



Keeping on
COUNTRY

Doomadgee and
Mornington Island

**Recidivism
Research Report**

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Executive **SUMMARY**

Executive Summary

The over-representation of Indigenous people in the Australian criminal justice system continues to be a major social problem despite numerous reviews and academic studies. Statistics show a disparity in incarceration rates which highlight that there are 1891 prisoners per 100 000 Indigenous adults compared to 136 per 100 000 non-Indigenous adults (ABS, 2009). In addition the economic costs of keeping one person in prison per year is over \$76 000 per year. There are also social and economic costs that impact on the families and friends of Indigenous people who are incarcerated. Of greater concern are the high rates of recidivism among Indigenous people, with a 2008 study indicating that a quarter of all Indigenous people who are incarcerated re-offend within six months of their release from prison. This scenario is exacerbated in remote Aboriginal communities where there is a clear correlation between remoteness and disadvantage, with high rates of people suffering from health issues, limited employment opportunities, a lack of suitable housing and people suffering from alcohol and substance abuse issues.

This research was commissioned as part of the Federal Government's "Breaking the Cycle" initiative which aimed to address the impact of alcohol and drug abuse among Indigenous people living in remote communities, with this specific project focused on reducing incarceration rates. The project was a collaboration between North and West and Remote Health (trading as Medicare Local at the time that the research was conducted) and James Cook University, Townsville. The major aims of the research were to gather original data and develop an evidence based approach to address the high rates of recidivism of people living in the remote communities of Doomadgee and Mornington Island in North-West Queensland. To this point there were no other studies which attempted to gain the perceptions of Indigenous people about the problem of recidivism and its impacts on remote communities. In addition it was intended that the data from the research would be used to develop a knowledge base to form a systematic case management and intervention framework, for assisting offenders to desist from crime and to successfully reintegrate back to their communities.

The data was obtained through the use of the action research method with in-depth semi-structured interviews being conducted with people with re-offending histories, family members of reoffenders and community organisations which provide services to former prisoners. In all a total of sixty interviews were conducted across both sites in addition to fifty anecdotal conversations with various community members.

The research identified key risk factors associated with reoffending, including early school disengagement, the absence of opportunities for paid work from a young age, the normalisation of crime within families, and juveniles committing crimes with peers while under the influence of alcohol and /or drugs. All of the offenders in the cohort cycled into the adult prison system with eighty percent being charged for domestic violence offences while under the influence of alcohol or drug use. Seventy percent of those interviews had been imprisoned on four or more occasions for breaching parole conditions.

Offenders perceived that they encountered problems dealing with accessing the criminal justice system, such as having limited time with duty solicitors to discuss their case before facing the court, with many being advised to plead guilty despite their belief that they were innocent of the charges. The interview data about prison life highlighted that going to prison was a normalised experience within Aboriginal families, and that prison provided people with a structured day with opportunities for employment and access to some services such as literacy, numeracy and in cases of longer periods of imprisonment, therapeutic programmes. However the greatest impact on many inmates related to limited contact with their families and community due to the vast distance from prisons to their remote home communities. Family contact was partly alleviated through the advent of a recent video-link initiative between the prison and families at both well-being centres, established as a component of the Keeping On Country Project.

Reintegration back to the community after spending time in prison is fraught with a number of challenges which ultimately result in many former prisoners reoffending a short time after they return. In some cases former prisoners breach parole conditions on their way back to their communities because of enforced overnight stopovers in towns such as Mt Isa and Cairns. When returning home family members of offenders and offenders themselves reported that they often did not understand parole conditions or that some parole conditions were unrealistic which resulted in offenders returning to prison. All former prisoners perceived that finding paid employment was a major hurdle due to their possession of a criminal record which prevented them from working in sites such as schools or hospitals. In the absence of employment or other structured activities returning prisoners frequently relapsed back into previous habits associated with alcohol or drug dependency, which resulted in further breaches around domestic violence orders and subsequent interactions with the police and courts.

The families of offenders identified similar factors as contributing to re-offending by their partners. One of the greatest impacts of repeat imprisonment on families was the vacuum left when a loved one was taken away to prison, with serious psychological impacts on young children highlighted in particular. Partners also identified that they suffered loneliness and faced economic challenges due to the absence of the family breadwinner. The interviews with community service providers highlight the urgent need for a co-ordinated approach from agencies to assist returning prisoners to reintegrate back to their communities. Often agencies are working with the same person but appear to have limited communication in terms of making the process of reintegration easier for former prisoners.

Responses from all three cohorts of interviewees converge on the need for community based responses if the problem of recidivism is to be addressed. A justice reinvestment framework has been suggested, where funds are taken out of corrections and redirected into communities so that pragmatic solutions to criminal behaviour can be implemented. There is overwhelming support for the introduction of on country bush camps, where returning prisoners are supported to reside external to townships on country, by elders and other supporters as a means of gradually transitioning people back into their communities. In addition, the introduction of transition officers at each site to assist in the co-ordination of services for supporting returning prisoners has been supported by each community. The other proposed initiatives for addressing recidivism are documented in the key recommendations in the next section of this report.



RECOMMENDATIONS

RECOMMENDATIONS

Custodial Based Recommendations

Prison Based Transitional Officers

The appointment of an adequate number of prison based transitional officers would assist in the successful re-entry of offenders by working closely with the custodial system and community based transition officers, in the months leading to an individual's release from prison. Such an approach, adequately resourced, would enable structured, comprehensive and coordinated transition services from the point of entry into the prison system. Prison based transitional officers could also assist in facilitating ongoing family and community connection during periods of incarceration through video links with family members in the community, and hosting visitations of the community based transition officers. Prison based transition officers could also be responsible for the institution of education, work and vocational skills programs which lead to employment upon release, and the facilitation of individual and group programs aimed at addressing the challenging realities of the re-entry process. Finally, prison based transitional officers could also play a role in assisting prisoners to engage in the Parole application process, and liaise with the Parole Board regarding community based programs and services available to an offender upon release, as well as providing other contextually important information.

Prioritise Re-entry Planning

Re-entry planning is critical if the cycle of recidivist offending is to be addressed. Prisoners require individually tailored holistic and ecologically informed transitional plans that address risk factors associated with recidivism at both individual and family levels and within the community context. Key areas that require attention would relate to family and relationship issues, education and employment, offender health (including drug and alcohol abuse), social and emotional wellbeing, individual and cultural identity, accommodation options and requirements and promoting a clear understanding of parole conditions. Transition plans would also need to include both prison and ongoing community based case management that incorporates offence-specific intervention modules, and therapeutic programs aimed at

Access to Employment and Education Opportunities

Members of the offender cohort reported that they had limited support to access educational opportunities while in prison, despite the fact that custodial staff were able to identify that a number of options were in fact available. The offender cohort did however identify that they were able to readily access a job almost immediately upon entry into the prison system. Whilst many identified that it was a positive opportunity to participate in work such as the laundry, parks and gardens (landscaping) and work coordinated by the prison farm, the absence of links to employment opportunities post-release was evident. In order to overcome the disconnect between prison and community based employment pathways it is suggested that each new inmate is provided with a mentor to assist them with educational or employment opportunities, in the context of a reintegration process. The introduction to employment assistance programs, consisting of the provision of employment readiness training and community based employment for low risk prisoners, are two initiatives that could prepare offenders for work readiness upon release. Employers may also be more willing to hire ex-offenders who demonstrate successful rehabilitation by completing these programs, and who have had pre-release work experience in community-based employment.

Promoting Family Reunification

Few inmates receive visits from their families whilst incarcerated due to the remoteness of their communities and the high costs associated with air-travel and accommodation. Consideration needs to be given to how alternative forms of communication can be utilised to enhance family contact when a partner or parent is in prison. One successful initiative that has been implemented since the start of this research is the advent of a video-conferencing family connection program, between the wellbeing centres at each location and the prison. This initiative has been very successful at both sites and if required should be expanded to maximize the number of opportunities for family contact during periods of incarceration. The maintenance of family contact during periods of incarceration not only eases the burden of forced separation, but also enables family to be actively informed and involved in offender re-entry planning. Moreover, by utilising video conferencing services through wellbeing centre facilities, families vulnerable to experiencing difficulties associated with having a member incarcerated are readily identified and more organically engaged in support services. Video conferencing could also offer potential for couples to be jointly engaged in therapeutic

programmes aimed at addressing recidivism, such as relationships counselling and domestic violence programmes prior to physical reunification.

Travel Back to the Community

This research has documented multiple cases where returning ex-prisoners have interactions with police, while travelling back to their community, after being released from prison. In such cases the individual returns to prison before they actually arrive back in their community. A contributing factor to this problem is the common requirement that ex-prisoners stay over-night in Mt Isa or Cairns. Ex-prisoners commonly cited confusion around travel and accommodation plans and the opportunity to indulge in alcohol consumption, with such circumstances frequently resulting in a breach of parole prior to arriving back in their home community. It was further identified that the inclination to engage in alcohol consumption in such circumstances is exacerbated by the alcohol-restricted status of the communities to which offenders are returning. To overcome this problem it is suggested that the prison transitional officer arranges overnight accommodation and ensures the ex-prisoner is met at the airport by a paid community mentor, who escorts the ex-prisoner to the accommodation for the overnight stay, provides support and pro-social engagement and returns next morning to ensure that the male/female arrives back at the airport to resume their journey. Alternatively, if prisoner release dates can be more actively structured, it may be viable to consider commencing dedicated transportation of prisoners back to home communities.

Community Based Recommendations

Back on Country Bush Camps

A key suggestion from both the Doomadgee and Mornington Island communities is the introduction of back on country bush camps for individuals who return to communities after periods of incarceration. There is consensus that people reoffend soon after they return due to a lack of support and assistance in terms of finding employment or engaging in meaningful, structured activities, inadequate or inappropriate housing, relapsing back into alcohol and drug use, chronic family and relationship dysfunction and failure to comply with parole conditions. These camps would overcome some of these risk factors and assist individuals to make a gradual and supported transition back to their communities and desist from further crime. The advantages of this model are:

- a. Individuals could fulfil their parole conditions in a supportive environment through regular access to parole officers, alcohol and drug programs, mental health treatment, family wellbeing programs and employment and training opportunities.
- b. The individual participates in community tailored offence specific interventions including skills based training in relation to maintaining pro-social behaviour, with modules such as distress tolerance, emotional management, negotiating interpersonal conflict, cognitive skills, communication skills, responsibility taking, victim empathy, and understanding pathways to offending.
- c. Individuals receive assistance to re-engage in traditional cultural practices and cultural discourse aimed at empowering and enhancing individual cultural identity and also re-connecting offenders with the traditional knowledge, values and belief systems supportive of pro-social behaviour. Moreover through engaging in practices such as hunting, fishing, dance and art returned offenders are able to experience an immediate sense of purpose and belonging through community contribution. Such experiences not only have the capacity to enhance self-esteem and reduce the stigma associated with having been incarcerated, but also have the potential to support community level transformation through empowering an Aboriginal way of life that promotes desistance from offending, and in which pro-social behaviour and being a contributing member of the community are fundamental.
- d. Regular contact with families is made possible through visits to the bush camps which reduces the alienation experienced by prisoners who are physically separated from their loved ones for long periods of time. In turn family members gain an increased understanding about the requirements of parole conditions and can offer social support so their partner desists from crime. Family contact in bush camp settings could also incorporate family based interventions aimed at altering dysfunctional patterns of behaviour, which left unaddressed serve to perpetuate risk of reoffending.
- e. The community-based men's group acts as a support group for the camps and appoints a mentor (who may be a former prisoner) who is able to work with and monitor the individual when he/she re-enters the community after a period at the camp.
- f. The model provides greater opportunities for inter-agency coordination and co-operation in relation to working together to formulate long-term effective transitional programs around the offender and his/her family to address the risk factors associated with re-offending. In particular camps would assist with ensuring that offenders re-entering communities are linked with employment or alternative structured activities

prior to returning to the township itself. The model would also enable established engagement and routine with respect to the provision of town based support services crucial to monitoring and addressing risk factors associated with returning to the township environment.

- g. In addition to providing the base from which offenders re-entering communities could gradually transition back to the township environment, the bush camp model could also be utilised as a safety net or time-out in circumstances where an offender who has returned to reside in the township is experiencing a heightened risk of reoffending.

