



Australian Government  
Australian Institute of Criminology

# Reintegration of Indigenous prisoners

Matthew Willis  
John-Patrick Moore

Research and Public Policy Series

No. 90



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## Foreword

The overrepresentation of Indigenous Australians in prison has long been one of the major challenges facing the criminal justice system. Indigenous Australians are represented in state and territory prison systems at 12 times their level of representation in the general population. Indigenous prisoners are much more likely to be imprisoned for a violent offence and to have previously been imprisoned than their non-Indigenous counterparts. Despite this, to date there has been no national study of the extent to which Indigenous people reoffend and are returned to prison.

Conducted with the support of corrective services administrators in Australia and New Zealand, research undertaken by the Australian Institute of Criminology (AIC) has filled an important gap in the knowledge of recidivism among Indigenous offenders. Using data from all Australian jurisdictions and covering 8,938 males incarcerated for violent offences and released from prison over a two-year period, this report clearly shows that Indigenous offenders are readmitted to prison sooner and more frequently than non-Indigenous offenders. Indigenous offenders tend to be readmitted to prison for the same kinds of violent offences each time, usually assault.

Readmission to custody provides one measure of how well attempts at reintegration into the community have succeeded. On this measure, the findings in this report suggest that efforts at reintegrating Indigenous offenders often fail to keep the offenders in the community and away from prison.

To help us understand why this is the case, this report also presents the findings from interviews conducted with prisoners, ex-prisoners and stakeholders involved with Indigenous reintegration. These interviews have allowed the authors to gain insight into some of the elements of successful reintegration and how these could be applied to achieving better reintegration outcomes for Indigenous offenders. Efforts to respond to the needs of Indigenous prisoners across Australia and New Zealand include services involving Indigenous elders, liaison officers, official visitors and chaplains and a range of innovative initiatives including Indigenous-specific transition and rehabilitation teams, a minimum security institution and a residential program, and family violence and sex offending programs. However, throughcare and post-release support can be a challenge when offenders are returning to socially disadvantaged communities, with often high levels of violence. Stakeholder consultations indicate more can be done to prevent future violent re-offending and increase positive reintegration back into the community.

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The successful reintegration of offenders is a goal of vital importance for those in custodial corrections, community corrections, post-release support agencies and the families and communities to which offenders return. This report is a valuable contribution towards achieving that goal for more Indigenous Australians.

**Judy Putt**  
**General Manager, Research**  
**Australian Institute of Criminology**

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## Contents

Foreword	iii
Acknowledgments	viii
Executive summary	ix
<b>Introduction</b>	<b>1</b>
The research project	4
<b>Imprisonment and reimprisonment</b>	<b>7</b>
Overrepresentation of Indigenous people in custody	8
Characteristics of Indigenous prisoners in Australia	11
Readmission to prison: previous research and statistics	16
Readmission to prison: current research	17
Summary	28
<b>Prior and underlying factors</b>	<b>30</b>
Social disadvantage and risk	31
Interviews with Indigenous offenders: a qualitative study	37
<b>Facilitating reintegration: literature review</b>	<b>43</b>
What reintegration is	44
Indigenous reintegration	46
Measuring reintegration	47
Throughcare	48
Reintegration in practice: creating links between corrections and the community	52
What is known: program and service delivery in Australia	54
What works: what is known and what is emerging in the literature	57
Promoting reintegration: improving transition to the community	58
Types of rehabilitation programs	62
Areas of promise: developing improvement in programs and services for Indigenous offenders	68
<b>Facilitating reintegration: prisoners' and stakeholders' perceptions</b>	<b>73</b>
Program participation and perceptions	74
Program and service delivery: limitations and areas for improvement	80

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<b>Bringing it all together</b>	<b>97</b>
Overview: findings	98
Policy implications	102
<b>References</b>	<b>106</b>
<b>Appendixes</b>	<b>115</b>
Appendix A: Methodology	116
Appendix B: Participant information sheet – offenders	124
Appendix C: Participant information sheet – key respondents	126
Appendix D: Offender interview questions	127
Appendix E: Offender interview questions – ex-prisoner interview	147
Appendix F: Key respondent interview questions	171

## Figures

Figure 1: Estimated proportion of population within each jurisdiction who are Indigenous, 2006	8
Figure 2: Percentage of released Indigenous and non-Indigenous prisoners cohort having served a previous adult prison sentence	22
Figure 3: Percentage of released Indigenous and non-Indigenous prisoners readmitted to prison within six, 12, 18 and 24 months	23
Figure 4: Number of days released prisoners remained in the community following release from prison	24

## Tables

Table 1: Numbers of prisoners across Australia by jurisdiction at 30 June 2007	9
Table 2: Rates of Indigenous and non-Indigenous prisoners, Australia, 2000–07	10
Table 3: Australian prisoners by age and Indigenous status at 30 June 2007	12
Table 4: Indigenous prisoners by most serious and common offences at 30 June 2007	13
Table 5: Non-Indigenous prisoners by most serious and common offences at 30 June 2007	13
Table 6: Sentenced prisoners by sentence length and Indigenous status at 30 June 2007	14



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Table 7: Mean aggregate sentence length by most serious offence and Indigenous status at 30 June 2007	15
Table 8: Average daily Indigenous representation in corrections populations, 2005–06	16
Table 9: Indigenous and non-Indigenous violent male prisoners released in 2001 and 2002 by jurisdiction	19
Table 10: Comparison of prisoners in Australia with prisoners in AIC release cohort	19
Table 11: Age distribution of release cohort at the time of admission by Indigenous status	20
Table 12: Completed education level of release cohort at the time of admission by Indigenous status	20
Table 13: Most serious offence for which cohort imprisoned by Indigenous status	21
Table 14: Reason for readmission for those who returned to prison within two years of release by Indigenous status	25
Table 15: Most serious reoffence type for those readmitted to prison within two years by Indigenous status	26
Table 16: Remand outcomes for released prisoners returned to custody on remand by Indigenous status	27
Table 17: Time on remand in custody by outcome and Indigenous status	28
Table 18: Indigenous-specific programs	67
Table 19: Anger management/family violence programs undertaken by Indigenous prisoners	75
Table 20: Substance abuse programs and services undertaken by Indigenous prisoners	77
Table A1: Indigenous and non-Indigenous violent male prisoners released in 2001 and 2002 by jurisdiction	119
Table A2: Prisoner interviews	121
Table A3: Key respondent interviews	123

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Finally, the authors are grateful to their colleagues at the Australian Institute of Criminology for their contributions to this report, particularly Dr Judy Putt and Dr Natalie Taylor for their comments and support, Jane Curnow for her work on preparing the qualitative data for analysis, and Dr Maria Borzycki for the content she contributed to the chapter 'Facilitating reintegration: literature review'.

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## Executive summary

This report presents the findings of a study into the reintegration of violent male Indigenous offenders. A high proportion of Indigenous offenders are convicted of offences involving violence. Indigenous men are imprisoned for acts intended to cause injury at more than 20 times their representation in the general Australian population. In this study, compared with non-Indigenous male prisoners, Indigenous male prisoners are:

- Over 50 percent more likely to have previously been imprisoned
- Nearly twice as likely to return to prison within two years

There is little national data on reimprisonment of violent male prisoners. With support from corrective services in each Australian state and territory as well as New Zealand, the Australian Institute of Criminology (AIC) has sought to address some of the gaps in knowledge around Indigenous violent offending and reintegration through six major research questions:

- What proportion of violent Indigenous offenders is readmitted to prison, and how does this compare with violent non-Indigenous offenders?
- How do those who have been readmitted differ from those who have not been readmitted? Which characteristics are linked to readmission?
- Which programs are violent adult male Indigenous offenders involved in while incarcerated and upon release?
- What are the characteristics of programs in the prisons and in the community that might facilitate successful reintegration?
- How can the delivery of services and programs in prisons and the community be improved to better facilitate reintegration?
- What research needs to be done to explore further what works in corrections?

A number of data sources (both qualitative and quantitative) have been used to address these research questions:

- administrative data on readmissions, provided by each Australian state and territory, covering a total of 8,938 violent male prisoners released over a two-year period
- administrative documentation and inventories of programs/services, provided by correctional services throughout Australia and New Zealand
- interviews with prisoners in Queensland, the Northern Territory, South Australia and Western Australia
- interviews with ex-prisoners in Western Australia
- interviews and questionnaires with key informants including Indigenous stakeholders and corrections staff in Queensland, the Northern Territory, South Australia and Western Australia.

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## Offending and reoffending

Analysis of data from across Australia highlights the differences between violent male prisoners on the basis of Indigenous status. Compared with non-Indigenous prisoners, Indigenous prisoners are more likely to:

- have been imprisoned previously
- have been convicted of violent offences previously
- receive shorter sentences
- return to prison under sentence sooner
- return to prison for violent offences.

## Factors influencing offending

There are many factors that contribute to high rates of Indigenous offending, particularly the violent offences among which Indigenous males are highly overrepresented. The literature shows that Indigenous Australians typically experience multiple layers of social disadvantage, particularly in remote communities (e.g. ATSI 2003; Memmot et al. 2001; Royal Commission into Aboriginal Deaths in Custody 1991; SCRGSP 2007a). These disadvantages and compounding factors contribute to violent offending and imprisonment, which create a cycle of accumulating disadvantage and offending.

## Reintegration: learning from the literature

Reintegration is the process of assisting offenders to adopt a non-offending lifestyle in their communities after release from prison. There are many barriers to successful reintegration and these are exacerbated in the case of Indigenous offenders. Through entrenched disadvantage, Indigenous communities often have very little available in the way of support services or opportunities to assist offenders adopt non-offending lifestyles, and disadvantage can make offending seem a necessary or even desirable response.

There is a growing body of literature that identifies those elements that make correctional programs effective, including accounting for individual risks and needs, and increasing individual responsiveness to treatment. Discussions held for this study with Indigenous prisoners and correctional stakeholders showed that risks, needs and responsiveness were major issues in the reintegration of Indigenous offenders.

The literature points to a range of programs that aim to address specific types of offending, such as violent and sex offending, and others that address contributors to offending such as alcohol and substance abuse, and anger management.

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Australian and New Zealand jurisdictions are responding to the needs of Indigenous offenders through a range of innovative programs and services. Most corrections agencies offer services targeting Indigenous needs, involving:

- Indigenous elders
- liaison officers
- Indigenous official visitors
- chaplains.

These services help keep Indigenous offenders in contact with their culture and communities, help maintain their identities and provide valuable personal support.

## **Reintegration: learning from experience**

A series of interviews with Indigenous prisoners and ex-prisoners, and stakeholders including corrections staff involved in the development and delivery of prison and post-release programs and services, provided insight into issues surrounding Indigenous reintegration from the perspectives of those who experience the issues firsthand.

Opportunities identified for improvement included:

- incorporating an understanding of Indigenous society and world views into program development
- recognising the place of violence in Indigenous communities and how it contributes to offending
- enhancing those elements that appear to make programs effective, such as skill development and education, by relating them more directly to the experiences of Indigenous people
- increasing responsiveness and participation of Indigenous prisoners in programs by addressing issues that impact on their involvement, including resistance to mainstream program perspectives
- involving elders and Indigenous facilitators
- involving community and family in the development and delivery of programs
- linking to community sources willing to assist with reintegration
- addressing the grief and loss that consume many Indigenous people
- responding adequately to mental health problems
- achieving reintegration for prisoners serving short sentences and are on remand, who rarely receive correctional programs and services.

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The study highlights suggestions for change and improvement in the areas of:

- changes to programs and services
  - understanding and improving Indigenous participation
  - increasing Indigenous-specific content and delivery
  - evaluation and assessment
- linking to the community
  - involving family and community
  - developing links to the community
- increasing available resources
  - attracting staff in remote areas
  - reviewing community corrections capacity.

## Introduction

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There is evidence, produced over an extended period, to show that Indigenous people are heavily overrepresented in the Australian and New Zealand criminal justice systems (e.g. ABS 2007; Gordon, Hallahan & Henry 2002; NZ DOC 2003b; Royal Commission into Aboriginal Deaths in Custody 1991; Walker & McDonald 1995; Yeboah 2000). The proportion of Indigenous people in prisons is far in excess of their representation in the general community and offending, particularly violent offending, impacts at many levels in Indigenous communities. At the same time, although statistics clearly show levels of Indigenous offending and overrepresentation throughout the justice system, there is little empirical evidence about Indigenous reoffending and reimprisonment. While it is clear that rates of Indigenous imprisonment exceed non-Indigenous imprisonment, it is not clear whether this carries through to higher rates of reoffending and reimprisonment, or whether correctional systems and processes are achieving rehabilitative aims.

Indigenous offending behaviour typically occurs in the context of multiple levels of social disadvantage and compounding cultural factors. The issues that Indigenous people face, and their efforts to meet social needs while dealing with these issues, tend to produce social conditions conducive to offending behaviour while at the same time diminishing the influences that may be more conducive to legitimate behaviours.

The issues and needs that characterise the lives of many Indigenous people, and contribute to their offending behaviour, also create barriers for Indigenous offenders trying to reintegrate into society and establish lives free from offending. Periods of incarceration present an opportunity for correctional services to help offenders address some of these issues and needs before they return to their communities and face many of the same problems that tend to perpetuate the cycle of offending. Research shows that, at least to some extent, many social disadvantages and barriers can be overcome through integrated and targeted intervention programs that address those factors predisposing individuals to criminal activity (Borzycki & Baldry 2003). These factors include anger management, assistance with finding accommodation, improved employment skills, and drug and alcohol counselling.

It is important that corrective services across jurisdictions acquire a better understanding of program and service delivery for Indigenous offenders by identifying those aspects of programs which may be helpful in reducing the likelihood of readmission to prison. Understanding 'what works' can assist corrective services in responding to the needs of Indigenous offenders and enhancing the effectiveness of their programs.

One group of offenders that stands to benefit from more effective interventions are Indigenous adult males who have been incarcerated for a violent offence. A high proportion of Indigenous offenders are convicted of the most serious offences involving violence. At 30 June 2006, 32 percent of Indigenous prisoners were incarcerated for an act intended to cause injury (including aggravated and non-aggravated assault), compared with 14 percent of non-Indigenous prisoners (ABS 2006). Approximately 42 percent of all



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people in Australian prisons for acts intended to cause injury are Indigenous. This is nearly twice the representation of Indigenous people in the overall prisoner population and 20 times the representation of Indigenous people in the Australian population. Over 90 percent of the Indigenous prisoner population is male (ABS 2006). There is a lot to be gained from achieving better reintegration outcomes for violent male Indigenous prisoners.

It is not only individuals but communities that stand to benefit from better outcomes. The Aboriginal and Torres Strait Islander Social Justice Commissioner (2003) identified violence, particularly family violence, as the primary contributor to the erosion of Indigenous communities. Despite the gross overrepresentation of Indigenous people in the criminal justice system, and the contribution of violence linked with alcohol and substance abuse to this overrepresentation, there appears to be few intervention programs available to specifically address these needs.

A number of writers have documented intervention programs available to Australian offenders. Kassen (1999) identified a number of programs inside Australian correctional institutions that addressed needs in the areas of sexual violence, substance abuse, life skills, education and employment. The bulk of these programs focused on general programming principles, and a national study found that only a very small number of Indigenous-specific programs had been developed (Howells et al. 2004). Throughout Australia, a total of seven Indigenous-specific offender programs were identified across four jurisdictions. Of these, two programs addressed domestic violence, two addressed substance use, one addressed both anger and substance use and two focused on sexual offending. The two sexual offending programs were much longer than the others, so that across Australia there were only 174 hours of program content specifically targeting violence and/or substance use among Indigenous offenders (Howells et al. 2004). Another study found that only five percent of 177 post-release interventions were targeted on the basis of ethnicity or cultural heritage (Borzycki 2005).

The work of Howells et al. and Borzycki (Borzycki 2005; Howells & Day 1999; Howells & Day 2002; Howells et al. 2002; Howells et al. 2004) does not allow for any conclusions about the participation of Indigenous offenders in programs overall, as Indigenous offenders may take part in programs that are not Indigenous specific. There remains a need for greater understanding about the type of programs Indigenous offenders participate in, the extent to which they receive program interventions and how these programs may contribute to the capacity of Indigenous offenders to reintegrate into the community following release from prison.

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## The research project

With support from corrective services in each Australian state and territory as well as New Zealand, the AIC sought to address some of the gaps in knowledge around Indigenous violent offending through six major research questions:

- What proportion of violent Indigenous offenders is readmitted to prison during a given period of time, and how does this compare with non-Indigenous violent offenders?
- How do those who have been readmitted differ from those who have not been readmitted? Which characteristics are linked to readmission?
- Which programs are violent adult male Indigenous offenders involved in while incarcerated and upon release?
- What are the characteristics of programs in the prisons and in the community that might facilitate successful reintegration?
- How can the delivery of services and programs in prisons and the community be improved to better facilitate reintegration?
- What research needs to be done to explore further what works in corrections?

A number of data sources (both qualitative and quantitative) have been used to address the above research questions:

- administrative documentation and inventories of programs/services, provided by correctional services throughout Australia and New Zealand
- administrative data on readmissions, provided by each Australian state and territory
- interviews with prisoners in Queensland, the Northern Territory, South Australia and Western Australia
- interviews with ex-prisoners in Western Australia
- interviews and questionnaires with key informants including Indigenous stakeholders and corrections staff in Queensland, the Northern Territory, South Australia and Western Australia.

## Limitations of the research

Although there is a clear interest in investigating how programs and services might facilitate reintegration and how they might be improved to better achieve this, the research in this report is not intended to be an evaluation of existing programs and services, and does not evaluate their effectiveness in contributing to reintegration. Evaluation of existing programs and services was outside the scope of this research project. Rather, perceptions of a sample of prisoners, ex-prisoners and key stakeholders were obtained to provide useful insights into

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experiences with the programs and services, and their views of the efficacy of the programs and services.

There are many ways to define successful reintegration into the community. How it is defined will determine how it should be investigated. For the purposes of this research project, reintegration is defined in terms of not being readmitted to prison, either on remand or for a prison sentence. While this excludes broader definitions relating to an offender's ability to obtain housing or employment, resume a relationship successfully, or assimilate or be accepted back into their community, it is clear that if an offender is returned to prison for any reason, they are not back in the community. Being back in prison means that an offender, by definition, has not reintegrated into the community. As will be explored further in the section 'Facilitating reintegration: literature review', the broader definition of reintegration involves many complexities, and return to prison is an indirect measure of the success of reintegration. It is nonetheless one that could be measured within the time and budget constraints of the research project.

## **Structure of the report**

The main body of this report consists of six sections, including this introductory section.

'Imprisonment and reimprisonment' examines the imprisonment and reimprisonment of violent male Indigenous offenders. It looks at existing data on the representation of Indigenous offenders in custody, including an examination of differences in demographic characteristics, offending history and sentencing between Indigenous and non-Indigenous offenders in the overall prison population. The section then examines these factors, together with data on readmission to prison, for a sample of 8,938 prisoners released across all Australian jurisdictions.

'Prior and underlying factors' places the offending behaviours of Indigenous people in context by examining some of the underlying factors that contribute to offending. Following the literature review on influencing factors, the section looks at the reality of these influences from the perspective of a small sample of serving prisoners and ex-prisoners. The experiences of a group of male Indigenous offenders, who had all been imprisoned for offences involving violence, offer insights into how family and social background, and substance use, have contributed to their offending behaviour.

'Facilitating reintegration: literature review' examines what is known in the literature about reintegration and program development, with an emphasis on application to violent male Indigenous offenders. The section considers elements of effective programming and provides some examples of new and promising developments in programs and services aimed at achieving reintegration for Indigenous offenders.

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'Facilitating integration: prisoners' and stakeholders' perceptions' then looks at facilitating reintegration from the perspective of Indigenous offenders, corrections staff and other stakeholders. Using information gained from a series of interviews, the section provides information on the types of programs undertaken by offenders, and the perceptions of these offenders and other stakeholders on what aspects of the programs were beneficial and what could be improved to better facilitate reintegration. Information from offenders and stakeholders are also used to better understand the barriers and limitations facing programming and service delivery for Indigenous offenders, as well as to provide insights into ways these could be overcome and how the goals of reintegration could be better achieved.

'Bringing it all together' consolidates the findings from the preceding sections and presents policy implications and recommendations for putting the findings into practice.

The report also includes a number of appendixes:

- Appendix A details the methodology used for this project.
- Appendix B is the participant information sheet used to gain the informed consent of prisoners and ex-prisoners interviewed for this study.
- Appendix C is the participant information sheet used to gain the informed consent of key respondents.
- Appendix D is a copy of the questionnaire used with prisoners.
- Appendix E is a copy of the questionnaire used with ex-prisoners.
- Appendix F is a copy of the questionnaire used with key respondents.

# Imprisonment and reimprisonment

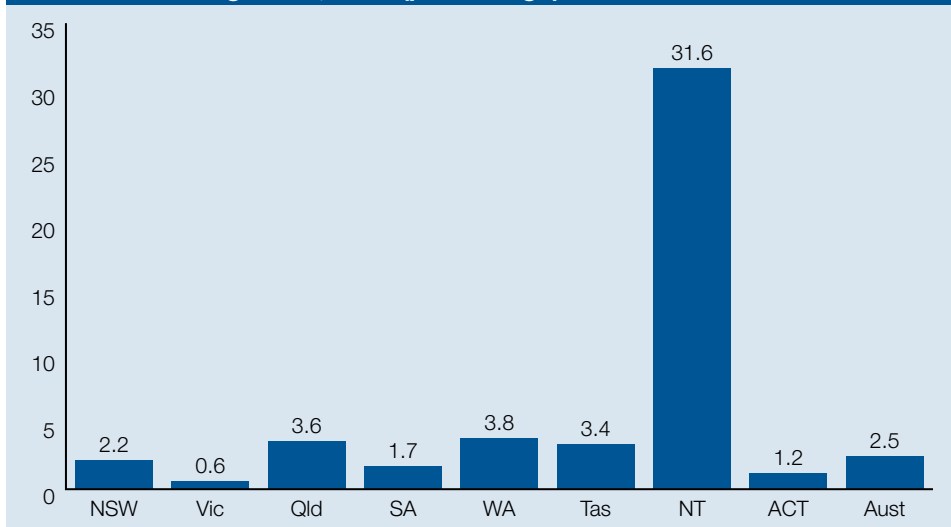
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## Overrepresentation of Indigenous people in custody

### Australia

Research has consistently demonstrated that Indigenous offenders are disproportionately represented across the criminal justice system in Australia and Indigenous overrepresentation in corrections is especially well documented. Persons identifying as Indigenous comprise an estimated 2.5 percent of the general Australian population (ABS 2006). Estimated Indigenous populations across the states and territories range from under one percent in Victoria to 3.8 percent in Western Australia, and increasing to 31.6 percent of the overall population in the Northern Territory (see Figure 1).

**Figure 1: Estimated proportion of population within each jurisdiction who are Indigenous, 2006 (percentage)**



Source: ABS (2006)

Within Australia's correctional facilities, Indigenous people comprise almost one-quarter (24%) of the inmate population (ABS 2007), some 10 times their representation in the general Australian population. The proportion of Indigenous people in prison ranges from six percent in Victoria to more than one-quarter (26%) in Queensland, 43 percent in Western Australia and 84 percent in the Northern Territory (Table 1). While the proportions vary among jurisdictions, it is clear that Indigenous persons are overrepresented throughout the Australian correctional system.

**Table 1: Numbers of prisoners across Australia by jurisdiction at 30 June 2007**

Location	Indigenous		Non-Indigenous		Total <sup>a</sup>	
	n	%	n	%	n	%
New South Wales	2,058	20	8,030	78	10,285	38
Victoria	238	6	3,945	94	4,183	15
Queensland	1,454	26	4,113	74	5,567	20
South Australia	389	22	1,379	78	1,771	7
Western Australia	1,652	43	2,195	57	3,847	14
Tasmania	67	13	454	86	528	2
Northern Territory	761	84	145	16	906	3
Australian Capital Territory <sup>b</sup>	11	8	126	92	137	<1
Australia (total)	6,630	24	20,387	75	27,224	100

a: Includes persons whose Indigenous status was unknown

b: ACT includes only prisoners held in the ACT; sentenced ACT prisoners held in NSW prisons are included within the NSW total

Source: ABS (2007)

The rate at which Indigenous Australians are incarcerated is far greater than non-Indigenous Australians. The age-standardised rate of imprisonment for Australia's Indigenous population is 1,787 per 100,000 adult population, 13 times greater than the national rate of imprisonment for their non-Indigenous counterparts (ABS 2007). The largest disparity is found in Western Australia, where Indigenous people are 21 times more likely to be imprisoned than non-Indigenous people (ABS 2007). Conversely, the smallest disparity is found in Tasmania, where Indigenous people are four times more likely to be incarcerated. It also appears that the involvement of Indigenous people in prison is getting worse, not better. The 6,630 Indigenous inmates in Australian correctional facilities on 30 June 2007 was an increase of 85 percent from 10 years before (30 June 1997). While the number of non-Indigenous prisoners has also increased, the increase between 1997 and 2007 for this population has been much smaller (31%; ABS 2007). Table 2 shows that the crude rates of imprisonment per 100,000 adult population for Indigenous prisoners have been increasing since 2000, when comparable figures became available.

**Table 2: Rates of Indigenous and non-Indigenous prisoners, Australia, 2000–07**

	Indigenous	Non-Indigenous	Total
2000	1,653.2	122.5	149.7
2001	1,753.5	122.8	152.5
2002	1,732.0	120.4	150.3
2003	1,818.0	122.8	154.9
2004	1,851.9	124.3	157.1
2005	2,021.2	125.3	162.5
2006	2,126.9	125.6	163.4
2007	2,255.5	129.2	169.4

Note: Rates are per 100,000 relevant adult population and refer to crude rates

Source: ABS (2007)

While overrepresentation of Indigenous people is perhaps most clearly seen in the corrections system, research shows Indigenous people are disproportionately represented in other forms of custody. The most recent national police custody survey found that more than one-quarter of police custody incidents during October 2002 involved Indigenous people, meaning that Indigenous people were 17 times more likely to be placed into a police cell per head of population than non-Indigenous people (Taylor & Bareja 2005). Rates of Indigenous overrepresentation are even higher for juveniles than adults, with Indigenous people aged between 10 and 17 years 23 times more likely to be in detention than non-Indigenous people in the same age group (Taylor 2006). Despite rates of juvenile detention declining in both groups during the period from 1994 to 2005, the rate of Indigenous overrepresentation remained essentially stable throughout that decade.

The greater involvement of Indigenous people with the criminal justice system is seen across a broad range of indicators. Indigenous prisoners are more likely to have experienced juvenile detention than non-Indigenous prisoners, with some research suggesting that Indigenous overrepresentation may be even more acute in the juvenile justice system than in adult corrections (Makkai & Payne 2003; Prichard & Payne 2005; Walker & McDonald 1995). Indigenous prisoners also reported their offending behaviour commencing at a younger age than non-Indigenous offenders (Makkai & Payne 2003) and a higher proportion of Indigenous than non-Indigenous prisoners have been imprisoned previously (ABS 2006).

Across their life course, a very high proportion of the Indigenous population has contact with the criminal justice system. A 2002 Australian Bureau of Statistics (ABS) survey found that more than one-third (35%) of Indigenous Australians aged 15 years or older, including half of all men, had been formally charged with an offence at some time in their life (ABS 2005). Approximately one in six (16%) Indigenous people had been arrested in the preceding five years, with this figure increasing to nearly one-quarter (24%) for men (ABS 2005).



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## New Zealand

Patterns of overrepresentation are also evident among the Indigenous people of New Zealand. While Maori constitute approximately 15 percent of the national population, more than 50 percent of inmates identify as Maori or part Maori (NZ DOC 2003a; Statistics NZ 2007a). With an average prisoner population of 7,605 at 30 June 2006, this means that there were some 3,800 Maori prisoners from a total national population of approximately 4.18 million (Statistics NZ 2007b). In 2006, there were 565,329 people in New Zealand who identified with the Maori ethnic group, and 643,977 people who were of Maori descent (Statistics NZ 2007b). Approximately 15 percent of people living in New Zealand belonged to the Maori ethnic group.

The largest proportion of sentenced prisoners in New Zealand (36%) is imprisoned for violent offences (NZ DOC 2003a). Violent offending is equally common among male (36%) and female (36%) prisoners, though males make up 95 percent of the sentenced inmate population. More than half (59%) of Maori prisoners are incarcerated for a violent crime (NZ DOC 2003a). Maori comprise just under half (47%) of persons convicted of violent offences, compared with 38 percent of European people (NZ Ministry of Justice 2006). Taken together, these figures suggest high rates of violent offending among Indigenous males in New Zealand.

Maori are also very much overrepresented in the New Zealand juvenile justice system. Maori youth make up around half of all youth offenders, but this can be as much as 80 or 90 percent in some youth courts (Becroft 2005).

## North America

The disproportionate representation of Indigenous people is also found internationally among the First Nations, Métis and Inuit people of Canada. Canadian research shows that Indigenous offenders comprise some 18 percent of the federal prisoner population, but only two percent of the general adult population (Moore 2002; Trevethan, Moore & Rastin 2002). Indigenous overrepresentation occurs throughout Canada but is most apparent in the Prairie region, where Indigenous people are six percent of the general population but over 40 percent of federal prisoners (Trevethan, Moore & Rastin 2002).

## Characteristics of Indigenous prisoners in Australia

Compared with non-Indigenous prisoners, those from Indigenous backgrounds tend to be younger, more likely to have committed assault and serving shorter sentences (ABS 2006).

## Age

The ABS (2007) reported that most Indigenous prisoners are male (91%), slightly less than the non-Indigenous population (93%). As indicated in Table 3, Indigenous prisoners are more likely to be younger, and have a median age nearly four years younger than non-Indigenous prisoners.

**Table 3: Australian prisoners by age and Indigenous status at 30 June 2007 (percentage)**

Age group (years)	Indigenous	Non-Indigenous	Total persons
Under 24	27	17	20
25–34	41	36	37
35–44	24	27	26
45–54	7	13	11
55 and over	1	7	6
Mean age (years)	31.8	35.9	34.9
Median age (years)	30.5	34.1	33.1

Source: ABS (2007)

## Offences

Indigenous prisoners were most often incarcerated for violent offences, particularly assault-type offences. While comprising 24 percent of the overall prisoner population, Indigenous prisoners comprised 42 percent of those whose most serious offence or charge was an act intended to cause injury, a category that includes assault (ABS 2007). This was the most serious offence or charge for 32 percent of Indigenous prisoners. As Table 4 shows, taking into account rounding of figures, the six most common offences and charges accounted for 82 percent of most serious offences and charges among the Indigenous prisoner population. As well as being relatively overrepresented for acts involving injury, Indigenous prisoners were also overrepresented in offences against justice procedures and, to a lesser extent, unlawful entry with intent, compared with their overall representation in the prison population.

**Table 4: Indigenous prisoners by most serious and common offences at 30 June 2007 (percentage)**

Offence type	Indigenous prisoners	All prisoners
Acts intended to cause injury	32	42
Unlawful entry with intent	14	28
Offences against justice procedures, etc.	11	31
Sexual assault and related offences	10	21
Robbery, extortion and related offences	8	22
Homicide and related offences	6	16

Source: ABS (2007)

Compared with Indigenous prisoners, non-Indigenous prisoners showed a greater distribution across offence types, with the six most common offences accounting for between 10 and 14 percent each, and 71 percent of all non-Indigenous prisoners (Table 5). Non-Indigenous prisoners accounted for 95 percent of all those imprisoned for illicit drug offences, compared with only four percent of Indigenous prisoners (the remaining 1% were of unknown status). With the exception of acts intended to cause injury and unlawful entry with intent, non-Indigenous prisoners were relatively overrepresented across each of their six most commonly observed offences.

**Table 5: Non-Indigenous prisoners by most serious and common offences at 30 June 2007 (percentage)**

Offence type	Non-Indigenous prisoners	All prisoners
Acts intended to cause injury	14	57
Illicit drug offences	13	95
Sexual assault and related offences	12	79
Unlawful entry with intent	11	71
Homicide and related offences	11	83
Robbery, extortion and related offences	10	78

Source: ABS (2007)

## Sentences

Indigenous prisoners are more likely to be serving shorter sentences than non-Indigenous prisoners. Nearly one-quarter (24%) of Indigenous prisoners at 30 June 2007 had an aggregate sentence of under 12 months, while nearly half (48%) had an aggregate sentence under two years (ABS 2007). In comparison, only 14 percent of non-Indigenous prisoners had been sentenced to less than 12 months and just under one-third (30%) to under 12 months (Table 6). Non-Indigenous prisoners were much more likely to have been

sentenced to longer terms of imprisonment, with nearly half serving five years or more, compared with one-quarter of Indigenous prisoners. As would be expected, the mean and median aggregate sentence lengths of Indigenous prisoners (43 months and 24 months respectively) were also notably lower than those of non-Indigenous prisoners (62 months and 42 months respectively; ABS 2007).

Through the use of parole and other conditional release mechanisms, many prisoners do not serve their full aggregate sentence. A prisoner's 'expected time to serve' takes these factors into account and tends to be a better indicator than the aggregate sentence length of how long offenders will actually spend in prison. On this measure too, Indigenous prisoners tend to serve shorter sentences than non-Indigenous prisoners. The greatest proportion of Indigenous prisoners (41%) were expected to serve under 12 months, while nearly two-thirds (60%) were expected to serve under two years (ABS 2007). In comparison, just over one-quarter (27%) of non-Indigenous prisoners were likely to remain in prison for a year, with under half (45%) expected to serve two years. Non-Indigenous prisoners were distributed more evenly across the sentence categories for expected time to serve than they were for aggregate sentences, but were still more likely (27%) to serve longer sentences of five or more years than Indigenous prisoners (17%).

The distribution of prisoners across the 'expected time to serve' categories is also reflected in the mean and median times, which were lower for Indigenous prisoners (32 months and 15 months respectively) than for non-Indigenous prisoners (44 months and 24 months respectively; ABS 2007).

**Table 6: Sentenced prisoners by sentence length and Indigenous status at 30 June 2007 (percentage)**

	Indigenous		Non-Indigenous	
	Aggregate sentence	Expected time to serve	Aggregate sentence	Expected time to serve
Periodic detention	2	2	5	5
<12 months	24	41	14	27
1 to <2 years	24	19	16	18
2 to <5 years	24	20	23	24
5 years and over <sup>a</sup>	27	17	42	27
Mean	43	32	62	44
Median	24	15	42	24

a: Includes life and other indeterminate sentences

Source: ABS (2007)

The shorter sentences typically given to Indigenous offenders could indicate that they are involved in less serious types of offences, and this is partly supported by the relatively high proportion of Indigenous prisoners whose most serious offences are in the categories of justice procedures or motor vehicle offences. Another possibility is that the assault offences

that tend to characterise much of Indigenous imprisonment may be relatively minor incidents related to alcohol use, and reflective of the intra-familial and intra-community conflict that is strongly present in many Indigenous communities.

Another possibility is that shorter sentences are the result of positive sentencing biases by the courts. Table 7 updates a similar table produced by Walker and McDonald (1995). This shows that the aggregate sentences given to Indigenous prisoners are shorter across a number of offence categories than those given to non-Indigenous prisoners, including for homicide and related offences, acts intended to cause injury, illicit drug offences and robbery, extortion and related offences. Sentences are similar for theft and unlawful entry offences. The mean sexual assault sentence was higher for Indigenous than non-Indigenous offenders. It is notable that Indigenous offenders receive shorter sentences for the offence in which they are most highly represented, acts intended to cause injury. One conclusion, as suggested by Walker and McDonald, is that the courts are handing down more lenient sentences to Indigenous offenders as a way of avoiding accusations of racial bias in sentencing. An alternative view is that the courts are being more lenient in recognition of the increased level of social disadvantage faced by Indigenous offenders, or trying to help stem the contribution of harsher sentences to accumulating disadvantage. As discussed below, the relationship between social disadvantage and involvement with the justice system is complex, but one with which judges and magistrates may be very familiar.

