

TRANSCRIPT

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Children Affected by Parental Incarceration

Melbourne—Monday, 9 May 2022

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WITNESS

Ms Larissa Strong, Commissioner, Corrections Victoria.

The CHAIR: Welcome back, everyone. As you would be aware, this is a public hearing by the Legal and Social Issues Committee into Children Affected by Parental Incarceration.

We are now joined by Commissioner Larissa Strong from Corrections Victoria. Thank you very much for making the time to join us today.

If I can just let you know that all evidence taken is protected by parliamentary privilege, and that is under our *Constitution Act* but also through the provisions of the Legislative Council's standing orders. Therefore the information that you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you were to go elsewhere and repeat the same things, you may not have the same protection. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

As you can see, we are recording today's hearing. You will receive a transcript of that recording, and I just encourage you to have a look at it and make sure we have not misheard you or misrepresented you in any way.

I understand you have a presentation for us. After that we will open it up for committee discussion. Thank you.

Visual presentation.

Comm. STRONG: Thank you, Chair. I would like to start by acknowledging the traditional owners of the land on which we are meeting, the Wurundjeri people, and pay my respects to their elders past and present and to all Aboriginal people in the room. I would also like to thank you and the committee for your time today.

I just thought I would give you a little bit of background first. I thought I would start by just outlining what the *Corrections Act 1986* and the legislative frame does provide for. Under the *Corrections Act* it does enable people in our care to maintain relationships with their family and friends and is a critical part of a safe and humane prison system. The *Corrections Act* has some minimum standards—very much minimum—in terms of visits per week, and they are non-contact visits. It also does provide for children in the women's system to be able to reside with their mothers under certain conditions. In support of the *Corrections Act* are Commissioner's requirements and deputy commissioner's instructions and also, importantly, the Charter of Human Rights and Responsibilities, which is also part of our obligation in terms of managing a safe and humane system.

One of the things that, I guess, supplements the *Corrections Act* is the absolute acknowledgement of the importance of family connections in promoting rehabilitation, in reducing recidivism and in supporting the reintegration of the individuals released from prison back into the community. We do know that strong family relationships have been shown to improve mental health, education and employment outcomes as well as to reduce family violence and that people in prison with social connections, including connections with their children, are also more likely to engage in positive behaviours post release. In Victoria, with the significant and growing proportion of people in prison on remand or for short periods of time, repairing the structure and relationships with families is also more important than ever before, and we are really keen to emphasise that that connection is important for a whole range of reasons. It is important for safe and humane care, it is important for the family not also undergoing the sentence and increasingly the evidence shows it is actually important for reintegration outcomes as well.

I think I have got ahead of myself. Apologies. Over recent years, because there is increasing evidence about the importance of prosocial family connections and prosocial friendships and peers, we have actually expanded our parenting suite for people in the prison system. For both the men and women we have expanded family engagement, and we have expanded family parenting programs in particular for people. We have also, in the women's system, used some of the women's system reform funding to actually trial some new things in terms of family therapy, working with the Bouverie Centre, and in the budget that was just released we also did receive \$3 million over four years to expand the family visits programs into the men's system—further expand that program—which is currently delivered by VACRO.

In terms of looking at the data—and it is an area where data is difficult to get hold of; I think we all acknowledge that—we ask people on reception. So part of the first thing you will do when you come into the prison system in a receiving location is you have a number of interviews, and one is called a reception assessment interview. That is a direct lift from E*Justice, an E*Justice module, which does ask, if you have any children: what ages are your children? Do you have legal custody, or are you the primary caregiver? In whose care are those children now? Are you pregnant, or do you think you could be pregnant? So that is done as a standard part of the reception process. When we looked at that data and we pulled it out from E*Justice in 2021, 53 per cent of people entering the prison system reported that they had children—52 per cent of men and 61 per cent of women. It is self-reported data, and that is certainly what people are telling us. DPFC do further interviews with the women and drill down a little bit more, and that self-reported data has 6 per cent of people entering the system or 10 per cent of the women's system reporting they have legal custody of their children—so a high number of parents, but not all actually have legal custody of their children.

Further on in the prison process, as part of a reintegration assessment—

The CHAIR: So is that when they enter custody even on remand? So that is on remand?

Comm. STRONG: Yes. If you come in any way, either if High Court, gain as sentenced or on remand, as part of the reception assessment the first thing you do as you go through is you will see a doctor or nurse and custodial staff will do an interview. That is the custodial staff's interview data; it goes into E*Justice.

The second table is a reintegration assessment. So that is what we do do for remand and sentenced, but it is later on in the process. For remand and short sentences it is about four to six weeks on, and for sentenced people it is in the last 12 months of their sentence or before, depending on if they are doing a program intervention. That is really about your reintegration needs, and there is a family domain, which goes into quite a bit of detail, as you can see there: if you have dependent children under the age of 16, who do those children live with at the moment? So that actually goes into a bit more of the domain to support reintegration planning as part of the processes that we set up.