Community Based Transition Officers

An important outcome of this research is that offenders require intensive support when they re-enter their communities if they have any chance of desisting from further criminal activity. The appointment of local transition officers at both locations is therefore of paramount importance if an individualized holistic intervention framework, that underpins the process of reintegration is to be implemented. The people who undertake this role will be responsible for the individual case management of individuals who re-enter the community post-prison, and will actively monitor their risk assessment while at the on country bush camps and when they return back to the community. They will be instrumental in working with prison transitional officers, community based probation and parole, employment agencies, and clinical, therapeutic and program staff. To ensure continuity of service and client engagement it will be crucial to ensure that Recidivism officers are funded to make prison visits at least 3 times per year. The recidivism officers will also require support from a program coordinator and/or non-community based forensic and therapeutic professional, to assist with building their capacity to implement effective case management in a quality improvement framework, ensure they receive appropriate professional development and that they are able to effectively manage their own personal wellbeing.

Case Management and Intervention Framework

In order to break the cycle of offending both offenders returning to community and community members at risk of being incarcerated, require individually tailored, holistic, ecologically and culturally informed, strengths based case management and intervention. Moreover, in order to be effective at enacting change in the offending behaviour of individuals, the framework adopted must simultaneously target family and community level factors identified as

contributing to offending. Such an approach is essential in terms of influencing positive change in the environment that gave rise to the offending behaviour in the first instance, and that has the potential to perpetuate a recidivist cycle into the future. Informed by the current research and in line with emerging best practice literature in the field, a case management and intervention framework for addressing recidivism in Mornington Island and Doomadgee has been developed and trialled via action learning principles. The framework proposed adopts a culturally and ecologically modified approach to the key principles for effective intervention outlined in the Risk, Needs, Responsivity Model, incorporating wellbeing oriented assessment and case management as well as therapeutic interventions informed by ‘what works’ literature, but modified or reframed to ensure implementation occurs in culturally and ecologically appropriate formats. This framework, prepared by psychologist and project co-ordinator Andrea Davidson is attached (Appendix 1).

Increased Diversionary Options within the Community

An increase in community based sentencing options for magistrates would assist in the process of decarceration and reduce the high numbers of individual’s who leave their communities after being sentenced to periods of imprisonment. Such options include youth justice conferencing, supervised bonds, supervised community service orders and home detention. The benefits of community based diversionary programs are that offenders still have contact with their families and friends as well as an overall reduction in the costs associated with transportation to and from prison and the costs of keeping individual’s in a prison environment.

Men’s Shelter

A primary concern of the offender cohort is the lack of suitable accommodation available to them when they return from prison. Many of those who return to the community are prevented from living with their partner, due to parole conditions associated with domestic violence issues. In other cases some males perceived that they were the victims of domestic violence and had no other accommodation options available to them in order to avoid further conflict. It is suggested that a men’s shelter or half-way house be established in Mornington Island and Doomadgee to cater for males who may require short-term accommodation when they transition back to township after a period of reintegration at a bush camp, or in times of crisis when they are at a high risk of re-offending.

Community Based Strategies for Reducing Truancy and School Disengagement

Early disengagement from education is a key risk factor for involvement in crime or participation in anti-social behaviours. Intervention strategies at the primary school level aimed at reducing truancy among young people and identifying at risk students, who may disengage from education need to be implemented in both communities. In addition funding to source alternative style education programs with an emphasis on literacy, numeracy and vocational skills for young people who have dropped out of the education system, would be beneficial as a means of re-engaging them back into mainstream education or providing them with job readiness skills. Young people engaged in alternative programmes also require support to apply for training and employment external to their remote community, in order to mitigate issues associated with the limited jobs currently available in remote communities. Similarly programmes supporting the establishment of small businesses in remote communities could be utilised as a means of stimulating employment opportunities.

Utilising Community Justice Groups to Co-ordinate a Local Indigenous Crime Prevention Strategy

Community justice groups have the potential of establishing links between key community based agencies to provide a coordinated crime prevention strategy in both communities. This would involve establishing links between health, education, accommodation, police, employment and welfare agencies to establish an integrated approach to crime prevention.

Employment and Training Opportunities

A major risk factor associated with re-offending is the lack of employment or training opportunities in either community for those who re-enter the community post-prison. This means that individual's lack an economic base and are reliant on social welfare. In addition many find that they cannot apply for employment opportunities because they have a criminal record and cannot obtain a blue card. It is suggested that community agencies such as Job Find work with prisons in establishing pre-release employment opportunities in the community for low risk prisoners before they leave prison. This provides on the job skills as well as literacy and numeracy skills which can be translated into employment opportunities for people when they return to their communities. Furthermore, the adoption of the on country bush camps by way of a justice reinvestment approach assists; "community building through crime prevention

as opposed to the weakening of communities through imprisonment (Law Council Report, 2014:15). To this end bush camps would not only address the problem of recidivism but aid in creating new jobs for community people.

Volunteer Opportunities for Ex-prisoners to Demonstrate a Pro-Social Identity

Community based volunteer opportunities should be made available to ex-prisoners as part of their reintegration and acceptance back into their communities. The re-establishment of the former community vegetable gardens that once existed in both communities is one example of a constructive pro-social activity which could involve former prisoners while contributing to self-sustainability of the community.

Knowledge and Understanding of Parole Conditions

Breaching parole and other order conditions is a common factor which leads to people cycling back into the prison system. A contributing factor is that offenders often do not have an understanding about the conditions for parole and other orders they may be subject to due to the way the conditions are written or explained to them. In addition family members or friends are often not aware of parole conditions and place undue pressure on offenders to breach conditions, such as abstaining from alcohol consumption. Community based transition officers should therefore be present in meetings with parole officers to check the levels of understanding among ex-prisoners and communicate the parole conditions to representatives of the family, as a means of supporting the individual to meet his/her parole conditions.


Police Relationships

The interview data from the offender cohort and families highlight a general mistrust of police by community members. The offender cohort gave accounts of harassment by certain police as a result of their criminal histories. In general experienced police who had lived in a community for several years were viewed more favourably by offenders, compared to younger less experienced police. There were observations that younger police often lacked an understanding of Indigenous culture and protocols and should therefore receive appropriate training about how to effectively communicate with Indigenous people, before being transferred to remote communities. It was also suggested that police officers should be

provided with community specific cultural competency training upon entry into remote communities, and or linked with a cultural mentor.

Review of Current Alcohol Management Plans

This research identified alcohol abuse as a catalyst for criminal behaviour and subsequent reoffending by all of the offenders who were interviewed. Subsequently a review of the alcohol management plans should be undertaken to identify other plans which may be implemented. The case of illegal homebrew on Mornington Island clearly indicates that total prohibition of alcohol does not work, and that alternative ways of accessing alcohol should be considered if anti-social behaviour, criminal acts and the negative health outcomes due to alcohol abuse are to be addressed.



Chapter One
**LITERATURE
REVIEW**

Literature Review

The major aim of this project is to reduce the current high rates of recidivism among people living in the remote Aboriginal communities of Doomadgee and Mornington Island. In addition, the research also aims to address the consequences of alcohol and substance abuse in both communities, by implementing a research methodology that will lead to the development of a recidivism case management framework informed by community consultations and data, from people living in each community. It is envisaged that this framework will address the current high rates of re-offending and address some of the current priorities in the Federal Government's "Breaking the Cycle" plan. What follows is a review of some of the relevant literature on these problems which will inform the outcomes of the research in this project.

Introduction

The Royal Commission into Aboriginal Deaths in Custody in 1991 marked a long-awaited acknowledgement that Aboriginal offenders, in custody, were at times treated harshly by the Australian criminal justice system. There was evidence that Aboriginal and Torres Strait Islander prisoners were beaten, refused basic amenities, such as water and rest, resulting in the deaths of a number of inmates while in custody. Insufficient explanations by police and custodial officers about how and why deaths were occurring at a much higher rate for Aboriginal and Torres Strait Islander offenders compared to other prisoners demanded scrutiny, and the Royal Commission was set up to investigate and deliver a set of recommendations. Several of the recommendations made in 1991 are relevant to this research namely:

Recommendation 62: That governments and Aboriginal organisations recognise that the problems affecting Aboriginal juveniles are so widespread and have such potentially disastrous repercussions for the future that there is an urgent need...to negotiate together to devise strategies designed to reduce the rate at which Aboriginal juveniles are involved in the welfare and criminal justice systems and...to reduce the rate at which Aboriginal juveniles are separated from their families and communities, whether by being declared to be in need of care, detained, imprisoned or otherwise.

Recommendation 63: That having regard to the desirability of Aboriginal people deciding for themselves what courses of action should be pursued to advance their well-being...the establishment of a National Task Force to focus on...the examination of the social and health problems which Aboriginal people experience as a consequence of alcohol use.

Recommendation 69: That with the aim of assisting Aboriginal organisations to develop effective programs aimed at minimising the harm arising from alcohol and other drug use, priority be given by research funding bodies to research investigating the causal relationships between alcohol and other drugs, including their availability, and the consequences on community well-being and criminal activity. (Australian Government, 1995, p. 7-8)

These are just a few of the recommendations relevant to this project and their significance will become apparent as this chapter progresses.

The Royal Commission's final report was expected to be a catalyst for institutional change. Two decades later the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs found the issues repeatedly mentioned in the Royal Commission, were factors in another alarming fact that shamed the nation: the rate of Indigenous juvenile offenders coming into contact with the criminal justice system was much higher than other Australians, and Indigenous youth were twenty eight times more likely to be incarcerated despite making up just 2.5% of the population (Australian Government, 2011). Poverty, low employment, substance abuse, lack of education, inadequate housing and family dysfunction were all implicated in the parlous state of Indigenous health and well-being uncovered by the *Doing Time – Time for Doing* report.

Despite the efforts of countless government and non-government programs and strategies implemented since 1991, the same issues have persisted for Aboriginal and Torres Strait Islander communities, in terms of disengagement from education and few employment or training opportunities particularly in rural and remote areas.

As a stakeholder in the primary healthcare system, North and West Remote Health (trading as Medicare Local Central and North West Queensland during the period the current research was conducted) has an interest in ensuring positive outcomes for the Aboriginal and Torres Strait Islander communities in the Northern Gulf region of Queensland. This extends from providing clinical services to having a hand in psychological and social work services, which can have an impact on reducing current high crime rates in each community. The organisation has noted the Queensland Government's review of the Queensland Aboriginal and Torres Strait Islander Justice Strategy, which confirmed the following strategies must be implemented to improve the circumstances of Indigenous youth and older offenders. These include: case management of people in contact with the criminal justice system; continued education/employment and diversion for offenders leaving incarceration; and better support for individuals transitioning back to their communities. It is within the organisations remit to provide support for people making the transition back to their communities and to provide support, in terms of their services and programmes post-detention.

However, North and West Remote Health has identified the lack of an individualised case management and support system to prevent offenders ‘falling through the cracks’, as they attempt to reintegrate back to their communities. There is no easy solution to a complex and long standing problem, despite a high number of reviews which have made recommendations for individual or culturally appropriate case managed plans for offenders. In addition the lack of problem of recurrent funding and funding uncertainty for programmes has made it difficult to evaluate systems for their effectiveness, particularly when there is a change of state or federal governments.

This review will provide a brief overview of the community profiles of Mornington Island and Doomadgee, which will be followed by an analysis of some of the recent research on the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. Some of this literature examines the causes of recidivism, with a focus on the social factors experienced by Aboriginal people and the challenges and opportunities for reintegrating offenders back into these communities, when they return from incarceration. The final section will suggest some of the current strategies that have been put in place to assist communities reintegrate offenders back to their communities.

Mornington Island

Mornington Island is positioned near the Queensland coast in the Gulf of Carpentaria. The nearest town, Burketown, is 125km away. Although the island has a picturesque tropical setting surrounded by clear blue waters, the torrential rain typical of northern Australia’s wet season leads to regular periods of isolation from contact with the mainland. Basic supplies can be unavailable for long stretches when the barge from Kowanyama or Kurumba cannot get to the island. Mornington Island has a police station, hospital, ambulance, shop, and school, where 98% of students are Indigenous and attendance is regularly below 80%, and sometimes below 70% (Central North West Queensland Medicare Local & Healthy Futures Pty Ltd, 2013b).