**Table 7: Mean aggregate sentence length by most serious offence and Indigenous status at 30 June 2007**

Offence type	Indigenous		Non-Indigenous	
	Sentenced prisoners %	Sentence (months)	Sentenced prisoners %	Sentence (months)
Homicide and related offences	7	142	11	183
Acts intended to cause injury	29	28	11	43
Sexual assault and related offences	10	97	13	90
Robbery, extortion and related offences	8	77	10	85
Unlawful entry with intent	14	40	11	40
Theft and related offences	4	27	5	24
Deception and related offences	<1	30	4	39
Illicit drug offences	1	40	13	76
Road traffic and motor vehicle	7	12	6	12
Justice procedures, etc.	13	15	9	18
Total <sup>a</sup>	100	44	100	64

a: Mean sentence in total row is for all offence categories

Source: ABS (2007)

Apart from violent offending, the involvement of Indigenous offenders in the criminal justice system is also marked by extensive contact with justice authorities more broadly. Indigenous offenders are overrepresented in community-based corrections, comprising between four and 72 percent of community corrections populations, based on the daily average population in 2005–06 (Table 8). It is particularly notable that in each jurisdiction, the percentage of Indigenous offenders in community corrections is less than in the jurisdiction's prison system, suggesting community-based orders are used less often for Indigenous offenders. This may also be supported partly by the finding that when Indigenous offenders are convicted of an offence they are more likely to be sentenced to imprisonment than non-Indigenous offenders, although this may be influenced by offence type and severity, and jurisdictional differences (Makkai & Payne 2003).

**Table 8: Average daily Indigenous representation in corrections populations, 2005–06 (percentage)**

	Community corrections	Prison
New South Wales	16	20
Victoria	4	6
Queensland	18	26
South Australia	14	20
Western Australia	32	40
Tasmania	11	12
Northern Territory	72	81
Australian Capital Territory	8	16 <sup>a</sup>
Australia (total)	17	24

a: Does not include ACT prisoners held in NSW facilities

Source: SCRGSP (2007b)

## Readmission to prison: previous research and statistics

Given the extent to which Indigenous people are charged and arrested across their life course, it is perhaps not surprising that of people in prison on 30 June 2007, almost three-quarters (74%) of Indigenous prisoners had a known history of prior adult imprisonment, compared with just over half (51%) of non-Indigenous prisoners (ABS 2007). While there is only limited information available on levels of Indigenous reoffending, it follows that Indigenous offenders may be more likely to experience repeated contact with the criminal justice system than non-Indigenous offenders. Shorter sentences also mean that Indigenous offenders have greater opportunity (time out of prison) to reoffend, although this may be affected by a greater frequency of return to prison.

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An examination of reoffending in the Northern Territory found that 45 percent of Indigenous prisoners released during 2001–02 were readmitted to prison for a new term of imprisonment within two years, compared with 15 percent of non-Indigenous prisoners (NT Office of Crime Prevention 2005). A NSW study of reoffending among parolees estimated that Indigenous offenders were 1.4 times more likely than non-Indigenous offenders to reoffend following release (Jones et al. 2006). A longitudinal study of ex-prisoners re-entering the community found Indigenous offenders were far more likely to return to prison in the first nine months after release than non-Indigenous offenders (Baldry et al. 2002). Indigenous women were found to have the highest rate of readmission, linked to factors such as a lack of family support, coming from a very small cluster of highly disadvantaged suburbs and experiencing a high degree of homelessness.

The readmission situation for Maori people in New Zealand appears somewhat different from Aboriginals and Torres Strait Islanders in Australia. Data on reoffending produced by the New Zealand Department of Corrections (2006) show that across the total prison population, 41 percent of released prisoners were reimprisoned within 12 months, increasing to 56 percent after 24 months. Reconviction rates for those on community-based sentences were similar. Readmission to prison rates were much higher for young people than older people, and higher for those serving shorter rather than longer sentences.

Of the three main ethnic groups in New Zealand, Maori were readmitted to prison and reconvicted after imprisonment at the highest rate (30% after 12 months and 45% after 24 months; NZ DOC 2006). However, these rates were only slightly higher than Europeans (27% after 12 months and 39% after 24 months). Pacific people were less likely to experience readmission and reconviction at the two follow-up intervals than both other groups (21% and 32% respectively).

Canadian research suggests that Canadian Indigenous populations tend to experience high rates of reoffending and readmission to corrections (Moore 2002; Trevethan, Moore & Rustin 2002). Based on an assessment of needs and risks, another Canadian study found that 74 percent of Indigenous offenders were rated as ‘high risk’ for reoffending compared with 54 percent of non-Indigenous offenders, suggesting that Canadian Indigenous offenders have a higher propensity to reoffend upon release (Motiuk & Nafekh 2000).

## **Readmission to prison: current research**

Overall, the above discussion suggests Indigenous prisoners tend to have extensive and repeated involvement with the criminal justice system – often as a result of offences involving assault and injury – serve shorter sentences and reoffend more frequently than non-Indigenous people. However, our understanding of Indigenous offending, particularly reoffending, is currently piecemeal and incomplete. As part of the current research, administrative data on readmission to prison for a cohort of both Indigenous

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and non-Indigenous released prisoners was provided to the AIC by all jurisdictions across Australia. This represents the first time that national data on released prisoners readmitted to prison have been analysed.

The sample was comprised of all distinct sentenced male prisoners (both Indigenous and non-Indigenous) who were:

- convicted of and imprisoned due to a violent offence
- released from prison between 1 January 2001 and 1 January 2003
- released either on parole or due to sentence expiry.

Jurisdictions were asked to provide unit record data for each released prisoner on a range of variables. Six jurisdictions (Queensland, Victoria, South Australia, Western Australia, Tasmania and the Northern Territory) provided datasets containing the full set of variables, although data were not available for all variables from all jurisdictions. New South Wales provided a dataset containing a subset of these variables. As the Australian Capital Territory did not operate a facility for sentenced prisoners during the specified period, the NSW data also covered prisoners who were convicted by ACT courts but served their sentences in NSW prisons. Each released prisoner in the dataset was followed up for two years after release. The first readmission to prison following release within the two-year follow-up period was the re-entry point for analysis, regardless of whether readmission was due to a new offence, remand or a technical breach or violation. This is because, as stated earlier, if a released prisoner returns to prison for whatever reason they are no longer in the community and therefore are not reintegrated into the community.

Across all jurisdictions, a total of 8,938 violent male prisoners meeting the above criteria were released from prison over the two-year period. Table 9 shows the breakdown by Indigenous status and jurisdiction. Thirty-five percent of all prisoners were Indigenous compared with 65 percent who were non-Indigenous. Table 10 shows that the proportion of Indigenous prisoners in the AIC dataset (35%) is higher than in the overall Australian prisoner population (24%). One possible reason for this could be that the sample only comprised prisoners who had been imprisoned for a violent offence, and Indigenous prisoners are likely to be overrepresented among this group. The data are not directly comparable, as the ABS data represent a snapshot of prisoners at 30 June 2007 while the AIC data cover prisoners released across a two-year period. However, it is noticeable that, in terms of the jurisdictional breakdown of the total proportions of prisoners, the two datasets match closely (Table 10).



**Table 9: Indigenous and non-Indigenous violent male prisoners released in 2001 and 2002 by jurisdiction**

Location	Indigenous		Non-Indigenous		Total <sup>a</sup>	
	n	%	n	%	n	%
Australian Capital Territory <sup>b</sup>	4	7	51	93	55	<1
New South Wales	993	29	2,407	70	3,425	38
Queensland	744	39	1,181	61	1,925	22
Victoria	69	7	934	93	1,008	11
South Australia	41	21	148	75	197	2
Western Australia	744	49	760	51	1,504	17
Tasmania	37	13	237	86	276	3
Northern Territory	481	88	64	12	548	6
Total	3,113	35	5,782	65	8,938	100

a: Total includes 43 prisoners for whom Indigenous status was unknown

b: ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

**Table 10: Comparison of prisoners in Australia with prisoners in AIC release cohort (percentage)**

	Prisoners in Australia		AIC release cohort	
	Indigenous	Total	Indigenous	Total
New South Wales	20	38	29	38
Victoria	6	15	7	11
Queensland	26	20	39	22
South Australia	22	7	21	2
Western Australia	43	14	49	17
Tasmania	13	2	13	3
Northern Territory	84	3	88	6
Australian Capital Territory	8	<1	7	<1
Total	24	100	35	100

Source: ABS (2007); AIC Reintegration of Indigenous Prisoners [computer data file]

## Demographic characteristics of the released prisoner cohort

Tables 11 and 12 show key demographic characteristics of the released prisoner cohort at the time of their initial admission into prison. Table 11 includes NSW and ACT prisoners, while Table 12 does not.

The majority of prisoners (72%) were aged between 18 and 35 years at the time they were admitted to prison (Table 11). There were similar proportions in the 18 to 25 and 26 to 35 year age groups. Slightly more Indigenous prisoners were aged under 35 (78%) than non-Indigenous prisoners (69%).

**Table 11: Age distribution of release cohort at the time of admission by Indigenous status**

	Indigenous		Non-Indigenous		Total	
	n	%	n	%	n	%
<18	29	<1	30	<1	59	<1
18–25	1,133	36	1,965	34	3,104	35
26–35	1,313	42	1,999	35	3,333	37
36–45	522	17	1,022	18	1,552	17
46–55	102	3	446	8	552	6
>55	12	<1	320	6	336	4
Total	3,111	100	5,782	100	8,936	100

Includes NSW and ACT-sentenced prisoners transferred to NSW facilities

Note: Data on age were missing for two Indigenous prisoners

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

Data on the level of completed education were available for only five jurisdictions (excluding the Australian Capital Territory, New South Wales and Victoria). Table 12 shows that, where known, all prisoners in the cohort had relatively low levels of education. However, Indigenous prisoners had lower levels of education than non-Indigenous prisoners. Thirty-seven percent of Indigenous prisoners had less than a Year 9 level of education, compared with 21 percent of non-Indigenous prisoners. Six percent of Indigenous prisoners had completed Year 12 compared with 10 percent of non-Indigenous prisoners.

**Table 12: Completed education level of release cohort at the time of admission by Indigenous status**

	Indigenous		Non-Indigenous		Total	
	n	%	n	%	n	%
<Year 9	764	37	493	21	1,258	28
Year 9 to <Year 12	960	47	1,290	54	2,256	51
Year 12	114	6	230	10	346	8
Post-secondary	17	<1	139	6	157	4
Unknown	192	9	238	10	433	10
Total	2,047	100	2,390	100	4,450	100

Data do not include the Australian Capital Territory, New South Wales or Victoria

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

## Most serious offence associated with imprisonment prior to release

Most Indigenous prisoners in the release cohort had been imprisoned for assault (77%). Less than half (46%) of non-Indigenous prisoners had been imprisoned for assault (Table 13). Sexual assault was the most serious offence for eight percent of Indigenous prisoners, compared with 20 percent of non-Indigenous prisoners. The finding that Indigenous prisoners were much more likely to be imprisoned for assault offences than robbery tends to underscore the prominence of violence in the lives of Indigenous offenders. Consistent with national census data, Indigenous prisoners tended to receive shorter sentences overall, with both the mean (614 days) and median (360 days) being lower across total offences than they were for non-Indigenous prisoners (908 days and 511 days respectively).

**Table 13: Most serious offence for which cohort imprisoned by Indigenous status**

	Indigenous		Non-Indigenous		Total	
	n	%	n	%	n	%
Murder/attempted murder	65	2	207	4	272	3
Sexual assault	245	8	1,137	20	1,390	16
Assault	2,403	77	2,637	46	5,069	57
Robbery	370	12	1,678	29	2,053	23
Other violent acts intended to cause injury <sup>a</sup>	22	<1	68	1	91	1
Non-assaultive sexual offences <sup>b</sup>	4	<1	35	<1	39	<1
Abduction and related offences <sup>b</sup>	4	<1	20	<1	24	<1
Total	3,113	100	5,782	100	8,938	100

a: Category not used by the Australian Capital Territory and New South Wales

b: Category only used by the Australian Capital Territory and New South Wales

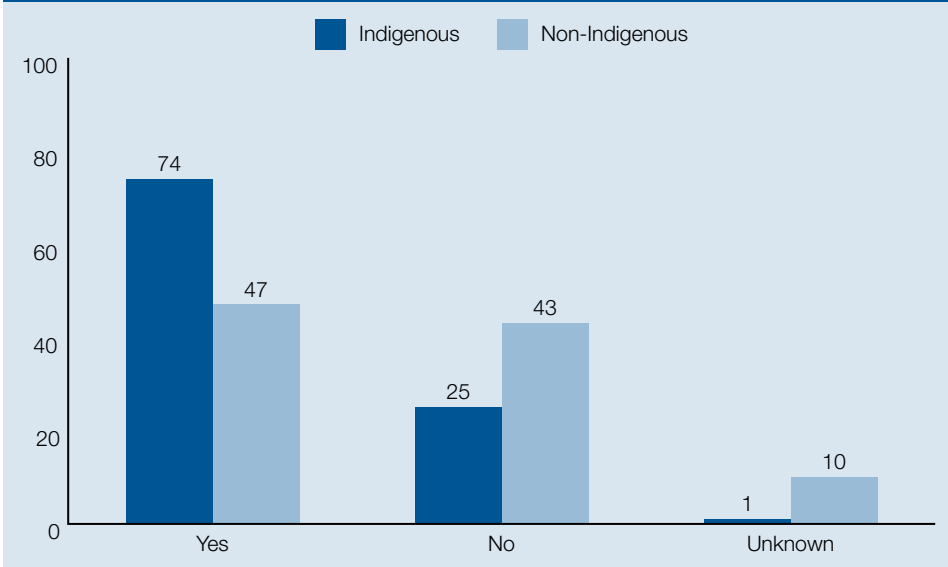
Note: Includes NSW and ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

## Prior adult imprisonment

Prior to the current imprisonment period, almost three-quarters (74%) of Indigenous prisoners had served an adult prison sentence previously, compared with under half (47%) of non-Indigenous prisoners (Figure 2). Again, this is remarkably consistent with the prison census data (ABS 2007).

**Figure 2: Percentage of released Indigenous and non-Indigenous prisoners cohort having served a previous adult prison sentence**



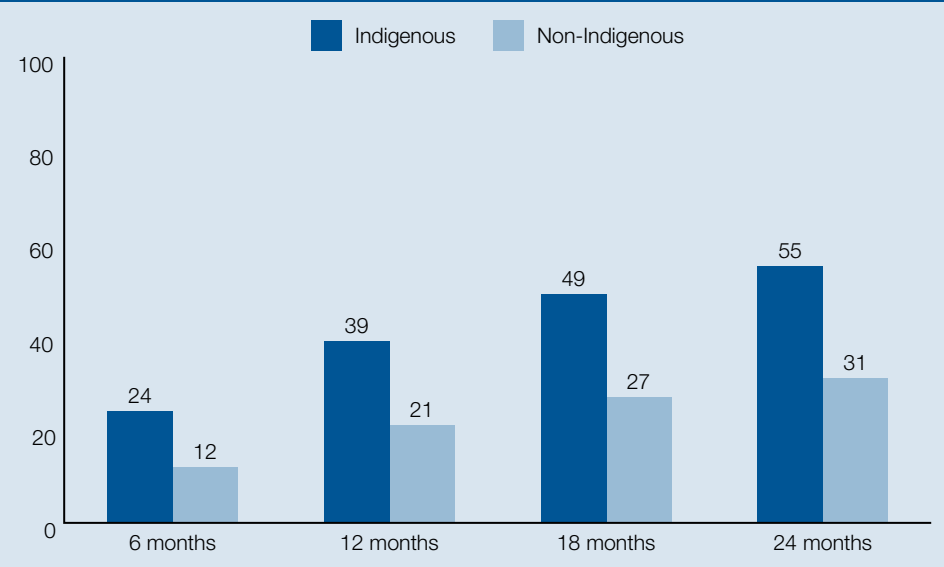
Note: Includes NSW and ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file; n=8,938]

### Readmission to prison within two years of release

Across Australia, Indigenous prisoners in this release cohort were more likely (55%) than non-Indigenous prisoners (31%) to have been readmitted to prison within two years of release. As well as returning to prison at a higher rate, Indigenous prisoners tended to return at a faster rate. Within six months of release, 24 percent of released Indigenous prisoners had been readmitted to prison, twice the percentage of non-Indigenous released prisoners (12%) (Figure 3). There was some variation between jurisdictions as to the likelihood of Indigenous prisoners being readmitted compared with non-Indigenous prisoners. In each jurisdiction, though, Indigenous prisoners were more frequently readmitted to prison during the two-year period than non-Indigenous prisoners.

**Figure 3: Percentage of released Indigenous and non-Indigenous prisoners readmitted to prison within six, 12, 18 and 24 months**

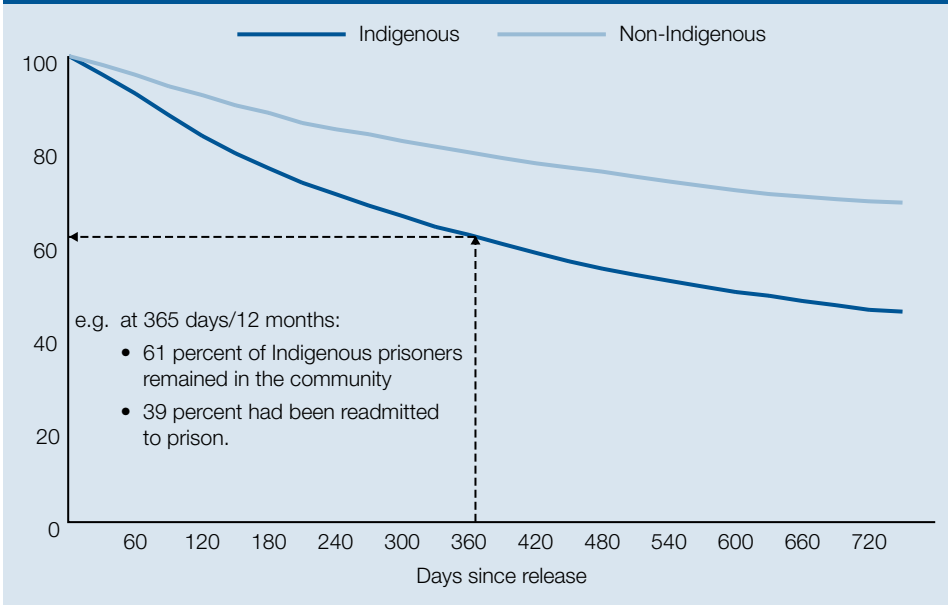


Note: Includes NSW and ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file; n=8,938]

The observation that Indigenous prisoners tend to be readmitted to prison sooner than non-Indigenous prisoners is underscored by Figure 4. This shows the percentage of released prisoners remaining in the community on a daily basis within two years of release. At the time of release (day 0), all released prisoners (100%) remained in the community without having been readmitted to prison. After 365 days, 61 percent of released Indigenous prisoners remained in the community compared with 79 percent of non-Indigenous prisoners. As time progressed, an increasingly smaller percentage of released prisoners remained in the community, as more were readmitted to prison. As Figure 4 shows, the percentage of Indigenous released prisoners remaining in the community was consistently lower than the percentage of non-Indigenous prisoners, with more Indigenous people being readmitted to prison.

**Figure 4: Number of days released prisoners remained in the community following release from prison (percentage)**



Note: Includes NSW and ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file; n=8,938]

### Reasons for readmission to prison

Table 14 shows the reasons for readmission among those released prisoners who returned to prison within two years (excluding New South Wales and the Australian Capital Territory). Both Indigenous and non-Indigenous prisoners were equally likely to have returned for committing a new offence (three-quarters) and being sentenced (two-thirds). Indigenous offenders were marginally less likely than non-Indigenous offenders to have returned for a breach/technical violation. One-third of both Indigenous and non-Indigenous offenders were returned on remand.

**Table 14: Reason for readmission for those who returned to prison within two years of release by Indigenous status**

Reason for readmission	Indigenous		Non-Indigenous		Total	
	n	%	n	%	n	%
<b>New offence</b>						
Yes	933	75	793	76	1,727 <sup>a</sup>	75
No	282	23	240	23	523	23
Unknown	2	<1	0	0	2	<1
Total	1,217	100	1,033	100	2,252	100
<b>Breach/technical violation</b>						
Yes	163	13	179	17	343	15
No	1,052	86	854	83	1,907	85
Unknown	2	<1	0	0	2	<1
Total	1,217	100	1,033	100	2,252	100
<b>New sentence</b>						
Yes	806	66	692	67	1,498	67
No	404	33	340	33	746	33
Unknown	7	<1	1	<1	8	<1
Total	1,217	100	1,033	100	2,252	100
<b>Remand</b>						
Yes	404	33	340	33	746	33
No	806	66	692	67	1,498	67
Unknown	7	<1	1	<1	8	<1
Total	1,217	100	1,033	100	2,252	100

a: Data include cases with a reoffence type recorded (n=1,670) and cases where reoffence type was not available (n=57)

Note: Data exclude NSW and ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

The reoffending patterns of offenders readmitted to prison within two years of first release are largely similar to the patterns of their original offending (Table 15). What is markedly apparent is that Indigenous violent offenders are far more likely to be readmitted to prison for committing further offences involving violence, particularly assault (44%), than any other type of offence. The proportion of readmitted Indigenous prisoners committing assault was more than double the proportion of non-Indigenous offenders (20%), consistent with ratios seen for the 'original' offences for this release cohort. Similarly, non-Indigenous reoffenders are more likely to have committed robbery, break and enter or theft offences than their Indigenous counterparts.

**Table 15: Most serious reoffence type for those readmitted to prison within two years by Indigenous status**

	Indigenous		Non-Indigenous		Total	
	n	%	n	%	n	%
Murder/attempted murder	8	<1	10	1	18	<1
Sexual assault	24	2	35	4	59	3
Assault	472	44	171	20	643	33
Robbery	28	3	92	11	120	6
Other acts intended to cause injury	4	<1	20	2	24	1
Dangerous or negligent acts	36	3	10	1	46	2
Break and enter	78	7	117	13	195	10
Theft and related offences	60	6	105	12	166	9
Deception and related offences	1	<1	11	1	12	<1
Drug offences	4	<1	32	4	36	2
Weapons and explosives	10	<1	3	<1	13	<1
Property damage	31	3	20	2	51	3
Public order	11	1	10	1	21	1
Traffic	103	10	74	8	177	9
Other offences	152	14	151	17	303	16
Breach of DVO/RO <sup>a</sup>	46	4	13	1	59	3
Total	1,068	100	874	100	1,943 <sup>b</sup>	100

a: Domestic violence orders (including apprehended violence orders and similar orders) and restraining orders

b: Data include prisoners shown as having been readmitted to custody for a new offence (n=1,670) and prisoners readmitted for a breach/technical violation (n=269, included in 'other offences') or other reason (n=4). Data exclude cases where reoffence was shown as not available (n=89) or not applicable (n=220). Among these excluded cases may be some cases where readmission was for a breach of parole or other order that did not fit within the available categories.

Note: Data exclude NSW and ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

## Outcomes for prisoners readmitted on remand

Table 16 shows outcomes for prisoners who were readmitted to prison on remand. Data were only provided on remand outcomes for Victoria, South Australia, Queensland and Tasmania, so Table 16 contains only a partial picture for remand outcomes. Data were available for 350 prisoners (under half of all prisoners readmitted on remand) in the sample, 23 percent of them Indigenous and 77 percent non-Indigenous. Within this sub-population, 61 percent had been to court and been convicted, and 30 percent had been to court but were not convicted. Nine percent were still awaiting a judicial outcome. On the basis of the



data presented, this indicates that almost half of Indigenous prisoners who were returned to prison on remand (where information was available) were not convicted of the offence for which they had been returned. This compares with just over one-quarter of non-Indigenous prisoners returned on remand.

As noted earlier, some researchers suggest that the shorter sentences typically received by Indigenous offenders may reflect a leniency on the part of the judiciary. It is possible the finding in Table 16 may also be the result of the judiciary being unwilling to further punish some Indigenous offenders who have already spent time in custody on remand. However, the numbers for Indigenous prisoners where data were available is very small – while suggestive, the data are not conclusive. A further study with a larger number of remanded Indigenous prisoners would be needed to explore this possibility further.

**Table 16: Remand outcomes for released prisoners returned to custody on remand by Indigenous status**

	Indigenous		Non-Indigenous		Total <sup>a</sup>	
	n	%	n	%	n	%
Convicted	36	46	175	65	213	61
Not convicted	35	44	71	26	106	30
Still awaiting trial/court outcome	8	10	23	9	31	9
Total <sup>b</sup>	79	100	269	100	350	100

a: No data were available from NT (n=216) or WA (n=176) on remand outcomes for prisoners recorded as returning to custody on remand

b: Data exclude Queensland cases (n=4) where prisoner was recorded as returning on 'direction to hold in custody' and included in remand numbers, but remand outcome data were not available

Note: Data exclude NSW and ACT-sentenced prisoners transferred to NSW facilities

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

## Time spent on remand

For some (n=306) of those released prisoners in the sample who had been returned to custody on remand, data were available to determine how long they had spent on remand custody before receiving an outcome in court (Table 17). For those who went to court and were convicted, there was no significant difference in the average length of time Indigenous prisoners spent in custody before conviction, compared with non-Indigenous prisoners. Conversely, for those who were not convicted after their period on remand, Indigenous people tended to be held in custody for shorter periods than non-Indigenous people, and this difference was statistically significant ( $p < 0.05$ ).

Only limited information is available from this sample on the lengths of time people spend on remand in custody. A greater body of data would be needed to draw more extensive and firmer conclusions, but the available data indicate a positive trend within the criminal

justice system. As highlighted by interviews with stakeholders in the section ‘Facilitating reintegration: literature review’, prisoners on remand in custody tend to have much more limited access to programs and services than those serving sentences, while at the same time experiencing the same potential impacts of imprisonment. As these impacts can include exacerbation of social disadvantage, any response that can help to reduce the time that already disadvantaged people spend in custody is a positive one.

**Table 17: Time on remand in custody by outcome and Indigenous status**

Outcome	Length of time on remand (days)				
	n	Minimum	Maximum	Mean	Median
<b>Went to court and convicted<sup>a</sup></b>					
Indigenous <sup>b</sup>	33	0	650	112	73
Non-Indigenous <sup>c</sup>	167	0	776	105	57
<b>Went to court and not convicted*</b>					
Indigenous	35	4	246	53	33
Non-Indigenous	71	1	958	104	49

\* Statistically significant (p<0.05)

a: Not statistically significant (p>0.1)

b: Data exclude cases where date of conviction was shown as earlier than readmission date (n=3)

c: Data exclude cases where date of conviction was shown as earlier than readmission date (n=2) or date of conviction was not recorded (n=6)

Note: Data exclude NSW and ACT-sentenced prisoners transferred to NSW facilities, the Northern Territory and Western Australia

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

## Program participation

Information was requested from all jurisdictions for each prisoner regarding the types of programs and services that prisoners in the sample had participated in while in prison. Most jurisdictions were unable to provide these data. Only two jurisdictions were able to provide any data and these were limited to some types of programs and services. These data will not be presented in this report.

## Summary

The above review of Indigenous offending patterns and analysis of the released prisoner cohort show that, compared with non-Indigenous prisoners, violent male Indigenous prisoners tend to:

- have extensive and repeated involvement with the criminal justice system
- have lower levels of education

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- be released due to sentence expiry rather than parole
  - be more likely to be in prison, and to return to prison, as a result of assault offences
  - serve shorter sentences
  - return to prison at a faster rate following release
  - spend less time on remand when not convicted.

The finding that over three-quarters of Indigenous prisoners in the release cohort had been incarcerated for assault, and nearly half of Indigenous offenders who returned to prison within a two-year period returned for an assault-related offence, suggests that programs and services that are aimed at anger management and violence prevention could be well placed to assist in the reintegration of many violent Indigenous offenders. It is unknown how many prisoners in the sample had participated in or had access to such programs prior to release. The availability of such programs, their content and perceived effectiveness within corrective services will be explored in the following sections.

## Prior and underlying factors

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The previous section presented research findings and evidence demonstrating the overrepresentation of Indigenous people in criminal custody and their very high rates of readmission to prison. It is important to consider other factors that impact on Indigenous people and communities, and contribute to violent offending by males.

The disproportionate representation of Indigenous people within Australian, Canadian and New Zealand custodial populations has been linked to greater or more serious criminal activity. Canadian work suggests that, for a number of reasons, Indigenous people may commit more crimes than non-Indigenous people, leading to higher official rates of offending (LaPrairie et al. 1996). It has also been argued that the crimes committed by Indigenous people are more likely to be violent, thus resulting in a custodial sanction (La Prairie et al. 1996). Similarly, studies in Australia have suggested that Indigenous rates of overrepresentation in Australia are not due to systemic bias, but greater involvement in serious offences and higher rates of readmission (Snowball & Weatherburn 2006; Weatherburn, Lind & Hua 2003).

Compared with the magnitude of Indigenous offending, there is relatively little research focusing directly on those factors that contribute to the offending behaviour of Indigenous people in Australia or New Zealand. Often, research into the socioeconomic factors and influences that contribute to crime has either not differentiated between Indigenous and non-Indigenous individuals and communities, or has not taken into account differences between Western and Indigenous cultural values and norms. Where cultural differences arise, such as between the individualised focus prominent in Western culture and the collectivist focus of Indigenous communities, this may be seen inappropriately as failings of the Indigenous culture (Jones et al. 2002: 188). As an example, while homelessness can be a major risk factor for offending, there can be fundamental differences between Western and Indigenous concepts of 'home', and Indigenous people living in public places may not consider themselves homeless or in need of assistance (Willis 2004: 24).

The Royal Commission into Aboriginal Deaths in Custody (1991) suggested that socioeconomic disenfranchisement, substance abuse, family dysfunction and social alienation are major contributors to Indigenous offending. Indigenous contact with the criminal justice system is mediated by financial stress, crowded housing and being a member of the stolen generations (Weatherburn, Snowball & Hunter 2006).

## **Social disadvantage and risk**

A range of studies have identified areas of social disadvantage and risk factors that contribute to offending among Indigenous people. Many of these factors are also experienced by non-Indigenous people and by Australian communities more generally, but in many cases may be experienced more profoundly by Indigenous people. The

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accumulating effect of these social disadvantages has been linked to the overrepresentation of Indigenous people in the criminal justice system (Weatherburn, Lind & Hua 2003).

## **Alcohol and substance abuse**

Alcohol and substance abuse is a major risk factor for offending generally and one that impacts strongly on Indigenous communities. In contrast to commonly held understandings, Indigenous Australians consume less alcohol on average than non-Indigenous people and there is no evidence to suggest that Indigenous people metabolise or react to alcohol differently from other groups (de Crespigny et al. 2004; Jones et al. 2002). However, Indigenous people are more likely to engage in high-risk binge drinking and to drink in public places (d'Abbs 2001; de Crespigny et al. 2004; Jones et al. 2002). Indigenous use of alcohol and other substances is also embedded in a complex array of social influences that include the enduring effects of colonisation and dispossession, culturally determined meanings and attitudes to alcohol, lack of opportunities for meaningful social activity and the impacts of fundamental social disadvantage (d'Abbs 2001).

In a study of the lifetime offending and drug use histories of more than 2,000 sentenced male inmates in four Australian jurisdictions, Indigenous offenders were significantly more likely than non-Indigenous offenders to have regularly used alcohol in the six months prior to their arrest and to be current alcohol users (Makkai & Payne 2003: 142). A corresponding pattern was found in a survey of female offenders across six jurisdictions, with Indigenous women reporting more alcohol and cannabis use than non-Indigenous women (Johnson 2004: 6). The differences in alcohol use were marked, with 60 percent of Indigenous women reporting having been under the influence of alcohol at the time of their offence compared with 16 percent of non-Indigenous women, and more likely to have been alcohol dependent (54% compared to 17%). A similar pattern, of Indigenous offenders being more likely to report alcohol or cannabis dependency than non-Indigenous offenders, was also found in a related study involving juveniles (Prichard & Payne 2005: 5).

Across Australia, alcohol and substance abuse is not confined to Indigenous communities and research consistently demonstrates that both Indigenous and non-Indigenous prisoners present significant drug and alcohol problems at the point of incarceration. The abovementioned offending and drug use study found that almost two-thirds (62%) of all prisoners surveyed reported regular illegal drug use during the six months prior to their most recent arrest (Makkai & Payne 2003: 28). Of these prisoners, 53 percent reported using cannabis regularly, 31 percent amphetamines, 21 percent heroin and seven percent cocaine, with 35 percent using two or more illegal substances. Just over half (51%) of the offenders felt their use of alcohol or illegal drugs had impacted on their lifetime offending career. However, Indigenous offenders reported lower rates of illegal drug use than non-Indigenous offenders, particularly poly-drug use (Makkai & Payne 2003: 141–142). As

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indicated above, a related survey found Indigenous female offenders more likely to have used cannabis and alcohol, but less likely to have been multiple or other drug users (Johnson 2004: 6). Among juveniles, Indigenous offenders were as likely as non-Indigenous offenders to report use of cannabis and alcohol, but less likely to report daily use of amphetamines and ecstasy (Prichard & Payne 2005: 5). Indigenous juvenile offenders were also equally likely to have used inhalants, but first used them at a much younger age.

Similarly, an examination of reported drug use among a sample of alleged offenders detained by police found that a significantly larger proportion of the Indigenous sample used alcohol six months prior to imprisonment, as compared with the non-Indigenous sample (Putt, Payne & Milner 2005). Indigenous offenders in this study were also more likely to report a dependency on cannabis and alcohol.

Moreover, substance abuse continues to be a problem once prisoners are released into the community. An examination of post-release experiences of prisoners in Queensland found that within 34 days of leaving the prison, 64 percent of males reported using drugs (Kinner 2006). Internationally, a similar pattern is found. A study examining the program requirements of federally incarcerated Aboriginal offenders in Canada found that over 90 percent were assessed to have an elevated need for substance abuse treatment (Motiuk & Nafekh 2000). Similarly, data from New Zealand show that nearly nine out of 10 prisoners had a problem with drugs or alcohol prior to their offence (NZ DOC 2001).

## Employment

Having gainful employment can reduce the likelihood of participating in offending and reoffending, and imprisonment can have lasting impacts on a person's prospects of employment and earning capacity (Borzycki 2005: 38; Western, Kling & Weiman 2001). Labour force participation for Indigenous Australians is less (59%) than for non-Indigenous Australians (78%), while the unemployment rate of Indigenous people is three times that of non-Indigenous people (SCRGSP 2007a).

The employment difficulties experienced by Indigenous people interact with problems caused by offending. Studies in Australia, the United Kingdom and the United States have found ex-prisoners face reduced opportunities for employment, and that unemployed ex-prisoners face a greater likelihood of reoffending and being reconvicted than those with employment (Baldry et al. 2002; Finn 1998; Webster et al. 2001). The fact of having a criminal record has been shown to reduce some employers' willingness to offer a given person employment (Giguere & Dundes 2002). Unemployment has been shown to be higher for Indigenous Australians arrested within a preceding five-year period (29%) than those who were not arrested (11%; ABS 2005). The effects of unemployment may be greater for Indigenous Australians, who are much more likely to be unemployed than the rest of the

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community, particularly in rural and remote areas (Jones et al. 2000). However, the relationship is complex, and the relative contribution of unemployment to a person's chance of being imprisoned has been found to be double that of the person's Indigenous status (Walker & McDonald 1995).

## Education

Indigenous Australians are less likely to receive formal education than non-Indigenous Australians. In 2006, 21 percent of 15-year-old Indigenous people were not receiving school education, compared with five percent of non-Indigenous 15-year-olds (SCRGSP 2007a). Indigenous students were half as likely as non-Indigenous students to continue to Year 12, and less than half as likely to complete post-secondary qualifications.

Strong links have been found between a person's level of education and their likelihood of offending. Limited formal education, including a lack of literacy ability, is found among a very high proportion of prison populations. Non-Indigenous people who did not complete secondary school are 10 times more likely to be in prison than those with higher levels of education (Walker & McDonald 1995: 5). Due to other factors, Indigenous people are more likely in any case to be imprisoned than non-Indigenous people regardless of educational level, but people who are both Indigenous and early school leavers are 130 times more likely to be in prison than those with the opposite characteristics (Walker & McDonald 1995: 5).