The other thing of course is: whilst you are in prison, how do you maintain contact with your family? So all prisons do have in-person personal visit spaces. They have varied times, but the schedule is available on the web. In the metropolitan prisons most prisons do facilitate visits every day. In some of the rural settings it is more of an on-a-weekend component. We do have other visit programs. So in Tarrenower, for example, children that are school age can come over school holidays and stay a number of days with their mother. There is also a family ties primary caregiver permit that does support connection where they need to leave prison for a particular compassionate reason, because they need approvals to do that. The focus is on the welfare of the child in consideration of these programs, and participation in the school holiday program, the Living with Mum program, is the other key one. The visit centres—some of them are retrofitted, but they do aim to have an appropriate space for children when they do come into a prison. Over the years we have built new prisons with better gatehouses and better facilities that have been more purpose built. There certainly is an intent to try to make some family-friendly spaces.

The other big one that we have learned about is probably the use of technology to support family connection. We do see it very much as a complement of face-to-face visits. You would know that during the pandemic at certain points in time we did not have face-to-face visits. We were very concerned to ensure that people could maintain connection, and very quickly we implemented Zoom tablets. That is how it looks in the set-up. You still book your visit. We did a very quick review of that process, and they were very popular, both among the men and women in our care but also amongst their families. They are very convenient for families. A lot of our prisons are in a regional location, so they do not take up a whole weekend for a family. They are easy. The men report they see their kid doing their homework at the school table, so it is a much more natural setting to interact in. They can see pets and things like that. So they have proved very popular, but they are not a substitute for a face to face either, so we have resumed face-to-face visits. We have resumed them a number of times, but the most recent time was on 12 March. But we are maintaining the ability for Zoom, which is also good for people who have family who are interstate or overseas. So we see them as actually supporting the face-to-face visits, not a substitution.

The Living with Mum program I will briefly touch on, because it is important. It really does aim to diminish the impact of a mother's imprisonment on her dependent children and to support family ties. It is available for

women in custody who are pregnant and who are the primary caregivers of their young children. They can apply for the Living with Mum, which means that their under-school-age child may reside with them either at Dame Phyllis Frost Centre or at Tarrengower Prison. The assessment and the primary principle is what is in the best interests of the child. There is a process which obviously also involves engaging with DFFH—I am going to forget their acronym; the Department of Families, Fairness and Housing, I think they are now called. At the moment the numbers are low. We only have three children in custody at Tarrengower Prison. That is unusual. If we look at pre COVID, we had about 16 children across DPFC and Tarrengower in custody. The other important thing to note is the children would never reside in a cell. They are in self-contained cottages with their mother.

I think I pointed out before that we have recently really aimed to expand our parenting program and our suite of programs to support family connection as we have increasingly recognised how important it is for a rehabilitation environment. Some of the principles that underpin our suite of family engagement and parenting programs are really understanding the importance of relationships whilst in custody, understanding the importance of kinship and culture for our Aboriginal families and men and women in our care, recognising the impact and unique challenges faced by children when a parent or a caregiver is sent to prison and trying to minimise that impact as much as is in our power to do so and recognising families as a really important source of support for the men and women in the prison system and promoting family connections through that. The things that we are trying to achieve through some of the programs and offerings are increasing parenting knowledge, increasing the quality of family relationships, improving outcomes for children of incarcerated parents and improving understanding of family engagement and supports.

I think we might have provided this to the committee with the letter. So this was released in March 2022, and it really does just reflect a lot of the program suite that we are now offering. A lot of the impetus for that work came out of an evaluation of the Marngoneet Correctional Centre inside parenting program. Monash University did an evaluation of that going back to participants since 2011, which found very positive outcomes on recidivism and rate-of-return outcomes for the men who had actually gone through and completed the program and for the men who had completed the program plus done additional modules such as storybook for Dad and such as supported play compared to—

The CHAIR: Sorry—so do you consider storybook for Dad a module of that program?

Comm. STRONG: There are different components, so this program is a much bigger program and much more in depth, and then there are components, and that is an elective thing that you can do on top of that.

The CHAIR: Right. Because we met with Castlemaine earlier doing storytelling, and they kind of indicated it was a standalone—

Comm. STRONG: It can be, but this was on top of the components. So the inside parenting program is a bigger program, and then they can do extra modules, which we started to expand into other prisons, which might have been what they were doing at Loddon Prison, I suspect. We also introduced and expanded the Triple P parenting programs into 11 different sites. They have been well established in the community for some years and have quite a lot of evidence behind them. Our staff do deliver those programs. They do undergo training via the Triple P company—I am not sure that is the right word—four days of training to become accredited facilitators, and have regular professional development and supervision to maintain that accreditation. I mean, it is fair to say there has been some disruption to that program with COVID, but in the 18 months since it was introduced—in the first 18 months—I think we had 44 people that were trained and we had around 800 people go through the actual program. And this is really a summary of, I guess, the various suites of programs that are available. Some of them we directly deliver, and others we actually partner and fund other service providers to deliver, so there is a combination of both of those in that component.

