

Inspector's overview

It is well known that the number of prisoners in Western Australia is rising, and that our prisons are housing many more people than they were designed for. On any given day, over 6,100 people are now in our prisons, a 20 per cent (1,000) increase since May 2014, compared with only 4,100 in 2009.

What is not generally known is that even more prisoners – over 7,000 – are released every year (600 per month or 150 per week). Half of them have served time after being convicted of a crime ('sentenced prisoners'). The other half have not yet been convicted, and are awaiting court hearings ('remandees').

This report focuses on services to help sentenced prisoners transition back to society. Remandees receive limited transition support (see paras 3.9 and 6.21-6.29, and OICS 2012, 2014c). This is understandable in that most spend less than four weeks in prison. However, remand numbers have risen rapidly in the past three years and remandees, like sentenced prisoners, face significant social and personal issues (OICS 2015). Short remand periods add further disruption and distress in relation to matters such as child care, accommodation and employment. It is therefore important for the Department to expand services to remandees.

In conducting this review we found that:

- supporting prisoners to return to society is an intelligent investment
- the transition services that are offered perform a valuable function and are highly valued by prisoners
- only limited resources are allocated to transition management
- the Department of Corrective Services (the Department) does not allocate these limited resources according to risk, need and demand
- contract redevelopment and procurement has been too slow and poorly handled

Worryingly, while the Department supported all our recommendations it provided no timelines and few concrete commitments.

Why should we spend money to support ex-prisoners?

Too often, especially when budgets are tight, efforts to assist offenders are portrayed as 'going soft', or as giving them unfair free benefits. This is wrong and short-sighted as it is in the whole community's interest to help prisoners return to society. This is because:

- Most prisoners face complex difficulties in relation to issues such as mental health, accommodation, family relationships, substance abuse and employment. It is unrealistic to expect that they will settle back into society without support.

- Ex-prisoners are most likely to re-offend within the first 12 months and the risks of death through suicide or overdose are also elevated at this time.
- Close to half of all sentenced prisoners return to prison within two years of release because they commit another significant crime.
- At current rates, 45 per cent of the 3,700 sentenced prisoners who were released during 2014 will return to prison. This equates to 1,600 people, more than our biggest prison (Acacia).
- The cost of keeping just one person in prison is \$332 per day, or \$120,000 per year. This means the annual cost of housing the projected 1,600 returning prisoners from 2014 will be over \$190 million.
- The emotional, human and financial costs to victims, the community, offenders and families are immeasurable.

In short, it makes human, social and economic sense to reduce the number of people returning to prison. Transition support programs should be a key element of this. Some can be provided by government, but the not-for-profit sector also plays a pivotal role.

Transition managers and 'Re-entry Link' program

Under the Re-entry Link program, which costs around \$10 million per year, not-for-profit organisations are contracted to provide pre-release and post-release support. The program is available at all prisons, with the exception of the privately-run Wandoo Reintegration Facility for young men, which has its own processes and contracts. The Re-entry Link program is a highly regarded service. Re-entry Link program staff are extremely motivated in improving the lives of prisoners and commonly provide services well in excess of their contractual requirements.

The Transition Manager role was pioneered at the privately-operated Acacia Prison (where they are called Resettlement Managers) and then rolled out to public sector prisons. It is a good, but rather too rare example of the public sector drawing on private sector innovation (OICS 2014f). Transition Managers assist sentenced prisoners to source key documentation such as birth certificates, Medicare cards and driver's licences. They also refer prisoners who are in the last six months of their sentence to community organisations that offer support by way of short term accommodation or voluntary support (such as Alcoholics Anonymous). These services are highly sought after by prisoners.

Poor allocation of limited resources at public prisons

Five minimum security prisons have a primary focus on re-entry. They vary in size and function, from 90 or fewer (Boronia Pre-release Centre for Women, Wandoo Reintegration Facility and Pardelup Prison Farm) to well over 300 (Karnet and Wooroloo Prisons). However, only 15 per cent of the state's prisoners are released from

these prisons: the rest leave the higher security metropolitan prisons (Bandyup Women's Prison, and Acacia, Casuarina and Hakea prisons) or the regional prisons.

In 2014, Boronia released 140 low risk sentenced prisoners, and had one full time Transition Manager to assist. Bandyup, which houses much higher risk, higher needs women, released almost 300 sentenced prisoners and 500 remandees. But it also had only one full time Transition Manager. If Bandyup was brought in line with Boronia, it would need more than two.