Mornington Island’s population is just 1,005 people, 88% of whom are of Aboriginal or Torres Strait Islander origin (CNWQML & Healthy Futures, 2013b). The ancestry of Indigenous populations on Mornington Island are the Lardil, Yaugkaal and Kaiadilt tribes, who have close family connections with communities in Doomadgee, Burketown, Aurukun and Kowanyama. The average age of inhabitants is a youthful 25.1 years, compared to the Queensland average of 36 years (CNWQML & Healthy Futures, 2013b).

Mornington Island has a zero tolerance policy for alcohol. Despite this, community consultations in 2012-2013 revealed residents are concerned about the current alcohol management strategy, including access to rehabilitation services, counselling and harm minimisation information (Central North West Queensland Medicare Local, 2013). An outcome of the prohibition of alcohol in the community has resulted in an illegal underground homebrew culture, which has had significant health effects in terms of a sharp rise in the number of residents being hospitalised for alcohol related conditions, such as type 2 diabetes at nine times the rate of the Australian population. Indigenous residents of Mornington Island are hospitalised for preventable chronic illnesses at twice the rate of the Queensland Indigenous population and three times the rate of the other Queensland and national populations. At least one fifth of the Mornington Island population smoke cigarettes and the main reasons for hospital admission are dialysis, injury and poisoning (CNWQML & Healthy Futures, 2013b). Other social effects of homebrew include a rise in the cases of domestic violence and a subsequent increase in police interactions across the community. Mornington Islanders go to hospital for assault at rates thirty eight times higher than other Australians.

Individual mental and physical health conditions can be difficult for residents to manage due to a lack of education, or culturally appropriate information about the causes of chronic health conditions. A contributing factor to poor health outcomes is the relative unavailability of fresh food, which is also very expensive.

Other social issues which impact on the health and well-being of Mornington Island residents include a lack of suitable housing which has resulted in overcrowding in many homes on the island. A survey in 2006 found that 41% of homes were overcrowded (CNWQML & Healthy Futures, 2013b).

Doomadgee

The town of Doomadgee is just over 100km from the Northern Territory border in the lower Gulf of Carpentaria. Doomadgee has a slightly larger population than Mornington Island, with 1404 people recorded in 2011. Of these 1185 identified as of Aboriginal or Torres Strait Islander descent (Central North West Queensland Medicare Local & Healthy Futures Pty Ltd, 2013a). The two main tribes in the area are Gangalidda and Waanyi people, with the Garawa and Minkin tribes also represented. Doomadgee is very isolated despite being on the mainland. The nearest referral hospital is in Mount Isa, a 55-minute flight away or nearly eight hours drive on a partly unsealed road. It also experiences hot, humid weather in the summer and very dry winters.

In March 2012, unemployment in Doomadgee was 26.6% and just 15% of Indigenous youth aged 15-24 were employed or in school full time (CNWQML & Healthy Futures, 2013a). The town introduced an Alcohol Management Plan in 2003, but hospital admissions for alcohol related conditions are still five times higher than the national average (CNWQML & Healthy Futures, 2013a). Other health issues recorded in Doomadgee include a high suicide rate for young males, mental health issues, unhealthy eating habits and overcrowded accommodation. In 2006, 65% of the Indigenous accommodation in Doomadgee was overcrowded, nearly six times higher than other Indigenous communities in Australia (Australian Government, 2011). Compounding these problems is a lack of chronic disease management services and early intervention services, and limited access to counsellors and social workers (CNWQML & Healthy Futures, 2013a). Hospital admissions are twenty one times higher than the national average for assault, twelve times higher for dialysis and ten times higher for diabetes. The most common reasons for admission are dialysis, injury and poisoning, and diseases of the respiratory system (CNWQML & Healthy Futures, 2013a). The teen pregnancy rate in Doomadgee is eleven times higher than the national average (CNWQML & Healthy Futures, 2013a).

The lack of frequency and duration of service provision in Doomadgee impacts on the continuity of care for individuals. Gaps in service delivery, negatively impacts on the community's health. A high concentration of visiting health practitioners coupled with numbers of relatively inexperienced junior health workers, may contribute to the limited services at the community.

Criminal Profile of the Communities

The following statistics for criminal trends in both communities were supplied by the Queensland Police Services Statistical Service Information Resource Centre.

Profile of Criminal Involvement by Age

Juveniles (by Queensland law young people between the ages of 10 and 16 inclusive) are more likely to be involved in property crime, with unlawful entry, property damage, and unlawful use of motor vehicle the most common offences across both localities. During the five year period from 2009 to 2014 the average (mean) involvement of juveniles in property crime on Mornington Island was 67%, while in Doomadgee this figure was 69.8%. The involvement of juveniles in offences against the person represents a much smaller proportion of 6.3% on both

Mornington Island and Doomadgee. These offences are usually assault, but with some cases of sexual assault/rape, and in Doomadgee death by dangerous driving.

Profile of Criminal Involvement by Gender

Males are reported as offenders at a far higher rate than females across all offence type and both locations, recorded at a five year average of 68% and 80% for offences against the person at Mornington Island and Doomadgee respectively, and 83.8% and 91.8% for property crime.

Profile of Criminal Behaviour by Alcohol Indicators

Liquor offences (excluding drunkenness) are higher on Mornington Island than Doomadgee. Both locations have Alcohol Management Plans (AMPs) in place mandating the prohibition of alcohol (Mornington Island) and restrictions on alcohol (Doomadgee). On Mornington Island the average (mean) recorded liquor offences from 2009 to 2014 was 329.6, however, the last two years of that period revealed a significant rise, with 462 offences in the 2012-2013 reporting period, and 410 in the 2013-2014 period. Doomadgee has a lower offence rate with the average across the five years at 58.6 offences. However, since a low of 30 offences was recorded in the year 2010-2011 the number of reported offences has risen steadily to 64 offences between 2013 and 2014.

The use of alcohol (and in a few cases, drugs) was recorded in conjunction with many of the recorded crimes, notably for assault and breach of domestic violence orders. The use or abuse of alcohol was recorded in 70% of all assault offences, and 73.68% of all breach of domestic violence orders on Mornington Island. In Doomadgee the involvement of alcohol was recorded in 48% of assault, and 54.6% of breach of domestic violence order offences. The difference in AMPs and associated policing of alcohol consumption between the two communities should be considered when using these statistics.

Profile of Criminal Behaviour by Domestic Violence Indicators

Domestic violence is listed as an indicator in roughly a third of all assault offences in both locations, with Mornington Island recording an average (mean) of 29.5% of all assaults (from 2009-2014) were considered domestic violence related. In Doomadgee this figure was 32.5%.

Trends in Reported Offences on Mornington Island and in Doomadgee

In Doomadgee there has been an overall increase in offences against the person, where the actual number of assaults for the five years from 2009 were recorded at 50, 57, 56, 90, and 87. The number of assaults with domestic violence indicators has risen over the same period, from a low of 48 in 2010-2011, to highs of 107 and 97 in 2012-2013 and 2013-2014 respectively.

On Mornington Island the biggest trend is an increase in property crime, with actual recorded offences from 2009 being 49, 45, 88, 138, and 214. Recorded liquor offences have also increased from a low of 226 in 2010-2011 to 410 in 2013-2014. There has been a concurrent trend in breach of domestic violence orders, with a low of 27 offences in 2010-2011, to 62 recorded cases in 2014-2014. However there has been a slight decrease in overall assaults.

Remote Community Life in Australia

White and Wyn (2008, pp. 66-67) observed that to fully understand Indigenous culture in Australia today, the legacy of colonialism and the impact of the invasion of the British must be interwoven with analyses of modern Aboriginal and Torres Strait Islander life. Historic injustices, discrimination and racism have permeated through generations remain a feature of modern Aboriginal and Torres Strait Islander culture, leading to fraught interactions between Indigenous and non-Indigenous people. This has significantly manifested in the criminal justice system, with Indigenous people being criminalised at rates that effectively remove many Aboriginal and Torres Strait Islander people from their communities into incarceration. Local community contexts, including the economic and social characteristics of a region, affect the life chances of disadvantaged individuals (White & Wyn, 2008, p. 166). As reported in the previous section, Mornington Island and Doomadgee people experience higher-than-average rates of assault which are potential factors influencing crime rates. In 2009, former District Court judge Michael Forde reported that he had kept records over the 15 years while presiding over the Queensland courts which primarily involved offenders from Doomadgee and Mornington Island. His records suggested that violent crimes decreased up to 50% each year after 2003, when Alcohol Management Plans were introduced in both communities (Koch, 2009). However, the Crime and Misconduct Commission (2009) states there has been no reduction in the number of offences since Alcohol Management Plans were introduced and Mornington Island now has one of the highest rates of violence of all Queensland's Indigenous

communities. These are significant statistics that indicate underlying issue in both communities.

The majority of housing in both towns is provided by the Department of Housing, and previously work for the dole style employment was co-ordinated through the Community Development Employment Projects (CDEP), before the programme was discontinued and later merged into the Remote Jobs and Communities Programme (RJCP). In addition to a lack of employment in both communities there is also a dearth of recreational activities, access to healthy lifestyle options such as fresh food and exercise facilities, and problems with alcohol and drug use which lead to criminal offending.

The Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse observed that alcohol abuse, marijuana abuse, violence, family breakdown and; ‘a weakening of the traditional and cultural values in modern Australian society’, were unaddressed problems leading to regular sexual abuse of children in Aboriginal communities (Northern Territory Government, 2007, p. 13).

A spatial cluster analysis of suicide in Australia between 1999-2003, using statistics from the Australian Bureau of Statistics and Local Statistical Areas, showed the risk of suicide in Australia is higher in North Queensland and inland Australia than in other regions of Australia (Qi, Hu, Page, & Tong, 2012). The researchers noted the areas of high suicide risk located through the study are primarily those with Aboriginal and Torres Strait Islander populations from low socioeconomic status, such as Mornington Shire in Queensland and Bathurst-Melville Shire in the Northern Territory (Qi et al., 2012). Mornington Shire was the primary site of a cluster of suicides of males aged 15-34 during the research period (Qi et al., 2012). It is worthwhile considering the availability of suicide prevention and counselling services in Mornington Shire – as we have seen above, access to mental health services is a serious issue for both Mornington Island and Doomadgee.

Overrepresentation in the Justice System

Aboriginal and Torres Strait Islander people are part of the ‘intergenerational revolving door’ of interaction with the criminal justice system, including contact with police, courts and detention (Beresford, 2012, p. 235). Overrepresentation of Aboriginal and Torres Strait Islander youth in the criminal justice system is found across all States and Territories and is increasing (Jesuit Social Services & Effective Change Pty Ltd, 2013). Not only is overrepresentation increasing, it is known that Indigenous people are over-represented in each stage of the criminal justice system (Allard et al., 2010).

The rate of detention of Aboriginal and Torres Strait Islander youth for example is twenty eight times higher than non-Indigenous youth (Beresford, 2012). Reducing overrepresentation is therefore an important social justice and policy issue and is a ‘closing the gap’ priority for the criminal justice sector (Allard et al., 2010). However, the Crime and Misconduct Commission (2009, p. xviii) observed that; “There can be no doubt that enormous sums of money, and a huge amount of bureaucratic effort, have been devoted to addressing Indigenous disadvantage over the past 20 years particularly in the area of crime and justice.” However, the problem continues to grow despite a raft of policy changes from various governments.

The issues contributing to the reasons for the overrepresentation of Aboriginal and Torres Strait Islander people in the criminal justice system are consistent across Australia, with studies in Western Australia (Beresford, 2012), Victoria (Jesuit Social Services & Effective Change Pty Ltd, 2013), Queensland (Stewart & Smith, 2004) and New South Wales (McCausland & Vivan, 2010) which document similar factors contributing to this social problem. The following section will examine the major contributing social factors relating to forms of policing, systematic racism, sentencing options and service provision.

Social Factors Contributing to the Over-Representation Problem

As a marginalised and socially excluded group, Indigenous Australians experience a different life to other people in Australia. The effects of racial discrimination at individual and institutional levels have led to the economic and social exclusion for many Indigenous people, resulting in an entrenchment of poverty and a reliance on social welfare. Research indicates that socioeconomic disadvantage is linked to crime with a growing gap between rich and poor people in Australian society. Forms of inequality are often more pronounced for those living in rural or remote areas, compared to people living in major cities or urban areas. These conditions must be viewed as part of a historical whole as none of them would have existed without colonialism, dramatically affecting the landscape over the last 250 years.