That was really the overview I was keen to give you about the importance of family connection through maintaining it through visits—family-friendly visits—through supporting connections with mothers and through raising parenting skills, family engagement and also post-release support. Thank you.

The CHAIR: Thank you so much, Larissa. I just want to be confident: only 6 per cent of people who go into custody are primary carers?

Comm. STRONG: That is the self-reported data from when we asked that component in 2021, so it is self-reported.

The CHAIR: Is there a breakdown between the female—

Comm. STRONG: Ten per cent of women.

The CHAIR: So only 10 per cent of women out of the 60-something per cent who are parents. I must say, when we were at Dame Phyllis I think they thought the figure was like 80 per cent. But that was probably a perception because they did not have the numbers in front of them.

Comm. STRONG: Eighty per cent that were parents or 80 per cent that had the legal custody?

The CHAIR: No, that were parents.

Comm. STRONG: Yes. Well, we are saying 61 per cent are reporting to us that they are parents.

The CHAIR: Yes, but only a small percentage of that have actually got custody of their children.

Comm. STRONG: It would appear so from what we ask them during the reception assessment process.

The CHAIR: Okay. The family ties permit is interesting because it connects to what we were hearing from CRC about a New South Wales pilot program, a section 26 program, where particularly mothers with young children were being sort of given—and it is not the right word—a sort of early release but still under the custody of corrections or corrective services there. They were given an early release so that they could start raising their children. So that would be if someone maybe had a newly born child, and it was usually in the lead-up to their parole. Are you aware of how often a family ties permit has been issued in Victoria in the last two or three years?

Comm. STRONG: In the last year or so, not very often at all because of COVID. So COVID has meant that for some of our permit programs—so one is family ties, but we also have reintegration permits as well—we have not issued them, because we have got prisoners going through protective quarantine. If we leave them back out in the community, then we risk bringing COVID back in. So over the last year or two it would not have been a lot. I would have to see if I can extract the data for prior to COVID. But certainly family ties is not early leave.

The CHAIR: No.

Comm. STRONG: It is saying, ‘If you were the primary care provider and there was a particular reason—you had a sick child or something—and you met certain criteria and there was an assessment done, you might get a permit to go and see that child for that particular reason’.

The CHAIR: Thank you. I would be interested to see that data. And you are right: prior to COVID—

Comm. STRONG: Yes, and I would have to check that we can extract that data.

The CHAIR: Sure. The curious one we have been hearing about at the facilities, men and women, is around these restricted access notices. What we were hearing from the people that we spoke to was that they had had joint custody with the other parent, that they were living at home with their children. We obviously did not ask them about what offences they were there for, but they were then issued with a restricted access notice—

Comm. STRONG: Yes, they have a restricted access classification.

The CHAIR: which meant that they could no longer have access to their children, children that up until the day they were arrested they were living with and putting to bed. A number of them spoke about how difficult it was—or high on impossible—to have that assessment changed.

Comm. STRONG: Yes. So I did get that feedback from that visit. I think it was at Ravenhall. So there is a restricted access—you can get the flag or the categorisation. It is based on certain types of events. If you have been charged or been found guilty of sexual offences against a child or violent offences against a child, that will attract a restricted access flag. A vulnerable adult victim is another reason that you might attract a restricted

access flag. And family violence where there were children present could be another reason you might attract the flag. So then with that you need to apply to the general manager of the prison to have access with a child, whether that is yours or someone else's.

I think it is fair to say we probably do need to look into how that is applied and whether we have got the balance right. So you can see the intent behind it. Whether we have we got the balance right I think is something we will look into, because there is a process to apply to be able to have that, which is based on an assessment, based on getting some clinical advice of any risk to the child—whether we have got that process working smoothly. I think there are a few avenues we need to explore about how we apply the restricted access policy.

The CHAIR: Yes. So it would only apply when they had committed an offence that involved family violence or involved—

Comm. STRONG: With a child present, I think, or involved children.

The CHAIR: children or vulnerable people. So it has to be one of those three. It is not if they have committed a significant violent offence or a bank robbery—

Comm. STRONG: No. It is a sexual or violent offence against children or a sexual or violent offence against vulnerable adults, such as an adult with an intellectual disability, and the other one is a family violence offence, I think, where there might be children involved.

The CHAIR: Yes. I seem to recall there was a mother who was also on a RA, but again she—

Comm. STRONG: She may have committed one of those offences.

The CHAIR: may have committed a family violence offence. Thank you. Any further information you could provide on that process to have that reassessed—it seemed to be a frustration, and I think given the recognition of the importance of maintaining those family relationships—

Comm. STRONG: I think the first thing we need to look into is: are we applying the process of applying for it? Because you can apply for a visit if you are restricted access. It does not mean no. So how does that work?

