

National Conference on Australian Prison Issues

'not just inside issues but outside outcomes'

Agenda

8.45am	Registrations
9.00am	Miriam Scurrah - Welcome
9.10	Prof. Peter Norden - A National Perspective on the Use (or abuse) of Imprisonment in Australia
10.00	Claire Spivakovsky - Localised Correctional Approaches towards Indigenous Offender Responsivity
10.35	Morning Tea
11.00	Prof. Rob White - The Duality of Responsibility and the End of Prison as We Know It
11.35	Ron Fabre - Improving Prisoner rehabilitation and reintegration outcomes through computer and Internet-based resources and education
12.10	Dr. Terry Bartholomew - Measuring community views about the reintegration of offenders: Victorian data & Should young children be allowed to reside with incarcerated mothers? The views of key Australian stakeholders
1.00	Lunch
1.30	Miriam Scurrah - The Australian Prison Foundation – Why did it start and what will it do?
2.05	Prof. Joe Graffam - The ecology of reintegration: an explanatory and support model
2.40	Dr. Debra Smith - Conversations with Patrick
3.15	Afternoon Tea
3.45	John Ryan - Prisons, Needles and Occupational Health and Safety
4.20	Greg Barns - The Politics of Prison Reform: When will the Penny Drop?
4.55	Summary – Miriam Scurrah

Speakers & Abstracts 2009

Details current 17 October, 2009

Father Peter Norden, A.O. is a Vice Chancellor's Fellow at the University of Melbourne in the Melbourne Law School. He is also an Adjunct Professor at R.M.I.T. University in the School of Global Studies, Social Sciences and Planning, and the Convenor of the Victorian Criminal Justice Coalition. Peter has been involved with the operation of the Australian criminal justice system for over thirty years, as a practitioner, commencing from his founding of the Brosnan Centre (1977) for released offenders, as Senior Victorian Prison Chaplain (1985-92), and as advocate, researcher and penal reformer in his roles as the Policy Director for Catholic Social Services (1992-95) and as the Executive Director of Jesuit Social Services(1995-2002).

Title: A National Perspective on the Use (or abuse) of Imprisonment in Australia

Abstract

Who goes to prison in Australia today? With a national prison population that has doubled to more than 40,000 in less than 20 years, is Australia following the path of the United States criminal justice policy over the last 40 years, or is there another alternative being presented today by restorative justice principles?

The use of imprisonment in Australia today is clearly determined by more than society's response to criminal behaviour, given the lack of concern or commitment by the wider Australian society to ensuring a positive outcome for those sentenced to a period of imprisonment.

Alternative models of incarceration and alternative sanctions that bring about reconciliation between conflicting parties will be considered in this presentation that will help to set the context in which particular issues of concern can be considered during this one day conference.

Claire Spivakovsky is a Lecturer in Criminology at Deakin University, and is currently completing a PhD in criminology at the University of Melbourne. Claire has researched and published on the conceptualisation of the Indigenous offender in theory and correctional practice, and her PhD thesis explores how correctional agencies in Victoria, Australia and New Zealand have approached the offender rehabilitation principle of responsibility in relation to Indigenous offenders.

Title: Localised Correctional Approaches towards Indigenous Offender Responsibility

Abstract

In order to facilitate effective offender rehabilitation correctional agencies have been advised to follow three main principles when working with prisoners. These principles are: (1) the risk principle, which is focused on categorising prisoners in relation to the different levels of treatment they may require based on the level of risk they pose to the community; (2) the need principle, which is focused on targeting treatment to address those 'needs' of the prisoner that are associated with their offending behaviour; and, (3) the responsibility principle, which is focused on the delivery of treatment, and the variations to treatment that may need to take place in order to address different prisoner groups.

The practical implications of both the risk and need principles have been discussed in detail in the correctional literature, and these discussions have provided correctional agencies with specific directions about how they can achieve effective forms of offender rehabilitation within their own jurisdiction. However, the practical implications of the responsibility principle have rarely been discussed within the correctional literature, and are therefore less obvious. This paper addresses some of the ambiguity that surrounds the practical implications of the responsibility principle in the following three ways: (1) it outlines how Victorian correctional agencies have approached the principle of responsibility in relation to Indigenous prisoners, (2) it discusses the localised conditions that have

allowed for Victoria's approach to responsivity to have taken the form that it does, and (3) it considers the implications that this localised approach to responsivity has for practicing this principle in other jurisdictions.

Rob White is a professor and criminologist in the School of Sociology and Social Work at the University of Tasmania. He is the course coordinator of the Criminology and Corrections programme at UTAS, and has an active interest in prison issues, human rights and social justice.

