deodorant. Corrections Victoria considers it appropriate that women purchase additional toiletries in prison in order to meet community expectations and replicate community living.</p> <p>However, should women not have sufficient funds, prison management ensure that basic hygiene products are provided at no cost.</p>
Recommendation 7	Not supported	The government recognises the importance of women maintaining contact with their



<p>Women should be allowed a free phone call once a week to enable them to maintain contact with their children. This is particularly important for women residing in Tarrengower prison in central Victoria. In many cases women will need to make STD calls to contact their children who will often be based in Melbourne.</p>	<p>families and children while they are in prison. The recommendation on providing free phone calls is not supported, particularly as it would present inconsistency with the male prison system where men are not provided with a free phone call with their children.</p> <p>It is noted that the requirement to make STD calls can impact on all prisoners, not just those who are accommodated in a rural prison like Tarrengower. For instance, those who are accommodated at a metropolitan based prison may have family in rural Victoria or interstate. As such, allowing free phone calls for all prisoners (men and women) who have children would be cost prohibitive.</p> <p>Prisoners earn a wage and are required to prioritise their spending on items such as telephone calls and canteen goods (eg cigarettes, confectionary, toiletries etc). Prisoners are able to spend up to \$140 per month, and Corrections Victoria considers that this is a sufficient amount for telephone calls and personal items, and is in line with community expectations. In exceptional circumstances, the prison General Manager has capacity to authorise additional spending.</p> <p>Corrections Victoria is developing a model of support for the children of women in prison. As part of the development of this model, Corrections Victoria will investigate the ability for increased contact between women prisoners and their children.</p> <p>At present, women prisoners are able to have contact with their children via self-funded phone calls, written correspondence, the contact and residential visits program, and a video conferencing program facilitated by the Victorian Association for the Care and Resettlement of Offenders (VACRO).</p> <p>Where eligible, women may also apply to have their children reside in custody with them (up to school age) at both the Dame Phyllis Frost Centre and at Tarrengower Prison. This program enables the development of secure attachment and optimal mental health for both the women and their children whilst they are in prison.</p> <p>Corrections Victoria also funds a number of programs through its Pip Wisdom Community Corrections Grants, which are advertised every three years and offer funding for this period. An expression of interest to submit for funding under these grants was last advertised in April 2010.</p> <p>One program funded through the Pip Wisdom Community Corrections Grants is</p>
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		provided by Prison Network Ministries (PNM). With these funds, PNM offers 'Fun with Mum', a facilitated children's visits program at the DPFC and transport for children and family members to facilitate visits and the maintenance of contact.
<p>Recommendation 8</p> <p>That a comprehensive employment assistance program be established that expands on the employment programs that are currently available</p>	Support	<p>Employment is recognised as critical to an ex-prisoner's successful transition to the community, and to the reduction of re-offending<sup>5</sup>. Employment provides ex-prisoners with the opportunity to establish supportive social networks and break the lifestyle patterns that led to their offending behaviour. Steady income also provides access to basic resources and housing.</p> <p>A 2007 report commissioned by Corrections Victoria describes Victorian prisoners as originating from "some of the most disadvantaged groups in the labour market."<sup>6</sup> A recent analysis of prisoner data for the six-year period 2005 to 2009 shows that the level of disadvantage of prisoners is increasing on two key indicators – non-completion of secondary school, and unemployment.</p> <p>Indigenous prisoners also experience significant educational and employment disadvantage. In 2009, approximately 72 per cent (144) of sentenced Indigenous prisoners' were unemployed prior to imprisonment. Approximately 96 per cent (191) of sentenced Indigenous prisoners have not completed secondary school.</p> <p>As part of the Better Pathways strategy, Melbourne City Mission (MCM) has been funded to deliver the Women 4 Work (W4W) program since 2006. W4W is a voluntary employment program providing pre-employment, employment and post-employment assistance to women leaving prison or on a Community Correctional Order, to find meaningful employment. The program is funded by the Department of Business and Innovation through the <i>Victoriaworks</i> workforce participation program in partnership with Corrections Victoria to June 2011.</p> <p>Corrections Victoria will expand pre-employment support in DPFC and Tarrengower from July 2011. This support will be strengthened so that it better targets those women who are participating in prisoner employment whilst also undertaking related accredited training. This support will also link women prisoners to employment services post release.</p>

<sup>6</sup> Buchanan, J and Considine, G. A Review of Corrections Victoria Prison Industries, 2007, p. 3