The CHAIR: Okay, yes.

Comm. STRONG: Is that an easy process? Is that decision-maker being too conservative or not, or have we not got the settings quite right? So they are the two avenues we need to look at.

Mr BARTON: It was certainly inferred to us that it was being used almost as a punishment.

Comm. STRONG: Okay.

Mr BARTON: That was how it was presented to us, and they felt, 'I'm not there. I haven't done this stuff'.

Comm. STRONG: Well, that is certainly not the intention, so we will have to look into how we apply it and whether we have got the setting quite right.

The CHAIR: Yes. Thank you.

Comm. STRONG: But the intent was absolutely to protect children in that process.

The CHAIR: I note that you have done some renovations—and we heard this when we went and visited the centres—working towards having those family spaces that are far less intrusive. What we have heard today and over the course has been about that entrance process for children, where it is the wand, it is the bloke behind the desk looking scary, it is that whole process. Has Corrections Victoria ever reviewed that entry process for children?

Comm. STRONG: Probably not the entry process for children per se. We do look at our barrier control processes all the time. They are called gatehouses, where the non-prisoner population enter into the prison. When we have built newer prisons or we have done a new gatehouse, we have certainly had the view of the

visitor experience in mind. If you look at the Dame Phyllis Frost Centre's gatehouse now, it is a very different gatehouse to what you would have seen at the Dame Phyllis Frost Centre two years ago—

The CHAIR: That is true.

Comm. STRONG: in terms of its space, in terms of the fit-out. That it is much more corporate looking I would say is probably a fair analysis. Barwon Prison is exactly the same in terms of its gatehouse, which opened relatively recently. So we certainly looked at that from a perspective of, I guess, the physical aspect of actually what you go through.

In terms of the barrier control—the wand and going through the machine—

The CHAIR: Yes, the machine that goes ping far too often.

Comm. STRONG: the X-ray machine, that is the reality of what we do need to do, because we know we want to reduce the risk of contraband entering the prison system. That makes the prison system much safer for everyone involved.

Mr BARTON: Could that be done more privately though? I was just thinking about how we all went through: belts off, shoes off, jackets off, all that sort of stuff. Did we go in the same way young Eva was going to go through?

The CHAIR: We did.

Comm. STRONG: I think it would be difficult to consider how you could do that in a way which did not really slow down what can already be quite a slow process to get through the door. We have only got so much equipment in that component as well. I mean, I do it too. I do not think it is—

Mr BARTON: We are not concerned so much that it has to be done. I am concerned that for a little three- or four-year-old it is a bit intimidating with all these guys in blue uniforms—big wands, big fellas and all that sort of stuff. It is not exactly family friendly. It would be nice if we could do it in such a way that they are not exposed to the same things the adults are being exposed to, or in a more private way—and I know people are trying to pull stunts all the time; I am not naive.

Comm. STRONG: I think it is to some extent not unlike an airport in that I think it is very difficult to work out—some of the things you go through are similar—how we would do that in a way that is feasible for us. Certainly we would expect our gatehouse staff to not be scary or intimidating and to be very respectful of families that are visiting the men and women.

Mr BARTON: I have to say the people working there were terrific, but they are just a little bit scary when you are a little person.

The reception assessment—you collect that information.

Comm. STRONG: Yes.

Mr BARTON: Who goes and checks that information, and does it get checked?

Comm. STRONG: It is self-report data. Do you mean the information about do you have a child and how old are your children?

Mr BARTON: Yes: 'Have you got a child?'.

Comm. STRONG: It is self-reported. No-one rings up and checks with births, deaths and marriages whether you do actually have those children. It is self-reported data.

Mr BARTON: Sorry. I said it the wrong way around there. What we have come across and what is represented to us—one is where there was a 14-year-old girl; her parent was arrested, and she ended up living on her own for three weeks before anybody realised. That was one thing. There was another one where a parent was arrested at bail and the daughter was actually in the car. Nobody went 'What?'.

Comm. STRONG: I mean, I cannot talk to bail and arrests. That is obviously not in the adult prison system. Certainly if in that reception interview a man or a woman said, 'Yes. I have a child, and I have concerns', the officer would absolutely be making phone calls. Now, what those phone calls will look like depends on the situation—whether that is to the family member of the person in custody, whether that is to the police, whether that is to Department of Families, Fairness and Housing. It will depend a little bit on context and scenario.

Mr BARTON: Yes. I am not suggesting it is a 100 per cent failure rate there. These are just some examples that have been presented to us.

Comm. STRONG: I cannot comment on the bail and the arrests. I am sorry.

Mr BARTON: Yes. Thank you, Chair.

Ms BURNETT-WAKE: Thank you, Commissioner. In a letter provided to the committee, the Minister for Corrections noted that more than \$3 million over three years is being provided in the 2022–23 state budget to expand the family visits programs for prisoners, to help repair relationships and assist with reunification of family units.