The social disadvantages seen in Indigenous Australians are also seen in other groups that have comparable historical experiences of deculturation and marginalisation. In Canada, correctional research has shown Aboriginal offenders to be similarly disadvantaged socioeconomically. In comparison with non-Indigenous offenders, Canadian Indigenous offenders are younger, have lower levels of education and are more likely to be unemployed at the time of arrest (Moore & Trevethan 2002; Moore, Low & Berland 2002; Trevethan, Moore & Rastin 2002).

## Community factors and violence

The compounding effects of social disadvantage can interact with cultural factors to increase offending behaviour within Indigenous communities. Lack of employment and few resources to provide other meaningful activities can lead to boredom and an excess of unstructured time in many communities (Jones et al. 2002: 19). Together with Indigenous social norms this often results in Indigenous people spending much of their time in public spaces, making them more visible to police and their social activities more open to scrutiny. An alternative view suggests that boredom and unstructured time makes Indigenous people more vulnerable to existing criminogenic risk factors, particularly alcohol and substance abuse, and may contribute to the high levels of intrapersonal conflict experienced by many Indigenous people (Jones et al. 2002).



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Research examining the meaning of anger for Australian Indigenous offenders found that offenders regarded anger as synonymous with violence and that violence tended to be an inevitable consequence of anger (Day et al. 2006). Offenders typically saw their anger as uncontrollable and were often unable to differentiate anger from other emotions, confounding anger with feelings of sadness, fear, guilt and love. While noting that these responses to anger were also common among violent offenders from non-Indigenous backgrounds, the researchers found anger and violence for Indigenous offenders occurred in a culturally meaningful way. For Indigenous offenders, anger was experienced in the context of pervasive community violence and it was often seen as being intergenerational, passed down through communities and families. Anger among Indigenous offenders was also experienced alongside feelings of powerlessness linked to family trauma and witnessing violence at an early age. The researchers also found that discrimination and loss, both at a personal level and at an institutionalised level linked to intervention by family and community services bodies, were major triggers for anger and violence (Day et al. 2006).

As noted in the section 'Imprisonment and reimprisonment', Indigenous offenders are greatly overrepresented in assault-type offences and around half of these assaults are committed against other Indigenous people within the same community (Jones et al. 2002). In a 2002 ABS study, nearly half (47%) of those Indigenous Australians arrested for assault reported having been victims of actual or physical assault, more than double (20%) those who were not arrested (ABS 2005). In the same survey, one in five (21%) Indigenous respondents aged 15 years and over reported that family violence was a common problem in their neighbourhood or community, more so in remote than non-remote areas (ABS 2005). Compared with non-Indigenous juvenile offenders, Indigenous juvenile offenders are more likely to report having experienced physical or emotional abuse in childhood (Prichard & Payne 2005). Canadian research shows that violent offenders are often survivors of abusive households (Trevethan, Moore & Allegri 2005).

Violence is an issue confronting many Indigenous communities. Indigenous people are more likely to experience violence, as victims or perpetrators, than others in the community. They face an increased likelihood that they will be victims of violence, including homicide, than the general population (SCRGSP 2007a). Memmott et al. (2001) suggest that violence in Indigenous communities is complex and can be attributed to various explanatory causes, including situational factors (e.g. alcohol, antagonism, conflicting social differences), precipitating events and underlying factors (e.g. cultural dispossession, intergenerational trauma, racism, alienation). This flows from communities into family environments. Children from Indigenous families are twice as likely as those from other families to be reported to child protection agencies (AIFS 2005). While the largest proportion of these reports involves neglect, more than half of all reports are related to physical or sexual abuse.

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While violence and disadvantage may be characteristic of remote communities, Indigenous people living in urban communities may also face a range of negative influences such as relatively easy access to illicit substances and offending opportunities. Urban Indigenous people may suffer heightened impacts of deculturation, loss of identity, and separation from family and kin.

By the time young Indigenous males enter the prison system, they have not only experienced violence, but also significant disruption early in life. An examination of family disruption among federally incarcerated offenders in Canada found that Aboriginals were more likely to have been raised in an abusive home environment than non-Aboriginals (Trevethan et al. 2001). Larger proportions experienced child abuse, family discord and were cared for by a parent with a substance abuse problem. In the same study, it was found that one-third of Aboriginal offenders were removed from their homes and placed in the child welfare system, suggesting that their early experiences were largely negative.

## **Health and mental health**

Indigenous Australians experience significant physical and mental health deficits compared with the general population, for reasons linked to levels of income, education, access to health care and environmental factors such as lack of clean water or adequate sanitation (SCRGSP 2007a). Indigenous Australians have a life expectancy some 17 years less than that of the overall Australian population (SCRGSP 2007a). The death rates of Indigenous people aged between 35 and 54 are five to six times those of non-Indigenous people, and Indigenous people experience higher rates of physical disability, asthma, diabetes and kidney disease (SCRGSP 2007a).

A study of prisoners released in Western Australia found that rates of hospitalisation for male and female Indigenous prisoners were three times greater than those in the general population, while rates for non-Indigenous prisoners were double those in the general population (Hobbs et al. 2006). While noting the elevated risk of hospitalisation and health problems for the Indigenous population generally, the study also found that rates of hospital admission for mental disorders, injury and poisoning were twice as high in male Indigenous prisoners, and three times as high for female Indigenous prisoners, as in the overall Indigenous population of Western Australia.

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## Interviews with Indigenous offenders: a qualitative study

To gain a more thorough understanding of the impact of violence on the lives of Indigenous offenders, face-to-face interviews were conducted with Indigenous offenders who had been incarcerated for an offence involving violence. A total of 41 face-to-face interviews were conducted involving 34 serving prisoners and seven ex-prisoners, each of whom identified as Indigenous.

### Demographic characteristics

While there were individual variations among the small group of subjects interviewed for this study, there were some characteristics common to a majority of subjects. Generally, interviewees:

- were under 40 years old at the time of interview
- had never been married, or were no longer with a partner
- had a number of children
- had limited education, below Year 7 level
- were equally likely to have been employed or unemployed at the time of their most recent conviction
- if unemployed, had been without work for a year or more.

While a narrower range of demographic information was collected through the administrative data supplied by jurisdictions, the sample of interview subjects shared characteristics with the larger group. In both groups, Indigenous offenders tended to be relatively young and have limited formal education. Indigenous offenders in the larger group were also likely to be single or never married, though only a small number were divorced.

### Offending history

#### *Recent offences*

The largest proportion of Indigenous male offenders in this sample reported being incarcerated for assault. While four offenders did not provide information on the offence for which they were convicted, seven offenders stated they had been convicted of more than one type of offence. Of those who did provide information, nearly two-thirds indicated their most recent conviction was for assault. Smaller proportions reported convictions for sexual assault offences, murder, robbery and 'other' violent offences, such as deprivation of liberty. There were some differences between the ex-prisoners, who were more likely to have committed robbery than any other offence, and the serving prisoners, who tended to have assault convictions.

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Most offenders in this sample provided information on the length of their sentence, which ranged from three months to life. The mean reported sentence length was approximately four years and 10 months, and the median reported sentence was approximately three years. For the most common offence, assault, the mean reported sentence length was less at approximately three years with a median of two years.

As well as the violent offences on which the sample was based, half the interviewed offenders also reported a recent conviction for a non-violent offence. The majority of these offenders had committed property offences, with most of the remainder having driving-related offences.

### *Prior offending*

The currently serving prisoners interviewed for this study were asked about previous imprisonment and convictions, with most reporting extensive experience with the criminal justice system. Almost all the prisoners had been imprisoned previously, mostly for violent offences involving assault. Smaller proportions of offenders had been convicted previously of robbery, murder and sexual assault. Approximately half the prisoners reported having been convicted previously of a non-violent offence, typically break and enter.

Offenders were also asked about how long they had spent in the community before being readmitted to prison on their current sentence. About three-quarters of interviewees were able to give a length of time, with wide variations reported. A large proportion of the prisoners reported only being in the community for a short time before being reimprisoned, with a little under half having been in the community for under six months between periods of imprisonment.

In addition to extensive involvement in the adult criminal justice system, Indigenous prisoners incarcerated for violent offences also appeared to have similar involvement in their youth. Almost three-quarters reported having spent time in juvenile detention, typically for assault, property crimes or car theft.

### **Family background**

For the current study, serving prisoners were asked about their family background and violence they may have experienced or witnessed in their communities while growing up. Similar to results found in international research, interviews with this small sample of violent male Indigenous offenders in Australia suggested that their early experiences were difficult, characterised by instability in the home environment and abuse. As noted below, the offenders did not necessarily perceive their experiences negatively.

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Most of the interviewees reported that one or more members of their family had previous contact with the criminal justice system. Those who had a family member involved in criminal offending were more likely to have committed juvenile offences than those who did not.

Most interviewees reported their primary caregiver in childhood was someone other than a birth parent, typically other relatives such as grandparents or aunts and uncles. Smaller numbers had been cared for through adoption, foster care or a boarding school.

While Western notions of kinship and family might suggest a relationship between being raised by people other than one's birth parents and childhood instability, this was not the case for most interviewees. Indigenous concepts of kinship and family are different from Western understandings, and being raised by an aunt or uncle was not necessarily indicative of an unstable home life. Most interviewees who had been raised by relatives other than their birth parents reported their home life was somewhat stable or very stable. Overall, only a small number of interviewees reported having an unstable home life during childhood.

As noted, despite the large proportion reporting early displacement and family violence, more than half the offenders indicated their home lives were stable. In describing the stability of his upbringing, one prisoner from Western Australia explained:

He [uncle] used to look after me and buy me clothes and stuff, and didn't used to hit me.

Another prisoner from South Australia said:

...three meals a day, dad worked, mum stayed home, parents argued, but it wasn't too bad.

When offenders described their home lives as stable, it appears that they may have been gauging stability by the extent to which their basic needs were met. In other words, if food, shelter and clothing were available, offenders often perceived their childhood as positive. This may help to explain the relationship between perceived or recalled stability and care by those other than the offender's parents. The large proportion of subjects reporting a stable childhood may also be explained by a tendency to normalise one's experience relative to the experiences of those around them. Despite the presence of violence in the home, offenders may have perceived their home lives as stable because their experiences were similar to those of their friends and neighbours.

Of the one-quarter of offenders who described their home life as unstable, many reported having alcoholic parents, and described experiences of abuse and early displacement from the home. In describing his childhood, one prisoner from Queensland said:

...passed around through the family and Mum and Dad had alcohol problems. Mum and Dad fought a lot and couldn't look after us. We were always going to different homes.

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Another prisoner from South Australia recalled:

I was bounced around between Mum and foster care. Mum had alcohol problems. My Dad physically abused me.

Most of the offenders reported experiencing or witnessing violence in the home while they were growing up. This was mostly physical violence, though many reported psychological and sexual violence, with some having experienced and witnessed multiple forms of violence. It appears that violence was prevalent not only in the home, but also within the communities in which the offenders were raised. Most interviewees reported experiencing or witnessing violence in the community, which aligns with the earlier discussion on the violence often found in Indigenous communities and its effect on Indigenous offending patterns.

Not surprisingly, the violence offenders experienced in childhood had a profound impact on their lives. During face-to-face interviews, offenders identified a number of consequences from growing up with violence in the home and community. Most indicated that they regarded the abuse and violence around them as normal. Furthermore, in normalising the abuse, many reported that they became violent as children and subsequently as adults. For example, when asked to describe the effect that violence had on his life, one prisoner from Queensland said:

The violence made me a real prick and made me violent. I thought it was alright to beat up on people.

In addition to normalising violent behaviour, it was clear that many offenders felt family violence played a significant role in their violent offending behaviour. Some offenders noted that their own abuse gave rise to the violence they had inflicted on others. Particular attention was given to the role of violence in their relationships with women. It was noted in several interviews that, after growing up in an abusive environment in which a female caregiver was the target of violence, some offenders felt it was acceptable to control and perpetrate violence against women. When discussing the impact of violence on his life, one prisoner from Queensland said:

It made me violent in my relationship. I watched my uncles control my aunties, so I wanted to do that too. I wanted to control. It makes me really remember the violence growing up when I get with a woman.

Another prisoner from Western Australia said:

My uncles were hitting my aunties and I thought that women should be beaten up for nothing. Women were supposed to do what you wanted them to do.

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## Substance misuse

Offenders interviewed for this study showed evidence of the documented links between alcohol and substance misuse and offending behaviour. Most of the offenders reported they had been drinking alcohol and/or using drugs at the time of the offence, with a small number reporting they were sniffing petrol.

None of the respondents reported underage drinking as a youth, though it is not clear whether the interviewees were referring to not having done any underage drinking, or only drinking for which they had received some kind of criminal sanction.

The interviewed offenders felt there was a relationship between the violence they experienced as children and their own substance abuse. Most admitted to having a problem with alcohol, drugs or both. Some indicated they abused alcohol and drugs as a coping mechanism in childhood, carrying the behaviour forward into adulthood. According to two prisoners in Queensland who were asked to describe the effect of their experience with family violence:

At the time it [violence] made me not care and then get into alcohol and drugs. I tried to put it out of my head.

It [violence] made me want to be violent back and I also tried to commit suicide. I also started drinking and then joined a gang. It got me into heroin.

## Summary

Findings from interviews with this small sample of prisoners and ex-prisoners support earlier findings that male Indigenous offenders who have been incarcerated for a violent offence have an extensive history of contact with the criminal justice system. Violence seems to be a characterising feature of life for many of these offenders. Almost three-quarters of offenders were, or had been, convicted of assault and many reported committing assault during their youth. Throughout their lives, most of the violent offenders had experienced and witnessed violence in their homes and communities. Many offenders felt these experiences played a role in problems they faced later in life and, at least in some cases, had a direct impact on their offending behaviour.

For many of the offenders in this sample, alcohol and substance use appeared to play a significant role in their offending. Almost three-quarters of offenders admitted to being under the influence of drugs or alcohol at the time of their most recent offence, corresponding to a body of literature illustrating the link between violent crime and substance abuse. The relationship between alcohol or substance use and offending is complex, with no clear temporal or causal link between the onset of offending and the onset of drug use (Makkai & Payne 2003). The present study suggests that offenders often use alcohol and drugs as a coping mechanism.

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Many Indigenous offenders experienced apparent instability during their childhoods, having been raised by carers other than their parents. However, many did not perceive their upbringing as unstable, possibly suggesting a need for caution in applying Western understandings of family and relationships to Indigenous communities. Given the level of family and community violence, and involvement with the criminal justice system reported by interviewees, it appears that for some of these interview subjects, being raised away from their parents may have been a necessary response to domestic violence, alcohol use and other family dysfunction.

Findings from the current study highlight the need for Australian correctional services to deliver programs and services targeted at the experiences and needs of Indigenous offenders. Research consistently demonstrates that effective correctional programming which targets criminogenic factors has a considerable impact on the likelihood of further offending and readmission (e.g. Gendreau 1996). Consistent with existing research and statistics, the current study points to a continuing imperative for interventions that address alcohol and other drug use and violent offending, while recognising the specific needs, perspectives and life experiences of Indigenous people.

The following sections will look at some of the programs available to violent and other offenders in Australia and New Zealand. The report will show that there are obstacles which limit the delivery of services and programs to Indigenous offenders both in prison and in the community, and examine ways in which interventions could be improved.



## **Facilitating reintegration: literature review**

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The objective of this section is to present information on programs and services available to violent male Indigenous offenders across Australia. This is not meant to be an exhaustive inventory of all interventions offered, rather a broad examination of the main issues involved in programming and service delivery for Indigenous offenders, both in prison and in the community, and some of the challenges in achieving reintegration of Indigenous prisoners. This examination of literature and corrective services information will be followed in the next section by an analysis of similar issues from the perspectives of Indigenous prisoners and ex-prisoners, those directly involved in programs and service delivery, and other stakeholders with a role in reintegration.

## What reintegration is

Ex-prisoner reintegration is a widely used term and is commonly taken to be synonymous with terms such as integration, re-entry, transition and resettlement (Borzycki 2005; Petersilia 2001; Travis, Solomon & Waul 2001). However, reintegration is a term that is often used without being defined sufficiently.

An approach to prisoner management centred on reintegration assumes that social and personal disadvantage creates obstacles to successful participation in mainstream life. Within this framework, the risk of reoffending is high if these obstacles are not removed. Providing prisoners with appropriate supports to overcome obstacles during and after their incarceration is assumed to help reduce reoffending. The nature of the specific support provided should vary with individual prisoner needs, but the common goal is to minimise the effects of the social and personal disadvantage that many prisoners suffer. This will then promote the adoption of a law-abiding lifestyle, leading to reintegration.

The terms reintegration and resettlement are used almost interchangeably to describe the outcome of successful return from prison, namely independent and productive membership of the community. However, some involved in the area of prisoner post-release services argue that these terms are not appropriate because the majority of prisoners have never been integrated or settled in the mainstream community and therefore cannot be reintegrated or resettled (e.g. Dutreix 2003). They contend that it is meaningless to talk about reintegrating someone into a community in which they were never actually integrated, or into communities where social disadvantage and dysfunction make integration impossible or even undesirable.

The terms reintegration and resettlement nonetheless capture an important idea of offenders actively participating in the process of community return, rather than just passively receiving services. Other concepts and terms that appear in the literature include:

- *Re-entry* is a single moment in time when a prisoner is released from custody. It is also a process by which prisoners move from custody to community living. The process can be formal and mandatory, as is the case with pre-release centres or parole supervision. Transition is another term for the process of re-entry.

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- *Transitional services* are those that assist in the process, and can be any formalised supports provided before, at the point of, or following release. The term can refer specifically to transitional (or pre-release) centres, which are supervised residential settings that bridge the gap between community and custody. These centres allow inmates substantial interactions with the outside world, such as employment or meaningful family contact.
  - *Aftercare* is less formal support following formal service delivery, such as ongoing contact following structured drug treatment. Because interventions can be delivered to prisoners at any point in a custodial term, aftercare technically can occur while still in prison. However, if community support follows in-prison treatment programs, this support could also be classified as aftercare.
  - *Post-release* is a period following custody. There is not some agreed time frame when the post-release period concludes; ongoing support might be necessary for months or even years if reintegration is the ultimate aim.
  - *Post-release interventions* aim to minimise reoffending during this time. Some interventions delivered before release into the community can be considered post-release because they aim to ensure post-release adjustment.
  - *Continuity/continuum of care* describes a philosophical commitment to providing consistent services and support to prisoners within and beyond prison. A holistic program of reintegration might commence at first contact between the offender and the justice system to allow the establishment of a comprehensive array of supports.
  - *Throughcare* describes the process of delivering continuous care. It is an important concept that will be examined in more detail below.
  - *Rehabilitation* refers to restoring to former health. As with reintegration, it can be argued that this earlier, healthful state never existed. It is therefore more useful to conceive of rehabilitation as assisting offenders to change their behaviours to prevent further offending. There are three components that identify an intervention aimed at rehabilitation:
    - it is planned (i.e. it is not some chance occurrence)
    - it targets something about the offender believed to be linked to offending
    - it is intended to stop future offending via mechanisms other than simply deterrence (Cullen & Gendreau 2000).

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## Indigenous reintegration

Indigenous prisoners returning to the community, particularly to remote communities, face many issues over those faced by prisoners returning to the mainstream community. While reintegration of ex-prisoners ought to reduce criminal offending and the return of prisoners to jail, it should also facilitate social participation that is both corporately and individually beneficial. The extensive disadvantage faced by many Indigenous people inhibits healthy social participation. This is especially so in regional communities, plagued by intergenerational unemployment, alcohol and other drug addictions, and high levels of violence, which are compounded by less tangible issues such as loss of culture, the impact of colonisation and discrimination.

The argument that reintegration implies previous integration can be pertinent for Indigenous ex-prisoners, who may have come from communities where social disadvantage, violence and dysfunction are so pervasive that integration may not be possible or necessarily even desirable. If reintegration refers to integration into Western or mainstream society, arguably only a small proportion of Indigenous people are 'integrated', regardless of whether they have been imprisoned. Readjusting to life outside prison may require numerous adjustments, thus rebuilding 'social capital' (Burnett 2004), and may be hindered by 'collateral consequences' of imprisonment (Borzycki 2005) such as institutionalisation, loss of links to social support, and adverse effects on employment and accommodation.

Applying correctional perspectives to Indigenous reintegration may in one sense be flawed, as people in remote Indigenous communities may not see imprisonment as a deterrent to offending. This may be the case in the offending decisions of other offenders, but imprisonment may have a particular connotation for those in remote communities. Police in one remote community suggested the existence of a 'rite of passage syndrome' where spending time in jail signifies 'coming of age' (Chantrill 1997). However, jail may be referred to as 'my second home' and be:

...perceived as a place to get away from the pressures and boredom of the humdrum of community life. Correctional facilities offer security of a place to sleep, access to reasonable food, an organized recreation program and access to training and support mechanisms that may not be available at home (Chantrill 1997: 33).

Ogilvie and Van Zyl (2001) considered whether imprisonment and detention had become an Indigenous rite of passage, focusing on adolescents in the Northern Territory. They found that detention was not a replacement for rite of passage but a learning experience that formed part of criminal trajectories, and that detention became an avenue for the construction of identity. Some adolescents in the Northern Territory described criminal activities as a form of fun and adventure, and a break from normal routine, and saw school

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in detention as more interesting and rewarding than school in the community. It was found that Indigenous adolescents saw themselves as living within a world bounded by their community or town with few opportunities for employment or other meaningful social engagement, so the negative consequences of imprisonment such as shame, peer rejection and reduced employment prospects were seen as largely irrelevant (Ogilvie & Van Zyl 2001). The adolescents also saw detention as a chance for new experiences such as a plane ride, a greater variety of activities and time with friends. They also saw being detained as an opportunity to access basic social resources that were otherwise unavailable in Indigenous communities. As another author put it:

For some Indigenous prisoners and detainees a term of incarceration may mean for the first time in their lives that they have their own room, medical attention, television, clean clothes and bed clothes (Turgeon 2001).

Returning home may mean returning to situations where employment and accommodation prospects are low (Baldry et al. 2002; Borzycki 2005; Ogilvie 2001). While tight-knit communities can offer greater support to promote reintegration, conversely, if there are high levels of disadvantage and alcohol abuse, the influence of communities can also be towards reoffending (Turgeon 2001), especially where pro-criminal influences such as gang membership are involved (Yeboah 2000). In some cases, commission of a particularly serious crime can result in released prisoners experiencing reprisal or exclusion from the community (LaPrairie et al. 1996).

## Measuring reintegration

To determine whether efforts towards reintegration are succeeding, correctional authorities must decide how they will define the success of post-release interventions. The most commonly employed outcome measure for correctional interventions is recidivism, which can be defined in a variety of ways, including:

- reoffending, regardless of whether this has been detected by police
- rearrest
- reconviction
- reimprisonment (as used in the section 'Imprisonment and reimprisonment')
- time to failure.

Some argue that recidivism is not the best measure of how effective an intervention has been because it can do little to illustrate specific program failings or merits. Measures such as employment, reduced drug use, or decreased assessed risk may be more appropriate (e.g. see Boone & Fulton 1996). There are also higher-level conceptual issues that need to

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be addressed when assessing the worth of reintegration policy initiatives or using research to inform reintegration policy development. Important issues for clarification include:

- defining the nature of interventions to be considered; what specifically is meant by a re-entry or reintegration initiative?
- deciding what needs to be understood when evaluating interventions; is the focus on uncovering specific psychological principles underpinning rehabilitation, or on the types of programs that generally reduce reoffending at an aggregate level?
- ensuring any research is both scientifically credible and is accessible to practitioners (Petersilia 2004).

## Throughcare

The continued increase of prison populations in Australia, New Zealand and internationally has led to increasing emphasis on throughcare. Although variously defined in the literature, throughcare can be seen as the process of delivering continuous care, or 'the delivery of services in an integrated and seamless manner throughout a prisoner's sentence and on release to the community' (WA DCS n.d.).

Throughcare initiatives are necessary to ensure access by prisoners to appropriate support services to prevent cyclical offending (Burrows et al. 2000). Policies relating to throughcare seek to reduce reoffending by assisting prisoners to access rehabilitative and educative programs, assistance with transition to communities and post-release support. The broad scope of such processes make communication and cooperation between correctional and community agencies critical. Adjusting to life 'outside' is most effectively dealt with prior to release to ensure that ex-prisoners do not fall into gaps among agencies (Borzycki 2005).

It should not be assumed that responsibility for released prisoners lies solely with corrections departments and is typically focused on those released under some form of community corrections supervision (Ogilvie 2001). It is necessary for a cooperative and integrated approach to address the post-release needs of prisoners. However, it is important that within this cooperative approach primary responsibility for coordination of throughcare and aftercare delivery should be clearly vested in an appropriate body.

An important part of the throughcare process is a risk and needs assessment. Proper risk and needs assessment ensures that prisoners' needs can be effectively understood, and steps taken to address those needs through prison programming. It helps to ensure that continuity is maintained after release to reduce risk. In practice, throughcare will also involve sentence planning such as identifying appropriate programs to address the rehabilitative needs of prisoners.

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The use of integrated offender management strategies has become increasingly popular, with correctional departments recognising not only the benefit in terms of risk assessment, but also the opportunities to improve efficiency, utilise resources more effectively and prevent data duplication (Queensland DCS 2006). New Zealand's strategy for offender management includes the development of tools and scales to assess prisoners – such as a criminogenic needs inventory, employment and education, health, and reintegration needs assessment (NZ DOC 2004). Especially of note is the Maori Culture Related Needs tool, developed specifically to address Indigenous culture concerns for Maori prisoners. Although similar tools and management systems are being developed in Australia, they are not yet as developed and have not focused specifically on addressing Indigenous-specific needs (Borzycki 2005).

Throughcare policies ought to address prisoner needs from their first contact with prison, incorporating rehabilitative processes, and focusing on reintegration needs. The rhetoric of throughcare is that it extends into the community. However, this continuity is lacking in the coordination of post-release services (Howells et al. 2004; Jones et al. 2002). While a substantial number of community service providers offer assistance to released prisoners, levels of access and referral need to be improved.

Effective application of a throughcare approach means that interventions started in prison are continued after release. This enables in-prison gains to be practised and reinforced in the community. It is a critical component of better service delivery and recognises that reintegration is going to require close working among multiple agencies, not just custodial and community correctional services. Care extending into the community needs to be coordinated; for ex-prisoners returning to less populated areas, the opportunities to receive support with adequate resources appear to be limited. Given the importance of community in Indigenous culture, the involvement of the ex-prisoner's community in pre-release planning should be encouraged, either through elders or family members.

A throughcare approach also recognises that interwoven, long-term problems often require long-term solutions. The likelihood that interventions will produce positive outcomes can be increased by initiating services and programs earlier in the custodial term. This is even more important with short-term prisoners or those on remand because the window of opportunity in which to establish a program of throughcare is severely reduced. Ideally then, assessment for and allocation to services and support will occur at reception into prison, although some suggest that services instigated at very first contact with the justice system may be even more appropriate. Throughcare is sometimes seen as involving a three-stage process: custody (the institutional phase), transition (placement in some sort of secure transitional facility or other preparation for release) and community release (Fretz 2005). This idea of staged transition or graduated release to the community explicitly acknowledges that some prisoners' return to the mainstream community is highly challenging and requires preparation and practice.

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Other key concepts linked to the implementation of throughcare include:

## **Interagency working and partnerships**

The complex needs of prisoners cannot be wholly addressed by already stretched correctional services. A whole-of-government approach (including housing, health and employment agencies) is required. Coordinated working of relevant organisations is necessary to ensure that all involved agencies act in concert to avoid costly service duplication, facilitate ease of prisoner access, enable information exchange and make sure prisoners do not fall through gaps when attempting to access services. Ideally, partnerships are formalised arrangements. All levels of operation, from high-level policy initiatives to day-to-day agency interactions, should be documented and appropriately publicised among relevant staff. Partnerships can be most effective when one partner is assigned to the role of lead agency. This ensures that collaborative efforts are coordinated effectively and one organisation ultimately will take responsibility for ex-prisoners in the community. Partnerships also explicitly acknowledge that the task of reintegration involves the whole community.

## **Case management**

To reduce the risk of reoffending, the factors that precipitated it in the past will need to be identified and addressed. This will typically require the coordination of a range of services and support provided by different government and non-government agencies. To navigate all these different organisations, and to ensure continuity between custody and community, offenders require a central point of contact. This mode of service delivery sees a worker or team of workers act as a single point of coordination for a prisoner, ensuring that the services and treatments necessary to address particular challenges are accessed by the client. Case managers can provide needed services via financial brokerage, referral, advocacy or by delivering them themselves. A case manager can provide support and may also act in a supervisory/surveillance role for ex-prisoners in the community (Murphy Healey 1999).

A systems approach to case management recognises that agencies delivering both treatment and supervision must act in coordination, more like a single agency. Case management is seen as a core function in the supervision and treatment of offenders, and criminal justice and treatment agencies are linked by operational policies and procedures to ensure good client outcomes. This ensures adequate resourcing, that there is clear understanding of different roles and that all agencies have timely access to relevant client information. Individuals' progress is continuously monitored to allow treatment and supervision plans to be refined, and to inform decision-making (Taxman & Sherman 2002).



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## Balancing supervision and support

Intensive monitoring and supervision alone have not produced demonstrable crime reduction benefits relative to more traditional supervision that incorporates some form of support (e.g. Aos, Miller & Drake 2006). Research suggests that decreases in recidivism arise when an offender is subject to supervision control in combination with rehabilitative treatment in the community (MacKenzie 1997). However, the level of surveillance must be appropriate to risk because there is little evidence of crime reduction benefits when low-risk offenders are reimprisoned for technical violations of parole conditions (Altschuler, Armstrong & MacKenzie 1999). Less intensive, more traditional supervision that is properly enforced can improve reoffending outcomes relative to supervision that is not enforced. One study examined actual and predicted risk among offenders serving community sentences in the United Kingdom. The rapid and appropriate enforcement of probation conditions (when compared to poor enforcement) decreased actual recidivism, relative to but regardless of the level of predicted reoffending risk (May & Wadwell 2001).

Community corrections officers may have to occupy dual roles of enforcer and social worker. The difficulties associated with this role shift are both practical and philosophical. For instance, workers need to contend with issues of confidentiality between functions, as well as gaining offender trust. Returning prisoners may also find it difficult to reconcile a case manager who apparently holds conflicting roles.

## Offender personal responsibility and accountability

By returning rehabilitative responsibility to offenders, they are required to work hard to regain their place in society. This is very different to a rehabilitative agenda that aims only to improve the quality of life of offenders, and is possibly more palatable to the general public. In practice, it might involve:

- offenders admitting guilt and offering reparation to both victims and their communities for damage
- developing and monitoring offender plans
- placing the primary responsibility for addressing re-entry challenges with the offender while providing adequate supports
- victim participation at key criminal justice points (e.g. Lehman et al. 2002).

## Graduated sanctions

These acknowledge the very real possibility of offender relapse, and treat it as an opportunity to reinforce rehabilitation. The severity of sanction is matched to the lapse and, in line with findings about human learning, sanctions quickly follow the behaviour in question.

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Responses are intended to promote positive behaviours rather than simply to punish, and so may include short custodial spells, but not an automatic return to prison for any and all violations.

## **Reintegration in practice: creating links between corrections and the community**

There are many examples of correctional services, local communities and community agencies working together to put the principles and goals of reintegration into practice. The following are a few examples.

### **Australian Capital Territory**

ACT Corrective Services is working with local Aboriginal organisations – such as Winnunga Nimmityjah Aboriginal Health Service, Gugan Gulwan Youth Aboriginal Corporation and Billabong Housing – to develop a holistic model for the care of Indigenous prisoners in the Australian Capital Territory's first prison, to be commissioned in 2008, and their post-release support. The Winnunga Nimmityjah report *You do the crime, you do the time*, released in August 2007, draws on the experiences and insights of ex-prisoners, the families of prisoners and ex-prisoners, and support organisation representatives (Winnunga Nimmityjah Aboriginal Health Service 2007). It presents a prison health care model that includes strategies to manage recidivism, integration strategies and health service coordination, and recognises the role of health, family, spiritualism and identity in contributing to outcomes for Indigenous prisoners.

### **New South Wales**

The Department of Corrective Services has developed four Regional Aboriginal Project Officer positions across New South Wales to link local Aboriginal communities and services with the Department. The Department has also established two elder positions at Mid North Coast Correctional Centre, tasked with linking the Department with local Indigenous communities in the region.

### **Northern Territory**

Officers working in probation and parole visit selected remote communities regularly and play a role in ensuring community safety. Officers liaise with community councils and families to support the reintegration of Indigenous offenders. Some of these officers have been recruited from the local community as a means of strengthening the link between the NT Department of Justice and the communities.

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## Queensland

Custodial centres coordinate programs for elders, respected persons and spiritual healers to work with Indigenous people. A number of centres work closely with Indigenous organisations, including community justice groups, to provide support and assistance to Indigenous prisoners. Links with Indigenous communities have also been forged through visits by senior officers from a number of correctional centres to community justice groups operating in communities in the Lower Gulf and Cape York.

## Victoria

In June 2000, the Victorian Government signed the first formal agreement with elected members of the Victorian Indigenous community to address Koori overrepresentation in the criminal justice system. The Victorian Aboriginal Justice Agreement (AJA) was reviewed four years later and a revised AJA Phase II was launched in June 2006. The first AJA aimed to encourage Koori communities to become involved in justice policy, planning and service delivery, and to develop a shared vision and agreed priorities for action within government and community sectors. Two of the major objectives of the second AJA are to increase the diversion of Kooris from more serious contact with the criminal justice system and reduce their reoffending rates. As well as initiatives described in Box 3 below, major initiatives in corrections that have developed out of the AJA include:

- in prisons, Aboriginal Well-being Officers and in community corrections, Indigenous Community Corrections Officers. Their role is to support Koori prisoners and offenders, and to develop links between the Department of Justice and Aboriginal communities and organisations
- the Aboriginal Family Visits Program, which recognises the importance of Koori prisoners' maintaining their family relationships and links with their community by providing travel and accommodation assistance to the families of Koori prisoners to assist them to visit their family member in custody. The program is auspiced through the Victorian Association for the Care and Resettlement of Offenders.

## Western Australia

The Community Re-entry Coordination Service (Re-entry Link) supports prisoners and their families, assisting offenders in their re-entry into the community (WA DCS 2006). The service provides support for up to three months before and six months after leaving prison, drawing on the services of non-government community support agencies across the state.

On arrival in prison, offenders receive welfare services. They can later participate in life skills information sessions. One-on-one transition planning and support begins three months before release and includes development of a re-entry plan. Following release, a wide range

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of support services assist with issues like accommodation, Centrelink payments, budgeting, family problems, health issues, accessing government, community and employment services, living and home skills, and accessing education and training.

Re-entry Link is provided throughout regional areas of Western Australia, using outreach services and Indigenous organisations to provide supportive links between pre and post-release environments.

## **What is known: program and service delivery in Australia**

### **Legislative underpinnings**

The administration of prison and community corrections in Australia falls under the responsibility of state and territory jurisdictions. Each jurisdiction operates independently and under different legislative and policy frameworks, leading to wide variation in procedures, programs and services. Sentencing options such as home detention and periodic detention are available only in certain jurisdictions. The mechanisms and processes for programs such as conditional release are different from one jurisdiction to another, as are the approaches courts take to applying the sentences and orders available to them. The Australian Law Reform Commission (2006) highlighted one aspect of jurisdictional variation when it found that offenders who had been convicted of the same Commonwealth laws experienced inconsistent sentencing outcomes across the jurisdictions. It has been suggested that the diversity in approaches to rehabilitation has impeded the development of a national approach to offender treatment (Howells et al. 2004). As a result, there is little consistency in the delivery of programs and services across Australia, suggesting that offenders in one state or territory may receive greater or lesser access to programming than those in other jurisdictions. This also implies that standards for service delivery can vary across the jurisdictions, impacting on program outcomes and efficacy.