While Aboriginal and Torres Strait Islander communities are not homogenous, however, the reasons for their involvement in crime are strikingly similar. McCausland and Vivan (2010) refer to research from 2006, which indicated social cohesion and integration is more important than economic or population factors in predicting crime. The authors surmise that the:

... risk factors including poor school performance and poor school retention, child neglect and abuse, family disruption and dissolution, unemployment, poverty and low socioeconomic status, overcrowding, living in a crime-prone neighbourhood, lack of social support and involvement, social stress and, most importantly, drug and alcohol abuse (McCausland & Vivan, 2010, p. 302)

Forms of inequality are therefore strongly associated with Indigenous people's higher representation in the criminal justice system. Aboriginal and Torres Strait Islander communities have effectively had their lands, resources and place in the community stolen since European settlement. Their communities have borne the brunt of racist government policies such as White Australia and Stolen Generations, which have resulted in social and economic exclusion from mainstream Australia. Though 'crime' is seen as the problem and governments seem to enjoy the concept of 'cracking down' on it, underlying poverty and inequality in many disadvantaged communities is ignored.

School Performance and Retention

Moore and McArthur (2014) state that educational achievement, commitment to school and participation in school-based recreation and other activities reduce antisocial behaviour and protect against other risk factors known to contribute to youth crime. They note school was a 'protective factor' for young people because interaction with peers, and positive and safe learning environments, provided better feelings of social inclusion and belonging. Their study showed that for most youth, lack of attendance at school was linked to a disruptive home life, linked to factors such as family violence or parents who are dependent on alcohol or drugs. Subsequent disengagement from attendance and achievement at school meant there was more time and opportunity for young people to offend and socialise with criminogenic peers (Moore & McArthur, 2014). Beresford (2012, p. 257) also notes that exclusion from school leads to boredom and subsequent offending behaviour. The New South Wales Department of Justice found that; 'there is a strong correlation between expulsion from school and incarceration in the juvenile justice system' (Australian Government, 2011, p. 17).

Employment

The literature also shows that disengaged youth often find it difficult to find employment or training opportunities, particularly in remote communities such as Mornington Island and Doomadgee. This often results in further interactions with the adult criminal justice system as they grow older by developing a criminal trajectory into adulthood.

Many Aboriginal and Torres Strait Islander people in remote Australia have limited options for employment. There are few private enterprises in homeland communities and those that do exist, are not able to support an entire town's population with full time employment. The Community Development Employment Projects (CDEP) scheme was introduced in 1977 to provide training for Indigenous people in remote communities. The goal was to get the people skilled for 'real' jobs, by removing unemployment benefits as the only source of income (Hudson, 2008). However, critics of CDEP claim it is nothing more than 'sit-down money'

that has hidden the true extent of the educational and employment crisis in Indigenous communities. In a study in 2008, it was observed that the CDEP programme had limited long-term advantages for people. For example it was argued that in some remote communities real Indigenous employment rates were as low as 17%, with some CDEP participants involved in meaningless tasks such as being paid to mow their own lawns. They were given vocational certificates certifying their participation, but were still illiterate and innumerate and unable to gain work outside of CDEP programme (Hudson, 2008).

With few 'real' jobs available in Mornington Island and Doomadgee, it is easy to see the potential motivations for drug and alcohol abuse and enhanced possibilities for interactions with the criminal justice system.

Intergenerational Trauma

There is little doubt that the impact of the Stolen Generation has been an ongoing issue for Indigenous people in terms of their life outcomes in contemporary Australia (National Sorry Day Committee, 2014). Many of the stolen children are now adults who have families of their own and have reported intergenerational trauma in the form of increased rates of substance abuse, child abuse, domestic violence, health problems and criminal activity. As a result many young Indigenous people have difficulties in forming an identity which can be a 'long, convoluted and distressing process' (White & Wyn, 2008, p. 75). With the forced removal of children from their parents came the disengagement and estrangement from culture, from country and traditional rules of community which still reverberate with young people today.

Family Dysfunction

Child abuse in some Aboriginal communities in Australia was so rife that the *Little Children Are Sacred* report in 2007, led the government to take drastic action by ordering the Northern Territory intervention. The rationale behind the intervention was reminiscent of the Royal Commission's recommendation that a 'National Task Force' be established to examine the social and economic consequences of alcohol and substance abuse in Aboriginal communities, albeit with the revised goal of examining child sexual abuse rather than substance abuse. The Australian Defence Force was commissioned to visit the Northern Territory to 'supervise' health and police services completing their government-mandated tasks. However, the intervention was not seen as a positive step for Indigenous – non-Indigenous relations; the fear of another Stolen Generation permeated communities who did not understand the reasons to

justify the intervention. Many were sceptical that the intervention was a cover for young children to be taken by child protection units and therefore did not participate in health checks. The mismanagement of the message and lack of consultation with communities, *before* the intervention commenced, means that an opportunity for a Territory-wide program to improve the health and wellbeing of children was likely missed.

Good parental supervision is known to be a protective factor against offending, while criminal or anti-social parents are predictors (Crime and Misconduct Commission, 2009).

Health

Health issues are frequently implicated in the causes of crime. Young people with Foetal Alcohol Spectrum Disorder (FASD) are at higher risk of contact with the criminal justice system (Australian Government, 2011). The Royal Australian College of Physicians told the authors of *Doing Time – Time for Doing*, that ‘young people in the justice system are much more likely to suffer from mental health disorders than the general population and that Indigenous people were more likely to be admitted to hospital for behavioural and mental health problems than other Australians (Australian Government, 2011, p. 15). The high occurrence of mental health issues is an even bigger problem when considering that many young people may go undiagnosed, and therefore not receive professional help. In remote communities there are fewer opportunities for local people to access psychiatrists or psychologists to address mental health issues.

Health is as much a social issue as it is a risk factor for involvement in crime. ‘Health risk behaviours, such as smoking and poor diet, are strongly associated with many aspects of socioeconomic disadvantage’ (Australian Government, 2011, p. 15). As numerous reports and inquiries have demonstrated, socioeconomic disadvantage, poor health and lack of education may contribute to suicide or self-harm.

Drug and Alcohol Abuse

Substance abuse and youth offending are closely associated (Putnins, 2003). Denning and Homel (2008) conducted research into 503 youth recidivist offenders in South East Queensland between 1999-2003 and found that youth on drugs were ten times more likely to reoffend and be arrested than those not on drugs.

The *Little Children Are Sacred* report recorded that in 2005-2006, 71% of prison admissions in the Northern Territory were alcohol related and it was not unreasonable to suggest the majority of these were Aboriginal people (Northern Territory Government, 2007). With 26%

of the population under 15 years at the time of the inquiry, the report authors were appalled at the level of alcohol use and abuse by young people, which was thought to occur at twice the rate of other young people in Australia (Northern Territory Government, 2007, p. 16). Unless alcoholism was ‘conquered’, there was little point pursuing recommendations in the report, claim the authors (Northern Territory Government, 2007).

White and Wyn (2008) consider substance abuse like ‘chroming’, as a matter to be addressed as a health or welfare problem rather than a criminal issue. For some Indigenous youth, being arrested or cautioned for offences such as underage drinking and drug use is unnecessarily criminalising their behaviour, and can lead to further criminalisation through spending time in detention with criminal peers.

Police, Courts and Sentencing Options

There are several options available to police and courts when interacting with youth offenders. The first option is to divert first time youth offenders from the justice system through conferencing or cautioning (Allard et al., 2010). This option has resulted in victim satisfaction levels between 80-97% in Queensland, but more importantly, youth offenders who are offered this option are less likely to come back into contact with the justice system than those who are summoned to court (Allard et al., 2010). Unfortunately, a study found that Aboriginal and Torres Strait Islander youth in three states were not offered this option. Allard et al. (2010, p. 3) reported the findings of a longitudinal study of 8,236 youth offenders in Queensland who had contact with the justice system between 2000-2007 and discovered that two in three Indigenous males, and one in four Indigenous females had contact with the justice system, compared with one in ten males and one in 20 female non-Indigenous youth. Young Indigenous people were also twice as likely to have a court appearance to non-Indigenous people.

A study of 2,038 juvenile offenders in Queensland in 2006 recorded that Indigenous youth were recommended to undertake a community conference for 22% of alleged offences during that year, while non-Indigenous youth were recommended for conferencing for 78% offences (Richards, 2010). This is disproportionate and results in more Indigenous youth being transferred to court than non-Indigenous youth, despite similarity of offences, resulting in Indigenous overrepresentation at the detention level. Perhaps accounting for part of this figure is the fact youth justice conferencing is available on a fly-in, fly-out basis in remote Queensland Indigenous communities and the opportunity is offered only once every six months (Crime and Misconduct Commission, 2009).

Indigenous youth are more likely to come into contact with the juvenile justice system at the detention stage (Australian Government, 2011). Therefore, it is important for crime *prevention* strategies to be enacted in Indigenous communities (Richards, Rosevear, & Gilbert, 2011). Allard et al. (2010, p. 4) state that ‘preventing initial contact for Indigenous young people is somewhat more important for ‘closing the gap’ than addressing the issue of disparity in the use of diversionary processes’. Despite acknowledging prevention is better than cure, it is difficult for governments to sustain as it involves a level of community engagement most departments are not equipped for (Crime and Misconduct Commission, 2009). Communities and services must work together to ensure Aboriginal and Torres Strait Islander youth have sufficient health, recreation and employment options, safe home environments and opportunities for education to prevent initial involvement in crime, as the statistics show this will in all likelihood lead to a cycle of offending.

Recidivism

Indigenous Australians, including youth, are the fastest growing prison population in all States and Territories (Beresford, 2012, p. 245). More than 80% of offenders in the juvenile justice system progress to the adult criminal justice system, indicating recidivism is a serious issue for Indigenous communities to address, if overrepresentation of Aboriginal and Torres Strait Islander youth is to decline. As mentioned in the previous section, youth on drugs are more likely to reoffend and be arrested than youth not on drugs (Denning & Homel, 2008). It should be a priority to address drug and alcohol abuse in Aboriginal and Torres Strait Islander communities both as a health and criminal justice strategy.

Blumstein and Graddy, cited in Brame, Mazerolle, and Piquero (2010, p. 341), observed that race is a stronger predictor of first involvement with crime than it is a predictor of recidivism. Brame et al. (2010) note that Indigenous status is linked to participation and frequency of adult offending, with Aboriginal and Torres Strait Islander peoples more likely to participate in criminal activity and attain a criminal record, than non-Indigenous peers. These statistics make it seem inevitable that Aboriginal and Torres Strait Islander youth are destined to be involved with the criminal justice system at some stage of their lives. The research study conducted by Brame et al. (2010) of serious youth offenders suggested a higher chance of an adult criminal order would be issued for Indigenous youth than for non-Indigenous youth, compounding the likelihood of contact with both juvenile and adult criminal justice systems.

A focus on prevention strategies that address Aboriginal and Torres Strait Islander disadvantage is favoured by Jesuit Social Services (2013). This would involve strengthening

the cultural awareness of all officers involved in the criminal justice system, from police to parole officers. Former judge Michael Forde also favoured provision of health therapists and social workers permanently stationed in remote communities, which would provide troubled people with immediate assistance when required (Koch, 2009). Some evidence suggests that programs simultaneously and holistically targeting more than one risk factor – such as population health and substance abuse, or domestic violence and school attendance – are more likely to be successful than multiple unconnected programs (Richards et al., 2011).

Family and peers are contributory factors to recidivism. Watt, Howells, and Delfabbro (2004) observe that problematic family relationships characterised by inconsistent parenting, coupled with poor academic achievement and school experiences, can set youth on the path to criminal behaviour. Using Hirschi's 1969 social control theory which suggests crime, is the result of a weak link to society, to consider the motivations for youth offending illuminates why family relationships are an important predictor of youth crime. Factors such as family communication would theoretically result in less recidivism, as would better academic achievement and involvement in school (Watt et al., 2004). However, it is also known that sibling and parent criminality is an important predictor of recidivism, which suggests social control theory does not wholly explain recidivism – a link to family could be forged by criminality just as it could by other activities. Watt et al. (2004, p. 147) also found evidence to show delinquent individuals choose delinquent friends, but it does not necessarily follow that delinquent friends cause offending, although they are linked. One strategy to address recidivist offending could be for those returning to communities to be isolated from delinquent peers, through programs that will improve employment and education prospects on a full time basis.