The CHAIR: It was a typo.

Ms BURNETT-WAKE: Okay.

The CHAIR: It was four years.

Ms BURNETT-WAKE: Over four years. Okay. So \$3 million over four years.

Comm. STRONG: Apologies. I think we did correct that.

Ms BURNETT-WAKE: No, no, it was not about the typo. It was just we are unclear if these initiatives will be led by Corrections Victoria or external providers, so we were just wondering if you could give us any insight into how that funding is going to be allocated and who is going to be managing it and what programs it may go into.

Comm. STRONG: I might take that on notice, actually, because at this point in time we have procurement processes that we have to go through and we obviously have to talk to various providers. So at this point in time it would certainly, I would imagine, be a collaboration with service providers, but it is not appropriate for me to talk about who at this point in time.

Ms BURNETT-WAKE: Okay. Sure. Just another question: you said that the numbers were low at Tarrengower because of COVID. Is that because women are not coming into the system, so there is no need for the children, or does that mean that the children have been separated from their mothers because of COVID?

Comm. STRONG: Without really doing that full research it is difficult to know, but we do have fewer women in the prison system because of the impact of the pandemic. So it may well be if we have fewer women in the prison system, therefore fewer people are putting in an application. It may well be something to do with that the children when they are in the Living with Mum program used to be able to go out on family ties permits and go and stay with Grandma for a week or two. During the pandemic we could not have that coming and going through that process, so that might have been a disincentive. Without really speaking to the women, it is probably a bit hard for me to really comment on why the numbers are lower. I suspect it is a component of both things.

Ms BURNETT-WAKE: Okay. Sorry, one more: in your view where do you think more focus needs to go, if budget and funding were not issues, to ensure that those incarcerated can be kept connected with their families? Where do you think more work could be done?

Comm. STRONG: I guess I am here as the Commissioner for Corrections Victoria and as a public servant, so in terms of my responsibility and what we are doing, it is really recognised that we do need to improve. We have been on that journey of trying to improve. It is not just about programs and services; it is about things like the gatehouse and how the gatehouse treats visitors as they come through the system, it is about our policies and processes and how they support visits or how they might support a community permit et cetera. That is

certainly what our family engagement process has been trying to do over this time frame, really recognising the importance of family. Some children may well be better off having their parent in custody, but that is the minority of the cases. So from a Corrections Victoria perspective, that is absolutely something that we recognise as really important and that we are trying to and have been trying to lift over the last few years.

Ms BURNETT-WAKE: Okay. I will leave it there.

The CHAIR: Thank you. I will go to Deputy Chair Tien Kieu.

Dr KIEU: Thank you, Chair. Thank you, Commissioner Strong, for your presentation today and your assistance in the very important issue of children with incarcerated parents. It is important to maintain the family relationship and also to recognise how it may contribute to rehabilitation of the inmates, particularly once they are released. In a letter by the Minister for Corrections the Putting Families First initiative is mentioned—also a sum of \$18 million for this budget year, 2022–23—and also something about the better connected care program. Could you please expand on that and what will be involved in those programs and initiatives?

Comm. STRONG: Thank you for your question. Putting Families First, I think, is a demonstration pilot as part of the better connected care platform of how government agencies work together to wrap around supports for clients. Putting Families First has a focus on families and particularly children of people involved in either the adult system or, I think also, youth justice. That program is due to start, I think, taking intake in June this year, and it is a pilot in Brimbank-Melton area and also in Goulburn Valley. In the adult system they will be looking at the children of women who have been in prison in the past 12 months as that criteria. There is also criteria for youth justice as well. I would have to ask youth justice to check that criteria, I am sorry. It will be run in the community, and it is a partnership between the department of family—I really wish they had not changed their acronym—

The CHAIR: I know.

Comm. STRONG: DFFH and the department of justice and justice services, working together and really having a family-led practice, a family lead practitioner and also support and funding going to other multidisciplinary areas, such as alcohol and drugs, financial counselling and mental health, to really have a family focus approach to the vulnerability of that child based on the parent's incarceration. Therefore how do you actually support the family and scaffold the family in a multidisciplinary approach? So DFFH are the lead, the pilots are in Brimbank-Melton and Goulburn Valley, and they are due to start taking clients in June this year.

Dr KIEU: Thank you. Earlier today and also previously we have heard from witnesses about some of the programs, particularly in the Nordic countries, and about home release over the weekend for some of the low-security inmates, so to speak. What would be the barrier to that happening in our state or in Australia? Have you any thoughts about that?

Comm. STRONG: I think that is probably a question for government rather than myself.

Dr KIEU: Okay. Thank you.

The CHAIR: So we will bring on the other government member. Nina.