Despite the differences, there are similarities among jurisdictions. A review of custodial and community-based offender rehabilitation programs in Australia found that each jurisdiction had a 'well-developed system of program delivery, highly motivated program staff and a general organisational acceptance of the importance of offender rehabilitation' (Howells et al. 2004: 8). Most states and territories had programs targeting violent and sexual offending behaviour and there was a trend towards targeting offenders at varying levels of risk for recidivism. Most jurisdictions had cognitively based programs aimed at improving skills and addressing factors contributing to offending behaviour (Howells et al. 2004). An earlier review of correctional programs across Australia identified several other types of interventions targeting substance abuse, life skills, employment and education, highlighting the variety of programming options found across prisons in Australia (Kassen 1999).

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## Culturally specific programming

Not only do the reintegration needs of Indigenous offenders appear to be greater than for many other offenders, but also the context in which treatment is rendered effective for Indigenous offenders appears to be unique. Correctional programming in Australia has tended to incorporate an ethnocentric bias that places its understanding of Indigenous offending within the context of the majority Anglo-European culture (Jones et al. 2002). In doing so, the design and delivery of programs can fail to understand aspects of Indigenous cultural and societal attitudes and views that are fundamentally different from the majority culture. An example offered is a tendency to view Indigenous cultures – which are typically organised around collectivist values – from the perspective of the individualistic values that dominate Western culture (Jones et al. 2002).

Ethnocentric bias can introduce problems with content, structure, delivery and assessment that may undermine the effectiveness of programs for Indigenous offenders. Western correctional approaches that follow Andrews and Bonta's (1998) criminogenic needs model tend to categorise needs into discrete areas, when a more holistic approach may be needed in developing effective correctional programs for Indigenous people (Jones et al. 2002). It has been argued that effective correctional interventions for Indigenous Australians need to consider the unique socio-historical experiences of Indigenous people in Australia and incorporate elements that address acculturation stress, separation from culture and family, loss of identity and racial discrimination (Jones et al. 2002). Interventions should be holistic and recognise the interplay of emotional, cultural and social factors while focusing on strengths rather than deficits, perhaps by emphasising the resilience of Indigenous people in the face of historical and social impacts.

Research with violent Indigenous offenders has suggested that violence and anger-related interventions for Indigenous offenders need to address the feelings of helplessness and powerlessness that contribute to the use of violence as a response to anger (Day et al. 2006). This research suggested using group-based interventions to empower offenders by normalising anger experiences and helping participants learn to discriminate between anger and violent behaviour, and between anger and other emotions that arise within the specific social and cultural context experienced by Indigenous offenders (Day et al. 2006).

Research has also indicated that risk assessment instruments developed specifically for Indigenous sex offenders are likely to be more accurate than those developed for overseas or non-Indigenous Australian populations (Allan & Dawson 2004). This research also highlighted differences in risk factors for sexual and non-sexual violent offending among Indigenous offenders, which indicated a need for specific risk assessment instruments for each group (Allan & Dawson 2004).

Research in New Zealand has shown that the effectiveness of correctional programs for Maori offenders can be enhanced through cultural relevance (Anstiss 2003). Evaluation

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of a child sex offender treatment program in Auckland found that there were lower rates of recidivism among Maori men who undertook a version of the program that integrated the tikanga Maori world view with Western psychology, than those who undertook a predominantly Western version of the program (Anstiss 2003).

Internationally, Canadian studies demonstrate that Indigenous offenders place a great deal of emphasis on cultural approaches to treatment and community involvement at the time of release. In these studies, Canadian Indigenous offenders acknowledged the need for various interventions targeting their personal needs, substance abuse issues and unemployment. However, offenders report that community-based services need to be culturally relevant to be helpful, focusing on the role of the extended family and community in the reintegrative process (Mileto, Trevethan & Moore 2004; Moore, Trevethan & Conley 2004; Trevethan, Moore & Thorpe 2003). Similarly, factors such as family support, exposure to Indigenous spirituality and access to cultural practices appear to play a role in successful re-entry for Canadian offenders (Heckbert & Turkington 2001).

There is research that suggests cultural content is crucial to the success of Indigenous correctional programming. A Canadian study examined recidivism and responses to blended treatment (traditional healing tempered by contemporary approaches) among Aboriginal and non-Aboriginal Canadian sex offenders residing in the community (Ellerby & MacPherson 2002). They found that the lower rates of treatment completion initially found within the Aboriginal offender sample disappeared once culturally relevant programs became available. The Aboriginal offenders who received the blended treatment also had significantly lower recidivism rates than Aboriginal matched controls.

Canadian studies examining similar programs have also highlighted the influence of culture in treatment outcome. These studies show that participants and facilitators involved in Aboriginal-specific programs report very high levels of satisfaction with the cultural content and feel that the inclusion of culture is highly beneficial to the treatment process. Such programs appear to emphasise healing, kinship ties, the lifespan and the impact of substance abuse on personal relationships (Trevethan et al. 2004). Similarly, there is Australian work that suggests rehabilitative programs for Indigenous offenders in Australia can benefit from the inclusion of traditional healing practices (Lee 1996).

Canadian work shows that, similar to prison programs, community-based services also need to be culturally relevant to be helpful, focusing on the role of the extended family and community in the reintegration process. It appears that the community's involvement in the lives and treatment of Indigenous offenders facilitates their sustained success (Mileto, Trevethan & Moore 2003; Moore, Trevethan & Conley 2004; Trevethan, Moore & Thorpe 2003). Research has also found that family support and exposure to Aboriginal spirituality and cultural practices contributes to sustained success among Aboriginal ex-offenders residing in the community (Heckbert & Turkington 2001).

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A core aspect of providing culturally specific programs is having them delivered by individuals with experience and expertise in Indigenous culture. Evaluations of Aboriginal programs highlight the importance of employing Indigenous facilitators in the provision of programs and services to Indigenous offenders. This research implies that offenders may be more likely to internalise program content if it is delivered by someone from the same cultural background (Trevethan et al. 2004; Trevethan, Moore & Allegri 2005). Research has also recently identified the importance of traditional elders to prison programming. The use of elders is thought to enhance programs by offering a spiritual context for healing and reintegration. Incorporating elder services in correctional programs is also thought to enhance responsivity by providing legitimacy to programs claiming to be culturally relevant (Trevethan et al. 2004). In short, research suggests that the successful reintegration of Indigenous offenders is facilitated by programs that use Indigenous knowledge. Incorporating cultural practices, ceremonies and teachings within the context of treatment is beginning to show considerable promise in correctional literature.

The shortage of culturally specific programs for Indigenous offenders was also noted by Howells et al. (2004). They observed that programs tended to be developed for a broad treatment base of offenders for a variety of reasons, including resource availability, which made cost-effectiveness an important consideration in program development and implementation. Howells et al. (2004) found few programs appeared to have been comprehensively evaluated, making it difficult to gauge the extent to which programs actually addressed needs or how they contributed to a reduction in recidivism. More specifically, programs had not been evaluated from the perspective of Indigenous offenders, making it unclear whether they are appropriate for the particular treatment needs of this group. The absence of Australian national standards and accreditation for correctional treatment programs further confounds attempts at assessing the effectiveness of programmatic interventions (Howells et al. 2004).

## **What works: what is known and what is emerging in the literature**

The varied and complex needs of offenders, and the reality of limited public resources and requirements for accountability, create an imperative for correctional programs to be designed and implemented effectively. For this to be achieved, correctional agencies and others involved in program development and delivery need to be able to work from a solid evidence base to establish what program elements are effective in what circumstances and for which offenders. Being aware of promising new developments helps stakeholders make efficient use of resources and avoid duplicating effort, while also being in a position to access the best available programs and services for offenders in their care.

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The following sections will present a review of relevant literature, examining the evidence base to establish what aspects and elements of correctional programs are effective and what developments in correctional programming appear to hold promise.

It has been proposed that effective correctional interventions and sound correctional practice incorporate four principles – risk, need, responsivity and professional discretion (Andrews & Bonta 1998). It is suggested that programs and services are most effective when they are delivered to high-risk offenders in a manner that addresses their specific needs. In addition, effective corrections should tailor programming to the learning styles of individuals, but temper the therapeutic approach with professional judgement and clinical expertise. Similarly, a meta-analysis of rehabilitative programs found that effective programs could be identified by specific characteristics (Gendreau 1996). These programs tended to be cognitive-behavioural in nature, matched program content to the offender profile and employed competent facilitators. Programs that produce results – namely, lower need and reduced rates of readmission – appear to do so primarily through their focus on criminogenic needs.

Correctional research within the past decade demonstrates that the main areas of programming need for offenders fall into one of six categories:

- personal/emotional difficulties
- family functioning
- level of community functioning
- employment
- substance abuse
- pro-criminal attitudes and criminal associates.

Similar to prison-based programs, it appears few standards or accreditation guidelines have been established to regulate programs delivered to offenders in the community. There have been few evaluations of the efficacy of community-based treatments in Australia, so the extent to which these interventions contribute to reintegration is largely unknown. Those studying correctional programs have observed that more research is needed to evaluate both prison and community-based programs to determine how they meet the needs of the clientele and their effectiveness in reducing offending behaviour (Borzycki 2005; Howells & Day 1999).

## **Promoting reintegration: improving transition to the community**

A range of practices and programs are in place or being implemented to prepare prisoners for release and promote reintegration. There is still not enough rigorously conducted research to unequivocally state certain correctional practices, interventions and processes



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are best practice. However, evidence is accumulating to support certain better re-entry practices. Reintegration requires targeted correctional programs to maximise the chance of rehabilitation, as well as changes to the traditional ways correctional services deliver those programs. Key concepts in both programming and service delivery are presented next.

## **Effective correctional programming**

A large amount of literature focuses on the individual elements of programs that have been shown to minimise reoffending. The literature aims to identify the principles of effective correctional programming; to understand what works. It has developed interventions that address those specific factors that have been shown to be linked to offending and that are also amenable to change. These factors have been called criminogenic needs, and can include drug misuse, poor problem-solving skills or pro-criminal attitudes. This approach emphasises cognitive-behavioural treatment responses, which have been shown to reduce the risk of recidivism among adult offenders (e.g. Aos, Miller & Drake 2006).

Box 1 describes the principles that have been identified as effective in reducing the risk of reoffending. Risk assessment is central but is not a new concept. The process of granting parole has always involved consideration of potential offender risk, and assessment information gathered by community correctional staff has also informed pre-sentence reports. However, corrections agencies are increasingly employing standardised techniques for assessing risk. The tools used today are typically derived actuarially. This means data collated from the large-scale study of many offenders – ideally within the jurisdiction of interest – are examined mathematically to consider how certain offender characteristics are related to the reoffending observed. Static, criminogenic and other dynamic risks and needs are considered. Subsequently assessed offenders are then measured on those identified factors, and their individual level of risk is calculated.

### *Evidence-based corrections and accreditation*

To ensure that the services and treatments delivered to returning offenders produce the best possible outcomes, those services should be built on principles and practices that have been shown to work in the past. Evaluation, or the systematic observation and documentation of program and service operation and outcomes, assists in developing an evidence base, and its benefits include:

- allowing interventions to be fine-tuned for maximum effectiveness
- ensuring consistent intervention delivery across sites and time
- monitoring individuals' progress
- providing tangible evidence of success or failure for the community and funding bodies.

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An evidence-based approach seeks to identify what works, and uses knowledge gained from systematic research and evaluation. It also contributes back to that knowledge base by ensuring programs and services are evaluated in a rigorous fashion. It is integral to the effective correctional programming approach but, of course, systematic and rigorous evaluation is increasingly demanded regardless of the correctional approach adopted. Indeed, most public policy now must be grounded in an evidence base.

Evidence-based correctional programs might also involve a process of accreditation. Under this, correctional programs are categorised on the basis of how effectively they have been shown to work to achieve stated outcomes. Those programs that are demonstrably effective are accredited and become part of the core correctional curriculum.

Importantly, evidence-based policy and practice should not mean evidence-led policy and practice. Research findings in isolation are not sufficient to explain outcomes, and it is important that evidence is used to formulate testable theories. Neither should evidence be used instead of policy. An over-reliance on evaluation outcomes in the absence of a policy framework can disguise the fact that an organisation might not have explicit goals (Cohn 2002; Cullen & Gendreau 2000).

### *Criticisms of the principles approach to correctional programming*

This approach, sometimes called risk management, has not been accepted universally. Interventions can become highly inflexible when treatment manuals guide every aspect of program delivery. This can violate the responsivity principle that demands individualised responding to individual offenders. The strong emphasis on a cognitive-behavioural response to offending can also mean that the complex network of issues confronting prisoners cannot be addressed in a suitably multidimensional fashion. Treatment models that focus on only criminogenic needs can fail to address other factors external to offenders that nonetheless influence the probability of successful community reintegration (e.g. accommodation), and can fail to utilise the strengths in offenders' lives. In practice, a system acknowledging both risk and the whole person would involve the delivery of offence-specific programs that directly address criminogenic needs, and offence-related interventions that address factors that broadly relate to reintegration (Birgden & McLachlan 2002).

Some have advocated for a less generic approach to what works, acknowledging the complex set of unique triggers behind individuals' offending behaviour. This would involve gathering evidence about the effectiveness of certain programs, in particular locations, with certain types of offenders; a realistic evaluation that asks what works for whom, in what circumstances and how (Day 2003; Tilley 2001).

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### *Box 1: Principles of effective correctional programming*

#### **RISK AND NEED**

This principle aims to systematically and appropriately tailor services to individual clients:

- Risk of reoffending should be systematically assessed, using tools that consider static risk factors (e.g. criminal history) as well as dynamic and changeable risk factors.
- Some dynamic factors are also known as criminogenic needs, or those attitudes, beliefs, values and behaviours that when changed will decrease recidivism, such as pro-criminal attitudes, substance abuse or poor problem solving.
- Programs should be matched to risk level, with higher-risk offenders subject to more intensive interventions. Offenders at extremely high risk may be treatable only with great difficulty, or not amenable to intervention.

#### **RESPONSIVITY TO TREATMENT**

This principle aims to maximise therapeutic gains, by ensuring that programs are well suited to capitalise on characteristics of the offender and of the treatment situation.

It has two aspects:

- general responsivity – programs should match offender needs, and are best delivered using cognitive-behavioural techniques, specifically involving:
  - a clear treatment structure
  - modelling of appropriate behaviours and the provision of feedback by the therapist
  - punishment used in conjunction with positive reinforcers (with these most often employed)
  - appropriately trained staff, responsive to offenders.
- specific responsivity – programs should respond to individual characteristics of the client, guided by the preferred learning styles, abilities and cultural needs of the offender.

#### **PROGRAM INTEGRITY**

This principle aims to ensure programs are delivered in a structured manner, closely adhering to theoretical and design underpinnings. Integrity is enhanced by ensuring that program staff are appropriately qualified and rigorous program evaluations occur.

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## PROFESSIONAL DISCRETION

This principle states that appropriately trained staff should use their training, skills and experience to enhance any program gains, such as identifying risks and needs that might not be detected using a standardised assessment tool.

## OTHER IMPORTANT ELEMENTS OF EFFECTIVE CORRECTIONAL PROGRAMMING

Dosage and duration – treatment programs should be delivered for long enough to impact upon offending (at least 100 hours with daily contact is optimal).

Setting – community settings are better than institutional settings, possibly because of factors within custodial settings such as organisational resistance or staff motivation. Although not optimal, an institution can nonetheless provide a stabilising environment for some offenders.

Aftercare – providing continuing assistance once the formal treatment phase is complete.

Multimodal – targets the full set of offender-specific needs, such as problem solving and social skills, rather than simply some presumed set of offender-generic needs. Also uses a variety of treatment modes (e.g. role plays and cognitive training).

Role of theory – programs should draw on an evidence base but should not be atheoretical, and so should strive to establish how programs act to be effective.

Source: Adapted from Borzycki (2005)

## Types of rehabilitation programs

### Violent offender programs

Interventions to address violent offending are one of the most important areas of need in correctional programming. Studies have shown that offenders with a violent history have a higher likelihood of reoffending than those incarcerated for a non-violent offence (Serin & Preston 2001). Despite the 'nothing works' discourse of the 1970s, research suggests that even offenders who are at high risk of reoffending can benefit from interventions targeting criminogenic factors (Andrews & Bonta 2003). Given the prominence of violence within Indigenous offending patterns (see section 'Imprisonment and reimprisonment'), the potential to reduce Indigenous violent reoffending highlights the importance of relevant programming both in prison and on release.

While violence is not always the result of anger, the management of anger is often closely linked to the violent offence cycle (Howells et al. 2002). Programs and services addressing violence often adopt a cognitive-behavioural approach, emphasising the link between

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thought processes and behaviour. Through the internal regulation of anger and skill development, offenders learn strategies to improve their impulse control and manage their anger using alternatives to violence (Howells et al. 2002). However, an Australian study found that targeting anger management alone was insufficient in the treatment of violent offenders (Howells & Day 2002). Noting that violent offending is heterogeneous with a broad range of causal factors, it was argued that interventions need to be broad-based, diverse in therapeutic targets and tailored to individuals in terms of their characteristics, risks, needs and readiness to address their behaviour (Howells & Day 2002).

## Family violence programs

Family violence programming addresses the underpinnings of violence in the home, and targets perceptions and behaviour that promote violence towards women. Within these programs, violence is treated as part of a broader social context and a by-product of gender inequality. Gender-related attitudes and beliefs are thought to support justifications for abusive behaviour towards women and children. As such, family violence programs in Australia tend to be cognitive-behaviourally based, focusing on male–female relationships, power dynamics and violence as a vehicle for control. Perceptions supporting inequality between men and women are challenged, and programs aim to achieve cognitive restructuring. Many of the programs also incorporate an educational component, re-educating men on violence and what is deemed to be acceptable behaviour between men and women. Developing strategies for controlling anger and aggression in the home is also a key part of such programs (Howells et al. 2004). Family violence programs are typically delivered in a group setting and classified as either low or medium intensity (20 to 72 hours).

An example of a family violence program, specifically for Indigenous offenders, is detailed in Box 2 to indicate the kinds of programs that are currently available in Australian corrections.

### *Box 2: Programs in practice – family violence*

**State:** Queensland

**Name:** Ending Family Violence Program

#### DELIVERY SITE

This program is available in all secure custodial centres and delivered on a needs basis. It is also available to community-based offenders on probation and parole.

During the 2005–06 financial year, the program was delivered in Arthur Gorrie Remand and Reception Centre, Lotus Glen Correctional Centre, Maryborough Correctional Centre and Townsville Correctional Centre.

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## CLIENTELE

This program targets male Aboriginal and Torres Strait Islander offenders who have been convicted of offences related to violence within their family and/or community.

## DESCRIPTION

The Ending Family Violence Program aims to raise participants' awareness of the impact of violence on the family unit and to investigate options to assist offenders change their lifestyle. Given the link between alcohol and family violence in Aboriginal communities, this topic is explored in detail. Goal setting and relapse prevention are also covered.

The Ending Family Violence Program was developed specifically for Indigenous offenders, and incorporates culturally appropriate learning and delivery styles. The program incorporates the use of colour, visuals and the natural environment to assist with learning. It includes a focus on the use of culturally appropriate facilitators wherever possible. Furthermore, the program uses cognitive-behavioural models and culturally appropriate learning strategies.

The specific objectives of the program are to:

- reduce the incidence of family and domestic violence in Aboriginal and Torres Strait Islander communities by offering a specific rehabilitation program to Indigenous perpetrators of violent crimes
- assist offenders to identify alternatives to violence, and improve their lifestyle and behaviour
- assist offenders to learn an adequate level of self-control to avoid reacting with violent behaviour, through a focus on alcohol misuse.

## DURATION

20 hours – delivered in 10 two-hour group sessions.

## COMPLETION RATES

The program was delivered 12 times between July 2005 and June 2006. A total of 168 offenders participated in the program during the 2005–06 financial year, with a total of 147 offenders completing the program successfully.

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## Anger management programs

Anger management programs typically use cognitive-behavioural approaches designed to reduce anger through skill development and enhancing anger control. The skills acquired in such programs demonstrate alternative coping strategies and appropriate ways to express anger (Novaco 1997). Research has demonstrated that anger management programs can be effective in reducing anger and lowering the likelihood of return to prison (Dowden, Blanchette & Serin 1999; Dowden & Serin 2002). Programs focus on identifying anger in the offence cycle, understanding it, modifying cognitive processing that supports anger and developing plans for managing anger after release.

## Alcohol and drug treatment

The most common types of substance abuse program within the correctional context are brief, psycho-educational in nature and group oriented. Sessions typically use group discussion as a means of raising personal issues, facilitating self-disclosure and motivating offenders to participate. Programs aim to educate offenders on the psychological and physiological effects of substances, promote a greater understanding of the role of substances in the offence cycle and present harm-minimising alternatives. Many of these programs also use cognitive behavioural principles to modify thoughts and behaviour. Research into the effectiveness of substance abuse interventions with offenders has shown mixed results. Nevertheless, experts in the area place a great deal of emphasis on addressing substance abuse during the period of incarceration and throughcare once the offender is based in the community (Howells et al. 2004).

## Sex offender treatment

The treatment of sex offenders is complex, in part because of the heterogeneity of sex offenders as a group. The object of the sexual preoccupation can range from men to women to children. Some offend violently while others do not. The aetiology for sexual offending is equally complex involving psycho-social, environmental, developmental and physical factors (Marshall & Barbaree 1990).

Sex offender programming typically employs a cognitive-behavioural approach to treatment, focusing on challenging perceptions related to denial, responsibility and the role of the victim to change behaviours. Programs typically focus on the offence cycle, helping the offender to identify triggers, understand the impact of his behaviour on the victim and modify his fantasies and arousal. Some programs also attempt to diminish deviant arousal and fantasies that support the offending behaviour. More generally, programs adopt a victim-centred approach. It is thought that by gaining a better understanding of the victim, their

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experiences and their feelings, the offender may develop empathy, reducing the likelihood of reoffending (Mateson 2002).

Sex offender programs are typically high in intensity, ranging from around 44 hours for some community-based interventions, to over 700 hours for very high-intensity programs. Howells et al. (2004) found that, for the large part, states excluded offenders who denied their offence without referring them to other programs, creating a significant gap in service delivery. However, recent program developments in New South Wales have included the development of programs aimed at those who deny the reality or details of their offences.

### **Cognitive skills programs**

Cognitive skills programming is based on the premise that offending behaviour is a product of poor problem solving, inadequate coping and thinking styles, which are conducive to anti-social behaviour (Ross & Fabiano 1985). The objective of these programs is to impact positively on recidivism by enhancing self-control, appropriate decision-making, reasoning and victim awareness. Cognitive-based programs are primarily delivered to offenders at a moderate to high risk of reoffending who have been selected for inclusion based on assessed need. Such programs are generally quite intensive, ranging from 24 to 76 hours. Programming is generally delivered in a group setting, usually involving around eight to 12 participants, in which participants focus on active listening and experiential learning.

Cognitive skills training can either be incorporated in programs targeting specific behaviours or offence types, or form the basis of programs seeking to address offending behaviour more generally. Research has suggested that programs focusing on cognitive skills training and developing one's capacity to problem solve can assist in avoiding situations which may encourage criminal activity. This research has also shown cognitive-based programs to be effective in reducing readmission, especially for those convicted of a violent or sexually related offence (Robinson 1995).

### **Indigenous-specific programming**

In response to the overrepresentation of Indigenous people in the criminal justice system and their unique programming needs, some jurisdictions have developed programs intended to be culturally relevant to this specialised clientele. Howells et al.'s (2004) review of programs across Australia found that only four jurisdictions were operating Indigenous-specific programs. These initiatives targeted sex offending, domestic violence and substance abuse (Table 18).



**Table 18: Indigenous-specific programs**

Jurisdiction	Program title	Duration (hours)
South Australia	Ending Offending (substance abuse)	10
Queensland	Ending Offending (substance abuse)	12
	Ending Family Violence Program	48
	Indigenous Sex Offender Program	216
Northern Territory	Indigenous Family Violence	54
Western Australia	Indigenous Managing Anger and Substance Abuse	50
	Medium Sex Offender Program	192

Source: Howells et al. (2004)

Program intensity ranged widely from 10 to 216 hours, depending on the program in question. Examination underscored the need for programs targeting other criminogenic and non-criminogenic areas such as generational trauma, grief and loss (Howells et al. 2004). They suggested existing Indigenous programs required modification in a number of areas to include programs designed for short-term offenders, considering language difficulties and acknowledging the heterogeneity of Indigenous cultures.

## Community and post-release programs

Similar to what has been found in various prisons, the national survey of post-release programs around Australia found numerous services available to young and adult offenders upon release, delivered by both government and non-government agencies (Borzycki 2005). Content areas fell into 12 broad categories:

- employment
- housing
- financial management
- vocational assistance and training
- alcohol and other drug use
- mental and physical health
- social networks (e.g. mentoring, peer support)
- family relations (e.g. visitations, parenting skills, domestic violence)
- cognitive skills
- reducing reoffending
- multiple welfare needs (service provision, brokerage or referral)

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- transitional and promoting reintegration (service provision, brokerage or referral for personal development, independent living, cognitive skills)
  - other (e.g. general counselling).

Of the 185 programs identified in the study, the most numerous in terms of content area were transitional and reintegration, substance abuse or cognitive skills-oriented programs (Borzycki 2005). A majority of correctional service providers indicated that programs were tailored to clients' individual needs. Programs were typically designed to take into account the age of the client and their criminogenic risk factors. However, very few post-release programs were found to be culturally based, highlighting the lack of Indigenous-specific interventions at the community level.

## **Areas of promise: developing improvement in programs and services for Indigenous offenders**

Each jurisdiction has a unique set of programs and initiatives that aim to improve correctional services for offenders, including Indigenous offenders. Each of these aims to reduce the overrepresentation of Indigenous offenders by addressing key areas that contribute to their involvement in the criminal justice system. While the development of policy and guidelines for best practice is still in its infancy, it is important to highlight developments in the area that serve to better meet the needs of this specialised client base. Of particular interest are initiatives that contribute to a reduction in violence, developments in support services for Indigenous offenders and efforts to enhance the role of the community in the treatment and supervision of offending members.

Most of the information in this section was provided by corrective services agencies in the form of prepared, publicly available information. Further information was obtained from agency websites and annual reports.

### **Services**

All corrective services agencies in Australia and New Zealand have introduced services to support Indigenous offenders with the experience of imprisonment, including through correctional programs. Services can also enhance or improve rehabilitative outcomes and the reintegration process by helping offenders maintain contact and involvement with the community, and can reduce some of the impacts of separation from the community that can result from imprisonment.

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Services and initiatives common to all or most jurisdictions include:

- visits by elders – elders and other respected community members visit prisons and provide cultural and spiritual services, as well as mentoring, advice and support
- liaison officers – most corrective services agencies have specified roles for Indigenous liaison officers who assist Indigenous offenders to access services, and who provide advice and input into services to ensure they meet the specific needs of Indigenous offenders. Liaison officers typically also help maintain links between Indigenous prisoners and the community by facilitating contact between prisoners and community service providers, and by assisting prisoners to maintain contact with their families
- official visitors – official visitors help protect the rights of prisoners and ensure accountability in the corrections system by providing independent scrutiny and a means for prisoners to raise concerns about issues that impact on their management and wellbeing. Some jurisdictions have specified Indigenous official visitors who ensure the particular needs and issues arising for Indigenous prisoners are recognised
- chaplains – prison chaplains help prisoners maintain access to the practices of their faith and can provide a valuable form of support and advice while also providing a link to the community. Some jurisdictions have specified Indigenous chaplains who can provide faith and spiritual services that are sensitive to Indigenous cultures.

## **New and promising developments**

Box 3 outlines a small selection of the promising new developments emerging in Australia and New Zealand for responding to the needs of Indigenous offenders.

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### *Box 3: New and promising developments in services and programs for Indigenous offenders*

#### **NEW SOUTH WALES**

The NSW Department of Corrective Services has improved the participation and treatment outcomes for Indigenous sex offenders through modifications to its sexual offending programs. These have included creating a new program for offenders who deny the reality or detail of their offence, and making use of open groups where offenders leave or join depending on their individual therapy needs. These changes have overcome some of the difficulties Indigenous offenders often face with the level of disclosure typically required by offending programs.

Yetta Dhinnakkal Centre is a minimum security institution for Indigenous males, located in north-western New South Wales. The facility was designed specifically to meet the needs of Indigenous offenders. It has a resident cultural elder. As a working farm property it offers opportunities for vocational development. The Centre also offers a range of education courses from the Aboriginal Education and Vocational Training Institute and NSW Technical and Further Education (TAFE).

The Centre also offers a range of offence-targeted behavioural change programs, including family violence programs, and targets first-time young Indigenous offenders through culturally relevant intensive case management. The Centre also has a mobile outreach facility used for community and emergency projects, deploying up to 10 inmates in a self-contained camping vehicle.

#### **NEW ZEALAND**

New Zealand Department of Corrections' *Maori strategic plan 1 July 2003 – 30 June 2008* (2003b) recognises as a priority the integration of Maori world views, cultural values, philosophies and practices in developing effective programs and services for Maori offenders. This includes the delivery of tikanga Maori programs by Maori providers to offenders in prisons and the community, using Maori identity and values to motivate changes in offending behaviour.

The quality of programs, policy and services that have implications for Maori is ensured through application of the Framework for Reducing Maori Offending (FReMO). FReMO enables initiatives to be developed using a rationale, methodology, implementation plan and evaluation from a knowledge pool drawn from mainstream Western literature, Maori perspectives and the Maori belief system (tikanga Maori). A key element of FReMO is the documentation of material to capture previously undocumented elements of tikanga Maori and Maori perspectives to ensure transparency, replicability and modification while enhancing the literature base.

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Te Piriti is a treatment unit for male sex offenders who have violated children. The unit combines Maori customs and traditions with cognitive-behavioural principles. Evaluation suggested that melding Western and traditional approaches to treatment appears to contribute to a reduction in sexual reconvictions among Maori offenders.

#### **NORTHERN TERRITORY AND WESTERN AUSTRALIA**

The Northern Territory Correctional Services and Western Australian Department of Corrective Services are exploring the benefits of sharing program resources between their jurisdictions. The Northern Territory has been piloting a sex offender program developed in Western Australia. The Northern Territory, in return, has provided a family violence program that is being trialled in Western Australia. The exchange of best practice developments between jurisdictions, particularly where programs have been developed or modified for specific needs or groups, provides a strong potential for jurisdictions to maximise limited programming resources. Saving on program development may then allow scope for resources to be used in modifying programs to local needs.

#### **QUEENSLAND**

Queensland Corrective Services has recently opened new Probation and Parole offices in the remote communities of Doomadgee, Mornington Island, Normanton and Thursday Island. These offices will provide more options for non-custodial program provision and improve sentencing support to judges and magistrates.

#### **SOUTH AUSTRALIA**

The Department for Correctional Services has established a programs branch whose role includes developing culturally responsive program content and delivery for Indigenous offenders. An Aboriginal Rehabilitation Team (established during 2005–06) delivers programs to Indigenous offenders and provides advice on program development and adaptation.

#### **VICTORIA**

Wulgunggo Ngalu Learning Place will be a culturally appropriate live-in program for up to 20 male Koori offenders on community-based orders. Residents will be assisted to complete their community-based orders while receiving rehabilitative support, working, training and learning life skills designed to reduce the likelihood of them reoffending in the future. The Wulgunggo Ngalu Learning Place will open in early 2008 and will be run from a purpose-built facility, which is being developed on the site of the former Won Wron prison.

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The Djarmi-Tiddas mentoring program is based on the successful Aboriginal Women's Mentoring program delivered by the Rumbalara Aboriginal Co-operative Ltd in Shepparton in partnership with the Shepparton Community Correctional Services. The program will provide an outreach service utilising Koori community members to assist male and female offenders to meet the conditions of their sentence.

The principal objectives of the Koori Transitional Support Program are to reduce reoffending rates among Indigenous offenders; meet the transitional needs of Indigenous offenders; and reduce the overrepresentation of Indigenous people in the criminal justice system. The program aims to provide intensive pre and post-release support and case management to Indigenous prisoners – both men and women – exiting prison and will include a transitional housing component.

#### **WESTERN AUSTRALIA**

The Community Programs Branch of the Western Australian Department of Corrective Services is developing an Indigenous-specific Family and Domestic Violence Program that seeks to maintain a focus on offending behaviour while encompassing both historical and contemporary social contexts. Other culturally appropriate programs suitable for regional areas are also being trialled. These focus on areas such as substance abuse, child sexual assault and exploring the relationships between gossip, jealousy and violence. Manuals and workbooks developed for the programs use language and cultural references relevant to Indigenous participants, placing offending behaviour in both historical and contemporary social contexts. The programs address the effects of colonisation and discrimination, and locate the origin and consequences of offending behaviour within Indigenous social construction and personal relationships. They incorporate spiritual and healing perspectives together with reflection on personal, family and community impacts.

Sources: NSW DCS (2005); NZ DOC (2003b); McFarlane-Nathan (1999); SA DCS (2006); WA DCS (2006); AIC Reintegration of Indigenous Prisoners [computer data file]

# Facilitating reintegration: prisoners' and stakeholders' perceptions

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This section draws on interviews with Indigenous prisoners conducted specifically for the current study, as explained in Appendix A. A small number of serving prisoners (n=34) in four jurisdictions (Northern Territory, Queensland, South Australia and Western Australia) were interviewed about programs they had participated in and services they had accessed, whether any of these were Indigenous specific and what elements had been incorporated into the programs to make them Indigenous specific. They were asked a series of open-ended questions about their experiences with programs and services dealing with violence and substance abuse.

Interviews were also conducted in these same jurisdictions with prison and community corrections professionals, those who deliver programs to Indigenous prisoners and members of the Indigenous community. Participants were asked to discuss their views and experiences regarding program and service delivery for Indigenous prisoners and ex-prisoners. In addition, a number of meetings were held in each jurisdiction with staff and key stakeholders.

## **Program participation and perceptions**

Most of the prisoners interviewed had participated in programs in prison while some had accessed programs in the community. Twenty-seven of those interviewed said they had participated in programs and services targeting anger management and family violence, while the same number reported participating in substance abuse programs. There was a high degree of participation in educational programs (n=24), such as those aimed at developing literacy and numeracy skills, as well as employment and vocational programs (n=21). Smaller numbers of interviewees had participated in cognitive skills, counselling/psychological services and sex offender treatment programs.

### **Programs targeting anger and violence**

#### *Prisoners' perceptions*

The specific anger and violence programs named by interviewees, and the jurisdiction where the interviewee undertook the program, are set out in Table 19. In all, 22 interviewees were able to nominate programs. It is apparent that, in many cases, the interviewee did not know the actual name of the program, other than a generic description.



**Table 19: Anger management/family violence programs undertaken by Indigenous prisoners**

Jurisdiction	Program	No. of interviewees
Northern Territory	Anger management	1
	Anger management and family violence	1
	Family violence	1
	Violent family problems	1
Queensland	Anger management	5
	Cognitive skills	1
	Making choices	1
South Australia	Aboriginal anger management	1
	Anger management	2
	Black and white	1
	Victim awareness	1
Western Australia	Anger management	2
	Indigenous family violence	1
	'MASU'	2
	'Violent offenders' TR program'	1
Total		22

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

Some interviewees said that the family violence or anger management program they nominated had incorporated elements that made the program Indigenous specific. A number of elements were identified that participants felt made the program Indigenous specific, including:

- having mostly Indigenous specific participants
- incorporating Indigenous community issues
- using Indigenous facilitators
- having elders involved in program delivery.

Interviewees were also asked how useful they thought the anger management program had been in helping them reduce their anger and violence, and to be non-violent when released from prison. A majority of the interviewees who had undertaken these programs (18 out of 27) found them very useful in reducing their anger and use of violence, and felt the program would help them to be non-violent when released. Only a small number (four out of 27) felt the program had not helped them at all.

