

1 Inspector's Overview

Tackling Western Australia's high recidivism rates: a community and financial necessity

The rate and cost of recidivism

Western Australia has high recidivism rates. On average over the past decade, 40 to 45 per cent of people have returned to prison within two years of being released. The figures are worse for some groups, especially younger people and Aboriginal people. Recidivism means more crime, more victims and more financial costs to the state. It places enormous pressures on the prison system, increasing prisoner numbers, overcrowding, and costs.

Given Western Australia has a prisoner population of approximately 5000, a recidivism rate of 40 per cent equates to approximately 2000 people returning to prison in under two years. It costs, on average, around \$120,000 per annum to keep one prisoner in prison. Thus, for every ten prisoners who do not return to prison for just one year, the projected saving in direct costs alone is over \$1 million. If these ten prisoners *never* return to prison, the savings are multiplied many times.¹ In addition to these direct costs, there are usually additional financial costs (for example, social security support for affected families) and immeasurable social costs.

There was a noticeable decrease in WA's recidivism rate to 36 per cent for prisoners released in 2009/10. However, there is no clear explanation for what caused the decline and therefore no indication of whether it is likely to continue. One contributing factor was the increase in people being denied early release orders (EROs) from 2009. This caused a small shift in the demographics of all released prisoners. It also meant that prisoners at higher risk of recidivism were less likely to be released in 2009/10 compared to the year before. However, this only delayed the release of these prisoners and the longer term effects of this delay are yet to be seen.

The government has indicated it is focused on reducing recidivism, noting that preventing re-offending is the most effective way to cut crime, improve public safety, and reduce the cost to taxpayers.² In responding to this report, the Department of Corrective Services ('the Department') sets itself the commendable target to reduce recidivism by six per cent per year. Meeting this challenge requires a good understanding of what measures work for which prisoners and why, so that investment can be properly utilised.

¹ This is based on Departmental estimates of each prisoner costing \$317 per day. See Department of Corrective Services. *Annual Report 2012/2013* (September 2013).

² Hon Joe Francis MLA, Minister for Corrective Services, *Extra \$2m on prisoner rehabilitation programs*, media statement (12 August 2014).

Better functioning prisons have better outcomes

This review confirmed our belief that well-run prisons are more likely to make a positive impact on prisoners' lives. We found that prisons which had been performing well against the standards of this Office were returning lower recidivism rates than those that were struggling to provide services and to meet standards. It follows that there is a serious risk that increasing prisoner numbers without increasing supporting infrastructure and services will trigger a higher rate of return to prison.

Decisions about how to invest limited public resources are always prioritised. However, it would be a false economy to drive financial saving in prisons at the cost of strategies related to reducing recidivism. These strategies must be valued as highly as the resources needed for managing the day to day running of corrections facilities if we are to alleviate pressure on all resources in the long term.

Factors associated with recidivism

This review found that the three factors most strongly linked to recidivism are age, prior prison admissions, and problematic substance use. Over half of sentenced prisoners released in 2008/09 and 2009/10 were identified as having highly problematic substance use.³ The review also found that males, Aboriginal prisoners, and prisoners with low educational attainment were more likely to reoffend. All these findings correspond with national and international research.⁴

The younger an offender, the more likely they are to return to prison. As they get older, the influence of education and training on reoffending declines, and with each additional admission into prison, the likelihood of returning increases. Therefore the potential to break the cycle of reoffending before it becomes entrenched is highest for young people. Yet they are underrepresented in accessing corrections opportunities to reduce reoffending.

For young Aboriginal people the rate of return to prison is particularly alarming, being 25 percentage points higher than the non-Aboriginal recidivism rate. Only 26 per cent of Aboriginal prisoners less than 24 years old were in prison for the first time, compared to 74 per cent of non-Aboriginal prisoners in the same age group.

The Department has taken positive steps to start to address the needs of younger male prisoners at the Wandoo Re-integration Facility (Wandoo). This facility is currently restricted to 18-24 year olds, and has a specialised focus on life skills, education, and training. Post-release support is provided, including providing confirmed employment upon release. A recent inspection of this facility found that it was high performing, with its provision of programs and re-entry services considered best-practice. However,

³ These prisoners were assessed as 'high' or 'highest' risk on the substance use offender treatment checklist.

⁴ NSW Department of Corrective Services, *Recidivism in NSW: General Study*, Research Publication No. 31 (May 1995); Payne, J. *Recidivism in Australia: Findings and Future Research* (Australian Institute of Criminology, Research and Public Policy Series No. 80, 2007); Australian Bureau of Statistics. *An analysis of repeat imprisonment trends in Australia using prisoner census data from 1994 to 2007* (2010). ABS Catalogue no. 1351.0.55.031; Jhi, K & Hee-Jong J. 'Predictors of Recidivism across Age Groups of Parolees in Texas' (2009) 6(1) *Justice Policy Journal*.

Wandoo is not yet full and therefore its potential has yet to be maximised. In addition young Aboriginal men are under-represented in the facility.