Ms TAYLOR: Hello. Sorry, I just got in, but I did not want to interrupt the meeting at this point in the day. So I am in Parliament, but I just thought I would keep it running. So I have a question I think following on from one that I asked the previous person invited to speak just with regard to how Corrections Victoria navigates the very complex situation with family violence histories and court orders et cetera and how they are able to manage those very complex situations.

Comm. STRONG: So we are obviously a key part of the family violence royal commission, implementing those recommendations and adopting the MARAM framework for both victims and for perpetrators of family violence—so how do you identify, assess and manage either perpetrators or people who have been victims? In some cases, in our circumstance, people have been both; we have people in our system who are both victims and perpetrators of family violence. So we do use that MARAM framework. We also, I guess, have the

advantage of having clinicians in Corrections Victoria that use tools that are validated in terms of family violence risk from a perpetrator perspective. In terms of addressing risk of family violence being committed, we have specific programs for people who have got a risk of committing family violence. So we actually have our forensic intervention services deliver those programs to people if that is an assessed need based on that clinical risk.

In terms of managing risk, we are part of, I guess, information sharing, so we have staff in the central information point, I think—CIP; again I do not know what the acronym stands for, but the CIP. We have staff as part of that, and we share information through the Orange Door processes—so what we might know if that is relevant in terms of providing a safer environment for families. So one is we have adopted the MARAM framework. We have, I guess, clinical assessments and interventions available to us. We are part of the information-sharing regime as well as that. We also need to assess, and things that we will check for in terms of visits is obviously an active IVO—things like that as well. Even for funeral applications—we often get people with applications to go to a funeral—one of the things that we will check is: is there an IVO against someone else who may well be at the funeral? So therefore we would not approve the application for the permit. So it is a mix of processes, policies, assessment, program intervention and also information sharing.

Ms TAYLOR: Okay. Thank you. Yes, I can imagine how complicated that must all be, how very delicate. I suppose it is also that delicate line in terms of children getting access in spite of—I should not say ‘in spite of’, but when you have got an intervention order there is that fine line for what is best for the child, and I am not here to define that in any way, because it would be very complicated and I imagine it depends on each family situation. I mean, that must be difficult to navigate. I was just interested to see if you wanted to reflect on that.

Comm. STRONG: Certainly if it comes to things like the Living with Mum process, there is a very strong governance overlay, and we do work really closely with child protection and with VACCA as well in terms of those application processes. There is certain criteria for that component. If the mother does have a history of child protection involvement, that is very carefully then considered. So it is about a process and sharing the information and really taking at the heart of it what ultimately is in the best interests of the child, but with also a bit of a position that it is in most cases in the best interests of the child for the mother and the child to stay together, unless there is a reason why that would not be the case.

The CHAIR: Thank you. We have heard from many about the actual criminogenic nature of having a parent in prison and that significant numbers of people in prison have had a parent in prison. Is that something that you record?

Comm. STRONG: I do not know if we actually record that anywhere, but I certainly have read that. I have certainly seen a lot of research on that. I think that probably that is a fair statement to make based on what I have read about, I guess, the vulnerability of a person who has had a parent in custody and that there is a much higher, increased chance of them also then ending up in the criminal justice system.

The CHAIR: So on that, and I think Rod kind of put this earlier: when we put a parent into custody, then we have a responsibility for that child. Now, I probably take the point that in corrections your responsibilities cannot expand out there. But is anyone taking on that responsibility? Does anyone have a line of sight on the children of those parents, to your knowledge?

Mr BARTON: I might just add: the chain of responsibility—who has got a hand on the chain of responsibility to these kids?

The CHAIR: Because it seems the first time they are asked if they have children is when they are getting the entry assessment from corrections.

Comm. STRONG: Certainly we see our responsibility is—actually we do ask that: how do we support family engagement and connection, how do we support reintegration and how do we try to minimise the impact of the sentence on the family? Certainly—I think the other member mentioned before—Putting Families First is really an attempt to actually look at the vulnerability of children who have got parents in custody. How do we better wrap around support with a family and a child focus on that? That is absolutely the intent of that program being led out by DFFH but in partnership with the department of justice.

The CHAIR: When we were at Loddon we were speaking to the fellows there, and out of the six fellows five of them had had a parent in prison. And I cannot remember—I think we might have asked the same question at Ravenhall, with similar responses. But as far as you are aware, that is not a question that is asked by corrections? Have you ever—

Comm. STRONG: I do not think so, no. Not regularly.

The CHAIR: Could I just quickly ask about communications? Certainly a number of the people that we spoke to struggled with the cost of making a phone call, particularly to a mobile phone. Given that that really is the main communication, can I understand why it is so expensive? They were telling me it would cost about \$7 to make a phone call to a mobile phone.

Comm. STRONG: Chair, I might have to take that on notice. I know that we did recently upgrade our system and the cost has actually gone down per minute. But, you know, I am not making the calls.

The CHAIR: No, no.