Stark differences are also evident at the male prisons. At the privately-operated Acacia Prison, Serco had managed and prioritised its budget in such a way that it was employing four full time Resettlement Managers to assist 670 prisoners. By comparison, the Department had only found funding for one full time Transition Manager at its major metropolitan male prisons, Hakea and Casuarina. Hakea had released over 450 sentenced prisoners and 1,900 remandees. Casuarina had released around 450, half of whom were remandees. The two male re-entry prisons (Karnet with 265 releases and Wooroloo with 400) also had just one Transition Manager each. We also found that the regional prisons were not resourced in a way that matched numbers, risks or needs.

We have therefore recommended that the Department develops a system which allocates transition services according to demand and risk. The Department has supported this and says it is already actioning the matter as part of the development of an Integrated Individualised Offender Management framework ('IIOM'). But it has provided no timeframe for this.

Contract management and procurement

Service agreements for the re-entry program were established with a commencement date of January 2011. They ran for an initial period of one year with provision for extensions for two additional two year terms subject to a review after the first year. In mid-2015, a number of contracts were extended for 12 months to June 2016.

The service agreements lack appropriate outcome based performance measures and need updating. At present, performance reviews of service delivery focus on matters such as the number of clients and number of contacts, and do not measure results such as reducing recidivism or placing people in accommodation and employment. Most of the outcomes that are listed are very high level and not measurable. In revising the contracts, the Department also needs to take into account the recent shifts in the prisoner population profile, including the growth in women and in remand prisoners.

Contract revision has taken far too long. The 12 month extension from June 2015 to June 2016 gave the Department ample time to conduct an assessment of demand and service specifications for re-entry services, and to conduct a tendering process. The service agreements are fast approaching the end of the June 2016 extension but none of these tasks has yet been completed. In fact, they have barely started. The first stage will

be a series of workshops involving potential service providers in late June, just days before contract expiry. There will be a great deal of work to do after that to draw up and tender new contracts.

The status of the service agreements after June is therefore unclear. But if re-entry services are to continue, the only option will be to renew some or all of the contracts for a minimum of six months. The Department is in the midst of major reform and restructuring, but this does not excuse the delays. The delays have generated uncertainty and contracts cannot continue to be rolled over without risk of breaching government procurement requirements.

Poor communication and inconsistent messages from the Department have added further uncertainty and risk. Like any business, not-for-profit organisations need clear advice if they are to develop and fund their services, plan for the future, and retain good staff. At best, the conflicting messages have caused frustration and uncertainty. At worst, the ability of not-for-profit organisations to deliver services has been compromised.

In short, I cannot be confident that there will be seamless service delivery over the coming year. Those most affected by the mismanagement of the last 12 months will be prisoners seeking support services, staff whose agencies are not able to give any assurances about employment, and ultimately the community at large. Although I have not conducted a review of contracted services in youth justice, the evidence suggests that contract development in that part of the Department has been handled in a more structured, timely and appropriate way.

Looking ahead

The evidence shows that it is smart to invest in strong re-entry services if we want to improve community safety and to reduce the financial and social costs of imprisonment. The services that are offered are highly sought after by prisoners and very relevant to assisting a safe return to the community. The not-for-profit sector is developing capacity and is well placed to offer expanded and improved services.

However, there are significant problems. The increase in the prison population has not been matched by an increase in transition management staff; staffing levels are poorly correlated with demand; information sharing is inadequate; services do not always reach the higher risk prisoners; and there are communication and accountability gaps.

The Department has supported all six of our recommendations and has said they reflect existing initiatives. The primary response to each recommendation is:

‘The Department is developing and implementing an Individualised and Integrated Offender Management Framework to improve and streamline its service delivery. The IIOM implementation project will align assessment and classification processes to better determine and allocate offender program

needs, develop greater efficiencies in allocation of offenders to programs and improve prioritisation and sequencing of programs.'

The IIOM is a good concept but none of the responses provides any timelines for implementation.

I am also not persuaded that the IIOM is a necessary pre-requisite for some recommendations. For example, recommendation 6 calls for 'a comprehensive performance management framework to monitor ... service agreement outcomes.' One would have thought that this is something that should be embedded immediately, and would be expected by Treasury and others as part of good contract management. The Department's response is obtuse, bureaucratic, and totally non-committal:

'This recommendation will be considered via the implementation of IIOM Framework and against strategic platforms around data integrity, enhancing service delivery and driving performance by enhancing IT capabilities.'

The IIOM is a promising concept and one that I welcome. However, it is not the first time that we have been promised better targeted and streamlined services. In the 1990's, when I was a member of the Parole Board we were told that the then Ministry of Justice had implemented a system which would provide a 'seamless transition' for prisoners to the community. It hadn't, though the intentions were as good then as they are now.

Unfortunately, for almost half our prisoners, the only seamless transition seems to be back into prison. That is why transition services matter, why we need to deliver more comprehensive services, and why we need to resource and manage them better.

Neil Morgan

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