Prisoners interviewed for the project seemed quite satisfied with the programs and services offered in prison targeting anger and violence. Of those who reported participating in family

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violence or anger management programming, two-thirds (n=23) reported that these initiatives were useful in reducing their level of violence and anger. Similarly, two-thirds (n=23) also indicated that the anger management and family violence programs would reduce the likelihood of them using violence in the community.

Various features of prison-based anger management and family violence programs appear to facilitate reintegration. When asked about which aspects of these programs and services were of benefit, the largest proportion of prisoners indicated that skill development was the most useful component (n=22). More specifically, these prisoners reported that techniques to control one's level of anger (e.g. breathing, waiting before acting) and learning how to avoid violence (e.g. talking about one's feelings, walking away, not associating with violent people) was key. In discussing the benefits of anger management and family violence programs, one prisoner from South Australia said:

It has made me look at myself...in a positive way. It has taught me techniques like thinking first in order to control my anger. I can respond without using violence.

Other prisoners reported that developing a greater awareness of oneself and the impact of violence on their relationships with family and friends were important in facilitating reintegration. Acquiring a better understanding of their own behaviour and the influence they have on the lives of those they care for appears to be important in managing their emotions and behaviour. In addition, a smaller number of prisoners who participated in these programs and services indicated that self-disclosure was the most useful aspect. It was reported that the sharing of personal difficulties with others was useful in relieving anger, as well as understanding the origin of their own offending behaviour.

### *Key respondents*

Key respondents were also interviewed about the anger management and family violence programs operating in prisons and the community. As mentioned previously, these respondents represent those who not only work with violent male Indigenous offenders, but also those who have extensive knowledge of correctional initiatives in place to address offender needs. Almost half of key respondents reported that such programs were useful in general. A large proportion also indicated that these programs were useful in reducing anger and the use of violence upon release into the community. Around one-quarter of the interviewees reported that the educational component was the most beneficial in terms of promoting successful reintegration. Respondents suggested that educating offenders on the facts of violence, such as violent behaviour being illegal, and informing them that violence is not culturally appropriate or acceptable, was important in addressing behaviour. According to several respondents, some Indigenous offenders do not view their actions as illegal, particularly in the case of spousal assault, or have adopted the perception that their behaviour is justified because violence is normative in their community. When asked about

the most beneficial aspects of such services in the community, one key respondent in the Northern Territory said:

Learning that violence is a crime, it is not culture...making the distinction between violence and culture.

Some key respondents also identified the understanding of triggers and one's offence cycle as beneficial to reintegration. It was noted that offenders could gain from understanding the situational and emotional antecedents to their violent behaviour. Learning that the behaviour arises from a cause – which then produces an effect and consequence – was the first step in managing their emotions and behaviour. Other important features reported by interviewees were the use of Indigenous facilitators and culture within the program, learning the effect of violence on their own life and the lives of others, and acquiring techniques to minimise the use of violence.

## Programs targeting substance abuse

### *Prisoners' perceptions*

Interviewees were asked to name the substance abuse program they had undertaken. As was the case with anger management and family violence programs, many nominated the generic type of program, rather than a specific name. One interviewee said he had been on methadone, rather than nominating a programming intervention. The substance abuse programs nominated by interviewees are set out in Table 20.

**Table 20: Substance abuse programs and services undertaken by Indigenous prisoners**

Jurisdiction	Program	No. of interviewees
Northern Territory	Alcohol program	1
	Drug and alcohol	1
	Ending offending	1
Queensland	Ending offending	1
	Making choices	1
	Substance abuse	1
South Australia	Alcohol and drugs	1
	Drug abuse	1
	Drug and alcohol	1
	Methadone	1
Western Australia	Alcohol and drugs	1
	Drug and alcohol	2
	'MASU'	1
Total		14

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When asked whether the programs they had undertaken were Indigenous specific, and what elements made them Indigenous specific, participants identified similar elements to those mentioned for violent offending programs. The Indigenous-specific elements identified were:

- having mostly Indigenous participants
- incorporating Indigenous community issues
- incorporating Indigenous culture.

Most of the interviewees (15 out of 24) felt the substance misuse program they had undertaken would be useful in helping them reduce their substance use when released from prison. Only a small proportion of the interviewees (four out of 24) felt the program had not been useful.

Most interviewees reported they had successfully completed the programs they participated in and had satisfied the program's requirements. All but one interviewee reported completing the substance abuse program. Almost all participants reported completing anger management/family violence, cognitive skills and sex offending programs. Rates of completion, based on this small sample, were lower for educational programs, and to a lesser extent employment and cognitive skills programs, than other programs.

Prisoners who had been involved in some form of drug or alcohol treatment program while incarcerated reported being satisfied with the interventions delivered. Most of the prisoners (20 out of 26) reported that the treatment they received helped reduce their use of substances. Similarly, 21 out of 26 prisoners felt that the substance abuse treatment would be useful in avoiding drugs and alcohol upon release.

According to prisoners, a variety of substance abuse program and service delivery features were beneficial to reintegration. Half of the respondents said the most useful aspect of substance abuse treatment was learning about the impact of drugs and alcohol on themselves. Prisoners appeared to benefit from the insight gained into how substances influenced their behaviour and altered their physical and emotional wellbeing. Around one-quarter of the prisoners interviewed indicated that learning how their substance abuse affected their family was beneficial. When asked about which aspects of his substance abuse treatment were the most useful, one prisoner in Western Australia said:

Knowing what the alcohol and drugs are doing to you spiritually, mentally and physically. Understanding grog and how it affects your family and life.

Aside from increased awareness, other prisoners reported that the techniques they learned to manage their substance abuse problem, such as harm minimisation and learning to avoid situations that will trigger the behaviour, was the most beneficial aspect of programming. In reference to what he gained from substance abuse programs and services, one prisoner from the Northern Territory said:

Learning to drink in moderation and not use it to start arguments.

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Interestingly, some prisoners also reported that the drug and alcohol treatment they participated in would help them to help others facing similar problems. These prisoners felt that the most useful component of programming and service delivery was the information related to substances, including the consequences of substance abuse and the physiological changes associated with alcohol, that could be used to educate their families and communities.

### *Key respondents*

In contrast to prisoner ratings, only one-fifth of key respondents reported that prison and community-based substance abuse treatments were useful to offenders in general. A smaller proportion felt that such programs were useful in reducing these substances in the community upon release. These findings suggest that key respondents feel more work is needed to enhance the utility of programs and services targeting this area.

Nevertheless, key respondents highlighted various features of substance abuse programs that were most likely to promote successful reintegration. The largest proportion of key respondents indicated that the focus on increasing self-awareness was the most useful component to offenders. It was noted that understanding why offenders abused substances and how substances contribute to their criminality was helpful in addressing their abuse patterns, and ultimately their offending behaviour. Moreover, these respondents felt that in acquiring greater self-awareness, offenders were also able to understand how their addiction impacted the lives of their family, thus motivating change.

Almost an equal proportion reported that the most useful aspect of substance abuse programming in prisons and the community was skill development. It was noted that developing strategies to minimise the harms associated with substance use, coping with stressful situations which have led to substance abuse in the past and learning how to problem solve were highly useful when re-entering the community. When asked about what they felt was most helpful to offenders, a community key respondent in the Northern Territory said:

Acquisition of life skills, because lack of life skills is the cause of all the other problems. Often [at] times addiction is a symptom of a greater problem.

Key respondents also appeared to think highly of the educational components of such programs and services. Around one-quarter of respondents suggested that the information offenders were provided with concerning the physiological effects of drugs and alcohol on the body, and how these effects impact judgement, was highly beneficial. When discussing which aspects of programming best facilitated reintegration, one key respondent interviewed in a Queensland prison said:

[The] education component around impact of substance abuse, and establishing goals and plans, and have an understanding of their psychological and physiological triggers.

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A smaller number of key respondents indicated that relapse prevention planning was the most beneficial component of substance abuse programming.

## **Program and service delivery: limitations and areas for improvement**

### **Stakeholders' and prisoners' perceptions**

Interviewees and meeting participants were also asked for their views on the delivery of programs and services to violent male Indigenous prisoners, how programs and services could be improved and what the barriers were to improvement and to successful reintegration.

The interviews revealed insights across four broad and connected themes:

- meeting Indigenous-specific needs
- family and community
- other factors impacting reintegration
- resources.

### **Meeting Indigenous-specific needs**

The lack of Indigenous-specific programs and services was highlighted in each jurisdiction, with many interviewees seeing it as a major barrier to participation and successful reintegration. The absence of Indigenous-specific content in core programs was thought to reduce the effectiveness of interventions by lowering the response of Indigenous offenders to treatment.

Stakeholders highlighted the need for more knowledge on the role of culture and cultural content in prison-based and community-based programming, as well as more knowledge concerning the specific criminogenic needs of Indigenous offenders.

However, some interviewees felt there was a lack of awareness in their jurisdiction about issues confronting Indigenous people and a lack of understanding of the criminogenic and case management needs of Indigenous offenders. Others cited a lack of leadership or focus on Indigenous policy issues, leading to a fragmented approach.

### ***Content***

Many stakeholders indicated a strong belief that programs needed to be adapted to Indigenous needs and cultural orientations if they are to be successful in addressing Indigenous offending. Many interviewees noted that for treatment to be efficacious, it

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needed to be relevant to the life experiences and cultural background of Indigenous people. For some interviewees, this could be as basic as the fact that many of their programs had mostly Indigenous participants and therefore tended to become oriented towards taking into account Indigenous perspectives. Others talked about having Indigenous staff in key roles such as liaison officers, cultural advisers or community corrections workers, and the benefits of bringing an Indigenous perspective to various aspects of correctional work.

Throughout the interviews, one of the most fundamental perceived problems in service delivery to violent male Indigenous offenders was an over-reliance on mainstream, Western approaches to treatment. Many programs and services delivered to Indigenous prisoners use a model characterised by its psycho-therapeutic features. This Western-oriented model tends to be individually based, cognitive-behavioural and places a great deal of importance on active participation and self-disclosure as well as introspection, reflection and self-awareness. While the efficacy of this approach is well documented with non-Indigenous offenders, stakeholders felt that the extent to which this approach was appropriate for Indigenous offenders was, at best, unclear. Offenders from societies that are traditionally collectivistic may feel there is little to gain from treatment that is based on the individual or may have trouble connecting with treatment modalities delivered from this perspective.

One aspect of cultural specification noted by some stakeholders was an observation that some Indigenous offenders blame their aboriginality for their offending, and believe they are in prison because they are Aboriginal. Stakeholders talked of the need to make the offenders aware that they were in prison because of the offences they had committed, which were a separate issue from their aboriginality, while also recognising the problems inherent in many Indigenous communities that had contributed to the offending behaviour. Some interviewees observed that violence is not cultural, while also recognising that violence is so endemic in Indigenous communities that it can be considered cultural in its manifestation. They felt that Indigenous offenders need to be taught to look at violence differently. At the same time, they felt that rather than being dismissive of Indigenous men who said they offended because it was part of their culture, corrections staff should listen to what the men had to say as a way of gaining a greater understanding of the role of violence and how it manifests. These interviewees felt it necessary to move away from a Western view of violence as individual and pathological, to recognising its origins and influences at the community level. A number of Indigenous interviewees emphasised the collectivist nature of Indigenous society and the need to incorporate an understanding of this in programming. Some talked about the need to take a systems approach to dealing with offending issues, and about the need to put more onus on the community and less emphasis on the individual.

A large proportion of key respondents also felt that problems related to substance misuse and addiction among Indigenous offenders needed to be addressed using an Indigenous-specific approach. Within this approach, some discussed the benefits of holistic methods, addressing substance abuse through mind, body and spirit. An Indigenous-specific approach was thought to best reach the clientele and maximise responsiveness.

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Prisoner respondents highlighted a number of areas for improving substance abuse treatment. Of those who reported participating in a substance abuse program or service, the largest proportion reported that such programs required change to the general delivery and structure. Some of the suggested changes were:

- lengthening the program to cover more material on substance abuse
- offering more opportunities to share and talk about experiences with drugs and alcohol
- incorporating an anger management component, as some prisoners felt there were strong links between their substance abuse and aggression.

Approximately one-quarter of prisoners who had participated in programming thought that service delivery could be enhanced by incorporating more content on the effects of drugs and alcohol. Prisoners suggested that more information on how substances affect one's physical and emotional wellbeing would be beneficial. A prisoner from the Northern Territory suggested:

They should have focused more on what alcohol can do to you and how it physically makes you ill. There should have been more teaching about that.

Additional information on how addiction can change lives and impact negatively on the family was also viewed as important.

Key respondents placed a great deal of importance on enhancing skill development as a means of improving substance abuse programs. A large proportion reported that allocating more time to teaching techniques, coping strategies, and how to minimise the negative consequences associated with drug and alcohol use was key. One professional working with Indigenous ex-prisoners in NT communities suggested that substance abuse services and programs should have:

[A] stronger emphasis on harm minimisation, so failure doesn't mean the end. Emphasising more life and coping skills because they are at the root of the substance problem.

It was noted that in spending more time on skills, the offenders could develop a wider range of competencies for dealing with their own addiction and the influences in the community which encourage drug and alcohol consumption. To achieve this, some suggested lengthening the program to incorporate more material, allowing offenders more time to synthesise program content and practise the skills.

Some Indigenous stakeholders felt it important to deal with concepts of masculinity and femininity in programs, to address some of the negative attitudes and understandings offenders have of the masculine and feminine identity, the roles of men and women in the community, the social structures supporting these roles and the inappropriateness of using violence against women. A number of the male prisoners interviewed indicated that drug



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and alcohol services could be improved by incorporating women's perspectives. They felt this element could help them to better understand the effects of their addiction on the women in their lives.

### *Participation*

Stakeholders appeared quite aware of the lower program participation rates of Indigenous prisoners and ex-prisoners when compared with their non-Indigenous counterparts. Many noted that Indigenous prisoners often have little motivation to take part in programs and cited a range of reasons for this. Some stakeholders noted differences in the responses of Indigenous and non-Indigenous offenders to authority, with many Indigenous offenders tending to reject mainstream authority, and not responding to mainstream approaches to justice.

Another group of stakeholders noted that Indigenous prisoners were often angry and resistant, and that attending programs was low on their priorities compared with issues around relationships and basic survival. As those from Indigenous communities, especially remote communities, often live in poverty and are lacking social supports like employment or meaningful activity, their relationships become the major focus of their lives. In prison, they are cut off from their families, who typically cannot visit because of the long distances and their lack of means or finances for transport. Families in remote communities may not have telephone services and may have to rely on third parties, such as liaison or community service workers, to pass on messages. At the same time, prisoners are well aware of the violence and other community problems their families may be experiencing. This can lead to prisoners feeling more isolated, jealous and angry, as well as being worried about their family's wellbeing. The prisoners also face their own issues within prison, where violence and other impacts of imprisonment tend to make basic daily survival paramount. As some stakeholders noted, these basic issues and needs would have to be met before many Indigenous prisoners could be motivated to participate in programs.

A number of interviewees emphasised the importance of involving offenders in the development and delivery of interventions, and asking them what they wanted and needed to help them. This was especially seen as important for community-based offenders. Others commented that they needed to do more to make Indigenous offenders aware of the programs available to them, and attract their participation in ways that respected their needs and issues. These interviewees also commented that responsiveness and motivational issues may not be that much different for Indigenous than non-Indigenous offenders, and that they needed to develop a front-end strategy that addresses issues such as anxiety about participating in group programs, and reluctance to disclose information and contribute to the treatment.

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Apart from the inclusion of other parties in the treatment process, key respondents acknowledged that the model used to address anger management and aggression required change for programs to be more useful. Some felt that the program content needed to be made more dynamic to sustain attention and facilitate comprehension.

Suggestions to make programs more enjoyable by integrating sports and activities, such as barbecues and social gatherings, were made by several respondents. It was thought that by enhancing the desirability of programs, offenders would be more motivated to participate. Some respondents also noted that programs and services of this nature needed to be made more visual by incorporating posters, diagrams and educational films which could instruct offenders on violence and clearly illustrate anger management techniques. When asked how anger management and violence programs could be improved, one key respondent working with Indigenous offenders in Western Australia said:

[Incorporate] narrative therapy, relating to their lives and realities.  
More artwork therapy, use of video, music and more role-play and acting...  
more fun.

### *Language*

Another barrier to Indigenous offenders participating in, and benefiting from, programs, was the observation made by a number of stakeholders that most correctional programs and services are offered to Indigenous offenders in English. The English language skills of Indigenous prisoners tend to vary from one jurisdiction to another. Northern Territory stakeholders noted that many communities are very traditional and English may be a second or third language behind their traditional language, of which there are many across the communities. However, stakeholders in South Australia noted that Indigenous people in that state were much more likely to have English as their primary or sole language, although they also noted there is a good deal of movement among those in remote communities between the Northern Territory and South Australia.

Poor English language skills limit the program material that prisoners can comprehend. Some stakeholders observed that those with stronger English are more likely to be offered places in programs. At the same time, it may be those with poor English who are in greater need of programs and support to improve their prospects of gaining employment or building other life skills. Stakeholders commented too that the English used in programs is often pitched at a high level, sometimes using advanced terminology for describing feelings and thought processes.

Many offenders, Indigenous and non-Indigenous, also have low levels of literacy. On its own this can limit the kinds of interventions from which the offenders can benefit. A lack of literacy skills can compound the barriers created by poor English skills.

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### *Involving elders and Indigenous facilitators*

Some stakeholders felt one factor in low Indigenous involvement in programs was a reluctance to participate in or accept interventions delivered by non-Indigenous staff. Many of the stakeholders and prisoners interviewed thought that correctional programs could be improved by incorporating elders and respected community members into the program curriculum. Some corrections staff stated they had observed higher participation rates, and lower drop-out rates, for programs delivered by Indigenous facilitators.

A greater availability of needs-based knowledge was also thought to be useful in assisting staff to manage their Indigenous offender case load. It was noted that staff dealing with Indigenous prisoners and ex-prisoners often had very little training in the area of Indigenous-specific needs and cultural sensitivity. As a result, some staff were thought to lack the knowledge and expertise to provide effective interventions to their Indigenous clientele.

Prisoners felt that elders could provide cultural expertise to the program and emphasised the traditional role of elders in healing. Some prisoners suggested they were more likely to learn from elders than other facilitators, and that elders would provide a resource for positive change within the correctional environment. Elders were viewed as respected members of the Indigenous community who shared the same cultural background and possessed extensive knowledge of life. When discussing how anger management and family violence services in prison could be enhanced, one prisoner in Western Australia said:

Old people should get into it too...it's the way it's been done traditionally.  
Young people listen to the old people.

Prisoners also emphasised the importance of employing Indigenous facilitators in the programs, highlighting that they could relate more easily to other Indigenous people and shared a common understanding of the Indigenous experience. Some interviewees felt that Indigenous facilitators and elders would have a greater understanding of the roles and impacts of violence and substance use in the lives of Indigenous people.

Interviewees felt that the inclusion of Indigenous people within the treatment process could enhance the perceived legitimacy of the intervention and subsequently the offenders' responsiveness to the content. A key respondent working with Indigenous prisoners in South Australia suggested:

Incorporate Indigenous facilitators – it will make guys open up more and they will be more willing to talk about their anger.

In relation to substance abuse programs, some interviewees suggested that Indigenous facilitators would have a clearer understanding of the role of substance abuse in the lives of other Indigenous people, and would possess more knowledge of substance abuse issues in

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the community. In response to what he felt needed to be changed about alcohol and drug programs, one prisoner in Queensland suggested:

Bring in mentors and reformed old drunks. Use elders and respected people and provide the courses...[they can] act as role models and use [a] personal touch for programs.

Corrections staff and stakeholders in a number of areas commented on the unwillingness of many Indigenous males to participate in programs led by female facilitators, believing that their offending behaviour and issues around it were 'men's business'. Some stakeholders saw this as a major problem, noting the number of women involved in delivering correctional interventions.

Some prisoners felt that correctional programs could be enhanced by engaging facilitators who were better suited to program delivery. Aside from issues around their Indigenous status, some prisoners underscored the importance of employing facilitators who had similar life experiences to them or who had been in conflict with the law themselves. Others mentioned that more caring and compassionate facilitators were needed.

However, other interviewees noted that the involvement of elders and Indigenous facilitators was not a simple solution, highlighting problems similar to those discussed above in relation to culturally specific program adaptations. There are differences in viewpoints across Indigenous communities, and many have longstanding and entrenched feuds and disagreements with other communities, within or between family groups. There are many sensitivities around which individual elders or community representatives will be accepted by particular individuals or groups in prison. These sensitivities are unlikely to be understood properly by corrections agencies and it may not be possible to involve elders or facilitators who are acceptable to all prisoners. Stakeholders noted that there are also many individual prisoners who do not want to have contact with elders for various reasons.

Aside from difficulties of acceptance, it may be very difficult in practical terms to involve elders and engage Indigenous facilitators. Elders, particularly from remote communities, face social disadvantages and difficulties themselves and may not have the capacity or desire to visit prisons. Corrections agencies may not have the resources or capability to facilitate these visits. A number of stakeholders noted that it could be very difficult to recruit trained, qualified, appropriate and effective Indigenous facilitators, particularly in more remote parts of the jurisdiction.

One corrections staff member involved in program development and delivery talked about the potential value of involving elders in setting up groups in offenders' home communities to provide support for offenders, as well as surveillance to assist in helping them stay away from risky or offending behaviours. At the same time though, this staff member talked about the huge logistical difficulties in bringing together the right people and establishing the mechanisms and arrangements to facilitate these groups.

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### *Barriers to increasing cultural specificity*

A number of stakeholders discussed the difficulties involved in making culturally specific adaptations to programs, aside from basic resourcing limitations, which will be discussed in more detail below. Some stakeholders were concerned about program integrity and that important elements of the programs may be lost in the process of adaptation. Some felt that Indigenous-specific programs tended to become fractured or ‘piecemeal’, while others felt they were ‘dumbed down’ to the point where the programs lost efficacy. Others commented they were not aware of any evidence that Indigenous-specific programs were any more effective for Indigenous participants than mainstream programs. Another group of corrections staff noted that many Indigenous prisoners are not familiar with their culture and felt it important that prisoners have access to mainstream programs first, with culturally specific programs offered later. A related problem noted by other interviewees is that where Indigenous-specific programs are offered, Indigenous offenders may feel these are the only programs they can do, and that they are either not entitled to do mainstream programs or there would be no value in them doing so.

Another difficulty with cultural adaptation stems from the fact that there is no homogenous ‘Aboriginal culture’ that can be uniformly applied. This may be poorly understood, and even if those involved in developing or delivering programs appreciate some of the ways in which Indigenous culture differs from mainstream culture, they may not then appreciate the many and sometimes subtle differences in culture across different Indigenous communities or peoples. There can also be major differences in approaches and attitudes between Indigenous people living in urban environments and those living more traditional lifestyles or with more traditional orientations. While there may be widespread commonalities that can be applied to make programs and services more relevant, failure to recognise differences that are of fundamental importance to individual participants could undermine credibility and participation. This is particularly the case when trying to deliver programs to individuals from different Indigenous cultural groups who may have disagreements or conflicts with other groups.

### *Assessment and evaluation*

Many key respondents felt that to be useful in targeting anger, violence and substance use, programs needed to first select appropriate participants, ensuring that only those who needed the intervention and could respond to it were chosen. These respondents felt it was necessary to establish criteria for inclusion and a battery of assessments to screen candidates. Establishing methods of screening was viewed as important in ensuring the success of the program or service.

Consultation with corrections staff and Indigenous stakeholders suggested there are very few assessment tools that adequately assess the needs of Indigenous offenders.

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Stakeholders thought that Indigenous-specific assessment tools that take into account cultural factors and their role in influencing Indigenous offending behaviour could assist in the appropriate selection of program and service participants. These tools could not only be used to flag intervention needs, but also to identify those with a high need and a high likelihood of responding to treatment. Selecting those who are more likely to benefit from programs may enhance successful completion rates and assist in more effective allocation of program resources.

Some key respondents indicated that offenders could be better selected for programs if more information was known about best practice for violent Indigenous offenders. It was also thought that knowledge concerning best practice was a starting point in modifying programs to best suit the needs of the clientele, thereby maximising the potential for successful reintegration into the community. Comprehensive program evaluations were noted as one method of acquiring such information.

Some stakeholders saw a greater use and reliance on evaluation of programs as a way towards developing correctional initiatives that more closely addressed Indigenous programming, and a way towards increasing understanding of the criminogenic needs of Indigenous offenders. It was suggested that program evaluations, together with the available research evidence base, would assist in identifying what works in the treatment of Indigenous prisoners and ex-prisoners and what does not, helping correctional administrators refine and tailor treatment.

## **Family and community**

### *Family and community involvement*

Many of the interviewed prisoners felt that violent offending, and drug and alcohol problems, extended far beyond the prison and also impacted many others in the community. It was noted that offering substance abuse programs in the community could not only assist the prisoners upon release, but also help others suffering through dependence and misuse. Several staff and stakeholder interviewees also identified a need to include families and communities in the treatment process.

Respondents acknowledged that to stop their own violent behaviour, changes needed to occur within the family unit and within the community at large. When asked how to improve such programs, one prisoner from South Australia said:

We go back to our families and we need to take the information back to the community to break the cycle of violence. We need them to stop violence too.

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A large proportion also felt that substance abuse services could be enhanced by involving the community, reinforcing the views expressed in relation to Indigenous-specific adaptations. It was thought that community support was needed to sustain treatment effects both in prison and upon release. On a similar note, prisoners acknowledged the role of the community in their abuse pattern, and felt that effective treatment would also address drugs and alcohol in Indigenous communities. When asked about how substance abuse programs could be improved, one prisoner from South Australia said:

We need to be sharing this information with people on the outside because communities play a role in our substance abuse.

A number of key respondents felt that a program, particularly for substance abuse, needed to be delivered in conjunction with support from the community, especially at the time of release. Some emphasised that communities needed to take an active role in the treatment of their members who have been incarcerated. Others stressed that substance abuse is a community problem that requires a more global approach than merely providing services to offenders. These respondents discussed the impact of a community's wellbeing on the offender's sobriety and ability to reintegrate back into the community successfully.

### *Linking with the community*

A theme that emerged in each consultation was the importance of throughcare in the delivery of programs and services to violent male Indigenous prisoners and ex-prisoners. Discussions with stakeholders suggested that the efforts to assist prisoners in addressing their needs while in prison were often lost at the point of release. Some interviewees saw a major split between custodial and community corrections approaches, which resulted in a failure to deliver the kind of transitional arrangements and services needed for prisoners to move successfully from the custodial to the community environment. More specifically, stakeholders expressed a view that the benefits gained from treatment in prison, such as techniques learned for controlling anger, were difficult to maintain due to the lack of support in the community for the prisoner to turn to. Many interviewees felt there were not enough programs available in the community for released prisoners or community-based offenders, who were often waitlisted for a long time before places become available. Programs in the community tended to be offered irregularly in many areas, and often cancelled due to difficulties in securing facilitators and offenders dropping out or failing to attend.

Stakeholders placed a great deal of importance on linking services between prisons and the community to provide a continuum of care. It was noted that ongoing service delivery would monitor the progress of the offender during the point of transition into the community and offer resources that promote the maintenance of those skills which enable offenders to remain in the community.

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Resourcing was viewed as the major barrier to providing Indigenous offenders with adequate throughcare, and some stakeholders felt that while throughcare had been adequately embraced as a principle or ideology, it was not able to be implemented in practice. Some stakeholders indicated there was lack of pre-release planning in their jurisdiction, and some Indigenous offenders would leave prison without even arrangements for someone to pick them up. Those released on parole appeared better served than those released at the expiry of their sentence; stakeholders in another jurisdiction indicated that most parolees were well assessed and left prison with a case plan that included arranging for them to be picked up, taken to Centrelink and referred to a housing service. Parolees may benefit from parole conditions that could help them avoid people who might harm them through payback or lead them back into risky or offending behaviour.

Another stakeholder group noted that transitional programs were available in prison to help prepare prisoners for release and reintegration, and this was available to all prisoners approaching release as a matter of policy. However, in practical terms, resources were not available for everyone, and staff had to prioritise which prisoners received particular kinds of support. This stakeholder group also felt there was a serious issue with the provision of support to offenders from rural and remote communities, noting that many of these communities lacked the necessary support to assist with reintegration. Corrective services often faced difficulties in making links with smaller communities and also lacked the capacity to provide outreach support to remote communities.

Many of those interviewed nonetheless emphasised the importance of drawing on community resources to create the links necessary for maintaining a throughcare approach. One group of stakeholders noted that offenders could not simply step back into their roles as fathers or husbands without support and assistance, which may begin in the prison, but would need to be followed through into the community to be effective. Among a number of stakeholders, violence was viewed as a cyclical problem, emerging from violent communities and significantly impacting the family unit. They suggested that adequately addressing anger and violence would require a more inclusive and systemic approach. Some stakeholders felt that failing to involve families and the community was a major barrier to program effectiveness. Family and community members were also viewed as a support network that would help offenders in dealing with their aggression upon release.

On a positive note, some community corrections staff commented they had been able to develop relationships with 'second chance' employers in a number of communities, who were willing to provide employment opportunities to released prisoners or offenders on community-based orders. This type of initiative provides offenders with the possibility of engaging in meaningful activity, improving their situation and providing a tangible basis for making the necessary steps towards reintegration. Another group of stakeholders commented on the positive contributions being made by some communities, which were becoming more active in identifying what they needed to be able to assist offenders, and were using community projects as employment programs for offenders.



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### *Follow-through*

Many interviewees, particularly key respondents, felt that anger management and violence programs required a greater emphasis on maintenance and follow-up, especially given the violent environments to which many Indigenous offenders would be returning. Respondents had a view that for an offender to benefit from the intervention, it is important they have the opportunity to continue practising the skills and techniques they learned during their time in the program. Furthermore, the benefits reaped from programming may be maximised by continual follow-up with program delivery staff in prison and while in the community upon release. In stressing the importance of throughcare, one key respondent based in a NT prison said:

Maintenance programs are needed for relapse prevention. We need to monitor their progress in the prison and make sure the skills are kept up [in the community]. There are no programs in the community which is a problem for obvious reasons. People need practical strategies in the community.

Many key respondents reported that follow-up and maintenance were important elements in improving interventions, particularly those targeting substance abuse. It was suggested that programs needed to build in features which would monitor the offender's progress after completing the intervention and then follow-up with the offender in the community to ensure that the benefits gained from treatment were transferred. Respondents felt that appropriate support in the prisons and community were needed to accomplish this. A key respondent working in a SA prison said:

There needs to be more following in the community to ensure that the guy is clear and the results are sustained.

### *Barriers: family and community*

Interviewees also recognised the difficulties of involving families and community in the reintegration process. Many family members lack the resources and capacity to travel to program locations, even when they have the desire and inclination to be involved, and this can be especially problematic for prison-based interventions. Family members may be victims of the offender's violence, may have suffered through other aspects of the offender's criminal behaviour and substance use, or may be suffering from other difficulties of their own that prevent their involvement. Corrections agencies lack the capacity to provide the type of support necessary to facilitate family and community participation, particularly in remote communities. Some interviewees raised questions about the ability of communities to assist with the reintegration of prisoners, given the entrenched problems facing many communities. Some stakeholders also observed that families and communities may not want the offender back and would not cooperate with their return. Some offenders, particularly those with

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family violence or sex offences, cannot go back to their communities or do not want to go back, and can become socially isolated fringe dwellers without a sense of home or place.

## **Other factors impacting on reintegration**

### *Disadvantage and isolation*

The risk factors that lead to Indigenous offending may also impact on the efforts towards reintegration of Indigenous offenders. Apart from program characteristics, community corrections staff noted that Indigenous offenders residing in the community participate in programs at a lower rate than non-Indigenous offenders because they are disproportionately impacted by socioeconomic disadvantage. It was noted during the consultations that, upon release, Indigenous ex-prisoners have a difficult time attending programs because they may not reside near service delivery centres. Some communities are very remote, lacking in services and infrastructure, and neither community members nor correctional services have the resources for travel to and from these areas. One interviewee, with responsibility for community corrections, said they have to provide many of their services – including counselling services – over the telephone. However, another interviewee noted that Indigenous people in some remote communities do not even have access to a telephone. The inability of people in these communities to access community corrections services may increase the likelihood of them reoffending.

On re-entering the community, ex-prisoners may be preoccupied with finding housing, searching for gainful employment, re-establishing relationships, and possibly supporting their family. They typically face the same issues of community violence and alcohol and substance use that may have contributed to their offending in the first place. Stakeholders emphasised the importance of developing programs in the community around the basic needs of ex-prisoners, with a focus on homelessness, employment, poverty and family support.

A problem facing many ex-prisoners is returning to the community with little money or other basic resources. This may be exacerbated for Indigenous prisoners. One stakeholder group in South Australia noted that many Indigenous prisoners receive sentences of less than 14 days, which means they are not entitled to a Centrelink payment on release. They are then faced with leaving prison in a destitute state, without the means to return to their community. In many cases they will return to find whatever possessions they had before imprisonment have been stolen and they are even more financially disadvantaged than before.

As discussed in the section 'Introduction', Indigenous offenders tend to be less likely to be released on parole than non-Indigenous offenders. This is partly due to some Indigenous prisoners declining parole as they are unwilling or unable to comply with parole conditions. Some corrections staff interviewed for the project highlighted some of the difficulties

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Indigenous parolees face. One group noted that many cannot comply with conditions as they are living in remote communities and do not have the means to meet reporting requirements. Problems with transport are exacerbated if offenders are charged with driving offences, which occurs quite often as indicated in the section 'Introduction', and parolees lose their driver's licence for extended periods. This can cause problems not only with meeting parole conditions, but also finding and maintaining employment. Interviewees also said that breaching parolees for driving-related offences was contributing to overcrowding in the prison system and further impacting on limited community corrections resources.

Interviewees also observed that it can be very hard for parolees to comply with requirements or expectations that they not drink when those around them in the community are drinking, so parolees are often breached and returned to prison for drinking. They also commented on cases where parolees had been breached for using firearms to hunt on traditional lands, when hunting was the parolees' only means of feeding their families.

### *Grief and loss*

Within the context of good correctional practice, stakeholders emphasised the importance of addressing needs that may not be considered criminogenic, but were nonetheless important. It was noted during consultation that Indigenous prisoners and ex-prisoners are impacted considerably by deaths in the family, more so than most non-Indigenous people, due to the lower life expectancy and broader concept of family seen in Indigenous communities. The loss of loved ones, sometimes several in one year, was thought to contribute to grief. Grief was, in turn, seen as a barrier that could lower responsiveness to programs and services, with interviewees suggesting that some Indigenous offenders were too preoccupied and affected by their grief to be able to participate in programs. One group of Indigenous stakeholders suggested a need for programming interventions to address issues of intergenerational grief and the many forms of loss that can impact Indigenous people, such as loss of family, culture, identity and the stolen generations. They felt that addressing grief and loss was an essential prerequisite for giving Indigenous offenders the capacity to start addressing criminogenic risks and needs.

### *Mental health*

The issue of mental health was raised by many interviewees, in a range of contexts. Some stakeholders commented on the impact of mental health on Indigenous communities, and saw many Indigenous offenders suffering the compounding effects of problems such as social disadvantage, alcohol and substance misuse, community violence, family dysfunction, and psychiatric disabilities such as depression and psychosis. For some offenders, their compounding problems resulted in serious cognitive impairments. A number of stakeholders

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saw a relationship between mental health problems and program responsiveness, and commented on the reduced capacity of some offenders to take part in programs and the need to address offenders' basic mental health issues before they could be expected to participate in offence-oriented treatment interventions.

Some interviewees commented on the numbers of prisoners with mental health problems who are accommodated in prisons without the prisons necessarily having the capacity to deal with them. One group of stakeholders said that it was only those prisoners whose psychiatric disabilities were impacting directly on their behaviour in prison and causing behavioural problems who would receive mental health treatment. Some spoke positively about the psychiatric services available in prison, while also commenting on the shortage of Indigenous staff in these services. Others commented on the lack of support available for mentally ill offenders in the community, particularly in rural or regional areas, with one stakeholder group referring to psychological services being provided in some locations by unqualified practitioners who were not registered psychologists.