Comm. STRONG: And the calls also have a set time of about, I think, 10 or 12 minutes—because there are only so many phones and you want everyone to have a fair chance to make a phone call. Certainly my understanding is that actually costs went down recently in the public prison system. What that means in terms of an individual call to another mobile phone I will have to take on notice.

The CHAIR: I would appreciate that, because I think we know their limited income and their limited access. I note that we have got some of the charges around sending a letter, and sending a letter is about exactly the same cost as it is for me to send a letter, but phones seem to be particularly expensive in corrections. So I would be interested in those costs and why they are that, given that I have got a plan that is \$40 for unlimited calls. Why are we seeing that expense? And then just on that, could a person speak to their child every day? Would that be allowed?

Comm. STRONG: It would depend a little bit on their regime. If they were a normal prisoner out and about and the phone was there, I cannot see why they could not—I mean, if it is just a phone call using the Arunta phone system and the child is available on the other end. It might depend on demand for the phone a little bit, but I have not heard that there is a problem in that respect. Now, it might be different if you are on a restricted regime, but if you are on just a normal regime you have up to—I think you have a set number of people who you are allowed to call; we check the numbers et cetera. But I cannot see why not if you are on a normal regime. Yes.

The CHAIR: There is just one question, and I hope it is not true. The previous witness that we had in was speaking about a clown act at Port Phillip, and the clown's name was Clip in the Nick.

Comm. STRONG: I do not know about that.

The CHAIR: No. It seems that that would not be terribly appropriate, a clown that is at the entrance where young children are going in and then having—

Comm. STRONG: I can find out. It is not something that I am across. At Port Phillip, you are saying? Okay.

The CHAIR: Thank you. Rod.

Mr BARTON: We have had another complaint—and I hope this one is not true—that a mum was waiting for a visit from a child on a Saturday. She was all dressed up, waiting for her to come in, and it was cancelled late in the day on the grounds that Mum had been in an altercation or misbehaved or something. So they have used the cancelling of the visit with her child as part of the punishment. What is corrections' position on that?

Comm. STRONG: Through the governor's disciplinary hearing because of a particular reason you can cancel contact visits but not box visits—non-contact visits. You are not able to cancel box visits. Certainly the general manager should be considering very carefully the impact on the child in that context and think very carefully, and that is what our policies and procedures say. I do not know the details of that particular case, but you cannot stop visits; they are not to be used as a punishment. But you can for some things stop contact visits,

like if there is evidence of using them for contraband smuggling and those sorts of reasons. But in doing that you would need to also particularly think about the impact on the child in making that decision.

Mr BARTON: The other one was we had a mum who had not seen her daughter for nearly a year, or maybe a bit more than a year, because her daughter was in Granny's care. Granny did not want the little girl to be vaccinated, and Mum had no control over it. If she was not vaccinated, she could not come in. When does the parent lose that right?

Comm. STRONG: I do not know the legal framework of who is the guardian of the child. Children, I think it is, over five need to be up to date in their vaccinations. I do not know how young the child was, but if she was little—under five—

Mr BARTON: She was 10.

Comm. STRONG: Okay. So in that context our policy is that they do need to be up to date in their vaccination, though they can have a box visit if they are not vaccinated, in which case then you might want to consider whether a Zoom visit is a better option for the child than a box visit, just in terms of how scary that might appear. But certainly you can have box visits if you have a medical exemption from being vaccinated—I should have put that in; I am sorry, I just realised that component. Without knowing who makes the decisions over the child—

Mr BARTON: It is tricky, isn't it?

Comm. STRONG: Yes. So we are trying to protect the prison system and the men and women from COVID, and we know that vaccination is really important for that.

The CHAIR: It is not a legislative requirement. For many of us it is almost compulsory to have a vaccination, but not a 10-year-old child.

Comm. STRONG: No, but it is a condition of entry into the prisons.

The CHAIR: Tien.

Dr KIEU: Thanks, Chair. Commissioner, I would like to understand a little bit more about the Living with Mum program in prison. Not many children are in prison at the moment because of various reasons and practices. It is important to have children with their mums because of the relationship, but on the other hand we need to consider the protection of the child and also the development of the child and the standard the children are up to at school age, namely up to five years old. But in such an environment, which is not a normal environment, is there any protection or mechanism put in place to protect the children from other undue influence in a way, so for the development of a child? For children the early years of their development are very important, so could you please elucidate and tell us more about that?

Comm. STRONG: Absolutely. So the first process is the actual assessment of the Living with Mum application that the mother has to put in. That goes through a process which involves the child protection area of the DFFH. So that is probably the first criteria. The second one is: how do you support a more normalised environment? The child would always be in cottage-like accommodation. A cottage is a little bit like a house. There is a lounge room, there is a kitchen, there is a bathroom and there are bedrooms off it. The cottage might be locked down at night, but you have still got movement within that house between the bedrooms and the bathrooms, and the TV is on if you want it on—those sorts of components—so it is a more normalised environment. We would never put a child in a cell, for example, in that component.