Title: The Duality of Responsibility and the End of Prison as We Know It

Abstract

The duality of responsibility refers to the idea that both society and the prisoner bear social and moral responsibility for offending. Translated into action, this means that offender rehabilitation is a societal imperative, given the social disadvantages of most street or working class offenders. Society has to give something to the offender in order for that individual to move beyond offending. But the duality also means that taking responsibility also requires that individual offenders should have an interest in making things right, in repairing the harm, in addressing the wrongs which they have perpetrated. The offender has to give something to society – to someone else – if redemption and the creation of a new life are to be possible. This duality of responsibility has certain practical implications. At a systems level, it orients our thinking toward restorative justice and therapeutic jurisprudence as being core concerns of justice. At an institutional level, it inevitably leads to the abolition of the prison as we generally know it, since imprisonment without the capacity for 'giving' (both societal and individual) substantively fails to address and, indeed, actively impedes the development of social and personal responsibility in relation to offending.

Ron Fabre is a 20 year veteran of the Australian I.T. industry and is currently the Product and Services Manager at Cybersource, a long-running Melbourne I.T. services firm who specialise in providing secure computing facilities to correctional facilities. Cybersource is working with prisons and education providers across Australia and internationally to bring computer resources to prisoners.

Title: Improving Prisoner rehabilitation and reintegration outcomes through computer and Internet-based resources and education

Abstract:

Over 75% of Australians have access to web and email, and at least as many use computers in their day-to-day jobs. Anyone without a reasonable familiarity with computers has severely limited job prospects. This has more immediate consequences for any ex-inmates who find it difficult to break the cycle of crime. In this talk we will look at a brief overview of a number of successful deployments of computer-based education and rehabilitation platforms which have occurred in Australian prisons over the past few years. Many of the practices and technologies involved are a world-first. We'll look at how to implement technology within prisons (including cells) while mitigating safety risks, providing inmates with limited access to the web, email communication with family and legal representatives, all in a secure manner and in compliance with stringent prison policies. And finally we'll see how access to electronic education and training resources makes it possible to increase the likelihood of prisoner rehabilitation and reintegration back into society, and what this means for the prisoners and their families, the state correctional systems, and Australian society.

Dr Terry Bartholomew is a Senior Lecturer in the Psychology Department's highly respected forensic doctoral program in Melbourne. He has expertise in numerous psycho-legal and criminological areas, including: violent offending, domestic violence, serious juvenile crime, young people's rights and competencies, and offender rehabilitation. Dr Bartholomew has practical experience with, and has published in the areas of, working with violent, sexual, domestically violent, drug-affected, juvenile, indigenous and mentally ill offenders. Over the last five years, he has also delivered specialist workshops on these and related topics to staff at various human services, welfare and government agencies in Queensland, South Australia and Victoria, and presented over 60 papers at national and international forensic psychology, law and criminology conferences. In addition, Dr Bartholomew has provided research, evaluation and clinical services to the Victorian and ACT Departments of

Justice since 1998. Most notably, this has included the design and provision of violent offender rehabilitation programs (for which he was a recipient of an Australian Violence Prevention Award in 2001 and was nominated for a Victorian Community Crime Prevention Award in the same year) and recent evaluations of rehabilitation and reintegrative programs for prison and community-based offenders.

He will discuss two research projects which he is involved in:

Title: Measuring community views about the reintegration of offenders: Victorian data

Abstract

Reintegration is the only sentencing objective that requires community support in order to be realised. Despite widespread moves towards initiatives that facilitate the reintegration of offenders, we know very little about the extent (and limits) of community support for this ideal. With this notable gap in mind, the study authors have begun the process of investigating the types of reintegrative initiatives the community would support, ascertaining the offender sub-groups the public feel such programs should be aimed at (and not aimed at), profiling the sub-sections of the community that are most amenable to such initiatives, and identifying the factors that predict positive and negative attitudes to the reintegration of offenders. The collection of this Victorian sample represents the first stage in an audit of community views across all Australian states and territories.

Dr Terry Bartholomew; Dr Lesley Hardcastle & Professor Joe Graffam School of Psychology, Deakin University

Title: Should young children be allowed to reside with incarcerated mothers? The views of key Australian stakeholders

Abstract

Between 60 and 80% of women in prison are mothers of dependent children. The trend for more women to be incarcerated across western justice systems looks likely to continue; so it follows that greater numbers of children will be affected. One strategy aimed at preventing the potentially negative effects of separation is to allow young children to reside with their mothers for a time in prison. All Australian jurisdictions have policies that allow co-residence in prison, but the specifics of such policies vary widely, and the professionals who must make these assessments and decisions face an extremely challenging task. This conference paper presents data from a national study that explored key Australian stakeholders' beliefs about the circumstances whereby children could reside with incarcerated mothers. Findings indicate conflicting opinions and rationales, and explicate respondents' beliefs about how factors such as children's rights and interests, developmental needs, prisoners' and mothers' rights, and other legal, organisational and resource constraints should be prioritised and weighted when making child placement decisions in this correctional context.

Dr Cath Peake & Dr Terry Bartholomew
School of Psychology, Deakin University

Miriam Scurrah is the President of the Australian Prison Foundation, founding the organisation in 2008 with support from other board members and her family. Her interest in prisons began after the incarceration of a family member and this led her to discovering her passion for prison research. She holds an Honours Degree in Adult and Vocational Education, her thesis focus was on prisoner learning, a Masters in Business and Technology and a Graduate Certificate in Human Resources. Believing in lifelong learning, she is currently studying a Graduate Certificate in Criminology and pursuing a PhD, which will focus on prisoner learning.