Restorative justice has been seen as an effective intervention into recidivist offenders' lives, by forcing them to accept and admit they have caused social harm (White & Wyn, 2008). However, most ideas of social harm focus only on the crime, victim's circumstances and ignore the factors that have resulted in the criminal being motivated to commit crime, such as poverty, inequality and racism.

Reintegration

The transition from youth detention back to the community can be fraught with danger – there is the possibility of social stigma attached to offending; a risk that the same factors that pushed the youth into offending will still be there on their return; and there may be few options for the young person to take the steps they may have committed to when leaving detention, such as gaining employment or committing to education.

Beresford (2012) recommends education systems be trained to recognise learning and behavioural difficulties in Aboriginal and Torres Strait Islander youth. School attendance and participation are linked to youth crime, therefore it is imperative teachers are trained adequately to recognise potential health problems, the effects of family dysfunction and other environmental factors impacting an Indigenous youth's ability to learn and maintain school attendance. They must be trained for this in addition to effective teaching strategies and be prepared to encourage achievement and participation.

An evaluation of the reintegration of Victorian youth offenders in 2004 concluded that individualised case management for those at the highest risk of reoffending, would be the best use of program resources (Dawes, 2011, p. 696). As we have seen, the literature indicates young Indigenous offenders are at a high risk of reoffending due to a range of social and environmental factors, such as a lack of employment options and unsuitable, overcrowded accommodation. An individualised case management approach, with resources dedicated to addressing these issues in a holistic method, would potentially prevent recidivism. The AIC, cited in Dawes (2011), noted the most effective case management for youth would include ongoing attendance in school; engagement in work or training; removing youths from unsuitable environments (such as family violence situations); and provision of recreational opportunities. These messages are reinforced through the *Doing Time – Time for Doing* and *Many Ways Forward* reports, which, when considered together, result in the same message: services must communicate to provide well- resourced effective holistic service provision for remote Indigenous communities, which may in turn result in less crime and subsequent recidivism and reintegration issues.

It is a community responsibility, not just an individual or family responsibility, to ensure the transition back to community is successful. Bahn (2011, pp. 261-262) states 'crime is most effectively prevented when criminal justice and social policies work concurrently with locally or community organised partnerships to create safer cities'. Policy development at government, NGO and other agency level must focus on how to create this environment collectively.

Interventions

Research suggests that early and local intervention in crime involvement is paramount to prevent Aboriginal and Torres Strait Islander youth from becoming another statistic in the criminal justice system (Jesuit Social Services & Effective Change Pty Ltd, 2013). It has also been noted that reintegration is a whole-of-community responsibility, as much as it is a whole-of-government responsibility to provide appropriate services and facilities for successful

transitions (Bahn, 2011). Watt et al. (2004) propose that future studies on criminality and recidivism should not be passive ‘snapshots’ and variables should be changed to test theories of offending. With so many theories and reports pointing in the same direction, it is clear the recurring themes of integrated service delivery, community engagement and alternative criminal justice measures are the key factors that will lead to more positive outcomes.

Better Integration of Service Delivery

From the Gordon Inquiry in Western Australia in 2002, to the *Little Children Are Sacred* report in 2007 and Standing Committee on Aboriginal and Torres Strait Islander Affairs in 2011, better integration of service delivery is vital for social, economic and health improvements to be made in Aboriginal and Torres Strait Islander communities. The Gordon Inquiry found the ‘silo approach’ to service delivery in Indigenous communities was a barrier to effectiveness of services, and recommended a more equitable allocation of resources to Indigenous communities (Australian Government, 2004). The Crime and Misconduct Commission (2009, p. xix) also categorised government action over the last 20 years as following a ‘silo mentality’. Government agencies, NGOs, local groups and individuals, and Aboriginal and Torres Strait Islander organisations have all repeatedly been encouraged to work together to achieve broader goals. In many cases Indigenous communities have stated they would prefer to have a stake in their own management, and have recognised the uselessness of having many short term programs designed to address one issue at a time (McCausland & Vivan, 2010). Better integration of service delivery would demonstrate their concerns are being listened to and acted upon.

Community Engagement

Aboriginal and Torres Strait Islander communities have participated in numerous consultations with various government and service providers to assist with the formulation of culturally appropriate, effective strategies and programs for their communities. The *Many Ways Forward* report recommended a whole-of-government approach, in conjunction with States and Territories, to shift the emphasis of service provision to a regional or location-specific area (Australian Government, 2004). Equally, Richards et al. (2011) believe that focusing crime prevention programs on matters of concern to Indigenous communities, such as petrol sniffing, will secure community support. Local solutions to local problems are understood to be the most effective method for Indigenous communities to address social and economic issues. However, when community input is repeatedly disregarded in favour of short-term, top-heavy

solutions administered from centres outside the community, it can lead to disengagement and a lack of commitment to the programs. Disempowering communities in their own program management is likely to lead to further disengagement, thus perpetuating the cycle of social risk factors.

Alternative Measures of Justice


Beresford (2012) suggests money should be diverted away from punitive measures and directed towards holistic programs that will provide positive outcomes. Government reports such as *Doing Time – Time for Doing* have recommended provision of community-specific programs and departments to address socioeconomic disadvantage experienced by many Indigenous communities.

Summary

A review of the literature demonstrates that there are many reasons Indigenous youth may come into contact with the criminal justice system, firstly as juveniles and subsequently as repeat offenders if those reasons are not dealt with. These reasons vary from individual level factors such as mental health issues, substance abuse and hearing problems; to family factors such as domestic violence, child abuse and overcrowded accommodation; to structural issues such as a lack of employment and recreation options, institutional racism, police knowledge of diversionary options and heavy-handed punitive measures being meted out to Indigenous youths, at higher rates than for non-Indigenous youths. For Doomadgee and Mornington Island residents, these issues are all compounded by the isolation of their communities. Youth who are incarcerated are sent to detention centres hundreds of kilometres away from their homelands, further removing them from culture and country. This results in problems for youth reintegrating to their communities. The structure, expectations and motivations of detention are no longer an everyday feature in the offender's life and the factors that led them to crime may have become stronger than ever in their home community.

It is clear that preventative steps and programs must be taken by individuals and community services to tackle the alarming Indigenous youth crime statistics. However, matters such as intergenerational trauma and mental health issues can be difficult for young people in remote communities to deal with on their own, and the lack of permanent services to assist Doomadgee and Mornington Island youth means problems can go untouched and unnoticed until involvement with the justice system. For youth who are engaged with their communities and who recognise some of the issues such as inequality and poverty, it is possible that alienation

from society can play a role in their decision to become involved in crime. The absence of connection with culture is a factor linked to youth disengagement. Hirschi's social control theory, when Indigenous culture is incorporated to a modified version, could be an explanation for some Indigenous youth crime. It is therefore important for government agencies, NGOs and community services to understand and consult with communities to implement 'what works' at local community cultural levels and thus develop ecosystemic informed responses. The success of responses developed should in turn be analysed in real time, and be flexible enough to enable modification based upon community and service user feedback.

The background of the page is a solid orange color with a pattern of dark orange, semi-transparent barbed wire. The wire is tangled and runs diagonally across the frame. In the upper right corner, the text "Chapter Two" is written in a white, sans-serif font. Below it, the word "METHODOLOGY" is written in a larger, white, distressed, all-caps font.

Chapter Two
METHODOLOGY

Methodology

Action Research

This research employed an action research framework as its major methodological approach. The rationale for selecting this approach to data gathering and analysis is because action research is a value-based, democratic practice that can effectively contribute to social change through the examination of specific problems in the context in which they occur. This emphasis on specific situations differs from other research, in that the aim is not to generalise across multiple cases and contexts (Abraham, 2012:123). Rather, the emphasis is on;

‘linking research and action ... which has important implications for knowledge creation, distribution, shifting power relations for achieving social change, and, ultimately, challenging social structures for social justice’.

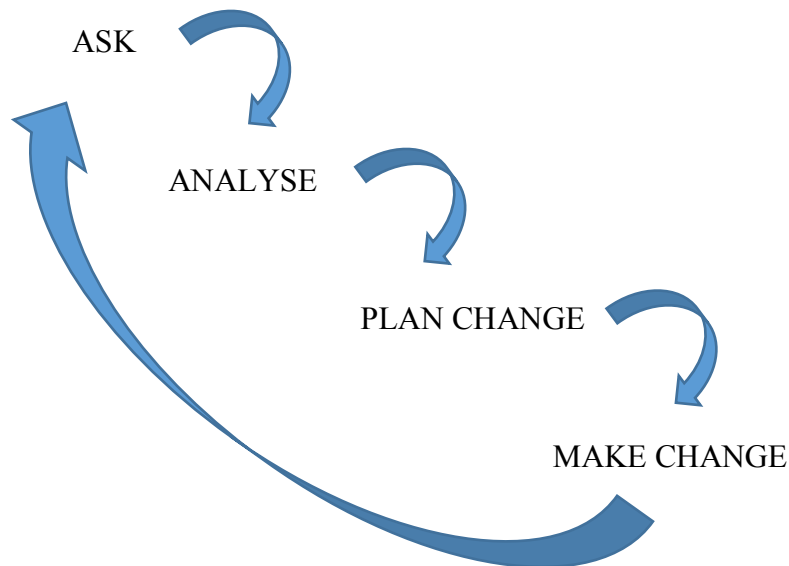
Within the contexts of two remote Aboriginal communities action research has the potential for emancipatory outcomes by elevating the previously silenced voices of people who traditionally have not had the opportunity to express their opinions about important social issues such as their interactions with institutions like the criminal justice system.

While there are basic underlying principles to the implementation of action research (see Fig. 1), its reflexive nature produces slight differences to accommodate the changing nature of a research project as it progresses. Practical action research is common in human service development arenas (Kagan, Burton, & Siddiquee, 2008) and involves the ‘development of a plan of action to respond to a practical issue’ (4). Thus it is future oriented and examines the possibilities ‘...of what *could* be, not what is’. A common definition of action research by Reason and Bradbury (2001: 1) states:

Action research is a participatory, democratic process concerned with developing practical knowing in the pursuit of worth-while human purposes, grounded in a participatory world view which we believe is emerging at this historical moment. It seeks to bring together action and reflection, theory and practice, in participation with others, in the pursuit of practical solutions to issues of pressing concern to people, and more generally the flourishing of individual persons and their communities.

(as cited in Kagan, Burton, & Siddiquee, 2008: 2)

Figure 1. Basic principles of action research



In the case of this research project the action research model was an effective framework whereby community people, practitioners and researchers together reflexively identified problems and found pragmatic solutions to these problems. To this end the research maintained a flexible focus in the light of the underlying and complex issues which contribute to recidivist behaviour and identified pragmatic potential solutions to the problems. From this the underlying causes of the problems can be examined through asking respondents their experiences, analysing the resultant data, planning change by proposing possible projects to bring about change, and finally implementing the change. To complete the process however, this must be an ongoing procedure – following implementation it is necessary to repeat the steps to evaluate the progress of the changes, make adjustments where necessary, take into account changing circumstances etc.

Montero (2000: 134, as cited in Kagan, Burton, & Siddiquee, 2008: 12) suggests that

‘participatory action research is a methodological process and strategy actively incorporating those people and groups affected by a problem, in such a way that they become co-researchers through their action in the different phases and moments of the research carried out to solve them’.

Their participation:

- places the locus of power and of control within their groups;
- mobilizes their resources
- leads them to acquire new resources

In order to:

- transform their living conditions;
- transform their immediate environments; and
- transform the power relations established with other groups or institutions in their society

The more the research process is grounded in the experiences and desires of those participating, the more relevant it is likely to be to people's lives (Burton, & Siddiquee, 2008: 12-13).

The objectives identified for this project exemplify action research, with the first aimed at identifying and examining the problem through the knowledge of those involved in the area of recidivist offending.

Objective One: Action Research aimed at determining the causal factors and consequences of recidivist offending (with particular focus on examining the role of drugs and alcohol).

The second objective seeks to implement the action required:

Objective Two: Design and Implement a recidivism case management system, informed by community consultations and the broader action research activities. Case management to target community members: a) at risk of entering the justice system; b) at risk of progressing from community based orders to incarceration; c) returning to Mornington or Doomadgee, following a period of incarceration.