		<p>The pre-release employment support will build job readiness through developing employment pathway plans that encourage women to develop skill sets through their participation in accredited training and related prison employment experience wherever possible.</p> <p>There is a broad range of employment opportunities within DPFC and Tarrengower, including those that are offered within prison industries. Prison Industries have four primary objectives:</p> <ul style="list-style-type: none"> <li>• Reduce re-offending by providing prisoners with training and employment opportunities (<i>skills development</i>).</li> <li>• Constructively engage prisoners in meaningful work activity (<i>engagement of prisoners</i>).</li> <li>• Reduce the impost on Victorian taxpayers and provide value for money by subsidising prison operating costs through the sale of goods and services (<i>reducing cost to Victorian taxpayers</i>).</li> <li>• Facilitate prisoners' reparation to the community (<i>reparation</i>).</li> </ul> <p>The following employment areas are available to women and include areas within the Victorian community that experience labour shortages:</p> <ul style="list-style-type: none"> <li>• Screen printing, textiles, agriculture, common production assembly work, packaging, hospitality (kitchen and café operations), grounds maintenance and horticulture, cleaning and asset maintenance.</li> </ul> <p>A Koori Justice Employment Broker provides Indigenous women with pre-employment assistance prior to their release. The Koori Justice Employment Broker refers job ready Indigenous women to <i>Victoriaworks for Indigenous Jobseekers</i> (VWIJ) programs, who provide a range of employment related service to support these women into employment.</p> <p>Two public TAFE providers are funded through Skills Victoria to deliver a range of vocational education and training programs as well as foundation education including</p>
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<sup>9</sup> Bartels, L and Gaffney (2010), *A Literature Review on Good Practice in Women's Prisons: A Report Prepared for Corrections Victoria*, Australian Institute of Criminology, unpublished.

		<p>literacy and numeracy programs. The accredited training delivered enables women to obtain skills and qualifications that improve their opportunities to secure employment on release.</p> <p>All sentenced women prisoners are offered transitional assistance through the Transitional Assistance Program prior to release including ensuring that Centrelink appointments and referrals are made. A Job Capacity Assessment is conducted by Centrelink at the Dame Phyllis Frost Centre prior to release.</p> <p>Women are provided with information prior to release about post release employment support available, including Commonwealth funded Job Service Agency (JSA) support.</p>
<p>Recommendation 9</p> <p>All women on short term sentences or on remand should be eligible for relevant programs and services in prison where appropriate. As part of the transitional planning process Corrections Victoria should ensure that arrangements are made for these women to continue these or similar programs and services on release from prison</p>	Support	<p>The Victorian Government supports provision of programs and services to women in prison who are on remand or serving short sentences where practicable. However, programmatic resources, particularly for offending behaviour treatment, are prioritised for those prisoners who are considered to be at high-risk of re-offending and are sentenced.</p> <p>Offending behaviour treatment is not offered to those on remand as they have not been convicted of any offence and, therefore, have no requirement to address offending behaviour.</p> <p>Some programs require intensive support and, if the woman is on a short sentence, there may be insufficient time to complete the program.</p> <p>Corrections Victoria has recently developed a Service Delivery Outcome establishing a requirement to provide relevant information to prisoners on remand (applicable to both male and female prisoners), to assist their return to the community in the event that they are unexpectedly discharged from court. The information provides detail of support services available and important contact numbers.</p> <p>Women receiving support through sexual assault counselling and/or have participated in family violence programs are provided with referral information and support to link them to Centres Against Sexual Assault and/or family violence prevention agencies in the community on release.</p> <p>All sentenced women prisoners are offered transitional assistance through the Transitional Assistance Program prior to release including ensuring that Centrelink</p>