### *Short sentences and remand*

As a matter of both policy and practicality, corrections agencies in each jurisdiction offer only a very limited range of programs and services to prisoners serving short sentences or those on remand. Statistics show that higher proportions of Indigenous than non-Indigenous prisoners receive short sentences, and a number of stakeholders commented on the high numbers of Indigenous prisoners who were only in prison for a short time. One group of stakeholders commented that there were no programs or services available in their jurisdiction for prisoners serving under two years, which accounts for a majority of Indigenous prisoners. The same group commented on prisoners who had been convicted of rape, but could not access any kind of sex offending treatment.

Prisoners are held in remand for an indeterminate period, which may be quite short, meaning they would not be able to complete the full course of a program, even if resources were available to offer the programs to those on remand. There are few programs offered to those on remand in any case, as those on remand must be assumed to be innocent of the offences with which they have been charged. They are therefore not offered programs aimed at addressing offending behaviour. Even if convicted, those on remand may be released on time served or with sentences that are still too short for them to become eligible for programs or services.

As a consequence, a high proportion of Indigenous prisoners will experience the impacts of imprisonment for a period of months or sometimes years before being returned to the community without having received program or service interventions. Typically these prisoners will not receive pre or post-release support from either corrections or community-based agencies.

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## Resourcing

### *Funding*

It was clear from consultation with stakeholders that the most significant perceived barrier to making any substantial change to programs and services was funding. Restrictions on the capacity for jurisdictions to financially commit to correctional research, program development and sustainability both in prisons and the community were viewed as one of the main reasons why the number and range of programs were limited. Some stakeholders highlighted what they saw as major gaps in their programs or services, while others cited funding issues that threatened delivery of certain programs. Resourcing issues seemed to impact on community-based services in particular, with a number of stakeholders stating they were unable to deliver community-based programs with any consistency due to problems with funding and securing facilitators. Others commented that those in community corrections and social work roles were expected to facilitate programs, but did not have the time to do this as well as dealing with case management and other service matters. A different but related problem cited in one jurisdiction was the use of contractors to deliver prison-based treatment programs, which corrections staff saw resulting in quality control problems in the delivery of programs.

Many stakeholders thought that without the necessary financial resources, correctional initiatives could not improve and programs could not grow. According to stakeholders, jurisdictions allocated fewer resources to programs and services outside prisons. As such, much of the onus for program delivery appeared to fall upon an already over-extended private non-profit sector. Stakeholders clearly felt this was a major impediment to reintegration. The difficulties faced by prisoners upon re-entry to the community such as employment and housing were thought to be exacerbated by the lack of community support.

### *Human resources*

Apart from financial limitations, it also appears that human resources can be difficult to obtain. Consultations highlighted the lack of qualified staff to deliver programs and services to Indigenous offenders. In certain cases, even where staffing dollars are available, there is no available pool of suitable staff, creating a high demand for workers with experience in assessment and the provision of treatment. This appears to be even more problematic for community corrections. Stakeholders emphasised the difficulty that communities have in attracting staff for areas outside major urban centres, especially those in remote locations, with some suggesting that the quality of staff declined as locations became more distant. As a result, offenders who return to their home communities are unable to access the same services that may be available in the city. This not only creates a service gap, but also can have a profound impact on the offender's ability to remain crime free in a community with

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few services. It can also impact directly on offenders, with one stakeholder group giving an example of prisoners who were denied parole because they had not done a cognitive living skills program – despite there being no service available to support that type of programming.

### *Agency-wide issues*

An important point made by one stakeholder group is that many of the problems they faced as correctional service providers were common across the whole agency, and impacted on all offenders. These included problems such as having the staff and resources to develop and consistently deliver a range of programs, particularly in rural and remote areas. They also included the difficulties of establishing links with community-based service providers and maintaining services to community-based offenders. These problems were associated with large numbers of prisoners serving short sentences or being held on remand, and therefore not being able to access programs and services. Some of the problems cited by stakeholders may tend to impact more heavily on Indigenous prisoners, but the prevalence of issues across agencies and jurisdictions highlights some of the basic and fundamental challenges facing corrective services.

**Bringing it all together**

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## Overview: findings

The overrepresentation of Indigenous Australians in the nation's criminal justice system is a well-documented fact. Indigenous people are imprisoned at a vastly higher rate than non-Indigenous people, and their representation in prison is many times higher than their representation in the general population. This is the case in each Australian jurisdiction. Overrepresentation in the prison system is also a fact for Indigenous people in other Western nations, including New Zealand where Maori are very much more likely to be imprisoned than those from European backgrounds. Indigenous overrepresentation is inconsistent across all offending types, with Indigenous Australians being much more likely to be imprisoned for assault than any other offence.

### Offending and reoffending

Analysis of data from across Australia highlights the differences between violent male prisoners on the basis of Indigenous status. Compared with non-Indigenous Australians, Indigenous prisoners are more likely to:

- have previously been imprisoned
- have previously been convicted of violent offences
- receive shorter sentences
- return to prison, and to do so sooner
- return to prison for violent offences.

While return or readmission to prison only serves as a proxy or indirect measure of the success of reintegration, it does provide a means of measuring the extent to which Indigenous offenders are able to maintain non-offending lifestyles in the community. The data analysis in this report fills a gap in national knowledge on reoffending and readmission to prison.

### Factors influencing offending

There are many factors that contribute to high rates of Indigenous violent offending. The literature shows that Indigenous Australians typically experience multiple layers of social disadvantage, particularly in remote communities. Indigenous Australians experience deficits in areas such as:

- access to employment
- access to education
- housing and accommodation



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- alcohol and substance misuse
  - entrenched community violence
  - mental and physical health.

The effects of this social disadvantage are compounded by factors such as deculturation, loss of identity, the impacts of past government policies and discrimination. Indigenous communities are often characterised by a lack of meaningful social activity, with destructive social behaviour such as binge drinking and violence often occurring in public settings. These disadvantages and other factors contribute to violent offending and imprisonment, which create a cycle of accumulating disadvantage and offending.

### **Reintegration: learning from the literature**

Reintegration is, essentially, the process of assisting offenders to undertake non-offending lifestyles in their communities after release from prison. Through treatment programs and interventions in prison, and support services provided after release, reintegration aims to provide offenders with the capacity to overcome social disadvantage and other risk factors that can lead to offending. While arguably straightforward in theory, there are many barriers to successful reintegration and these are exacerbated in the case of Indigenous offenders. Through entrenched disadvantage, Indigenous communities often have very little available in the way of support services or opportunities for offenders to pursue non-offending lifestyles, and disadvantage can make offending seem a necessary or even desirable response.

### ***Correctional programming***

There is a growing literature that identifies those elements that go into making correctional programs effective. The literature points to the need to make programs and services relevant to the needs of individual offenders, taking into account those factors that increase the risk of an individual offending. Another vital element is increasing each offender's responsiveness to treatment by matching programs to their needs, using effective techniques and responding to their individual characteristics, learning styles, abilities and cultural needs. While there are other elements of effective programming, it became clear in discussions held for this study with Indigenous prisoners and correctional stakeholders that risks, needs and responsiveness were major issues in the reintegration of Indigenous offenders.

The literature highlights a range of programs that aim to address specific types of offending, such as violent and sex offending, and others that address contributors to offending such as alcohol and substance abuse, and anger management. Each Australian jurisdiction and New Zealand has a range of programs that address offending needs, although there remains a need for more programs adapted to the cultural needs of Indigenous offenders.

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### *Areas of promise*

Australian jurisdictions and New Zealand are responding to the needs of Indigenous offenders through a variety of innovative programs and services. Most correctional services offer services targeting Indigenous needs such as visits by Indigenous elders, liaison officers, Indigenous official visitors and chaplains. Having these important and influential people providing services within prison environments can help keep Indigenous offenders in contact with their culture and communities, help maintain their identities and provide valuable personal support.

Specific jurisdictions have also introduced new and promising developments in programs and services. These developments recognise that Indigenous people sometimes have attitudes, views and needs that are not addressed adequately by conventional mainstream approaches.

### **Reintegration: learning from experience**

A series of interviews with Indigenous prisoners and ex-prisoners, corrections staff involved in the development and delivery of programs and services, and other stakeholders provided insight into issues surrounding Indigenous reintegration from the perspectives of those who experience the issues firsthand.

### *Participating in programs*

A small number of serving prisoners provided information on the rehabilitative programs they had undertaken, how useful they felt those programs were and the elements that made them useful.

The interviewed prisoners had undertaken a range of violent offending programs and substance abuse programs, with most feeling that the programs were useful to them. The prisoners generally felt that violence programs were helpful in reducing their use of violence, and it was the development of skills for controlling anger and avoiding violence that provided the greatest benefit. The prisoners also felt that substance abuse programs were useful in reducing their likelihood of using substances in the community, and it was particularly education on the impacts of drug and alcohol use that tended to make the programs useful. Most of the prisoners suggested that the programs they had undertaken had adaptations to make them Indigenous specific. It appeared this was often the result of having mostly Indigenous participants, which tended to steer the program towards involving Indigenous perspectives rather than adaptations in the program content.

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### *Program improvements and barriers*

Prisoners, staff and other stakeholders were asked for their views on how programs and services for violent male Indigenous prisoners could be improved to better facilitate reintegration and what issues might arise to create barriers to these improvements.

Most of those interviewed identified the need for programs and services to be adapted to meet Indigenous-specific needs. A range of suggestions were put forward to increase the relevance of programs for Indigenous offenders, including:

- incorporating an understanding of Indigenous society and its collectivist approach, and the resistance of many Indigenous people to disclose information about themselves, rather than relying on programs developed from a Western perspective that emphasise self-disclosure, self-awareness and individual responsibility
- recognising the place of violence in Indigenous communities and how it contributes to offending
- enhancing those elements that appear to make programs effective, such as skill development and education, by making them relate more directly to the experiences of Indigenous people and their communities
- increasing responsiveness and participation by addressing the issues that preoccupy Indigenous prisoners, and making programs more enjoyable and engaging
- involving elders and Indigenous facilitators.

Interviewees highlighted the importance of having community and family involvement in programs and services, pointing to the fundamental influences of community and family on the behaviour of Indigenous prisoners, as well as the impacts they experience in return. Stakeholders raised the need to link with communities, and also the difficulties of doing this in practice given issues of remoteness and limited services.

The remoteness of many Indigenous communities and their lack of services were also identified more generally as major issues in the delivery of programs and services to Indigenous offenders. The disadvantages Indigenous communities face can work against efforts to address disadvantage and achieve reintegration. This can impact on corrections in very direct ways, such as by making it much harder for parolees to comply with the requirements of their orders, resulting in breaches and return to imprisonment. A range of other factors were identified as particularly important to address in achieving Indigenous reintegration, such as:

- addressing the grief and loss that consumes many Indigenous people
- adequately responding to mental health problems
- achieving reintegration for those serving short sentences or on remand who rarely receive correctional programs and services.

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It is perhaps not surprising that many stakeholders saw resourcing constraints as a major impediment to making the kinds of improvements needed to achieve effective Indigenous reintegration. Many stakeholders identified limited funding as being a continuing barrier, a problem exacerbated by the difficulties in providing services to offenders in remote communities. Even where services are set up, it can be very difficult to find sufficient appropriate and qualified staff, especially those willing to work in remote areas.

An important point made by one group of stakeholders, but likely much more broadly relevant, is that many of the limitations and barriers they experienced in developing and delivering quality interventions were not restricted to Indigenous offenders but were problems across their entire agency or jurisdiction.

## Policy implications

The data analysis in the first part of this report brings together some of what those involved in the criminal justice system already know, but adds an additional level of evidence to the knowledge base. What emerges is a picture that clearly demonstrates the extent of Indigenous violent offending and, perhaps more importantly, reoffending. Indigenous men are being imprisoned for assault, released and reimprisoned for assault, and this tends to reoccur. The factors that contribute to their offending while they are in the community remain there when they return to the community. Despite the best efforts of correctional administrators, practitioners and others providing a range of support services, Indigenous men are not properly equipped to deal with the risk factors they confront, and the aims of reintegration are not being achieved.

The problems of Indigenous disadvantage extend well beyond the purview of corrections and all parts of the justice system, and correctional initiatives alone will not stop Indigenous men committing violent crimes. Major changes must be made at the community level for that to occur. What the correctional system can aim for is positive, lasting change at the individual level. By incorporating some of the suggestions made by staff, stakeholders and prisoners, there is a chance to achieve reintegration for individuals. Change at the individual level can spread, helping to achieve change at the community level. The interrelationships between community and individual factors can make Indigenous reintegration complex, and also can work to make it achievable.

The following are some suggestions for change and improvement, distilled from the information collected for this study.

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## Changes to programs and services

One way of improving Indigenous reintegration is through changes to programs and services. Interviews with those directly involved in Indigenous offending highlighted certain characteristics of programs and services that may help facilitate reintegration.

### *Understanding and improving Indigenous participation*

- Correctional agencies should consider further research to provide a clearer understanding of the specific barriers restricting the willingness of Indigenous offenders to participate in programs and services.
- Taking into account the findings of any further research, correctional services could:
  - develop interventions that target Indigenous grief and loss
  - provide individualised preparatory interventions to address individual concerns and issues that impact on motivation to participate in programs
  - make greater use of elders and Indigenous facilitators to make programs and services more attractive and relevant to Indigenous participants
  - provide cultural awareness training for all staff involved in program and service delivery and implementation
  - adapt programs to meet the needs of Indigenous people with limited or no English language skills
  - deliver programming and training interventions through units of competency, catering to prisoners unable through short sentences or other reasons to undertake full programs or courses
  - address problems of poor concentration and inconsistent attendance by developing a range of brief interventions that provide a specific learning outcome if completed individually, and also interconnect to provide broader learning outcomes and benefits
  - develop content that limits the need for self-disclosure and self-awareness, and which emphasises collective responsibility.

### *Increasing Indigenous-specific content and delivery*

- Corrections agencies should consider further research or direct consultation with Indigenous prisoners and stakeholders to further identify specific elements and delivery techniques that could be incorporated into programs to make them more culturally relevant without impacting on program integrity.

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- Correctional agencies should develop, or continue developing, a broad range of treatment interventions incorporating culturally relevant content, particularly in the areas of:
    - historical contexts and their influence on contemporary social issues
    - cultural awareness, respect and appreciation
    - dealing with grief, loss and marginalisation, and their impacts on behaviour
    - maintenance and restoration of identity and self-esteem in the context of negative historical and social influences
    - gender roles and relationships
    - resolving family and community conflicts
    - effectively accessing available community resources to facilitate reintegration
  - Program development for Indigenous offenders should include elements of skill development and education in a way that incorporates the types of risk factors and impacts encountered in Indigenous communities, and adapts skills and education to the requirements of these communities.
  - Program content for Indigenous offenders should address social structures and social role models that support offending behaviour, particularly domestic violence and negative gender attitudes.

### *Evaluation and assessment*

- Correctional agencies should conduct, or continue conducting, evaluations of Indigenous-specific and non-specific programs to identify those programs and program elements that provide the greatest efficacy for Indigenous offenders.
- Correctional agencies, wherever possible, should utilise assessment tools specifically designed or adapted for Indigenous offenders in the application of individual program and case management plans for Indigenous offenders.

### **Linking to the community**

This study has highlighted a strongly perceived need for greater involvement of family and community in the reintegration process and in achieving throughcare.

### *Involving family and community*

- Correctional agencies should consider further research to identify differences in reintegration issues between Indigenous offenders returning to urban communities and those returning to rural and remote communities.

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- Correctional agencies should formally investigate opportunities to involve family and community members in the development and delivery of treatment programs.
  - Program content for Indigenous offenders should be developed that incorporates impacts on family and community, supporting the reduction of violence in community settings.

### *Developing links to the community*

- Correctional agencies should work closely with community groups, in both urban and rural/remote settings, to develop cost-effective and mutually beneficial initiatives to increase the prospects of reintegrating Indigenous offenders, including the fostering of relationships with:
  - ‘second chance’ employers who are willing to provide opportunities for those with criminal records
  - organisations that can help offenders build pro-social skills through social and community engagement.

### **Increasing available resources**

- Correctional agencies should actively investigate opportunities for sharing programs and program development resources.
- Correctional agencies that are providing services in remote areas should investigate options for making employment in those areas more attractive to suitably qualified staff through financial and non-financial enhancements to remuneration.
- Community corrections agencies should actively review the capacity of community corrections offices and staff to meet the needs of all offenders being reintegrated and develop tools to effectively prioritise service provision where available resources do not meet policy expectations.

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## Appendixes

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## Appendix A: Methodology

This report has been developed from two main data sources:

- quantitative administrative data covering prisoners in each Australian jurisdiction
- qualitative data from interviews in selected locations.

This appendix will detail the methodology underlying the collection and use of these data.

### Process and research questions

This project arose from a decision taken by the Corrective Services Administrators' Council (CSAC) in April 2005 that the AIC would undertake a project examining the reintegration of Indigenous offenders. CSAC members agreed that the project would cover, and be supported by, corrective services agencies in all Australian jurisdictions (Australian Capital Territory, New South Wales, Northern Territory, Queensland, South Australia, Tasmania, Victoria and Western Australia) and New Zealand.

Work on this project commenced with a roundtable discussion held at the AIC on 28 April 2006 with representatives from corrective services in each Australian state and territory and New Zealand. The objective of this meeting was to garner support for the project and involve the jurisdictions in the research process. At this meeting, the jurisdictions agreed on the project objectives, research questions and methodology. Furthermore, jurisdictions agreed to support the project, and facilitate interviews and the retrieval of administrative data.

The study subsequently developed by the AIC, and approved by the CSAC and the national roundtable representatives, addresses six major research questions:

- Which programs are violent adult male Indigenous offenders involved in while incarcerated and upon release (including brief descriptions)?
- What are the characteristics of programs in the prisons and in the community that facilitate successful reintegration?
- How can the delivery of services and programs in the institutions and the community be improved to better facilitate reintegration?
- What proportion of violent Indigenous offenders is readmitted to prison?
- How do those who have been readmitted differ from those who have not been readmitted? Which characteristics are linked to readmission?
- What research needs to be done to further explore what works in corrections?

Approval to conduct this research project was granted by the AIC Research Ethics Committee. Following this, the AIC was required to submit applications for research in

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each of the jurisdictions. This process ensured that the project met the specific jurisdictional requirements for conducting research with Indigenous prisoners and ex-prisoners, and stakeholders, as prescribed by the designated Research Ethics Committee. In addition, the AIC ensured that ethics submissions were consistent with the Australian Institute for Aboriginal and Torres Strait Islander Studies guidelines for conducting research with Indigenous people (AIATSIS 2000).

A number of data sources were used to address the research questions, including:

- administrative documentation and inventories of programs and services
- administrative data
- interviews with prisoners
- interviews with ex-prisoners
- interviews and questionnaires with key informants
- consultation with Indigenous stakeholders and corrections representatives.

### **Administrative documentation**

An examination of administrative documentation, gathered directly from corrective services agencies and through public sources, was undertaken. Documents collected included:

- annual reports
- performance reports
- program manuals and research publications.

Documents were collected primarily from representatives in each jurisdiction who were asked to provide documents they felt could be of use to the research. A proforma was sent to jurisdictions to assist the collection of data on the range of programs and services offered, and rates of completion. Five jurisdictions – Queensland, South Australia, Tasmania, Victoria and Western Australia – provided information using the proformas.

### **Quantitative data: administrative data**

At the April 2006 roundtable in Canberra, representatives agreed to provide administrative data for use in this project. Formal requests for administrative data, accompanied by a coding manual and Excel database were sent to each jurisdiction except New South Wales and New Zealand, who had indicated they would not be able to provide the range of data sought. The data request detailed the parameters of the data that were required in order to answer the research questions.

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The AIC requested a cohort of all sentenced male prisoners (Indigenous and non-Indigenous) who were released from prison between 1 January 2001 and 1 January 2003.

For inclusion in the cohort, prisoners must have been incarcerated for a violent crime for their most recent period of imprisonment. In addition, the violent crime must have been their most serious offence. A violent crime, for the purposes of this project, was defined as one of:

- murder
- sexual assault
- assault
- robbery
- other acts intended to cause injury.

From this cohort, the AIC requested unit record data on prisoners':

- admission, including socio-demographic background (education, age, marital status)
- current criminal offence and criminal history (adult and youth convictions and periods of custody) – jurisdictions were asked to provide such information on prisoners' most recent admission to prison
- programming record, including information on prison program/service participation and completion for programs taken during the most recent period of incarceration
- details of the first release during the two-year reference period, including type of release and date
- details of the first readmission (if any) for the period between the offenders' first release and 1 January 2005, including type of readmission, the reason for readmission, and outcomes for those returning on remand.

Data in the request format and coded against the supplied manual were subsequently provided by each jurisdiction to which a formal request was sent. Each jurisdiction provided data against most variables. Only limited data were provided on program participation and on some variables such as those covering youth detention. Further details of the data provided by each jurisdiction are provided in the section 'Imprisonment and reimprisonment' of this report.

While not able to provide data against the full set of variables, NSW provided a dataset covering each of the major variables for a cohort of New South Wales prisoners, and ACT prisoners held in NSW facilities. As indicated in the section 'Imprisonment and reimprisonment', most of the major areas of analysis for this study covered all Australian jurisdictions including the Australian Capital Territory and New South Wales.

In total, the data obtained covered 8,938 prisoners as shown in Table A1.

**Table A1: Indigenous and non-Indigenous violent male prisoners released in 2001 and 2002 by jurisdiction (number)**

Location	Indigenous	Non-Indigenous	Total
Australian Capital Territory	4	51	55
New South Wales	993	2,407	3,425
Queensland	744	1,181	1,925
Victoria	69	934	1,008
South Australia	41	148	197
Western Australia	744	760	1,504
Tasmania	37	237	276
Northern Territory	481	64	548
Total	3,113	5,782	8,938

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

Data were scrutinised and cleaned, and in some cases jurisdictions were asked to amend their datasets. Following further cleaning and preparation, data were analysed using STATA statistical analysis software.

## Qualitative data

### *Interviews with prisoners*

Once the jurisdictional representatives reviewed the instruments and the interview protocol was finalised, face-to-face semi-structured interviews were conducted with prisoners in selected prisons across Queensland, Western Australia, South Australia and the Northern Territory. Prisoners were selected from a 'convenience' sample at the discretion of professional prison coordinators.

To answer the research questions, the AIC requested that interviews be conducted with prisoners who fit the following criteria:

- Indigenous
- male
- adult (18 years of age and older)
- the most serious offence, for which they were then incarcerated, is violent – as determined by the Australian Standard Offence Classification (ABS 1997), including:
  - murder
  - attempted murder
  - conspiracy to murder

- 
- manslaughter
  - aggravated sexual assault
  - non-aggravated sexual assault
  - non-assaultive sexual offences against a child
  - non-assaultive sexual offences
  - aggravated assault
  - non-aggravated assault
  - acts intended to cause injury
  - abduction and kidnapping
  - deprivation of liberty/false imprisonment
  - aggravated robbery
  - non-aggravated robbery
  - half of those selected had participated in programs and services in the prison aimed at addressing violent behaviour – specifically, one or more of the following:
    - violence prevention
    - family violence/anger management
    - substance abuse
    - sex offender treatment
  - the other half of participants did not have to have programming experience
  - able to communicate in English sufficiently to answer the interview questions (the interview questions were tailored to English as a second language).

A pilot of the prisoner interview was conducted at Darwin Correctional Centre in August 2006 with four male Indigenous prisoners who were incarcerated for a violent offence. The pilot assisted in testing the semi-structured interview approach with Indigenous offenders. Overall, prisoners answered the questions with relative ease and were able to adhere to the semi-structured approach. In addition, the pilot helped flag difficult questions and problematic language. A number of revisions to the instrument were made. These included reducing the length of the interview and simplifying language and question structure. Questions involving Likert scales were simplified and visual aids were used to clearly convey the scale concept to the prisoners.

For the interview process, offenders interviewed for the pilot session were treated in the same manner as those who participated in the study. Pilot participants were briefed on the study using the consent sheet, explained that their participation was voluntary and the information would be kept confidential. Pilot participants were also given an information

sheet to further explain the project and upon termination of the interview, toll-free support numbers were distributed (e.g. Helpline, Crisis Line).

Offender interviews were semi-structured and took approximately 30 to 45 minutes each. The interview instrument addressed four key areas of interest:

- demographic information (e.g. age, employment, education)
- criminal history (e.g. recent and past offending, detention or imprisonment and contact with the criminal justice system)
- early family environment and experiences (e.g. care arrangements, involvement in child welfare system, experience with family and community violence)
- program involvement and perceptions (e.g. type and nature of programs undertaken, whether programs were Indigenous specific, ways of enhancing programs).

A total of 34 face-to-face interviews were conducted with serving prisoners, each of whom self-identified as Indigenous. Interviews were conducted in four jurisdictions (see Table A2).

**Table A2: Prisoner interviews**

<b>Prison</b>	<b>State/territory</b>	<b>Security</b>	<b>Prisoners</b>
Darwin Correctional Centre	Northern Territory	Multi-level	9
Woodford Correctional Centre	Queensland	High	3
Wolston Correctional Centre	Queensland	High	7
Mobilong Prison	South Australia	Medium/low	3
Yatala Labour Prison	South Australia	High/medium	2
Greenough Prison	Western Australia	Medium/low	10
Total			34

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

Interviews were conducted individually in a private room. Prior to being interviewed, the interviewer reviewed the project, its objectives, the participant's role and rights. Each participant was told that the information they would provide would be voluntary and would not impact their sentence or release. In addition, emphasis was placed on confidentiality and informed consent (see appendixes B and C for participant information sheets). Once the participant indicated that they understood their role and rights, they were asked to give consent to participate. In South Australia, Queensland and the Northern Territory, consent was given verbally. The Ethics Committee in Western Australia required that consent be obtained in written form. However, written consent was obtained by a representative from the Western Australian Department of Corrective Services prior to the interviewer meeting the participant so as to maximise confidentiality.

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After the interview, each participant was offered support if they felt something they had discussed during the course of the interview had upset them. In those jurisdictions in which psychological services could be provided, prisoners were told that a meeting could be arranged with a counsellor or psychologist (Western Australia, Queensland). In those jurisdictions in which resources were limited, prisoners were given a list of toll-free support numbers that they could call (Northern Territory and South Australia). There were no requests for counselling or psychological services after the interview of which the AIC is aware.

### *Interviews with ex-prisoners*

Interviews were also conducted with ex-prisoners. The criteria for selection of ex-prisoner interviews were the same as for serving prisoners, except that:

- their most recent period of imprisonment was for an offence involving violence
- they were under corrective services supervision at the time of interview
- there was no requirement that they had undertaken programs in prison.

The interview format used with ex-prisoners was similar to that used with serving prisoners, involving semi-structured, face-to-face interviews. Contacts were established through community service providers who were asked to select participants who met the criteria. Participants were therefore selected based on a convenience sample. Interviews were conducted with seven ex-prisoners, all in Western Australia (two in Geraldton and five in Perth). Only a small number were able to be interviewed because of the difficulties related to accessing offenders who are no longer under the jurisdiction of corrective services, and lack of interest. It was difficult for service providers to establish contact with ex-prisoners – many of whom may be living in unstable situations and with limited means or access to transport – to make the arrangements for them to travel and be available at a specified time, and to encourage them to be involved.

Interviews were conducted individually in a private room, usually within a community service agency. The interviewer provided pre-interview information similar to that given to serving prisoner interviewees. After the interview, participants were given a list of toll-free support numbers that they could call if they felt that anything they discussed during the interview upset them.

Ex-prisoner interviews addressed the same areas of interest explored with serving prisoners, although with questions covering reintegration (such as difficulties encountered in the community and support available to the ex-prisoner). Information was not gathered from ex-prisoners on program participation.



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### *Interviews/questionnaires with key informants*

A total of 44 interviews and surveys were conducted with prison and community corrections key respondents in the Northern Territory, Queensland, South Australia and Western Australia. Representation was roughly evenly split between prison corrections (n=23) and community corrections (n=21). A breakdown can be found below in Table A3.

<b>Table A3: Key respondent interviews</b>		
<b>Community</b>	<b>State/territory</b>	<b>Key respondents</b>
Darwin	Northern Territory	12
Brisbane	Queensland	5
Adelaide	South Australia	12
Perth/Geraldton	Western Australia	15
Total		44

Source: AIC Reintegration of Indigenous Prisoners [computer data file]

When feasible, face-to-face semi-structured interviews were conducted. These respondents were thoroughly briefed on the project, including issues of confidentiality, and asked to provide verbal consent. Respondents were then given an information sheet outlining the project and their role (see Appendix C for the participant information sheet). When time constraints prevented the research team from conducting face-to-face interviews, a survey (identical to the interview) was given to selected respondents for completion and return to the AIC. Most interviews and questionnaires were completed, with key respondents in urban locations in or near state and territory capital cities. However, a number of interviews were conducted with key respondents in Geraldton, a rural area in Western Australia.

Key respondents consisted of correctional staff who possessed extensive knowledge and expertise in the delivery of programs and services to male Indigenous offenders incarcerated for violent offences. To ensure that a range of expertise and experience were collected, the AIC requested interviews with senior-level professionals who could discuss matters at a jurisdictional level, as well as prison-based and community-based practitioners and service providers. Other key informants, such as Indigenous liaison workers with experience in the care and treatment of Indigenous offenders, were also interviewed.

Key respondent interviews explored three main areas:

- offender needs (e.g. cultural needs, specific problems facing Indigenous offenders)
- programs and perceptions of programming (e.g. the type and nature of programs offered, including Indigenous-specific programs, aspects of programming that best support reintegration, ways of improving programs)
- barriers to service delivery (e.g. reasons for low program participation, factors related to the limited number of programs and services, barriers to achieving successful reintegration).

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### *Consultation with stakeholders*

To supplement information gathered from interviews, consultations were held with various Indigenous and corrections stakeholder groups in Queensland, Western Australia, South Australia and the Northern Territory. The purpose of these consultations was to gain a better understanding of program and service delivery for Indigenous offenders in each jurisdiction, and as an opportunity for the AIC to gain from the knowledge and expertise of Indigenous groups. Group size ranged from five to 12 participants. Consultations were in the form of open discussions, guided by questions such as:

- Does the prison/community currently have programs and services which facilitate reintegration that male Indigenous offenders can access?
  - Which ones are available?
  - Which ones need to be available, but are not?
- What are the major barriers to providing programs and services to male Indigenous offenders in prison and in the community?
- What is needed in prisons and the community to improve services and programs so that reintegration is better facilitated?
- What can corrective services do to facilitate the delivery of programs and services in prisons and in the community?

## **Appendix B: Participant information sheet – offenders**

### **Project: The Reintegration of Indigenous Offenders: An examination of correctional programs and services in Australia**

#### *Partners:*

The Australian Institute of Criminology and corrective services across Australia

#### *Description:*

The objective of this government-funded project is to develop a broad understanding of programs Indigenous offenders are accessing (in the institutions and upon release) and identify aspects that best support reintegration. In order to do this, interviews are being conducted with offenders serving time in prisons and in the community. Interviews are also being conducted with key respondents, or people within corrections who have considerable knowledge of programming.

#### *Your role and what is required:*

You're one of a number of prison/community participants we'll be interviewing over the next few weeks. The purpose of this interview is to discuss your thoughts and experiences with

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institutional/community programs and services. In particular, I will be asking you questions regarding which programs you've been involved in, your thoughts on what was useful and how they could be improved to better meet your needs. In addition, I will be asking you general questions about your background, including criminal history and early family situation. The information you provide is meant to help us better understand the programs Indigenous offenders are involved in and what corrective services in Australia need to do to better support reintegration. The interview will take approximately 30–45 minutes to complete.

### *Your rights:*

Your participation in this interview is voluntary. You are not obligated to participate, but your participation is greatly appreciated and will help us better understand how programs contribute to reintegration. You may stop at any time and if there are questions that you do not feel comfortable answering please let me know and we will move on. You may also withdraw at any time.

The information you provide me will be kept strictly confidential. This means that the information cannot be shared with anyone outside the research team. At no time will your name appear on any documents (including the interview) and you will not be identified in the report. Our objective is to interview a number of people and get a sense of people's collective experiences and opinions. This means that we are not looking at your specific answers. Instead, we are looking at how people answer as a group. However, I am obligated to advise you that if you disclose any information indicating that you may harm yourself or others I will be obligated to advise an institutional official. Also, when we discuss criminal involvement, please do not discuss crimes that the police are not aware of. If you disclose involvement in crimes that are not known by police, I will be obligated to disclose the information to them.

At the end of the interview, if you feel like something that we've talked about has upset you, please let me know. If you are currently in prison, I will arrange for you to see a psychologist or counsellor in the prison. If you are in the community, I will give you a list of free support numbers that you can call. These telephone services are prepared to help you if you need assistance. Counsellors are available to speak to you 24 hours a day, 7 days a week (this is also to be made available to participants in the prisons).

### *The report:*

Upon completing the interviews, the information will be taken back to the Australian Institute of Criminology for analysis. Findings will be written in a report which you will be able to access via the internet at [www.aic.gov.au](http://www.aic.gov.au). Once again, you will not be identified

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in the report. The report is set to be completed by February/March 2007. However, time will be needed to post the report on the website. Other delays may also postpone the publication of the report.

## **Appendix C: Participant information sheet – key respondents**

### **Project: The Reintegration of Indigenous offenders: An examination of correctional programs and services in Australia**

#### *Partners:*

The Australian Institute of Criminology and corrective services across Australia

#### *Description:*

The objective of this government funded project is to develop a broad understanding of which programs Indigenous offenders are accessing (in the institutions and upon release) and identify aspects that best support reintegration. In order to do this, interviews are being conducted with offenders in the institution and in the community. Interviews are also being conducted with key respondents, or people within corrections who have considerable knowledge regarding programming.

#### *Your role and what is required:*

You're one of a number of key respondents we'll be interviewing over the next few weeks. The purpose of this interview is to discuss your thoughts, opinions and experiences with institutional/community-based programs and services. In particular, I will be asking you questions regarding programs you're aware of, your thoughts on what is useful and how they could be improved to better facilitate successful reintegration of Indigenous offenders. In addition, I will be asking you general questions about your professional background. The information you provide is meant to help us better understand the programs Indigenous offenders are involved in and what corrective services in Australia need to do to better support reintegration. The interview will take approximately 1 hour to complete.

#### *Your rights:*

Your participation in this interview is voluntary. You are not obligated to participate, but your participation is greatly appreciated and will help us better understand how programs contribute to reintegration. You may stop at any time and if there are questions that you do not feel comfortable answering please let me know and we will move on. You may also withdraw at any time.

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The information you provide me will be kept strictly confidential. This means that the information cannot be shared with anyone outside the research team. At no time will your name appear on any documents (including the interview) and you will not be identified in the report. Our objective is to interview a number of people and get a sense of people's collective experiences and opinions. This means that we are not looking at your specific answers. Instead, we are looking at how people respond as a group.

### *The report:*

Upon completing the interviews, the information will be taken back to the AIC for analysis. The project is anticipated to be completed in March/April 2007. A final report is expected to be completed soon after. It is anticipated that the report will be published after this time.