Objective One: Action Research

The methodology was formulated in partnership with James Cook University and Central and North and West Remote Health. This partnership included a research expert, a forensic clinician and community representatives. The research methodology was subsequently reviewed and approved by the University Ethics Panel for research with Indigenous Peoples. This project drew upon the expertise of the partners, and included research capacity building with Well-Being Centres, and community orientation and cultural competence (JCU). Three

groups were identified in the communities that were considered necessary to provide a rounded view of the problems identified in the research focus: offenders, offender's families, and service providers working with offenders.

The plan for this research was formulated through a methodological design that balanced a review of best practice literature, community consultation and action research. The intention of this was to capture localised knowledge in relation to the problem of recidivism and examine potential solutions. The plan utilised INVIVO trialling and grass roots evaluation of the principles of the research in practice.

Objective Two: Recidivism Case Management & Intervention Framework

In order to draw relevant conclusions on which to base recommendations for the case management and intervention framework it was important to consider the following factors: The need to outreach to target groups in prison and to target group families in the community; the need for assessment in prison, to support the needs of offenders while incarcerated and during the transition back into their community; the need for assessment of the support needed by the offender's family in their absence, and those different needs that need to be met when the offender returns; the need to retain consistency with current (Well -Being Centre) well-being plans and further needs assessment specific to recidivism; the need for case management for offenders while in prison, case management in the community for both offenders and families; and the need for a coordinated, collaborative and holistic approach that may be enhanced with the implementation of multiple 'trial' initiatives.

Reflections of the Benefits of Action Research for this Research

Upon reflection the perceived benefits of utilizing this approach are:

- Action research gave the target groups, their families and community a voice in relation to the problem which and resulted in positive engagement and motivation in terms of their involvement in the study.
- Action research identified trends and themes in terms of the causal risk factors for offending behavior. This data can be utilised to formulate ecologically valid risk assessment and to formulate multi-level multi-modal responses to the problem.
- Action research has enabled the community to have a strong voice in identifying the nature of the problem and suggest grass roots solutions. (e.g. on country bush camps), thus also encouraging agency and improving social capital

- Action research enabled the identification of the stories of change and desistance- the community are now able to draw on these lessons and are empowered to react to ongoing problems of this nature.
- The action research undertaken equates to empowerment and self-determination in action for community members.

Expertise of the research team

Chief Researcher

Associate Professor Glenn Dawes was the principal investigator of the research team and was responsible for the design of the action research project. His responsibilities included consulting with the two transition officers and the project co-ordinator in the design of the key interview questions, the identification of key participants for the interviews, adherence to ethical and cultural guidelines, and the implementation of interviews.

Glenn Dawes has extensive experience in conducting research with Indigenous communities spanning twenty years, with a focus on 'closing the gap' issues such as Indigenous educational disadvantage, and Indigenous youth subcultures. In 2009 he conducted research with a focus on the challenges and successes experienced by Indigenous youth when attempting to reintegrate back into their communities following periods of youth detention in North Queensland, thus he is well versed in the area of study at hand.

Project Co-ordinator

The project co-ordinator was a qualified psychologist employed by North and West Remote Health who had two years prior experience working in both communities Well-Being Centres. The co-ordinator was responsible for planning and implementing the project within the two stated main objectives, and managing the local transition officers and their relationship with the research team. The project co-ordinator was also responsible for the planning and implementation of trial components of the case management and intervention framework and the formulation and documentation of the final case management and intervention framework (Appendix 1).

Transition Officers

An Indigenous transition officer was employed in each location (Doomadgee and Mornington Island) to facilitate the selection of participants and the focus group/interview process. Each transition officer had familial/cultural lineage in their community, and was recognised as custodians of the country on which the research was conducted. Both are highly respected members of their communities as well as experienced and empowered in terms of acting as the local community member responsible for overseeing the work of external professionals, and in particular adherence to community and cultural protocols. Both of these officers have been responsible for providing social and emotional well-being casework to community members and families by working directly with Mental Health Professionals to provide practical assistance and personal support to clients undergoing mental health assessment and treatment. In addition both of the officers have a Certificate 4 in Mental Health and Certificate 4 in Community Work in addition to university degrees.

Their appointment to transition officers was based on their articulated desire to build capacity to engage in research projects such as this and specifically work with the target group of the Keeping on Country Project. Both transition officers are well accustomed and experienced in relation to identifying boundary issues and managing the implications of this type of work within their own family, cultural and community systems. Their role in the research process included: assisting in formulating appropriate questions for the interviews, recruiting the key participants, attending interviews to assist with understanding and interpretation issues, and assisting with dissemination of the results to the community. The Chief Researcher also assisted the transition officers with some of the skills required for conducting research in order to empower them to use these skills in other research projects. They also assisted in explaining the nature and purpose of the research, obtained verbal or written consent from the participants and will disseminate the results of the research upon its completion.

Methodological Details

The initial phase of the project consisted of data gathering utilising an action research approach. The transition officers at each site assisted in consulting with community members in order to identify the major issues about the effects of alcohol and drug use and criminal activity among members of each community. The Chief Investigator liaised with the transition officers concerning these issues and constructed interview schedules for the major participants in the

project based on the outcomes of the consultations with community members. The first phase of data gathering consisted of qualitative individual interviews with people who had a history of re-offending while under the influence of alcohol and drugs. The second phase consisted of individual and small focus group interviews with key community stakeholders to identify the challenges associated with successfully reintegrating offenders back to their communities. These included family members of offenders, council members, and existing support services for offenders which operate in both communities such as youth justice services, health providers and employers.

Recruitment Procedures

The two Indigenous transition officers facilitated the recruitment of former offenders and the families of offenders at Mornington Island and Doomadgee. They are both respected in their communities and have contacts with key people who were likely to participate in the project. In the first phase of recruitment the research team constructed a community leaflet with the major aims of the project outlined in clear English. The language in the leaflet was designed by the transition officers and it was prominently displayed in public spaces like the council office, health care office, and shops. The transition officers arranged a number of times for community information sessions which outlined the aims and perceived outcomes of the project. The chief investigator attended these meetings so that community members could ask questions or seek clarification about what the research is trying to achieve, the voluntary nature of participation and potential risks which may occur when people are recalling past experiences. The psychologist/project co-ordinator also attended these meetings to alert people as to how she would assist if individuals suffered distress during the interviews.

At the initial meetings information sheets about the project were distributed for people to read at their own leisure. Young people under the age of 18 and their parents/carers were alerted about the necessity of obtaining parental consent before young people could participate. People who wished to volunteer to participate were then given the contact details of the transition officers who constructed an interview schedule of times during the period when the chief investigator was visiting the communities. Participants were further informed that the times and places for interviews would be flexible to fit into their personal schedules.

The project coordinator was responsible for recruiting professionals from government and non-government organisations which deliver services for individuals who have offended, been diagnosed with substance and alcohol abuse or agencies which assist in finding employment

or educational opportunities in each community. These organisations included health care organisations, parole officers, health and well-being personnel, small business employers and school principals. A similar process occurred with this group as with the offender, and families of offenders, groups. An initial meeting with all stakeholders was conducted with the chief investigator and explanations about the project, privacy and confidentiality and the voluntary nature of participation were discussed. Information sheets were provided.

Informed Consent

Prior to the interview individuals who agreed to participate in the research were required to provide verbal and written consent. Before each interview commenced the transition officers, in the presence of the chief investigator, asked the participant if they understood the aims of the project, how the data would be used, what measures were in place to protect their privacy and confidentiality (where possible ie. individual as opposed to focus group interviews), the rights of the individual to withdraw from the interview at any time and the possibility that the interview may cause the individual distress. When it had been established that the individual understood and fully consented to being part of the project they were asked to consent that the interview could be taped onto a tape recorder so a transcript of the interview could be produced for analysis purposes. Finally, the participant was asked if they had any concerns or questions before signing the consent form. In addition to signing the consent form participants were asked to provide verbal consent. If interpretation was required, the transition officers were present to assist, so that participants fully understood what they were consenting to.

Data Collection, Phase One: Qualitative Research

Qualitative research is the most appropriate data collection technique when employing an action research framework. A qualitative approach is used where meaning and context are required to understand processes. It examines people's attitudes, motives and behaviours (Davies, Francis & Jupp: 23) to provide meaning to quantitative data, or statistics and enables an investigation of what is happening below the surface of a phenomena and provides a richer description of what is happening. Sample sizes for qualitative research are recognised to be most effective when four to ten respondents are included for saturation point of content (non-repetitive) (Davies, Francis & Jupp: 25). In terms of this research in-depth interviews were utilised as the major form of data collection at both sites. As a form of qualitative research

interviews can be targeted and insightful. Sampling in this instance was non-randomised and purposive; in order to select representation from the three identified groups of interest to this study – offenders, family members of offenders, and service providers. This also strengthens the validity of findings by providing triangulation of data on the issues under investigation.

Data Collection Techniques: Semi-structured Interviews

A semi-structured interview is conducted with a view to gaining certain information, or insights, from respondents, but the questions used to elicit the required material can be adjusted and re-ordered by the interviewer to suit the flow of a natural conversation (Davies, Francis, & Jupp, 2011). In this instance the technique allowed for language and context to be suitably formulated to be relevant to all three groups that were studied (offenders, offenders families, and service providers). It further permitted the interviewer(s) to be responsive to the needs of respondents when discussing highly emotive material. Interviews were in the main conducted individually or where appropriate in small focus groups.

The research subjects were identified and recruited with the assistance of the transition officers located at Doomadgee and Mornington Island. The key criteria for selecting potential interviewees were that they should be Indigenous youth and adults who were either:

- 1) recidivist offenders that have been placed in detention or prison, and have committed crimes while under the influence of alcohol or illegal substances (particularly cannabis),
- 2) direct family member of recidivist offenders
- 3) employees of agencies within the community who worked with offenders on their return to the community.

Phase One: Offender Interviews

In total 10 interviews with former offenders were conducted at each site. The interviews ranged from 30-45 minutes in duration and were tape recorded. The key questions attempted to ascertain the individual's biographical history in terms of education, family membership, as well as their history of alcohol or drug use and the extent to which these substances contributed to each person's involvement in crime. In addition the research subjects were asked to identify the barriers that existed in their community which prevented them from desisting from crime and reintegrating back to their communities. Finally the respondents were asked about how the problem of reoffending could be remedied. Key questions included:

- When did you first commit a crime?
- How did you feel when you had to leave your family when you were charged with a crime?
- What could be implemented in your community so that people do not return to prison?

Phase Two: Family Member Interviews

In total 10 interviews were conducted at each site with family members of former prisoners. Individual group interviews were conducted with the partners or parents of people and adults who had re-offending histories. These qualitative inquiries also focused with other family members including mothers, fathers, uncles, aunts or carers who wished to participate in the research with a focus on these types of questions:

- How did your partner's involvement in crime affect your family?
- What do you think could be done in this community to stop people leaving the community and going to prison?
How did it affect your children when your partner was incarcerated?

Phase Three: Community Agency Interviews

A total of 10 interviews were conducted with community based agency employees who interact with former offenders. Participants across the two sites included government and non-government agencies officers' representatives from: the Wellbeing Centre, Probation and Parole, JobFind Centre, Youth Justice, Department of Prime Minister and Cabinet, General Practitioners, and North and West Remote Health. A total of 9 interviews were conducted, 4 in Doomadgee (with 6 participants) and 5 on Mornington Island (with 8 participants). Some interviewees provide services to both sites and their responses were therefore applicable to both communities. The representatives from these organisations included members of the Indigenous justice groups consisting of elders in each community, professionals who assist young people with alcohol and substance abuse issues, vocational and employment providers and Aboriginal community workers. These interviews focused on questions such as:

- What services are available in your community to assist young people to desist from crime when they return to their communities?
- What do you think are the greatest challenges facing community groups in assisting Indigenous youth to give up alcohol or drugs in your community?

Anecdotal Conversations

In addition to the formal interviews over 40 informal conversations about the problem of recidivism were recorded in the researcher's field journal notes. The majority of these people were Indigenous and knew of individuals and families who were directly affected by the process of incarceration and how it impacted on young children and their partners. Most of these people declined to be interviewed but were happy to talk about their experiences and offer constructive suggestions about how to address the problem through community based interventions.