The issues run far deeper in that Wandoo, at present, sits too much apart from the mainstream. First, most prisoners will simply never access the specialised services that it offers. It houses only highly selected minimum security men and there is nothing equivalent for women, and the majority of young men who are in most need of re-entry support will not reach minimum security status.

If recidivism is to be reduced, there must be more investment in the large number of young men and women housed in mainstream prisons. Too many of them pass the day in mindless and unconstructive ways. There are no specific strategies in place to target and engage this cohort, treatment programs are lacking, and they are specifically excluded from some programs due to their cognitive immaturity and due to concerns of the influence of older participants.⁵ Fortunately, the Department is moving to try and address these issues.

Treatment programs

While many risk factors are outside the Department's control, one area where it has invested heavily, with the aim of reducing recidivism, is the provision of treatment programs. However this has not achieved good results.

Availability and allocation

International research shows that treatment programs are effective only if the right program is provided to the right person. If the program is not aligned to the correct person, treatment programs can be harmful. This is exactly what occurred for Western Australian prisoners released in 2008/09 and 2009/10. Those who had completed a program were *more* likely to return to prison within two years than those who did not complete a program.⁶

Since then, the Department has made substantial progress in delivering programs to the right prisoners but some major problems remain: too few programs are available for women prisoners and for women and men held in the Aboriginal-dominated prisons of Broome, Roebourne, Greenough and Eastern Goldfields.

What works?

Despite more than twenty years of program delivery, and despite criticism dating back many years of the lack of evaluations, the Department does not have any robust evaluations which can explain what works for whom, and why, by way of programs in the Western Australian context.

⁵ Department of Corrective Services. *Offender Services Program Guide* (Version 4, December 2011).

⁶ These results aligned to findings from an OICS review on treatment programs in 2008 which showed that most prisoners at this time were allocated the wrong program or were not allocated a program at all: see OICS, *Report into the Review of Assessment and Classification within the Department of Corrective Services*, Report No. 51 (Jun 2008).

Programs aimed at reducing recidivism need to be reviewed regularly and refined to adapt to changes in prisoner needs and to maximise their chance of success. Unfortunately, most of the Department's evaluations have been short term, assessing progress by reference to prisoners' feedback and surveys and staff assessments at the time. More outcome-based evaluations are required.

At the time we compiled this review, only two long term evaluations had been conducted. Both had proved so negative that the programs in question had to be withdrawn.

I strongly encourage innovation, and welcome the Department's aim to implement evidence-based programs which more accurately target the needs and risk profiles of specific prisoner cohorts. However, the Department must also find ways to balance the need for innovation with the need to properly measure effectiveness.

Women in prison

It is rare of late that I release a report without making comment on the plight of women in our corrections system. Once again, it is necessary. This review found that the recidivism rate of women was lower than men and appeared to be declining. This may be partly explained by differences in the demographics of female prisoners, who on average were older, better educated, had a lower security rating, and had fewer prior admissions.

While the recidivism rates for women are generally lower than for men, the real question is whether the distinct needs of women are being met. The answer is that they are not. As I have charted in other reports, the prison system as a whole has badly neglected the needs of female prisoners in recent years.⁷ Specifically, this report found that the Department's program interventions were not meeting the specific needs of women, particularly those at high risk of returning. Men deemed to be at high risk of substance use had a lower recidivism rate if they completed a treatment program while high risk women who had completed programs showed a greatly *increased* rate of reoffending.

The reasons for these findings are not entirely clear but it is very clear that programs need to be developed and delivered specifically for female offenders, and especially for those assessed to be at high risk. The dynamics that underpin their offending are not the same as for men.⁸

⁷ OICS, *Female Prisons in Western Australia and the Greenough Women's Precinct*, Report No. 91 (July 2014); OICS, *Report of an Announced Inspection of Bandyup Woman's Prison*, to be published, November 2014.

⁸ The Department plans to redevelop the 'Choice, Change, and Consequences' program to target women who are high risk on the violent offending checklist, which is likely to help. An intensive substance abuse program specifically for women should also be considered.

Conclusion

Numerous factors affect the likelihood of a person returning to prison, including growing insight and maturity, employment, improved mental health, drug rehabilitation, or 'finding' religion or love. Many of these are beyond the Department's control but some can be addressed by treatment in prison or by support and assistance on release.

Some people, both in and out of corrections, are sceptical of the prospects of reducing recidivism. However, New Zealand is having some success in this area. It has set clear targets for reducing recidivism and is implementing initiatives which are both prison and community-based. They include increasing participation in treatment programs, education and employment. Importantly, the New Zealand plan recognises at its core the role of families, non-government organisations and private sector service providers as well as the public sector. The results to date are very promising. Two years into the five year plan, New Zealand Corrections have reduced the recidivism rate by 11 per cent.⁹ Western Australia can also reduce recidivism and therefore improve community safety but this will not occur without sharp planning, innovation, efficiency and community engagement.

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⁹ NZ Department of Corrections, *Annual Report 1 July 2012 – 30 June 2013* (September 2013).