## **Appendix D: Offender interview questions – prisoner interview**

State/territory: \_\_\_\_\_

Interview date: \_\_\_\_\_

Prison: \_\_\_\_\_

Interviewer: \_\_\_\_\_

Respondent #: \_\_\_\_\_

### **Section A: Background**

*I'm going to begin by asking you some general questions about yourself, where you have lived and prior work experience.*

1. Do you identify as Aboriginal or Torres Strait Islander? (*Rewording: Are you Aboriginal or a Torres Strait Islander?*) (circle one)

<1> Yes, Aboriginal

<7> Don't know

<2> Yes, Torres Strait islander

<8> Refused

<3> No, Other (specify) \_\_\_\_\_

<9> Not applicable

2. What is your age?

\_\_\_\_\_ years

<7> Don't know

<8>Refused

<9> Not applicable

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3. Prior to being imprisoned, which state or territory did you live in as an adult most of the time? (*circle one*)

- |                         |                        |
|-------------------------|------------------------|
| <01> Northern Territory | <07> Western Territory |
| <02> Queensland         | <08> Tasmania          |
| <03> New South Wales    | <09> New Zealand       |
| <04> ACT                | <77> Don't know        |
| <05> Victoria           | <88> Refused           |
| <06> South Australia    | <99> N/A               |

4. Prior to being imprisoned, what type of community did you live in as an adult most of the time? (*circle one*)

- |   |                 |
|---|-----------------|
| <1> Large City (100,000+ pop.)          | <5> Other _____ |
| <2> Small City (10,000 – <100,000 pop.) | <7> Don't know  |
| <3> Town (5,000 – <10,000 pop.)         | <8> Refused     |
| <4> Rural community (<5000 pop.)        | <9> N/A         |

5. Do you have a partner right now? {Prompt further} (*circle one*)

- |                       |                    |
|-----------------------|--------------------|
| <1> No, Never married | <6> Widowed        |
| <2> Yes, Married      | <7> Don't Know     |
| <3> Yes, De facto     | <8> Refused        |
| <4> Divorced          | <9> Not applicable |
| <5> Separated         |                    |

6. Do you have children? (*circle one*)

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

A. *If yes, how many children do you have?* \_\_\_\_\_

- |                |             |         |
|----------------|-------------|---------|
| <7> Don't Know | <8> Refused | <9> N/A |
|----------------|-------------|---------|

7. Do you understand or speak any Indigenous languages? (*circle one*)

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

A. *If yes, which Indigenous language or languages do you understand or speak:*

- |                     |                |
|---------------------|----------------|
| 1st language: _____ | <7> Don't Know |
| 2nd language: _____ | <8> Refused    |
| 3rd language: _____ | <9> N/A        |

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8. Prior to your most recent imprisonment, had you received any school? (*Rewording: Before you came here, did you go to school?; circle one*)

<1> Yes (*go to follow-up questions*)      <7> Don't Know      <9> Not applicable  
<2> No      <8> Refuse

A. *If yes, can you tell me the highest level of school that you finished? {Prompt} (circle one):*

<01> <Primary school      <07> College  
<02> Primary school      <08> University  
<03> Year 7 – <10      <77> Don't know  
<04> School certificate (year 10)      <88> Refused  
<05> Year 11 – <Year 12      <99> Not applicable  
<06> High school certificate

9. Did you have a job at the time of arrest for your most recent conviction? (*circle one*):

<1> Yes (*go to follow-up questions C, D*)      <7> Don't Know      <9> Not applicable  
<2> No (*go to follow-up questions*)      <8> Refused

A. *If no, how long were you unemployed for prior to arrest? (circle one):*

<1> <3 months      <5> Between 2 – <4 years      <9> Not applicable  
<2> Between 3      <6> 4 years or more  
    and <6 months  
<3> Between 6 months      <7> Don't Know  
    and <1 year  
<4> Between 1 year      <8> Refused  
    and <2 years

B. *If no, can you tell me why you were unemployed for this period of time? (Rewording: why didn't you have a job; circle all that apply)*

<01> Tried, but couldn't find work      <11> Difficulty with employers/  
    work conditions  
<02> Nobody wanted to hire me      <12> Racism/discrimination  
<03> Involved in crime      <13> Other (specify) \_\_\_\_\_  
<04> Abusing substances      <14> Other (specify) \_\_\_\_\_  
<05> Didn't want to/feel like it      <15> Other (specify) \_\_\_\_\_  
<06> Personal health problems      <77> Don't Know  
<07> No employment available in my area      <88> Refused  
<08> Didn't have skills set/education      <99> N/A  
<09> Mental health problems  
<10> Family problems

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C. *If yes, what was the job you were in for at least 6 months (circle one):*

- |   |                            |
|---|----------------------------|
| <01> Sales and services                         | <07> Education             |
| <02> Trades, transport, and labor               | <08> Technology sector     |
| <03> Business/ administration                   | <09> Other (specify) _____ |
| <04> Mental health                              | <77> Don't Know            |
| <05> Health and medical services                | <88> Refused               |
| <06> Criminal justice (police, court, security) | <99> N/A                   |

D. *If yes, was your job full-time? (circle one):*

- |                        |                            |
|------------------------|----------------------------|
| <01> Yes, Full-time    | <07> Other (specify) _____ |
| <02> No, Part-time     | <77> Don't know            |
| <03> No, Casual        | <88> Refused               |
| <04> No, Self-employed | <99> N/A                   |

10. Do you have a substance abuse problem (drug/alcohol/or petrol) (*circle one*)?

- |   |                                       |
|---|---------------------------------------|
| <01> Yes, drug problem                  | <07> Yes, drugs, alcohol and solvents |
| <02> Yes, alcohol problem               | <08> No                               |
| <03> Yes, solvents (i.e., petrol, glue) | <77> Don't Know                       |
| <04> Yes, both drugs and alcohol        | <88> Refused                          |
| <05> Yes, both alcohol and solvents     | <99> Not Applicable                   |
| <06> Yes, both drugs and solvents       |                                       |

11. As an adult, have you ever been told that you have a mental health problem by a psychiatrist or psychologist? (*Note: that is not a substance abuse problem; circle one*)

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not Applicable |
| <2> No                                      | <8> Refused    |                    |

A. *If yes, could you tell me what the mental health problem was (note: list in full)?*

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- |                |             |                    |
|----------------|-------------|--------------------|
| <7> Don't Know | <8> Refused | <9> Not Applicable |
|----------------|-------------|--------------------|



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## Section B: Family environment

*Now I'm going to ask you some questions about when you were growing up and what your childhood was like.*

1. During your childhood (up to age 18), which state/territory did you live in most of the time? (*circle one*):

<01> Northern Territory	<07> Western Australia
<02> Queensland	<08> Tasmania
<03> New South Wales	<77> Don't know
<04> Australian Capital Territory	<88> Refused
<05> Victoria	<99> N/A
<06> Southern Australia	

2. Were you ever adopted, placed in foster care or attended a boarding school? (*circle one*)

<1> Yes ( <i>go to follow-up question</i> )	<7> Don't Know	<9> Don't know
<2> No	<8> Refused	

- A. *If yes, which area(s) were you involved in (circle all that apply):*

<1> Adopted	<5> Other (specify) _____
<2> Foster Care	<7> Don't Know
<3> Group Home	<8> Refused
<4> Boarding School	<9> Not Applicable

3. Who would you say was the person who took care of you the most when you were growing up? (*circle one*) [*Note: if respondent says myself – ask about secondary caregiver*]:

<01> Both Birth Parents	<07> Adoptive Parent(s)
<02> Birth Mother	<08> Foster Care Parent(s)
<03> Birth Father	<09> Other non-family (specify) _____
<04> Grandparent(s)	<77> Don't Know
<05> Sibling	<88> Refused
<06> Other Relative (specify) _____	<99> Not applicable

4. How would you rate the stability of your home life while you were growing up? By stability, I mean whether you had a feeling of security, reliability and routine {Probe on the scale: on a scale of 1 to 3, with 1 being “not at all stable” and 3 being “very stable”} (*circle one*):

Not at all Stable	Somewhat	Very Stable
1	2	3
<7> Don't Know	<8> Refused	<9> Not applicable

- 
5. Why would you say your childhood was/wasn't stable [interviewer prompts – give examples of how your caregivers did or didn't provide you with stability – regular hours for bed, homework, regular meals, sense of security, etc.]?

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<7> Don't Know                      <8> Refused                      <9> Not applicable

6. Did you experience or see physical and/or sexual violence or emotional abuse in the home while you were growing up? (circle one)

<1> Yes – experienced (go to follow-up questions)                      <4> No  
<2> Yes – witnessed (go to follow-up questions)                      <7> Don't Know  
<3> Yes – experienced & witnessed (go to follow-up questions)                      <8> Refused

- A. If yes, what type(s) of violence did you experience or see in the home? (circle all that apply) [interviewer: allow respondent to spontaneously answer, then prompt about specific types]:

<01> Physical violence                      <05> Other (specify) \_\_\_\_\_  
<02> Sexual violence                      <07> Don't Know  
<03> Psychological/emotional/mental                      <08> Refused  
<04> Neglect                      <09> Not Applicable

- B. Can you describe the effect the violence has had on you in your life (Rewording: What did violence do to your life?) [interviewer probes how did it make you feel, how did it make you act, how has it affected you]?

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

7. Did you experience or see any violence in your community while you were growing up? (circle one)

<1> Yes – experienced (go to follow up question)                      <4> No  
<2> Yes – witnessed (go to follow up question)                      <7> Don't Know  
<3> Yes – experienced & witnessed (go to follow up question)                      <8> Refused

- 
- A. *If yes, can you describe the effect the violence in your community had on you (Rewording: What did that violence do to your life?) [interviewer probes – how did it make you feel, how did it make you act]?*

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<7> Don't Know

<8> Refused

<9> Not Applicable

### Section C: Criminal background

*In this section, I'm going to start by asking you about your most recent contact with the criminal justice system and corrections. Please keep in mind, this information is confidential. This information cannot be used to identify you in the research.*

1. Was your most recent conviction for a violent offence? (circle one; Note: Violent offence refers to murder, sexual assault, assault, robbery and other acts intended to cause harm; Rewording: What are you in for?)

<1> Yes

<7> Don't Know

<2> No

<8> Refused

- A. *If yes, what type of violent offence(s) are you imprisoned for? (circle all that apply):*

<01> Murder

<06> Other violent (specify) \_\_\_\_\_

<02> Attempted murder

<07> Other (specify) \_\_\_\_\_

<03> Sexual assault

<77> Don't know

<04> Robbery

<88> Refused

<05> Assault

<99> N/A

2. Did your most recent conviction involve a non-violent offence? (Rewording: Are you in here for something that's not violent?) (circle one)

<1> Yes (go to follow-up question)

<7> Don't Know

<9> Not applicable

<2> No

<8> Refused

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A. *If yes, what type of non-violent offence(s) were you imprisoned for?*

*(circle all that apply):*

- |  |                            |
|--|----------------------------|
| <01> Vandalism/mischief                | <06> Fraud                 |
| <02> Other Property (e.g., theft, B&E) | <07> Other (specify) _____ |
| <03> Drug offences                     | <77> Don't know            |
| <04> Driving-related offences          | <88> Refused               |
| <05> Prostitution                      | <99> N/A                   |

3. Were you drinking alcohol at the time you did the crime (for which you were incarcerated)?

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

4. Were you using drugs at the time you did the crime (for which you were incarcerated)?

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

5. Were you sniffing petrol at the time you did the crime (for which you were incarcerated)?

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

6. How long was the sentence you received for your most recent conviction? (*Rewording: How much time did you get when you were sentenced?*)

- |                |              |            |                    |
|----------------|--------------|------------|--------------------|
| _____ years    | _____ months | _____ days | <9> Not applicable |
| <7> Don't Know |              |            | <8> Refused        |

7. About how much time have you already served of your sentence?

- |                |              |            |                    |
|----------------|--------------|------------|--------------------|
| _____ years    | _____ months | _____ days | <9> Not applicable |
| <7> Don't Know |              |            | <8> Refused        |

8. Prior to your most recent conviction, were you imprisoned before as an adult? (*Rewording: Were you ever in prison before this time?*) (*circle one*)

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

A. *If yes, was your **last** conviction (**prior to the current**) for a violent offence? (*Rewording: Last time you were in, what were you in for?*) (*circle one*)*

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

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B. *If yes, what type of violent offence(s) were you imprisoned for? (circle all that apply):*

- |                       |                                    |
|-----------------------|------------------------------------|
| <01> Murder           | <06> Other violent (specify) _____ |
| <02> Attempted murder | <07> Other (specify) _____         |
| <03> Sexual assault   | <77> Don't know                    |
| <04> Robbery          | <88> Refused                       |
| <05> Assault          | <99> Not applicable                |

C. *If yes, was your **last** conviction (prior to the current) for a non-violent offence? (circle one)*

- |                                    |                |                    |
|------------------------------------|----------------|--------------------|
| <1> Yes (go to follow-up question) | <7> Don't Know | <9> Not applicable |
| <2> No                             | <8> Refused    |                    |

D. *If yes, what type of non-violent offence(s) were you imprisoned for? (circle all that apply):*

- |  |                            |
|--|----------------------------|
| <01> Vandalism/mischief                | <06> Fraud                 |
| <02> Other Property (e.g., theft, B&E) | <07> Other (specify) _____ |
| <03> Drug offences                     | <77> Don't know            |
| <04> Driving-related offences          | <88> Refused               |
| <05> Prostitution                      | <99> N/A                   |

9. For your **last** conviction prior to this one, how were you released? (*Rewording: How did you get out last time? Were you on parole or were you done your time?*) {Probe} (circle one)

- |                           |                    |
|---------------------------|--------------------|
| <1> Parole                | <7> Don't know     |
| <2> Probation             | <8> Refused        |
| <3> Community order       | <9> Not applicable |
| <4> Expiry of sentence    |                    |
| <5> Other (specify) _____ |                    |

10. After being released, how long were you in the community prior to being re-imprisoned for your current conviction? (*Rewording: How long were you out before you came back this time?*)

\_\_\_\_\_ years    \_\_\_\_\_ months    \_\_\_\_\_ days    <9> Not applicable

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*Now I'm going to ask you a few questions about your early involvement in crime.*

11. Were you ever in juvenile detention (open or secure)? *(circle one)*

- <1> Yes *(go to follow-up question)*    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

A. *If yes, how long did you spend in juvenile detention in total (total of all sentences) (circle one):*

- <1> Less than 6 months    <4> 4–5 years    <8> Refused  
<2> 6 months to <1 year    <5> More than 5 years    <9> Not Applicable  
<3> 1–3 years    <7> Don't Know

12. What type of offences did you commit as a youth that you were charged for *(circle all that apply)*:

- <01> None    <09> Prostitution  
<02> Sexual assault    <10> Drug offences  
<03> Assault    <11> Driving-related offences  
<04> Robbery    <12> Under-age drinking  
<05> Other violent (e.g., murder, manslaughter)    <13> Other (specify): \_\_\_\_\_  
<06> Car theft    <77> Don't Know  
<07> Vandalism/mischief    <88> Refused  
<08> Other property (e.g., theft, B&E)    <99> Not applicable

13. Have any of your family been involved in the criminal justice system? *(circle one)*

- <1> Yes *(go to follow-up question)*    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

A. Are any of your family members in this prison? *(circle one)*

- <1> Yes    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

## **Section D: Program participation**

*In this section, I'm going to ask you some questions about programs you may have participated in during your time in prison.*

1. Are you aware of what programs and services are available within the prison that you could participate in? *(Rewording: Do you know what kind of programs the prison has for you?; circle one)*

- <1> Yes    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

2. I'm going to go through several program types and ask about whether you have EVER participated in them while you've been in prison or in the community, whether they were Indigenous-specific and whether you successfully finished them (*circle one for each*)

<b>Name of Program</b>	<b>Participation</b>	<b>Indigenous</b>	<b>Community</b>	<b>Prison</b>	<b>Finished</b>	<b>D/K</b>	<b>Refused</b>	<b>N/A</b>
Employment	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Education	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Cognitive/ living skills	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Counselling/ Psych	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Sex offender	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Anger mgmt./ Family violence	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Substance abuse	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Other	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			

- 
3. How important do you think it is that Indigenous prisoners have access to Indigenous-specific programs inside the prison? (*Rewording: How important is it that Indigenous guys get Indigenous programs in the prison?*; Probe: On a scale from 1 to 3, with 1 being “not at all important” and 3 being “very important”; *circle one*)

Not at all important

Somewhat

Very Important

1

2

3

<7> Don't Know

<8> Refused

- A. Why is or isn't it important that Indigenous prisoners get Indigenous programs inside the prison?

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<7> Don't Know

<8> Refused

4. How important do you think it is that Indigenous people are involved in conducting programs for Indigenous prisoners? (*Rewording: How important is it that Indigenous people give programs to Indigenous guys?*; Probe: on a scale from 1 to 3, with 1 being “not at all important” and 3 being “very important”, *circle one*)

Not at all important

Somewhat

Very Important

1

2

3

<7> Don't Know

<8> Refused

- A. Why is or isn't it important that Indigenous people deliver programs to Indigenous prisoners inside the prison?

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<7> Don't Know

<8> Refused





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4. How useful do you think the anger management or family violence programs you participated in were? {Probe: On a scale from 1 to 3, with 1 being “not at all useful” and 3 being “very useful”} (circle one for each)

				D/K	Refused	N/A
A. Reducing anger and use of violence	1	2	3	<7>	<8>	<9>
B. Helping you to be non-violent when released	1	2	3	<7>	<8>	<9>

5. Which aspect of the anger management or family violence programs do you think will be the most helpful in preparing you for release into the community? (Rewording: *What helped you the most in the program?*)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

6. Which aspects of the anger management or family violence programs do you think will be the least useful in preparing you for release? (Rewording: *What part of the program didn't help you?*)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

7. What do you think would make prison anger management or family violence programs better so that you are better prepared for release back into the community? (Rewording: *What would make the program better?*)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable



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4. How useful do you think the substance abuse program you participated in was? {Probe: On a scale from 1 to 3, with 1 being “not at all useful” and 3 being “very useful”} (circle one for each)?

				D/K	Refused	N/A
A. Reducing abuse of substances	1	2	3	<7>	<8>	<9>
B. Assisting you to stay away from substances when released	1	2	3	<7>	<8>	<9>

5. Which aspect(s) of the substance abuse programs do you think will be the most helpful in preparing you for release into the community? (Rewording: What helped you the most in the program?)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

6. Which aspect(s) of the substance abuse programs do you think will be the least useful in preparing you for release? (Rewording: What part of the program didn't help you?)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

7. What do you think would improve prison substance abuse programs so that you are better prepared for release back into the community? (Rewording: What would make the program better?)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

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### Section iii: Sex offending Programs

*Note: Section only to be filled out when prisoner has participated in a prison program*

1. What was the name(s) of the most recent sex offender programs you participated in?

- A. \_\_\_\_\_ C. \_\_\_\_\_  
B. \_\_\_\_\_ D. \_\_\_\_\_

<7> Don't Know

<8> Refused

<9> Not applicable

2. Were any of these programs Indigenous-specific in their approach? (*Rewording: Were any of the programs made especially for Indigenous guys?*) (circle one)

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable

<2> No

<8> Refused

A. *If yes, what do you think made the sex offender program(s) Indigenous-specific (circle all that apply)?*

<01> Generally, incorporated culture

<09> Program had mostly Indigenous participants

<02> Used customs and practices

<10> Incorporated arts and crafts

<03> Used Indigenous language

<11> Addressed Indigenous community issues

<04> Incorporated elders

<12> Other (specify) \_\_\_\_\_

<05> Employed Indigenous facilitators

<13> Other (specify) \_\_\_\_\_

<06> Incorporated teachings/oral tradition

<77> Don't know

<07> Incorporated spiritualism

<88> Refused

<08> Incorporated trips to spiritual grounds/sites

<99> N/A

3. Did you successfully complete any of the sex offender programs {Probe: successful at meeting program requirements, graduation etc...}? (*circle one*)

<1> Yes (*go to follow-up question*)

<7> Don't Know

<2> No

<8> Refused

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4. How useful do you think the sex offender program you participated in was? (*circle one for each*) {Probe: On a scale from 1 to 3, with 1 being “not at all useful” and 3 being “very useful”}

				D/K	Refused	N/A
A. Controlling sexual impulses (feelings)	1	2	3	<7>	<8>	<9>
B. Helping you to control sexual impulses (feelings) when released	1	2	3	<7>	<8>	<9>

5. Which aspect of the sex offender programs do you think will be the most helpful in preparing you for release into the community? (*Rewording: What helped you the most in the program?*)

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<7> Don't Know

<8> Refused

<9> Not Applicable

6. Which aspects of the sex offender programs do you think will be the least useful in preparing you for release? (*Rewording: What part of the program didn't help you?*)

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<7> Don't Know

<8> Refused

<9> Not Applicable

7. What do you think would improve prison sex offender programs so that you are better prepared for release back into the community? (*Rewording: What would make the program better?*)

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<7> Don't Know

<8> Refused

<9> Not Applicable

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## Section iv: Other Programs

*Note: Section only to be filled out when prisoner has participated in a prison program*

1. Have you ever participated (current or past) in any other programs or services within any prison that have had an impact on you, that we haven't already discussed? *(Rewording: Are there other programs or services that you thought were good that we haven't talked about?; circle one)*

<1> Yes *(go to follow-up question)*                      <7> Don't Know  
<2> No *(end interview)*                                      <8> Refused

2. What kind of program or service had an impact on you?

A. \_\_\_\_\_ C. \_\_\_\_\_  
B. \_\_\_\_\_ D. \_\_\_\_\_

<7> Don't Know                      <8> Refused                      <9> Not applicable

3. Was this past program or service Indigenous-specific in its approach? *(Rewording: Was the program or service made for Indigenous guys?; circle one)*

<1> Yes *(go to follow-up question)*   <7> Don't Know                      <9> Not applicable  
<2> No    <8> Refused

- A. *If yes, what do you think made the program or service Indigenous-specific (circle all that apply)*

<01> Generally, incorporated culture	<09> Program had mostly Indigenous participants
<02> Used customs and practices	<10> Incorporated arts and crafts
<03> Used Indigenous language	<11> Addressed Indigenous community issues
<04> Incorporated elders	<12> Other (specify) _____
<05> Employed Indigenous facilitators	<13> Other (specify) _____
<06> Incorporated teachings/oral tradition	<77> Don't know
<07> Incorporated spiritualism	<88> Refused
<08> Incorporated trips to spiritual grounds/sites	<99> N/A

---

4. Did you successfully complete the requirements for this program or service (*Rewording: Did you finish the program?; circle one?*) {Probe: terminate service at the satisfaction of the therapist, issue}

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

5. How useful do you think this program or service was? {Probe: On a scale from 1 to 3, with 1 being "not at all useful" and 3 being "very useful"} (*circle one*)

Not at all	Somewhat	Very Much
1	2	3
<7> Don't Know	<8> Refused	<9> Not applicable

6. Which aspect of the program or service do you find most helpful in preparing you for release into the community? (*Rewording: What part of the program was the most helpful?*)

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<7> Don't Know    <8> Refused    <9> Not Applicable

7. What do you think would improve this program or service so that you are better prepared for release back into the community? (*Rewording: What would make the program better?*)

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<7> Don't Know    <8> Refused    <9> Not Applicable

*Do you have any questions? Thank you very much for your time.*



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## Appendix E: Offender interview questions – ex-prisoner interview

State/territory: \_\_\_\_\_

Interview date: \_\_\_\_\_

Prison: \_\_\_\_\_

Interviewer: \_\_\_\_\_

Respondent #: \_\_\_\_\_

### Section A: Background

*I'm going to begin by asking you some general questions about yourself, where you have lived and prior work experience.*

1. Do you identify as Aboriginal or Torres Strait Islander? (*Rewording: Are you Aboriginal or a Torres Strait Islander?*) (*circle one*)

<1> Yes, Aboriginal

<7> Don't know

<2> Yes, Torres Strait islander

<8> Refused

<3> No, Other (specify) \_\_\_\_\_

<9> Not applicable

2. What is your age?

\_\_\_\_\_ years

<7> Don't know

<8>Refused

<9> Not applicable

3. Prior to being imprisoned, which state or territory did you live in as an adult most of the time? (*circle one*)

<01> Northern Territory

<07> Western Territory

<02> Queensland

<08> Tasmania

<03> New South Wales

<09> New Zealand

<04> ACT

<77> Don't know

<05> Victoria

<88> Refused

<06> South Australia

<99> N/A

---

4. Prior to being imprisoned, what type of community did you live in as an adult most of the time? (*circle one*)

- <1> Large City (100,000+ pop.)                      <5> Other \_\_\_\_\_  
<2> Small City (10,000 – <100,000 pop.)      <7> Don't know  
<3> Town (5,000 – <10,000 pop.)              <8> Refused  
<4> Rural community (<5000 pop.)              <9> N/A

5. Do you have a partner right now? {Prompt further} (*circle one*)

- <1> No, Never married                              <6> Widowed  
<2> Yes, Married                                      <7> Don't Know  
<3> Yes, De facto                                    <8> Refused  
<4> Divorced                                         <9> Not applicable  
<5> Separated

6. Do you have children? (*circle one*)

- <1> Yes (*go to follow-up question*)              <7> Don't Know              <9> Not applicable  
<2> No    <8> Refused

A. *If yes, how many children do you have?* \_\_\_\_\_

- <7> Don't Know              <8> Refused              <9> N/A

7. Do you understand or speak any Indigenous languages? (*circle one*)

- <1> Yes (*go to follow-up question*)              <7> Don't Know              <9> Not applicable  
<2> No    <8> Refused

A. *If yes, which Indigenous language or languages do you understand or speak:*

1st language: \_\_\_\_\_ <7> Don't Know

2nd language: \_\_\_\_\_ <8> Refused

3rd language: \_\_\_\_\_ <9> N/A

8. Prior to your most recent imprisonment, had you received any school? (*Rewording: Before you came here, did you go to school?; circle one*)

- <1> Yes (*go to follow-up questions*)              <7> Don't Know              <9> Not applicable  
<2> No    <8> Refuse

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A. *If yes, can you tell me the highest level of school that you finished? {Prompt}*  
(circle one):

- |                                   |                     |
|-----------------------------------|---------------------|
| <01> <Primary school              | <07> College        |
| <02> Primary school               | <08> University     |
| <03> Year 7 – <10                 | <77> Don't know     |
| <04> School certificate (year 10) | <88> Refused        |
| <05> Year 11 – <Year 12           | <99> Not applicable |
| <06> High school certificate      |                     |

9. Did you have a job at the time of arrest for your most recent conviction? (circle one):

- |  |                |                    |
|--|----------------|--------------------|
| <1> Yes (go to follow-up questions C, D) | <7> Don't Know | <9> Not applicable |
| <2> No (go to follow-up questions)       | <8> Refused    |                    |

A. *If no, how long were you unemployed for prior to arrest? (circle one):*

- |                                     |                          |                    |
|-------------------------------------|--------------------------|--------------------|
| <1> <3 months                       | <5> Between 2 – <4 years | <9> Not applicable |
| <2> Between 3<br>and <6 months      | <6> 4 years or more      |                    |
| <3> Between 6 months<br>and <1 year | <7> Don't Know           |                    |
| <4> Between 1 year<br>and <2 years  | <8> Refused              |                    |

B. *If no, can you tell me why you were unemployed for this period of time?*  
(Rewording: *why didn't you have a job; circle all that apply*)

- |   |  |
|---|--|
| <01> Tried, but couldn't find work      | <11> Difficulty with employers/<br>work conditions |
| <02> Nobody wanted to hire me           | <12> Racism/discrimination                         |
| <03> Involved in crime                  | <13> Other (specify) _____                         |
| <04> Abusing substances                 | <14> Other (specify) _____                         |
| <05> Didn't want to/feel like it        | <15> Other (specify) _____                         |
| <06> Personal health problems           | <77> Don't Know                                    |
| <07> No employment available in my area | <88> Refused                                       |
| <08> Didn't have skills set/education   | <99> N/A   |
| <09> Mental health problems             |  |
| <10> Family problems                    |  |

---

C. *If yes, what was the job you were in for at least 6 months (circle one):*

- |   |                        |
|---|------------------------|
| <01> Sales and services                         | <07> Education         |
| <02> Trades, transport, and labor               | <08> Technology sector |
| <03> Business/ administration                   | <09> Other (specify)   |
| <04> Mental health                              | <77> Don't Know        |
| <05> Health and medical services                | <88> Refused           |
| <06> Criminal justice (police, court, security) | <99> N/A               |

D. *If yes, was your job full-time? (circle one):*

- |                        |                            |
|------------------------|----------------------------|
| <01> Yes, Full-time    | <07> Other (specify) _____ |
| <02> No, Part-time     | <77> Don't know            |
| <03> No, Casual        | <88> Refused               |
| <04> No, Self-employed | <99> N/A                   |

10. Do you have a substance abuse problem (drug/alcohol/or petrol) (*circle one*)?

- |   |                                       |
|---|---------------------------------------|
| <01> Yes, drug problem                  | <07> Yes, drugs, alcohol and solvents |
| <02> Yes, alcohol problem               | <08> No                               |
| <03> Yes, solvents (i.e., petrol, glue) | <77> Don't Know                       |
| <04> Yes, both drugs and alcohol        | <88> Refused                          |
| <05> Yes, both alcohol and solvents     | <99> Not Applicable                   |
| <06> Yes, both drugs and solvents       |                                       |

11. As an adult, have you ever been told that you have a mental health problem by a psychiatrist or psychologist? (*Note: that is not a substance abuse problem; circle one*)

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not Applicable |
| <2> No                                      | <8> Refused    |                    |

A. *If yes, could you tell me what the mental health problem was (note: list in full)?*

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- |                |             |                    |
|----------------|-------------|--------------------|
| <7> Don't Know | <8> Refused | <9> Not Applicable |
|----------------|-------------|--------------------|

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## Section B: Family environment

Now I'm going to ask you some questions about when you were growing up and what your childhood was like.

1. During your childhood (up to age 18), which state/territory did you live in most of the time? (*circle one*):

<01> Northern Territory	<07> Western Australia
<02> Queensland	<08> Tasmania
<03> New South Wales	<77> Don't know
<04> Australian Capital Territory	<88> Refused
<05> Victoria	<99> N/A
<06> Southern Australia	

2. Were you ever adopted, placed in foster care or attended a boarding school? (*circle one*)

<1> Yes ( <i>go to follow-up question</i> )	<7> Don't Know	<9> Don't know
<2> No	<8> Refused	

- A. If yes, which area(s) were you involved in (*circle all that apply*):

<1> Adopted	<5> Other (specify) _____
<2> Foster Care	<7> Don't Know
<3> Group Home	<8> Refused
<4> Boarding School	<9> Not Applicable

3. Who would you say was the person who took care of you the most when you were growing up? (*circle one*) [*Note: if respondent says myself – ask about secondary caregiver*]:

<01> Both Birth Parents	<07> Adoptive Parent(s)
<02> Birth Mother	<08> Foster Care Parent(s)
<03> Birth Father	<09> Other non-family (specify) _____
<04> Grandparent(s)	<77> Don't Know
<05> Sibling	<88> Refused
<06> Other Relative (specify) _____	<99> Not applicable

4. How would you rate the stability of your home life while you were growing up? By stability, I mean whether you had a feeling of security, reliability and routine {Probe on the scale: on a scale of 1 to 3, with 1 being "not at all stable" and 3 being "very stable"} (*circle one*):

Not at all Stable	Somewhat	Very Stable
1	2	3
<7> Don't Know	<8> Refused	<9> Not applicable

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5. Why would you say your childhood was/wasn't stable [interviewer prompts – give examples of how your caregivers did or didn't provide you with stability – regular hours for bed, homework, regular meals, sense of security, etc.]?

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<7> Don't Know                      <8> Refused                      <9> Not applicable

6. Did you experience or see physical and/or sexual violence or emotional abuse in the home while you were growing up? (circle one)

<1> Yes – experienced (go to follow-up questions)                      <4> No  
<2> Yes – witnessed (go to follow-up questions)                      <7> Don't Know  
<3> Yes – experienced & witnessed (go to follow-up questions)                      <8> Refused

A. If yes, what type(s) of violence did you experience or see in the home? (circle all that apply) [interviewer: allow respondent to spontaneously answer, then prompt about specific types]:

<01> Physical violence                      <05> Other (specify) \_\_\_\_\_  
<02> Sexual violence                      <07> Don't Know  
<03> Psychological/emotional/mental                      <08> Refused  
<04> Neglect                      <09> Not Applicable

B. Can you describe the effect the violence has had on you in your life (Rewording: What did violence do to your life?) [interviewer probes how did it make you feel, how did it make you act, how has it affected you]?

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

7. Did you experience or see any violence in your community while you were growing up? (circle one)

<1> Yes – experienced (go to follow up question)                      <4> No  
<2> Yes – witnessed (go to follow up question)                      <7> Don't Know  
<3> Yes – experienced & witnessed (go to follow up question)                      <8> Refused

- 
- A. *If yes, can you describe the effect the violence in your community had on you (Rewording: What did that violence do to your life?) [interviewer probes – how did it make you feel, how did it make you act]?*

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<7> Don't Know

<8> Refused

<9> Not Applicable

### Section C: Criminal background

*In this section, I'm going to start by asking you about your most recent contact with the criminal justice system and corrections. Please keep in mind, this information is confidential. This information cannot be used to identify you in the research.*

1. Was your most recent conviction for a violent offence? (circle one; Note: Violent offence refers to murder, sexual assault, assault, robbery and other acts intended to cause harm; Rewording: Last time you were in prison, what are you in for?)