Analysis of Data

The transcripts of the tapes were typed and transferred to the NVIVO qualitative data processing computer program to aid in the analysis of the data. The timeframe allowed ample time for three visits to each site to gather data, using methods which have proved successful in previous research undertaken by the researchers including triangulation of data and method which has provided results that are rigorous, credible, and valid (see for example, Dawes & Roberts, 2007; Coventry, Dawes, Moston & Palmer, 2008). Transcripts from all interviews were analysed to identify major themes and patterns. This resulted in the construction of matrices so that major themes could be identified for the production of a series of case studies that highlight both the diversity and commonality of experiences of young Indigenous offenders as they have interacted with the criminal justice system and support agencies.

Dissemination of the Research Results

It was understandable that many community members were initially wary of participating in this research due to previous negative experiences as being research subjects in other research projects. There were two major concerns. First people wanted to know what pragmatic outcomes would eventuate after they participated in the project. Many people stated that they had become cynical due to past experiences where they had been promised outcomes by bureaucrats and politicians which had not come to fruition. The research team countered these concerns by making it clear that it would conduct rigorous research with the community produce the results and make recommendations for change. The outcomes of the research would be disseminated via this report to various government and non-government agencies in the hope that some of the recommendations would be implemented to address this serious problem.

The second concern from community related to how the research team would give the results back to the community in a culturally appropriate and transparent way. After consultation with the transition officers it was decided that the outcomes would be recorded by an edited 30 minute video consisting of the chief researcher and the project co-ordinator. This allows for a permanent record to exist in both communities whereby community members can access the video and watch it at their leisure. A full copy of the report will also be located for community perusal in each of the Health and Well Being Centres.

A week of celebrations has also been planned to signal the completion of the various projects associated with Breaking the Cycle at each site. These events will be attended by the research team and this will provide additional opportunities to disseminate the results in informal discussion forums with members of various community groups such as the men's and women's groups from Mornington Island and Doomadgee.

Limitations of the Study

While there are a number of stated perceived benefits of adopting a qualitative framework for this type of research, this study has a number of limitations which may be addressed in future studies on the topic of recidivism. Despite the assistance from the transition officers and community members in recruiting people to participate in the study it was difficult to obtain a gender balance when eliciting information from the offender cohort. As a result there is a gender bias towards older males in this study which prevents an analysis of data from a female offender perspective. In addition the all-male offender cohort suffered from the lack of an age spread with the majority of interviewees being over 30 years of age. A future study of this kind would therefore benefit from obtaining the perceptions of a number of Indigenous youth who could share their experiences in the juvenile justice system as a means of comparing the experiences of those in the adult criminal justice system. A further limitation of this study is due to the dearth of statistical data on recidivist rates across both communities. This is despite some great assistance from Queensland Police Services (Statistical Services Information Resource Centre, Brisbane) who were able to supply offence by type data which was included earlier in this report. However, despite these limitations the methodological framework is sufficiently rigorous to allow it to be replicated across other sites in order for other research on the topic to be carried out as a means of comparison with this study.



Chapter Three
**THE OFFENDERS
PERCEPTIONS**

The Offenders' Perceptions

The research literature has identified a number of factors which impact on the likelihood of re-offending. When assessing the likelihood of an individual reoffending, consideration must be given to individual-level characteristics which often include age, prior criminal history, prior institutional commitments, drug and or alcohol abuse, family relationships, delinquent peers and gender. Additional research on individual-level factors suggests that social status in the community, socio-economic status, self-esteem and levels of social support are also predictors of criminal behaviour.

In addition to individual or micro –level factors other research suggests that macro-level or community level factors may influence reoffending behaviours. These include geographic location (where people live) and structural considerations such as access to rehabilitation services, employment opportunities/ job skills and housing are significant risk factors for reoffending. Results from this field of scholarship support the contention that, a combination of these factors constitutes barriers to an individual's successful re-entry back to their communities, which in turn impacts on their ability to remain crime free.

The interviews with recidivist offenders from the Mornington Island and Doomadgee communities, supports much of the existing research when considering the micro and macro barriers which often prevent individual's from desisting from crime. In addition this research also identifies other factors which are specific to living in remote Indigenous communities in Northern Australia. What follows is reportage from the major themes generated from an analysis of the interview data, which gives insights from the offender's perceptions about the challenges faced by offenders when they attempt to reintegrate back to their communities after being incarcerated.

Individual Risk Factors: Educational Disengagement

A common theme across the entire research cohort related to levels of educational attainment, which directly impacts on an individual's ability to find suitable employment when re-entering the community post-release. An individual's educational status also impacts on their levels of self-esteem, the people they associate with and the degree of social status they obtain within their community.

The majority of older interviewees (over 30 years of age) stated that they failed to complete their education before the compulsory leaving age of 16 years in Queensland. A major factor for their disengagement from education related a perceived lack of employment opportunities in the community, coupled with the prospect of having to leave the community to complete their secondary education in another location. One male from Doomadgee recalled his feelings of isolation at boarding school due to his lack of contact with his family, which resulted in his gradual disengagement and eventual withdrawal from education:

“At first it was a bit hard because we had to get used to the routine and we were around ... white people most of the time and we were so used to being around our mob. The only way it made it good was that that they had a few from Doomadgee. I went to year eleven did the first term and then got very sick and I came home”

A number of people expressed regrets about leaving school because the school day provided a structure and purpose to their daily lives. Some attempted to re-engage with education after realising that there were limited employment opportunities in the community, and that CDP payments barely covered the basic necessities for life. However, when attempting to re-enrol in educational institutions a number of people observed that they were discouraged by gatekeepers such as teachers and principals due the perception that they were troublemakers and were unlikely to succeed in education. This male’s interaction with his previous teacher exemplifies the types of encounters by Aboriginal people who have been negatively labelled by institutions such as education:

“I went to year 11, came back from college and came back here and was like working for CDP but the money wasn’t that great. So I reckon was there any chance of me going back to college? I went back and saw a teacher and see if he could get me back into college but he was so full of piss when I was talking to him. He gave me all promises and that bullshit. You know he said I would have to go back and repeat grade 11 so I could get my senior certificate but that never happened because he didn’t like me before because I used to cause trouble with other kids when I was younger...”

First Interactions with the Juvenile Justice System

Interviewees were asked to describe their initial interactions with the police and courts. A common factor for the first contact with the justice system is linked to their disengagement with education which had previously provided a structure and purpose to their daily lives. In addition all of the interviewees identified that young people living in Mornington Island and Doomadgee have very limited access to recreational facilities such as organised sports or cultural activities outside of school hours. It was therefore not surprising to learn that the majority of initial crimes were relatively low level crimes such as breaking and entering and

drunk driving which were easily detectable by police as described by this account by a Doomadgee male:

O: I first got caught with breaking and entering and all that and drunk driving.

I: The first time was breaking into someone's house?

O: Mainly shops

I: So the first time you had anything to do with the police was for breaking and entering?

O: Yes breaking and entering.

Driving related crimes are linked to a lack of transportation particularly for the residents of Doomadgee. Offenders stated that most young people in the community did not have access to private transportation which confined them to the township, and prevented them from reconnecting with their country and culture through traditional practices such as hunting, fishing and camping with their family members as recounted by this twenty one year old male:

O: I went to court after the police pulled me up in Doomadgee. The police pulled me up in the back and I was drunk. I jumped off the car and they told me not to drive but I jumped back in the motor and drove away from there.

I: Where were you going?

O: Out to my country.

I: Why were you going to your country?

O: Because it makes me feel free you know, make you want to fly ... like somewhere you never been before.

I: Does it make you feel stronger when you are out there?

O: Yeah you know I got quite a lot of cultural things on my mind. You know I'm an artist. But how can I do this how can I do that? It's really, really hard.

I: So it's a big problem here, people can't get away from the community because you haven't got a car?

O: Yeah that's it man- that's a problem here.

Peer group pressure was an additional factor which contributed to a young person's initial interactions with the juvenile justice system. The majority of accounts contained descriptions about committing crimes with the assistance of peers or other family members which resulted in this young person being charged with obtaining stolen goods:

I: How old were you when you committed your first crime?

O: I was about 17 then.

I: Can you tell us what happened?

O: I was breaking and entering into the store and receiving stolen goods. A few of my cousins a few of them- even another bloke, two blokes broke into places. Then I got beer from this other bloke; I didn't break in and they asked me if I wanted a beer. I said; "Righto" and then I got caught by the cops.

The abuse of alcohol and marijuana is a serious underlying issue for Indigenous people's over-representation in the criminal justice system in Doomadgee and Mornington Island. According to most interview accounts offenders identified substance abuse as being the catalyst for engaging in most forms of criminal activity. The older cohort of offenders described how it was relatively easy to obtain alcohol at an early age from an older person who was often a family member as contained in this account:

I: So you started getting into drinking?

O: Yes drinking grog.

I: How old were you when you first started drinking?

O: Eight years of age, very young.

I: How did you get the grog?

O: My older brother.

I: He gave it to you?

O: My brother gave it to me. He didn't care. He gave me a bottle of rum, Bacardi ginger ale and all.

Substance Abuse and Domestic Violence

The majority of respondents reported that as they matured they grew out of early forms of crime such as breaking and entering or receiving stolen goods after their initial interactions with the police and courts. Their initial court appearances, while under the Queensland Juvenile Justice Act often resulted in verbal cautions or court based orders with conditions such as abstaining from alcohol or returning to education:

I: So what happened when you first went to court?

O: Oh I was about 16 then and I got a good (behaviour) order.

I: What did the order say?

O: I had to stay out of trouble for 12 months and not drink, that's all.

However, desistance from initial criminal activities while a juvenile was short-lived for most members of the cohort, as they developed relationships with female partners as part of the transition into early adulthood. Transitioning from adolescent to adult status is a complex process for most young people across all cultures. Social commentators have identified that obtaining economic independence is a crucial factor for individuals who attempt to transition from their previous dependence on the family into a new role as a provider for their own family unit. Traditionally the role of Aboriginal men has been as a provider of food and other resources for their families through hunting and fishing which in turn gave them a status and purpose within their communities.

However, in the current context a number of respondents reported that as they transitioned to adulthood they suffered from a loss of purpose and direction compared to previous generations of men who held a status as providers and leaders within their communities due to their links with traditional culture and connection to country. This summary by a forty-year old Mornington Island man underscores the importance to links with country as a way of re-establishing his male identity as well as a pragmatic response for avoiding potential domestic trouble with his partner:

O: I can remember there was a good behaviour on me. I had to go by that and stay out of trouble. The only way it kept me out of trouble was I was out in the bush most of the time.

I: Why go out in the bush?

O: To get away from the grog and all the other problems that was going on in town, especially when the missus would get jealous. This was my choice.

These comments contain a number of recurring themes identified by other interviewees in terms of the catalysts as to why a high number of males persist with offending in both communities. First, the respondents are acutely aware that their re-offending behaviour is linked to the excessive use of alcohol and marijuana, which is the prime trigger for their involvement in the high number of domestic abuse cases in both communities. Despite alcohol management plans in place, Doomadgee respondents reported that obtaining additional alcohol is relatively easy to bring into the community from nearby towns such as Burketown. By comparison Mornington Island residents described how the proliferation of home-brew concocted in homes across the community, makes it easy for young and older people to obtain.

The access to alcohol coupled with the dearth of employment opportunities in both communities are two central factors contributing to an ongoing trend, which sees males in particular charged with crimes relating to assault, grievous bodily harm or breaching probation orders as a result of domestic violence with their partners. As a result the majority of adult males in this study reported that their first experience of prison was related to domestic violence offences, as described by this thirty two year old male from Doomadgee:

- I: Is this the first time you went to jail for domestic violence?
- O: Yeah, I went for domestic violence for my old girlfriend up at Doomadgee. That's the first time I went to jail.
- I: You went to jail for 18 months for your first charge?
- O: Yeah got 18 months for that and another 9 months on top of it.
- I: Why was there an extra 9 months on top of it?
- O: I broke probation for another domestic violence charge.

The interviewees were asked to provide background details about the incidents which contributed to their arrest after being charged for domestic violence related offences. Most offenders freely admitted that they had behaved in a violent manner towards their partners after extended sessions of alcohol and /or drug use, which resulted in arguments with their partners. However, a number perceived that at times they were the victims of domestic violence and were "set up" by their partners, who often fabricated the circumstances about an incident and reported it to the police who in turn charged the male for the offence. The male offenders reported that police were more prone to believing the female's version of events over the male's resulting in males being charged for multiple domestic violence offences as in this account:

- O: The first time I didn't touch her you know.
- I: You didn't?
- O: No. But they still locked me up and charged me for it.
- I: Because the police came round and said it was you?
- O: Yeah. Then one night I was out there stopping my missus and my auntie fighting on the side of the road and they just pulled up and started pulling them away and then they came straight at me and locked me up for no reason.