Title: The Australian Prison Foundation – Why did it start and what will it do?

The Australian Prison Foundation is a non profit organisation dedicated to providing assistance to those touched by prisons in Australia. We are interested in the following areas:

- supporting and assisting research into Australian prisons,
- providing information and support to prisoners, prisoners families, and people working in the corrections field

- forming partnerships of support with other prison groups

We seek to create:

- a database of prison support organisations and individuals
- a library of research and information
- links between communities and prisons

This short presentation will outline the work that we have been doing and what we intend on doing over the coming year.

Professor Joe Graffam holds a Chair in Psychology and is the Head of School of Psychology as well as Deputy Dean of the Faculty. His research applies 'ecological framework analysis' to examine reintegration support needs of offenders and prisoners and support needs of people with disability. He organises The Reintegration Puzzle conference, an annual national conference on prisoner reintegration.

Title: The ecology of reintegration: an explanatory and support model.

Abstract

Reintegration within the community is very challenging for ex-prisoners. Low level of education and employment history, a variety of health issues, social and family network issues, subsistence and accommodation issues all present challenges for many ex-prisoners. Success in reintegration often depends on several factors working out favourably. It also depends on availability of a range of relevant supports. This presentation describes the ecology of reintegration. It focuses on the most common factors affecting an individual's transition into the community, the interactive and dynamic nature of those factors, and the need for a comprehensive system of reintegration supports.

Debra Smith is a Psychologist who is in private practice in East Gippsland, Victoria. She is Chairperson of The Bridge Foundation, a voluntary organisation working to advocate on behalf of prisoners on release. She worked in the prison system for seven and a half years and completed Ph.D research on public health in prisons. Her book *In Prison* was published in 2008 by Ginninderra Press.

The Bridge Foundation is a local community agency in Sale, Victoria, working to promote prisoners' and ex-prisoners' rights via, advocacy, publication, education and resource provision. The Bridge Foundation seeks to provide a high quality support service for people who have been recently released from prison to enable them to re-integrate into the community and live effective and satisfying lives. To stay out of prison a person needs housing, work and connections to people.

Title: Conversations with Patrick

John Ryan BA, LLB has been the CEO of Anex for the last eight years. John has previously worked in private enterprise, university research, government and the non government sectors. He has been a member and chair of numerous committees and advisory groups. His passion is shrinking the distance between policy and the reality of drug related problems.

Anex is a community based, non profit organisation which has as its vision a society in which all individuals and communities enjoy good health and well being, free from drug related harm. Anex employs the best available evidence in its role as Australia's leading public health organisation on illicit drugs in its policy development, research and workforce development activities. Anex seeks to provide the community and government with an authoritative and credible voice on harm reduction services.

Title: Prisons, Needles and Occupational Health and Safety

Abstract

Drug use occurs in prisons despite a strict prohibitionist approach to drugs. In Australia, prison needle and syringe supply is currently unregulated and uncontrolled. Prisoners have an extremely high prevalence of hepatitis C (HCV) and those that enter prison HCV-negative have a high risk of becoming seropositive during their time in prison. Given that most prison sentences are less than six months, post-release prisoners become a key vector for the transmission of HCV to the wider community. Prison officers risk sustaining needlestick injuries when conducting searches of inmates, cells and other areas, thereby risking HCV infection. Both the risk and actual infection can lead to both individual and broader family and community harms. Therefore, there is a need to explore whether NSP service provision in prisons can contribute to decreased rates of HCV transmission between prisoners, a safer workplace and therefore a safer community. International experience has shown that prison regulated and controlled NSPs increase institutional safety, limit blood-borne virus transmission and do not result in instances of syringes being used as weapons. Introduction of prison regulated and controlled NSPs would be consistent with efforts to comply with Occupational Health and Safety principles, public health measures and the approved standards for corrections in Australia.

Greg Barns is a barrister and writer. He practices in Hobart and Melbourne in the areas of human rights and criminal law. Greg is legal adviser and spokesperson for Tasmanian based prison advocacy group, Prison Action Reform. He is Tasmanian Director of the Australian Lawyers Alliance. Greg writes for Crikey, the Hobart Mercury, The Age and is a regular commentator on criminal justice issues.

Title: The Politics of Prison Reform: When will the Penny Drop?

Abstract

Politicians in Australia, almost without exception, lack courage, political will and imagination to radically reform what is universally regarded as a policy failure – the use of prison and detention generally as a form of punishment. The fact that over 80 percent of the community does not believe that prison rehabilitates individuals is testament to this failure.

What will it take to get our politicians focused on substantially reducing the prison population and providing a humanitarian rehabilitation focused environment for those who need to be in detention for a period of time? Will it be, as is now happening in some US states, a budgetary crisis? Or will Australia move away from the Anglo-American model of prison systems to adopt the successful European models?