		<p>appointments and referrals are made and a Job Capacity Assessment is conducted by Centrelink at the Dame Phyllis Frost Centre prior to release.</p> <p>Koori women's diversionary options to reduce the numbers on remand and address recidivism may be developed as part of any future iteration of the Aboriginal Justice Agreement.</p> <p>All culturally and linguistically diverse women prisoners have access to the Multicultural Liaison Officer within the prison, as well as access to translated materials and interpreter services. In addition, Vietnamese women who are participating in the Mothers and Children Program have access to targeted parenting resources and support.</p>
<p>Recommendation 10</p> <p>That the Victorian government provide funding so that social network and recreational programs can continue to be provided to women</p>	Supported	<p>Corrections Victoria works collaboratively with a range of community agencies to ensure that women prisoners have access to social and recreational programs. Current programs available to women prisoners include:</p> <ul style="list-style-type: none"> <li>• Mother's and children programs such as supported playgroups</li> <li>• Yoga and other relaxation programs</li> <li>• Music and dance programs</li> <li>• Art and craft</li> <li>• Gamblers help, Quit Smoking and Alcoholics Anonymous</li> <li>• Structured Gym classes</li> <li>• Sport such as volleyball and netball</li> <li>• Bingo</li> <li>• Library</li> </ul> <p>The Victorian Government recognises that there is a range of solutions to providing social network and recreational programs to women.</p> <p>Corrections Victoria provides a grant to a consortium of not-for-profit organisations to deliver a Women's Integrated Support Program (WISP).</p> <p>Through WISP, women are offered pre and post release support for periods of up to</p>

		<p>three months pre release and continuing for up to 12 months post release. WISP has been operating since October 2006 and provides support for up to 90 women exiting prison per annum.</p> <p>A similar Indigenous specific pre and post release program, 'Konnnect', provides support for up to 15 Indigenous women exiting custody each year. These programs operate within a 'whole of life' intensive case management framework inclusive of all needs presented by women who are exiting prison.</p> <p>The consortium of community agencies integrate other programs with the WISP program to provide a holistic and multi agency response.</p> <p>Corrections Victoria also funds a number of programs through its Pip Wisdom Community Corrections Grants, which are advertised every three years and offer funding for this period. An expression of interest to submit for funding under these grants was last advertised in April 2010.</p> <p>One program funded through the Pip Wisdom Community Corrections Grants is provided by Prison Network Ministries (PNM). With these funds, PNM offers craft and cooking programs at the two women's prisons, 'Fun with Mum' a facilitated children's visits program at the DPFC, transport for children and family members to facilitate visits and the maintenance of contact and individualised pre and post release support for women exiting custody.</p>
<p>Recommendation 11</p> <p>That the Victorian government support a comprehensive response to issues requiring further investigation and better information by continuing the Inquiry into the Impact of Drug-related Offending on Female Prisoner Numbers during the course of the 57<sup>th</sup> Parliament of Victoria.</p>	Not supported	<p>The Victorian Government welcomes the committee report and thanks those who made submissions and contributions.</p> <p>Corrections Victoria's current approach to managing the needs of women prisoners reflects a recognition that men and women have different needs and, therefore, respond differently to correctional interventions. A gender responsive approach takes into account the distinct needs, characteristics, life experiences and family circumstances of women offenders within broader offender management practices.</p> <p>Corrections Victoria's gender responsive approach is framed by a comprehensive policy and governance framework, including:</p> <ul style="list-style-type: none"> <li>• The ongoing delivery of strategies under <i>Better Pathways: an integrated response to women offending and re-offending</i></li> </ul>



		<ul style="list-style-type: none"> <li>• The Women's Correctional Services Framework, which describes Corrections Victoria's gender responsive approach to the delivery of correctional services for women</li> <li>• The long term operation of the Dame Phyllis Frost Centre and Tarrengower Prison as a single Women's Prisons Region</li> <li>• Standards for the management of Women Prisoners in Victoria, guiding operational practices in women's prisons</li> <li>• Correctional Management Standards for Women Serving Community Correctional Orders.</li> </ul> <p>The issues raised in the report will be considered through continuing the Better Pathways strategy to June 2014 and implementing initiatives such as:</p> <ul style="list-style-type: none"> <li>• Specialist case management of women serving community correctional orders</li> <li>• Provision of a domestic violence program and sexual assault counselling program</li> <li>• Additional beds in the women's prison system</li> <li>• Programmatic responses including opioid substitution therapy, drug and alcohol programs, treatment and support interventions such as individual counselling and cognitive skills programs</li> <li>• A research project being conducted by Corrections Victoria into the link between Vietnamese women, gambling and drug related offending.</li> </ul> <p>Continued funding of Better Pathways initiatives beyond June 2014 will be considered following further evaluation of the strategy.</p> <p>A recently commissioned literature review in relation to good practice in women's prisons<sup>9</sup> demonstrates that Corrections Victoria is well placed, both nationally and internationally, in terms of its framework of gender responsive policies and programs.</p> <p>The Victorian Government will continue to aspire to best practice approaches to the management of women prisoners in response to emerging trends and research.</p>
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