The other one is, I think, the permit program I mentioned before. In a non-COVID world a child could go home for the weekend to see grandparents if they wanted to and then come back on the Monday. They also would go to playgroup and kindy. At Tarrengower at the moment we do have a child. We exempted them from our requirements. They go off to kindergarten somewhere locally near Tarrengower and they come back in to see their mum. So we recognise absolutely that it is important that they go outside that walled component. Tarrengower is an open prison. It is a farm actually. Well, it is like a farm. It is a prison, but it is a farm as well, so with the infrastructure it is not obvious really for the child that they are at a prison. They also have other children there. And we do have a Living with Mum coordinator. It is an officer we employ whose job is to

support the application process and support the committee that is making the decisions. There are regular reports back to that committee as to how the kid is going. Maternal and child health do come in and do what they do in the community in terms of overseeing a child's progress—'Can you build three blocks?' and that sort of component.

And our Living with Mum coordinator actually runs playgroups. So at Tarrengower there is a playgroup—it looks a little bit like a kindy—in the prison where the kids go and they get together and they have playgroup as well as being able to leave the facility. So really recognising the importance of kindergarten, early childhood and professionals involved in supporting the mother but also in overseeing the development of the child that is in the prison system. That is what goes with the Living with Mum program. It is not just 'Come in' and we will leave it to the mum; there is a lot of oversight and those steps to support the child in getting access to those opportunities as well as supporting the mother in terms of their parenting too.

Dr KIEU: That is good. Is there any contact with any inmates apart from their mothers, or is there limited or restricted contact?

Comm. STRONG: No, there is absolutely other contact. It is part of the assessment process. Tarrengower is a minimum-security prison. For any woman that we assessed as able to be placed at Tarrengower we would have already considered whether they presented a risk to any children that were living at Tarrengower. The policy is that the mother is responsible for her child and should know where her child is, just like in the community—you should know if they are at the neighbour's house or not. So it is the mother's responsibility, but they are provided with support. But we would not place someone at Tarrengower that we thought was a risk to children that were residing at Tarrengower.

In Dame Phyllis Frost Centre, which is a maximum-security prison but also has cottages and a reintegration area, certainly women who have got a history of offending against children tend to be in protection, so they are actually not mixing in the rest of the prison. And then again it is the mother's responsibility in terms of accompanying their child. There is an actual area in Dame Phyllis Frost Centre where they will put the children and the mums. I cannot remember the exact name of it, but it is a particular area where we put them all together.

Dr KIEU: Thank you.

The CHAIR: We visited that. I wonder if you could help the committee with a little bit more detail on the data around parents who are incarcerated. Because the figures are a lot less than we had probably previously thought, what I would be interested in is if there is a difference in those numbers between those coming in on remand and those coming in post sentencing. So if someone comes in on remand, particularly women, have they still got custody of the children but come, once they are in—

Comm. STRONG: So just so I am clear, Chair, that is the 52 per cent of men who reported in 2021 on reception that they had children and the 61 per cent of women that reported that they had children.

The CHAIR: Yes, I think it was the second figure.

Comm. STRONG: Of how many had legal custody.

The CHAIR: You said 6 per cent had custody. I think, from the parents we have been speaking to, it seemed like they had been living with their children until they went into custody. I am wondering even if—

Comm. STRONG: Absolutely. I can see if we can drill that down. Most of that will be remand because the vast majority of our receptions, especially in the women's system, are remandees—

The CHAIR: Remandees, that is right.

Comm. STRONG: And then later on they might go on to be sentenced, but then that is not done as a reception assessment because they have already been received into the system, so I suspect most of that figure would be dominated by the remand population. And it could be that you are living with your child but the grandmother has got legal custody. So to unpack that might be a bit more nuanced. It might be that you absolutely live with your child but you are also with your parents and it is your parents who have the legal custody in that component.

The CHAIR: Yes. Or now that you are on remand you do not have custody of your child so the answer is no.

Comm. STRONG: It might be how the woman is answering the question, exactly. That is true.

The CHAIR: That is right. ‘Have you got custody of your child?’, ‘No, they’re at home’. I wonder if that might be—because it is a remarkably low number for the number who are parents, I think.

Thank you so much. Are there any further questions? Commissioner, we very much appreciate your time, and please thank your team as well. They were really helpful. There were some really passionate people there—passionate about their work.

Comm. STRONG: That is great. I am sorry you did not get to Tarrengower—

The CHAIR: I know, it was a shame. Oh, well, there will be other times, hopefully as a visitor. For you it will only be as a visitor, Rod, obviously.

Mr BARTON: Thanks, Chair.

The CHAIR: Thank you again for your time. As I mentioned at the outset, you will receive a transcript of today. Please have a look at it. Thank you, and that closes today’s public hearing. Thank you, everyone.

Committee adjourned.