<1> Yes

<7> Don't Know

<2> No

<8> Refused

- A. *If yes, what type of violent offence(s) are you imprisoned for? (circle all that apply):*

<01> Murder

<06> Other violent (specify) \_\_\_\_\_

<02> Attempted murder

<07> Other (specify) \_\_\_\_\_

<03> Sexual assault

<77> Don't know

<04> Robbery

<88> Refused

<05> Assault

<99> N/A

2. Did your most recent conviction involve a non-violent offence? (Rewording: Last time you were in prison, were you in there for something that was not violent?) (circle one)

<1> Yes (go to follow-up question)

<7> Don't Know

<9> Not applicable

<2> No

<8> Refused

---

A. *If yes, what type of non-violent offence(s) were you imprisoned for?*

*(circle all that apply):*

- |  |                            |
|--|----------------------------|
| <01> Vandalism/mischief                | <06> Fraud                 |
| <02> Other Property (e.g., theft, B&E) | <07> Other (specify) _____ |
| <03> Drug offences                     | <77> Don't know            |
| <04> Driving-related offences          | <88> Refused               |
| <05> Prostitution                      | <99> N/A                   |

3. Were you drinking alcohol at the time you did the crime (for which you were incarcerated)?

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

4. Were you using drugs at the time you did the crime (for which you were incarcerated)?

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

5. Were you sniffing petrol at the time you did the crime (for which you were incarcerated)?

- |   |                |                    |
|---|----------------|--------------------|
| <1> Yes ( <i>go to follow-up question</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                      | <8> Refused    |                    |

6. How long was the sentence you received for your most recent conviction? (*Rewording: How much time did you get when you were sentenced?*)

- |                |              |            |                    |
|----------------|--------------|------------|--------------------|
| _____ years    | _____ months | _____ days | <9> Not applicable |
| <7> Don't Know |              |            | <8> Refused        |

7. About how much time were you in prison (for that sentence) before you got out?

- |                |              |            |                    |
|----------------|--------------|------------|--------------------|
| _____ years    | _____ months | _____ days | <9> Not applicable |
| <7> Don't Know |              |            | <8> Refused        |

8. When you were released for your sentence, how were you released? (*Probe: Were you released on parole or did you finish your sentence?; circle one*)

- |                           |                |
|---------------------------|----------------|
| <1> Parole                | <7> Don't Know |
| <2> Sentence expiry       | <8> Refused    |
| <3> Other (specify) _____ |                |

9. Right now, about how much time have you been out in the community for?

- |                |              |            |                    |
|----------------|--------------|------------|--------------------|
| _____ years    | _____ months | _____ days | <9> Not applicable |
| <7> Don't Know |              |            | <8> Refused        |



---

10. Before the last time you were in prison, were you ever in prison before that? (*circle one*)

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

A. *If yes, was that conviction (prior to the most recent) for a violent offence?*  
(*Rewording: At that time, what were you in for?*) (*circle one*)

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

B. *If yes, what type of violent offence(s) were you imprisoned for? (circle all that apply):*

<01> Murder    <06> Other violent (specify) \_\_\_\_\_  
<02> Attempted murder    <07> Other (specify) \_\_\_\_\_  
<03> Sexual assault    <77> Don't know  
<04> Robbery    <88> Refused  
<05> Assault    <99> N/A

C. *If yes, was that conviction (prior to the most recent) for a non-violent offence?*  
(*circle one*)

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

D. *If yes, what type of non-violent offence(s) were you imprisoned for? (circle all that apply):*

<01> Vandalism/mischief    <06> Fraud  
<02> Other Property (e.g., theft, B&E)    <07> Other (specify) \_\_\_\_\_  
<03> Drug offences    <77> Don't know  
<04> Driving-related offences    <88> Refused  
<05> Prostitution    <99> N/A

*Now I'm going to ask you a few questions about your early involvement in crime.*

11. Were you ever in juvenile detention (open or secure)? (*circle one*)

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

A. *If yes, how long did you spend in juvenile detention in total (total of all sentences) (circle one):*

- <1> Less than 6 months      <4> 4–5 years      <8> Refused  
<2> 6 months to <1 year      <5> More than 5 years      <9> Not Applicable  
<3> 1–3 years      <7> Don't Know

12. What type of offences did you commit as a youth that you were charged for (*circle all that apply*):

- <01> None      <09> Prostitution  
<02> Sexual assault      <10> Drug offences  
<03> Assault      <11> Driving-related offences  
<04> Robbery      <12> Under-age drinking  
<05> Other violent (e.g., murder, manslaughter)      <13> Other (specify): \_\_\_\_\_  
<06> Car theft      <77> Don't Know  
<07> Vandalism/mischief      <88> Refused  
<08> Other property (e.g., theft, B&E)      <99> Not applicable

13. Have any of your family been involved in the criminal justice system? (*circle one*)

- <1> Yes      <7> Don't Know      <9> Not applicable  
<2> No      <8> Refused

## Section D: Reintegration

*Now I'm going to ask you some questions about what your life is like out in the community and how things are going for you.*

1. Do you have a job right now? (*circle one*):

- <1> Yes (*go to follow-up questions D,E*)      <7> Don't Know      <9> Not applicable  
<2> No (*go to follow-up questions*)      <8> Refused

A. *If no, how long have you been without a job after prison? (circle one):*

- <1> <3 months      <5> Between 2 – <4 years      <9> Not applicable  
<2> Between 3  
and <6 months      <6> 4 years or more  
<3> Between 6 months      <7> Don't Know  
and <1 year  
<4> Between 1 year      <8> Refused  
and <2 years

---

B. *If no, can you tell me why you don't have a job?*

- |   |  |
|---|--|
| <01> Tried, but couldn't find work      | <11> Difficulty with employers/<br>work conditions |
| <02> Nobody wanted to hire me           | <12> Racism/discrimination                         |
| <03> Involved in crime                  | <13> Other (specify) _____                         |
| <04> Abusing substances                 | <14> Other (specify) _____                         |
| <05> Didn't want to/feel like it        | <15> Other (specify) _____                         |
| <06> Personal health problems           | <77> Don't Know                                    |
| <07> No employment available in my area | <88> Refused                                       |
| <08> Didn't have skills set/education   | <99> N/A   |
| <09> Mental health problems             |  |
| <10> Family problems                    |  |

C. *If no, how are you spending your time during the day?*

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- <7> Don't Know                      <8> Refused                      <9> Not Applicable

D. *If yes, what is your job (circle one):*

- |   |                            |
|---|----------------------------|
| <01> Sales and services                         | <07> Education             |
| <02> Trades, transport, and labor               | <08> Technology sector     |
| <03> Business/ administration                   | <09> Other (specify) _____ |
| <04> Mental health                              | <77> Don't Know            |
| <05> Health and medical services                | <88> Refused               |
| <06> Criminal justice (police, court, security) | <99> N/A                   |

E. *If yes, is the job full-time? (circle one):*

- |                        |                            |
|------------------------|----------------------------|
| <01> Yes, Full-time    | <07> Other (specify) _____ |
| <02> No, Part-time     | <77> Don't know            |
| <03> No, Casual        | <88> Refused               |
| <04> No, Self-employed | <99> N/A                   |

---

2. Where are you living right now most of the time? (*circle one*):

- |                                     |                            |
|-------------------------------------|----------------------------|
| <01> No home (i.e., on the streets) | <07> With parents          |
| <02> Hostel                         | <08> With extended family  |
| <03> Half-way house/hostel          | <09> Other (specify) _____ |
| <04> Motel/hotel                    | <77> Don't Know            |
| <05> With friends                   | <88> Refused               |
| <06> With partner                   | <99> N/A                   |

3. Are you going to school right now?

- |  |                |                    |
|--|----------------|--------------------|
| <1> Yes ( <i>go to follow-up questions</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                       | <8> Refused    |                    |

A. *If yes, what are you doing in school? (circle all that apply)*

- |                     |                            |
|---------------------|----------------------------|
| <01> Primary school | <06> Other (specify) _____ |
| <02> High school    | <77> Don't Know            |
| <03> College        | <88> Refused               |
| <04> University     | <99> N/A                   |
| <05> Skills/ trade  |                            |

4. Right now, do you have other people to support (take care of)? (*circle one*)

- |  |                |                    |
|--|----------------|--------------------|
| <1> Yes ( <i>go to follow-up questions</i> ) | <7> Don't Know | <9> Not applicable |
| <2> No                                       | <8> Refused    |                    |

A. *If yes, who do you need to support? (circle one):*

- |  |                            |
|--|----------------------------|
| <01> Immediate family (Partner and<br>or children) | <06> Other (specify) _____ |
| <02> Extend family                                 | <77> Don't know            |
| <03> Both immediate and extended<br>family         | <88> Refused               |
| <04> Friends                                       | <99> Not applicable        |
| <05> Friends and family                            |                            |

B. *If yes, do you feel like you are able to support them? (circle one)*

- |  |                |                    |
|--|----------------|--------------------|
| <1> Yes                                    | <7> Don't Know | <9> Not applicable |
| <2> No ( <i>go to follow-up question</i> ) | <8> Refused    |                    |

---

C. *If no (cannot support them), why can you not support these people?*

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<7> Don't Know

<8> Refused

<9> Not Applicable

5. How happy are you to be back in the community? (Probe: on a scale from 1 to 3, with 1 being "not at all happy" and 3 being "very happy", circle one)

Not at all happy

Somewhat

Very happy

1

2

3

<7> Don't Know

<8> Refused

<9> Not applicable

A. Why would you say you are or are not happy?

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<7> Don't Know

<8> Refused

6. How much do you feel that you're able to take care of yourself (i.e., food, shelter, clothing, staying out of trouble) in the community? (Probe: on a scale from 1 to 3, with 1 being "Can't take care of myself" and 3 being "Can very much take care of myself", circle one)

Can't

Somewhat

Very much

1

2

3

<7> Don't Know

<8> Refused

<9> Not applicable

A. Why would you say you can or can't take care of yourself in the community?

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<7> Don't Know

<8> Refused

- 
7. What is helping you to adjust to being back in the community? *(Rewording: What is helping you to fit back into the community?)*

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<7> Don't Know

<8> Refused

<9> Not applicable

8. What are some things that are making it difficult for you to be back in the community?

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<7> Don't Know

<8> Refused

<9> Not applicable

## Section E: Program participation

*In this section, I'm going to ask you some questions about programs you may have participated in during your time in prison and in the community.*

1. Are you aware of what programs and services are available within the community that you could participate in? *(Rewording: Do you know what kind of programs the community has for you?; circle one)*

<1> Yes

<7> Don't Know

<9> Not applicable

<2> No

<8> Refused

2. I'm going to go through several program types and ask about whether you have EVER participated in them while you've been in the community or when you were in prison, whether they were Indigenous-specific and whether you successfully finished them (circle one for each)

Name of Program	Participation	Indigenous	Community	Prison	Finished	D/K	Refused	N/A
Employment	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Education	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Cognitive/ living skills	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Counselling/ Psych	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Sex offender	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Anger mgmt./ Family violence	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Substance abuse	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			
Other _____	1. Yes	1. Yes	1. Yes	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No	2. No	2. No	2. No			
	7. D/K	7. D/K	7. D/K	7. D/K	7. D/K			

- 
3. How important do you think it is that Indigenous ex-prisoners have access to Indigenous-specific programs in the community? (*Rewording: How important is it that Indigenous guys get Indigenous programs in the community?*; Probe: On a scale from 1 to 3, with 1 being “not at all important” and 3 being “very important”; *circle one*)

Not at all important

Somewhat

Very Important

1

2

3

<7> Don't Know

<8> Refused

- A. Why is or isn't it important that Indigenous ex-prisoners get Indigenous programs in the community?

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<7> Don't Know

<8> Refused

4. How important do you think it is that Indigenous people are involved in conducting programs for Indigenous ex-prisoners? (*Rewording: How important is it that Indigenous people give programs to Indigenous guys?*; Probe: on a scale from 1 to 3, with 1 being “not at all important” and 3 being “very important”, *circle one*)

Not at all important

Somewhat

Very Important

1

2

3

<7> Don't Know

<8> Refused

- A. Why is or isn't it important that Indigenous people deliver programs to Indigenous ex-prisoners in the community?

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<7> Don't Know

<8> Refused



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*I'm going to go through some program types and ask you questions about your participation, your experiences and thoughts on making the programs better for Indigenous ex-prisoners.*

## **Section i: Anger management/family violence Programs**

*Note: Section only to be filled out when the ex-prisoner has participated in a community program*

1. What was the name(s) of the most recent anger management or family violence program you participated in?
  - A. \_\_\_\_\_ C. \_\_\_\_\_
  - B. \_\_\_\_\_ D. \_\_\_\_\_

<7> Don't Know                      <8> Refused                      <9> Not applicable
  
2. Were any of these programs Indigenous-specific in their approach? (*Rewording: Were any of the programs made especially for Indigenous guys?, circle one*)
  - <1> Yes (*go to follow-up question*)      <7> Don't Know                      <9> Not applicable
  - <2> No    <8> Refused

A. *If yes, what do you think made the anger management or family violence program(s) Indigenous-specific (circle all that apply)?*

<01> Generally, incorporated culture	<09> Program had mostly Indigenous participants
<02> Used customs and practices	<10> Incorporated arts and crafts
<03> Used Indigenous language	<11> Addressed Indigenous community issues
<04> Incorporated elders	<12> Other (specify) _____
<05> Employed Indigenous facilitators	<13> Other (specify) _____
<06> Incorporated teachings/oral tradition	<77> Don't know
<07> Incorporated spiritualism	<88> Refused
<08> Incorporated trips to spiritual grounds/sites	<99> N/A
  
3. Did you successfully complete any of the anger management or family violence programs {Probe: were you successful at meeting program requirements, graduation etc...}? (*circle one*)
  - <1> Yes (*go to follow-up question*)                      <7> Don't Know
  - <2> No    <8> Refused

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4. How useful do you think the anger management or family violence programs you participated in were? {Probe: On a scale from 1 to 3, with 1 being “not at all useful” and 3 being “very useful”} (circle one for each)

D/K Refused N/A

A. Helping you to be non-violent in the community 1 2 3 <7> <8> <9>

5. Which aspect of the anger management or family violence programs do you think have been the most helpful to you in the community? (Re wording: What helped you the most in the program?)

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<7> Don't Know

<8> Refused

<9> Not Applicable

6. Which aspects of the anger management or family violence programs do you think have been the least useful to you in the community? (Re wording: What part of the program didn't help you?)

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<7> Don't Know

<8> Refused

<9> Not Applicable

7. What do you think would make community anger management or family violence programs better so that they are more useful to you in the community? (Re wording: What would make the program better?)

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<7> Don't Know

<8> Refused

<9> Not Applicable



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4. How useful do you think the substance abuse program you participated in was?  
{Probe: On a scale from 1 to 3, with 1 being “not at all useful” and 3 being “very useful”} (circle one for each)?

D/K   Refused   N/A

A. Reducing abuse of substances in the community   1   2   3   <7>   <8>   <9>

5. Which aspect(s) of the substance abuse programs do you think has been the most helpful to you in the community? (Re wording: What helped you the most in the program?)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

6. Which aspect(s) of the substance abuse programs do you think has been the least helpful to you in the community? (Re wording: What part of the program didn't help you?)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

7. What do you think would improve community substance abuse programs so that they are more useful to you in the community? (Re wording: What would make the program better?)

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<7> Don't Know                      <8> Refused                      <9> Not Applicable

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### Section iii: Sex offending Programs

*Note: Section only to be filled out when the ex-prisoner has participated in a community program*

1. What was the name(s) of the most recent sex offender programs you participated in?

- A. \_\_\_\_\_ C. \_\_\_\_\_  
B. \_\_\_\_\_ D. \_\_\_\_\_

<7> Don't Know

<8> Refused

<9> Not applicable

2. Were any of these programs Indigenous-specific in their approach? (*Rewording: Were any of the programs made especially for Indigenous guys?*) (circle one)

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable

<2> No

<8> Refused

A. *If yes, what do you think made the sex offender program(s) Indigenous-specific (circle all that apply)?*

<01> Generally, incorporated culture

<09> Program had mostly Indigenous participants

<02> Used customs and practices

<10> Incorporated arts and crafts

<03> Used Indigenous language

<11> Addressed Indigenous community issues

<04> Incorporated elders

<12> Other (specify) \_\_\_\_\_

<05> Employed Indigenous facilitators

<13> Other (specify) \_\_\_\_\_

<06> Incorporated teachings/oral tradition

<77> Don't know

<07> Incorporated spiritualism

<88> Refused

<08> Incorporated trips to spiritual grounds/sites

<99> N/A

3. Did you successfully complete any of the sex offender programs {Probe: successful at meeting program requirements, graduation etc...}? (*circle one*)

<1> Yes (*go to follow-up question*)

<7> Don't Know

<2> No

<8> Refused

- 
4. How useful do you think the sex offender program you participated in was? (*circle one for each*) {Probe: On a scale from 1 to 3, with 1 being “not at all useful” and 3 being “very useful”}

				D/K	Refused	N/A
A. Controlling sexual impulses (feelings) in the community	1	2	3	<7>	<8>	<9>

5. Which aspect of the sex offender programs do you think has been the most helpful to you in the community? (*Rewording: What helped you the most in the program?*)

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<7> Don't Know

<8> Refused

<9> Not Applicable

6. Which aspects of the sex offender programs do you think have been the least useful in helping you in the community? (*Rewording: What part of the program didn't help you?*)

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<7> Don't Know

<8> Refused

<9> Not Applicable

7. What do you think would improve sex offender programs so that they are more useful to you in the community? (*Rewording: What would make the program better?*)

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<7> Don't Know

<8> Refused

<9> Not Applicable

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## Section iv: Other Programs

*Note: Section only to be filled out when ex-prisoner has participated in an “other” community program*

1. Have you ever participated (current or past) in any other programs or services within the community that have had an impact on you, that we haven’t already discussed? *(Rewording: Are there other programs or services that you thought were good that we haven’t talked about?; circle one)*

<1> Yes *(go to follow-up question)*                      <7> Don’t Know  
<2> No *(end interview)*                                      <8> Refused

2. What kind of program or service had an impact on you?

A. \_\_\_\_\_ C. \_\_\_\_\_  
B. \_\_\_\_\_ D. \_\_\_\_\_

<7> Don’t Know                      <8> Refused                      <9> Not applicable

3. Was this past program or service Indigenous-specific in its approach? *(Rewording: Was the program or service made for Indigenous guys?; circle one)*

<1> Yes *(go to follow-up question)*   <7> Don’t Know                      <9> Not applicable  
<2> No    <8> Refused

- A. *If yes, what do you think made the program or service Indigenous-specific (circle all that apply)*

<01> Generally, incorporated culture	<09> Program had mostly Indigenous participants
<02> Used customs and practices	<10> Incorporated arts and crafts
<03> Used Indigenous language	<11> Addressed Indigenous community issues
<04> Incorporated elders	<12> Other (specify) _____
<05> Employed Indigenous facilitators	<13> Other (specify) _____
<06> Incorporated teachings/oral tradition	<77> Don’t know
<07> Incorporated spiritualism	<88> Refused
<08> Incorporated trips to spiritual grounds/sites	<99> N/A

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4. Did you successfully complete the requirements for this program or service (*Rewording: Did you finish the program?; circle one?*) {Probe: terminate service at the satisfaction of the therapist, issue}

<1> Yes (*go to follow-up question*)    <7> Don't Know    <9> Not applicable  
<2> No    <8> Refused

5. How useful do you think this program or service was? {Probe: On a scale from 1 to 3, with 1 being "not at all useful" and 3 being "very useful"} (*circle one*)

Not at all	Somewhat	Very Much
1	2	3
<7> Don't Know	<8> Refused	<9> Not applicable

6. Which aspect of the program or service do you find most helpful to you in the community? (*Rewording: What part of the program was the most helpful?*)

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<7> Don't Know    <8> Refused    <9> Not Applicable

7. What do you think would improve this program or service for you in the community? (*Rewording: What would make the program better?*)

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<7> Don't Know    <8> Refused    <9> Not Applicable

*Do you have any questions? Thank you very much for your time.*



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## Appendix F: Key respondent interview questions <sup>1</sup>

### (Prison corrections) key respondent interview

Respondent #: \_\_\_\_\_

State: \_\_\_\_\_

Interview date: \_\_\_\_\_

Interviewer: \_\_\_\_\_

Sex: <1> Male <2> Female

Corrections environment: <1> Prison <2> Community

Senior level: <1> Yes <2> No

### Section A: Professional and educational background

*I'm going to ask you some questions about your background, education and professional experiences, as well as your knowledge regarding Indigenous culture.*

1. Do you identify as an Indigenous Australian?

- |                                 |                    |
|---------------------------------|--------------------|
| <1> Yes, Aboriginal             | <7> Don't Know     |
| <2> Yes, Torres Strait Islander | <8> Refused        |
| <3> No                          | <9> Not applicable |

2. Currently, what is your highest level of completed education? (*circle one*):

- |   |  |
|---|--|
| <01> Grade 9                                      | <06> Master's level ( <i>go to next question</i> ) |
| <02> Grade 10 – <High school certificate          | <07> Doctoral level ( <i>go to next question</i> ) |
| <03> High school certificate                      | <77> Don't know                                    |
| <04> College ( <i>go to next question</i> )       | <88> Refused                                       |
| <05> Undergraduate ( <i>go to next question</i> ) | <99> Not applicable                                |

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<sup>1</sup> These questions were used with prison corrections key respondents working at the practitioner level. Similar questions, with appropriate minor amendments, were used with community corrections practitioners, and senior prison and community corrections key respondents.

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A. What area(s) have you studied? (*circle one*)

- |                           |                              |
|---------------------------|------------------------------|
| <01> Criminology          | <08> Business administration |
| <02> Psychology           | <09> Other (specify) _____   |
| <03> Sociology            | <10> Other (specify) _____   |
| <04> Social work          | <77> Don't know              |
| <05> Other social science | <88> Refused                 |
| <06> Humanities           | <99> Not applicable          |
| <07> Sciences             |                              |

3. What position are you currently holding? (*circle one*)

- |  |                            |
|--|----------------------------|
| <01> Parole officer                        | <07> Aboriginal liaison    |
| <02> Correctional officer                  | <08> Psychologist          |
| <03> Program facilitator                   | <09> Other (specify) _____ |
| <04> Unit manager                          | <77> Don't Know            |
| <05> Administrative official (i.e. warden) | <88> Refused               |
| <06> Elder                                 | <99> Not applicable        |

4. Can you describe your role?

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- |                |             |                    |
|----------------|-------------|--------------------|
| <7> Don't Know | <8> Refused | <9> Not Applicable |
|----------------|-------------|--------------------|

5. How long have you worked in your current position?

\_\_\_\_\_ months/years

- |                |             |                    |
|----------------|-------------|--------------------|
| <7> Don't Know | <8> Refused | <9> Not applicable |
|----------------|-------------|--------------------|

6. How long have you worked in the area of corrections, in total?

\_\_\_\_\_ months/years

- |                |             |                    |
|----------------|-------------|--------------------|
| <7> Don't Know | <8> Refused | <9> Not applicable |
|----------------|-------------|--------------------|

7. Do you currently work with Indigenous prisoners? (*circle one*):

- |         |                |         |
|---------|----------------|---------|
| <1> Yes | <7> Don't Know | <9> N/A |
| <2> No  | <8> Refused    |         |



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11. How do you think Indigenous cultures differ from European culture in Australia?

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<7> Don't Know

<8> Refused

<9> Not Applicable

12. How do you think your understanding of Indigenous culture could be enhanced?

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<7> Don't Know

<8> Refused

<9> Not Applicable

## Section B: Prisoner needs

*I'm now going to ask you some questions concerning the programming needs of Indigenous prisoners during their incarceration.*

1. On a scale from 1 to 5, with 1 being "none" and 5 being "extensive", how would you rate your current level of knowledge of Indigenous prisoner programming needs (*circle one*):

None		Somewhat		Extensive
1	2	3	4	5

<7> Don't Know

<8> Refused

<9> Not applicable

2. On a scale from 1 to 5, with 1 being "none" and 5 being "extensive", how satisfied are you with your current level of knowledge of Indigenous prisoner programming needs (*circle one*):

None		Somewhat		Extensive
1	2	3	4	5

<7> Don't Know

<8> Refused

<9> Not applicable

---

3. How do you think your understanding of Indigenous prisoner programming needs could be enhanced?

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<7> Don't Know

<8> Refused

<9> Not Applicable

4. Do you think the programming needs of Indigenous prisoners are different from the needs of non-Indigenous prisoners? (*circle one*)

<1> Yes (*go to follow-up question A*)

<7> Don't Know

<9> Not applicable

<2> No (*go to follow-up question B*)

<8> Refused

A. *If yes*, in which ways are the needs of Indigenous prisoners different from non-Indigenous prisoners?

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<7> Don't Know

<8> Refused

<9> Not Applicable

B. *If no*, in which ways are the needs of Indigenous prisoners similar to non-Indigenous prisoners?

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<7> Don't Know

<8> Refused

<9> Not Applicable

5. Do you think the programming needs of Indigenous prisoners vary between different Indigenous groups?

<1> Yes (*go to follow-up question A*)

<7> Don't Know

<9> Not applicable

<2> No (*go to follow-up question B*)

<8> Refused

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A. *If yes*, in which ways are the needs of Indigenous prisoners different between groups?

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<7> Don't Know

<8> Refused

<9> Not Applicable

B. *If no*, in which ways are the needs of Indigenous prisoners similar between groups?

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<7> Don't Know

<8> Refused

<9> Not Applicable

6. What do you think are the behavioral issues that Indigenous prisoners might have upon entering prison? (*circle all that apply*):

<01> None

<07> Self-injurious behavior

<02> Aggression/violence

<08> Exhibitionism

<03> Acting out

<09> Other (specify) \_\_\_\_\_

<04> Impulse control

<77> Don't Know

<05> Promiscuity

<88> Refused

<06> Substance abuse

<99> Not applicable

7. What do you think are the psychological issues that Indigenous prisoners might have upon entering prison? (*circle all that apply*):

<01> None

<09> Severe psychiatric disorders (i.e. schizophrenia)

<02> Substance dependency

<10> Suicidal ideation

<03> Depression

<11> Childhood traumas

<04> Anxiety

<12> Other (specify) \_\_\_\_\_

<05> Antisocial personality

<77> Don't Know

<06> Other personality disorders

<88> Refused

<07> Self-esteem/self-acceptance

<99> Not applicable

<08> Stress

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8. What do you think are the perceptual/cognitive issues that Indigenous prisoners might have upon entering prison? (*circle all that apply*):

- |                                 |                            |
|---------------------------------|----------------------------|
| <01> None                       | <08> Learning deficits     |
| <02> Denial                     | <09> Attention deficits    |
| <03> Minimization               | <10> Intellectual delays   |
| <04> Negative view of women     | <11> Other (specify) _____ |
| <05> Negative view of children  | <77> Don't Know            |
| <06> Negative view of victim(s) | <88> Refused               |
| <07> Pro-criminal views         | <99> Not applicable        |

9. What do you think are the social issues that Indigenous prisoners might have upon entering prison? (*circle all that apply*):

- |                                |                             |
|--------------------------------|-----------------------------|
| <01> None                      | <08> Criminogenic community |
| <02> Poverty/financial         | <09> Criminal peers/friends |
| <03> Education                 | <10> Other (specify) _____  |
| <04> Employment                | <11> Other (specify) _____  |
| <05> Housing                   | <77> Don't Know             |
| <06> Access to social services | <88> Refused                |
| <07> Isolated community        | <99> Not applicable         |

10. What do you think are the cultural/spiritual issues that Indigenous prisoners might have upon entering prison? (*circle all that apply*):

- |   |                            |
|---|----------------------------|
| <01> None                                       | <06> Other (specify) _____ |
| <02> Lack of knowledge/understanding            | <07> Other (specify) _____ |
| <03> Not participating in culture/spirituality  | <77> Don't Know            |
| <04> Lack of interest in culture/spirituality   | <88> Refused               |
| <05> Negative view towards culture/spirituality | <99> Not applicable        |

## Section C: Programs

*In this section, I'm going to ask you some questions about institutional programs that you may have facilitated, developed or have knowledge of. Please keep in mind that the focus is on your own perceptions, opinions and experience.*

1. Are you aware of what programs and services are available within this prison that Indigenous prisoners could access? (*circle one*)

- |         |                |                    |
|---------|----------------|--------------------|
| <1> Yes | <7> Don't Know | <9> Not applicable |
| <2> No  | <8> Refused    |                    |

2. I'm going to go through several program types. I'll be asking you whether your prison offers these programs to Indigenous prisoners and whether these programs are Indigenous specific in their approach. (circle one for each)

<b>Name of Program</b>	<b>Offered</b>	<b>Indigenous</b>	<b>D/K</b>	<b>Refused</b>	<b>N/A</b>
Employment	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No			
	7. D/K	7. D/K			
Education	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No			
	7. D/K	7. D/K			
Cognitive/living skills	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No			
	7. D/K	7. D/K			
Counselling/Psych services	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No			
	7. D/K	7. D/K			
Other _____	1. Yes	1. Yes	<7>	<8>	<9>
	2. No	2. No			
	7. D/K	7. D/K			

3. In your experience, do Indigenous prisoners typically participate in programs within this prison? (circle one)

<1> Yes (go to follow-up question)    <7> Don't Know    <9> Not applicable  
 <2> No (go to follow-up question)    <8> Refused

- A. If yes, how have they typically gained access to these programs?

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<7> Don't Know                      <8> Refused                      <9> Not Applicable



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B. *If no, what are the reasons why they don't participate in programs?*

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<7> Don't Know

<8> Refused

<9> Not Applicable

4. On a scale from 1 to 5, with 1 being "not at all important and 5 being "very important", how important is it that Indigenous prisoners have access to Indigenous-specific programs inside the prison? (*circle one*)

Not at all important

Somewhat

Very Important

1

2

3

4

5

<7> Don't Know

<8> Refused

<9> Not applicable

- A. Why is or isn't it important that Indigenous prisoners have access to Indigenous programs inside the prison?

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<7> Don't Know

<8> Refused

<9> Not Applicable

5. On a scale from 1 to 5, with 1 being "not at all important and 5 being "very important", how important is it that Indigenous facilitators are responsible for the delivery of services and programs to Indigenous prisoners? (*circle one*)

Not at all important

Somewhat

Very Important

1

2

3

4

5

<7> Don't Know

<8> Refused

<9> Not applicable

- A. Why is or isn't it important that Indigenous facilitators deliver services and programs to Indigenous prisoners?

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<7> Don't Know

<8> Refused

<9> Not Applicable

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*I'm going to go through each program category and ask you about your thoughts and opinions on various programs that may or may not be offered inside your prison.*

## Section Ci: Substance Abuse Programs

1. Are substance abuse programs currently available to Indigenous prisoners in your prison? *(circle one)*  
<1> Yes *(go to follow-up question)*      <7> Don't Know      <9> Not applicable  
<2> No *(go to other program sections)*      <8> Refused
  
2. What is the name(s) of the substance abuse program(s) in your institution that Indigenous prisoners could access?  
A. \_\_\_\_\_ C. \_\_\_\_\_  
B. \_\_\_\_\_ D. \_\_\_\_\_  
<7> Don't Know      <8> Refused      <9> Not applicable
  
3. Are any of these programs Indigenous-specific in their approach? *(circle one)*  
<1> Yes *(go to follow-up question)*      <7> Don't Know      <9> Not applicable  
<2> No      <8> Refused  
  
A. *If yes, what do you think makes the substance abuse program(s) Indigenous-specific (circle all that apply)?*  
<01> Generally, incorporated culture      <09> Program had mostly Indigenous participants  
<02> Used customs and practices      <10> Incorporated arts and crafts  
<03> Used Indigenous language      <11> Addressed Indigenous community issues  
<04> Incorporated elders      <12> Other (specify) \_\_\_\_\_  
<05> Employed Indigenous facilitators      <13> Other (specify) \_\_\_\_\_  
<06> Incorporated teachings/oral tradition      <77> Don't know  
<07> Incorporated spiritualism      <88> Refused  
<08> Incorporated trips to spiritual grounds/sites      <99> N/A

- 
4. On a scale from 1 to 5, with 1 being “not at all useful” and 5 being “very useful”, how would you rate the usefulness of the substance abuse programming for Indigenous prisoners (*circle one*)?

	1	2	3	4	5	D/K	Refused	N/A
A. In general						<7>	<8>	<9>
B. Reducing abuse of substances						<7>	<8>	<9>
C. Assisting prisoners in staying away from substances when released						<7>	<8>	<9>

5. Which aspect of the substance abuse programs do you find the most helpful in preparing Indigenous prisoners for release into the community?

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<7> Don't Know

<8> Refused

<9> Not Applicable

6. Which aspects of the substance abuse programs do you find the least useful in preparing Indigenous prisoners for release?

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<7> Don't Know

<8> Refused

<9> Not Applicable

7. What do you think would improve prison substance abuse programs so that Indigenous prisoners are better prepared for release back into the community?

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<7> Don't Know

<8> Refused

<9> Not Applicable

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## Section Cii: Anger management/family violence Programs

1. Are anger management/family violence programs available to Indigenous prisoners within your prison? (*circle one*)
- <1> Yes (*go to follow-up question*)      <7> Don't Know      <9> Not applicable  
<2> No (*go to other program sections*)      <8> Refused
2. What is the name(s) of the anger management/family violence programs available to Indigenous prisoners?
- A. \_\_\_\_\_ C. \_\_\_\_\_  
B. \_\_\_\_\_ D. \_\_\_\_\_
- <7> Don't Know      <8> Refused      <9> Not applicable
3. Are any of these programs Indigenous-specific in their approach? (*circle one*)
- <1> Yes (*go to follow-up question*)      <7> Don't Know      <9> Not applicable  
<2> No      <8> Refused
- A. *If yes, what do you think makes the anger management/family violence program(s) Indigenous-specific (circle all that apply)?*
- <01> Generally, incorporated culture      <09> Program had mostly Indigenous participants  
<02> Used customs and practices      <10> Incorporated arts and crafts  
<03> Used Indigenous language      <11> Addressed Indigenous community issues  
<04> Incorporated elders      <12> Other (specify) \_\_\_\_\_  
<05> Employed Indigenous facilitators      <13> Other (specify) \_\_\_\_\_  
<06> Incorporated teachings/oral tradition      <77> Don't know  
<07> Incorporated spiritualism      <88> Refused  
<08> Incorporated trips to spiritual grounds/sites      <99> N/A

4. On a scale from 1 to 5, with 1 being “not at all useful” and 5 being “very useful”, how would you rate the usefulness of the anger management/family violence programming available to Indigenous prisoners? (*circle one for each*)

						D/K	Refused	N/A
A. In general	1	2	3	4	5	<7>	<8>	<9>
B. Reducing anger and use of violence	1	2	3	4	5	<7>	<8>	<9>
C. Assisting the prisoner to reduce violent behavior when released	1	2	3	4	5	<7>	<8>	<9>

5. Which aspect of the anger management/family violence programs do you find most helpful in preparing Indigenous prisoners for release into the community?

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<7> Don't Know

<8> Refused

<9> Not Applicable

6. Which aspects of the anger management/family violence programs do you find the least useful in preparing Indigenous prisoners for release?

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<7> Don't Know

<8> Refused

<9> Not Applicable

7. What do you think would improve prison anger management/family violence programs so that Indigenous prisoners are better prepared for release back into the community?

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<7> Don't Know

<8> Refused

<9> Not Applicable

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### Section C iii: Sex offending Programs

1. Are sex offender programs available to Indigenous prisoners within your institution?  
(circle one)  
<1> Yes (go to follow-up question)      <7> Don't Know      <9> Not applicable  
<2> No (go to other program sections)      <8> Refused
  
2. What is the name(s) of sex offender program(s) available to Indigenous prisoners?  
A. \_\_\_\_\_ C. \_\_\_\_\_  
B. \_\_\_\_\_ D. \_\_\_\_\_  
<7> Don't Know      <8> Refused      <9> Not applicable
  
3. Were any of these programs Indigenous-specific in their approach? (circle one)  
<1> Yes (go to follow-up question)      <7> Don't Know      <9> Not applicable  
<2> No      <8> Refused  
  - A. If yes, what do you think makes the sex prisoner program(s) Indigenous-specific  
(circle all that apply)?  
<01> Generally, incorporated culture      <09> Program had mostly  
Indigenous participants  
<02> Used customs and practices      <10> Incorporated arts and crafts  
<03> Used Indigenous language      <11> Addressed Indigenous  
community issues  
<04> Incorporated elders      <12> Other (specify) \_\_\_\_\_  
<05> Employed Indigenous facilitators      <13> Other (specify) \_\_\_\_\_  
<06> Incorporated teachings/oral tradition      <77> Don't know  
<07> Incorporated spiritualism      <88> Refused  
<08> Incorporated trips to spiritual  
grounds/sites      <99> N/A

- 
4. On a scale from 1 to 5, with 1 being “not at all useful” and 5 being “very useful”, how would you rate the usefulness of the sex offender programming available to Indigenous prisoners? *(circle one for each)*

	1	2	3	4	5	D/K	Refused	N/A
A. In general	<7>	<8>	<9>					
B. Reducing sexual impulses	<7>	<8>	<9>					
C. Assisting prisoners to control sexual impulses when released	<7>	<8>	<9>					

5. Which aspect of the sex offender programs do you find most helpful in preparing Indigenous prisoners for release into the community?

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<7> Don't Know

<8> Refused

<9> Not Applicable

6. Which aspects of the sex offender programs do you find the least useful in preparing Indigenous prisoners for release?

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<7> Don't Know

<8> Refused

<9> Not Applicable

7. What do you think would improve institutional sex offender programs so that Indigenous prisoners are better prepared for release back into the community?

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<7> Don't Know

<8> Refused

<9> Not Applicable

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## Section D: Barriers to delivery

1. What are the three most important factors which contribute to low program and service participation rates among Indigenous prisoners? Please explain each factor.

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<7> Don't Know

<8> Refused

<9> Not Applicable

2. What are the three most important factors which limit the number and range of programs/services offered to Indigenous prisoners in prison?

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<7> Don't Know

<8> Refused

<9> Not Applicable

*Is there anything else that you would like to add about what is available to Indigenous prisoners in prison or what might be helpful in assisting in reintegration? Do you have any questions? Thank you very much for your time.*

Could you please return this document to:

The Australian Institute of Criminology  
C/O John-Patrick Moore  
GPO BOX 2944  
Canberra, ACT, 2601







# Research and Public Policy Series

## No. 90

Indigenous Australians are overrepresented in the criminal justice system. To date, the lack of a national study into Indigenous reoffending has hampered understanding of the problem and implications for policy.

This report presents findings from an analysis of data covering nearly 9,000 adult males incarcerated for violent offences and released from prison over a two-year period. It also presents the key themes that emerged from interviews conducted across a number of Australian states and territories with prisoners, ex-prisoners and stakeholders involved with Indigenous reintegration. What emerges is a comprehensive overview of the extent of reoffending, and the elements affecting successful reintegration and their application for achieving improved reintegration outcomes for Indigenous offenders. Assessing the implementation of Indigenous-specific correctional programs and services, participation in programs, and the barriers to and improvements in programs provide a basis for improving services. Policies and research that focus on changes to correctional programs and services at the community level are required for effective reintegration of prisoners. Culturally relevant delivery and content of programs, program evaluation, and involvement of family and community in reintegration are also issues for further research and policy development.