An additional factor which contributes to the high incidence of domestic violence is overcrowding, due to a lack of suitable housing in both communities. Interviews revealed that

in some cases up to 18 people were living in a standard 3 bedroom house with one toilet and bathroom. As a result when domestic violence occurred there were few options for either partner to find alternative accommodation elsewhere in the community. Mornington Island has a women's shelter for the victims of abuse who can access secure short-term accommodation. However, if the shelter becomes full to capacity female victims may be forced to relocate to the homes of other family members, which accentuates the existing overcrowding problem.

Conversely during the course of conversations with male offenders, some expressed the need for a men's shelter, for males who were forced to leave their homes as a result of domestic violence disturbances. The male offenders cited that there were few choices of alternative accommodation for men who could not return to their homes after being charged or placed on restraining orders by the courts, other than living with relatives. However, some men stated that they did not want to burden their relatives and wished to maintain some independence as an Aboriginal man:

“The cops reckon I either go up to my uncles or parents or I come to the watch-house. I reckon why don't you take me up to the women's shelter I will fuckin' sleep there. I said to Is there any way of you getting a fuckin' men's shelter built of this island here for blokes like us who get kicked out of our house and have to stay in the watch-house.”

Court and Prison Experiences

Contact with the criminal justice system for the offenders and their families in this study can be analysed from the normalisation thesis perspective. This theory contends that in low-socio-economic communities such as Doomadgee and Mornington Island the cycling of offenders in and out of the community, to and from prison occurs routinely and incarceration is perceived as normal and is part of the life experience of many people. It is therefore understandable that many of these people have a personal knowledge or understanding of the criminal justice system, incarceration and re-entry that other communities do not likely possess.

In addition the legitimisation theory is also helpful in providing insights as to why minority groups, such as Aboriginal people, have a deep mistrust in the operation and function of the criminal justice system and may be more tolerant of some forms of law-breaking, and less likely to assign negative labels to offenders. Both the normalisation and legitimisation theories are therefore useful in framing the experiences of Aboriginal offenders when interacting with the courts and prison systems.

The Magistrates Court occurs one day per month in both communities when local people appear before the visiting magistrate from Townsville. Before the commencement of court those facing charges have the opportunity to confer with an assigned solicitor for a short period of time before facing the magistrate. Interviewees were asked to give their perceptions about the consultation process with the assigned solicitor, in terms of advice about how to plea before the magistrate, and the perceived value of that advice in assisting them to defend the charges before the court.

Responses from the interview cohort to these questions were overwhelmingly negative in terms of the truncated time they were able to spend with the solicitor to discuss their cases. The offenders also observed that they had no privacy when discussing their cases with the solicitor. It was a common sight to see an offender sitting at a concrete outdoor setting outside the court house with a line of other offenders waiting to talk to the solicitor. In addition individuals also expressed concerns that they were not adequately supported in court to defend the charges, and were advised to plead guilty as a means of expediency. This male's evaluation of the support he received from the solicitor represents a common view that the legal system acts as an assembly line, with people who re-appear being presumed guilty. It also illustrated the high levels of mistrust that many Aboriginal people hold with regards to the legal process:

- O: They didn't give a shit whether you go to jail as long as they are getting paid for it. That's how it works.
- I: How long did the solicitor spend with you before you went to court, before you went into court?
- O: Not even half an hour.
- I: So that was it?
- O: You know he said; "Good morning how are you going? You're going for this, piss off next bloke.
- I: So you feel that you did not get much help from these people?
- O: Didn't get no help at all. With the knowledge that I have got now with how the system works I'd rather go in there and represent myself.

A further criticism levelled at the justice system relates to the difficulty offenders encountered with understanding the technical language of the justice system, which saw a number of offenders pleading guilty without fully understanding the nature of the charges. Offenders observed the need for further support when conferring with the solicitor to ensure they fully

understood the criminal charges laid against them, and the various avenues of appeal to avoid prison sentences:

I: Do you think Aboriginal people understand the charges and what they are actually being charged for?

O: Some do, a lot don't. I know a couple of people who were just told to plead guilty and they didn't understand that it meant go to jail. He just said to them; "You go down and do some time".

I: So no one else helped them to understand what they were agreeing to?

O: No. Most people don't understand courts the first time and you are young. Like the first time I didn't understand what was going on like white-fella word. I didn't understand words like what consent meant and all that.

Removal from the Community: Prison Experiences

The first time an individual is sentenced to a custodial sentence for an offence, represents a major life transition from the familiarity of his community to an unfamiliar highly structured prison setting at Stuart Correctional Centre, in Townsville or at Lotus Glen Correctional Centre near Mareeba. By comparison young offenders aged between 10 to 16 years of age are transported to Cleveland Youth Detention Centre in Townsville. Additionally there is a large impact on the Aboriginal communities when a person is removed from their families and friends for long periods of time. The interviews with the offenders focused on four key themes, ranging from their first prison experiences, strategies for coping with prison life, rehabilitation in prison and the process of re-entry back to the community.

The normalisation theory posits that for minority groups like Aboriginal people, going to prison has almost become a rite of passage in the process of becoming a man. It was therefore not surprising to learn that all of those interviewed knew at least one other person from their community, who had been incarcerated before they entered the system for the first time. Others stated that their brothers, uncles and fathers had also experienced prison which gave them prior knowledge of what to expect when they were incarcerated for the first time. However, over half of the cohort stated some trepidation when they were escorted onto a plane on route to prison on the first occasion:

"Looking back I was scared when I went down the first time. I had to leave my family and friends back home and the place looked big and scary."

Most of the interviewees stated that severing the emotional attachments to their loved ones as well as the connections to their country were the most difficult issues confronting them:

“Well family is the most important thing. I just love my fishing and hunting and going pigging and camping. Yeah and I miss my island. I’d been down there for 4 years you know for domestic violence.”

However, upon entering the system, most of the first timers stated that their initial apprehensions about prison were abated because they were around familiar people from their own communities, or from other northern Aboriginal communities owing to the large numbers of Indigenous people in all correction settings in Northern Australia. One Mornington Island man recalled how he felt secure at Cleveland Youth Detention Centre as a 14 year old who had previously never left his island:

O: I was at home in that place. It was safe.

I: You liked it?

O: A lot of family was there around me. A lot of Doomadgee people.

O: So you knew a lot of the other kids?

O: A lot of family was in there. That was all right.

Others were ambivalent about going to prison due to the normalisation of the experience of interacting with the criminal justice system. For some prison provided an opportunity to catch up with people they had not seen for some time:

“I didn’t feel anything really. We hear the story about other fellows going to jail and they come back with good stories about jail. You get to do activities in there and all this. You meet a lot of families. Jail is like a meeting place.”

Recidivist offenders, who were very familiar with prison culture and how to navigate this well charted environment, stated that they had a responsibility for assisting new inmates who regularly cycled in and out of the prison system:

“You see them and you take them under your wing. Like for a first timer out there and if he is a little bit scared and all that shit you know you get to know him and help him out. Even though you went back and forward for all that long you still take a young fellow under your wing. You know look after him. He gets to know you but you do not make threats towards the person, that young fellow never.”

The initial orientation into prison contained advice from experienced inmates about how to cope with the highly structured life in prison, and how to avoid potential violence with other

inmates. A major coping strategy for the interview subjects was to fraternise solely with the large contingent of Aboriginal people in prison for safety, and to have limited contact with non-Aboriginal people. Other strategies included learning the protocols of prison life, such as always being sure to pay other people for goods such as cigarettes and ensuring that they did not intrude into spaces inhabited by other inmate groups, for example bikers or drug dealers who staked out their own territory as outlined in these two accounts:

“How to survive; first you got to trust someone who’s in prison, that’s how you don’t get into fights in prison. You’ve got to trust your family or friends from the outside. Like not even here, from somewhere else too like Palm Island and Mornington Island.”

“But it’s pretty hard in prison because you could probably just go sit in a chair and don’t even know it’s the dudes chair and he can just walk over and give you a hit. It’s pretty risky down there.”

Others adopted an aggressive coping strategy as a means of protection from other prisoners who were not part of the Indigenous cohort:

“But you see I had a lot of family in there and they didn’t bother to touch me because the first time I went in there I just started up my own thing so that I could be a lot tougher than I really am out there. That’s why I told a lot of fellas if you ever touch me I’m gonna fight. I don’t care who you are or what you did. Went in there when I was 23 came out when I was 24 went back in when I was 25 stayed there until I was 26. I was just put in with fellas doing life, even murderers and rapists.”

Another coping strategy adopted by some offenders was to intentionally cut their ties with their families and friends at home, because they could not emotionally cope with bad news knowing that they could do little about the situation while in prison. Individuals stated that their sense of helplessness and worry about their relatives often manifested in fits of rage which made “doing time” more difficult, as in this recollection from a thirty year old Doomadgee man who was serving his fourth sentence at Stuart Correctional Centre:

“When you are down there you got family ringing you from there and people telling you stuff about here and it makes you a bit upset. And sometimes you just argue. I flew off my rocket about six or seven times. I punched a fellow over the table one time. Because people telling me about my family there and that’s why I don’t bother ringing them anymore. That’s why if the young fellows keep ringing back here I see they worry like me because I been here so long I don’t ring my family.”

However for other inmates contact with family was integral to their prison survival. None of the interview cohort reported having received a personal visit from their family members due to the prohibitive costs associated with flying from either Doomadgee or Mornington Island.

The most common and inexpensive form of communication was by phone contact which was made possible through the use of prison phone-cards as surmised within this account:

I: What kind of contact did you have with your family while you were in prison?

O: By phone, you have these cards. You're working there and they transfer how much you want to put on your phone account each week. Then you punch in your ID number on your prison card.

I: So you were happy phoning your family every week?

O: Yeah every week.

While phone communication is one way of keeping in contact with family on a regular basis, a high number of inmates and their families have expressed a need to see each other which could be achieved through planned pre-booked video-links, connecting the prison to existing facilities at the Well-Being sites at Doomadgee and Mornington Island. A Mornington Islander expressed the desirability to see his family via video-link particularly on important occasions such as sorry business:

“Being away from family. You can't get anybody to come in for a visit. Especially up at Doomadgee here, we've got no video-link up with our family. It's really sad when we hear about loved ones passing away. And we're not there to show our respect through Aboriginal culture, and to show the rest of the family that this person had passed away. It's very hard for us down here.”

A major challenge in doing time for inmates was to stave off the boredom inherent in daily prison life. The males in this study stated that there were limited resources in prison to pursue some of their interests and that a major goal when entering the system was to gain employment in the laundry service, which gave people something to do as well as a small sum of money to buy basic necessities in prison. It appears that all Doomadgee and Mornington Islanders, in this research, experienced this form of employment during at least one of their stays which provided them with some structure to their day as well as a sense of purpose while inside:

“Yeah I used to work down in the laundry. Operating one of them big machines. Washing machines. Wash sheets, pyjamas, pillow cases, draw sheets, towels, blankets. Now the laundry is still going but now you have more choices to do metal work and welding and that sort of stuff, arts crafts if you want.”

“I had a job in the laundry and that's about it. I did a lot of numeracy and literacy. I did that but really I didn't need to but I did it for fun just to make the time go by.”

It is generally accepted that basic literacy and numeracy skills are required to function in everyday life, and it could be argued that the prison population in Australia could be among the most educationally disadvantaged populations in the country. It has already been documented that few of the subjects in this study completed secondary school to year 10 and had limited skills in basic numeracy and literacy. Participation in education programmes can result in numerous benefits for the participants. For example offenders who voluntarily enrol in programmes can obtain earned release credits, which enhance their parole eligibility. In addition the obtainment of skills and qualifications enhances the employment prospects of individuals when they re-enter their communities.

The interview data reveals that only two of the interviewees actually engaged with education programmes during the multiple times they were in prison. One criticism of the programmes offered was that they were poorly resourced and lacked relevancy to the inmates' everyday lives. By comparison vocational based skill programmes were deemed to be more useful due to the practical skills which could be learned. One of the cohort for example stated that his time on the farm at Stuart Correctional Centre for minimum risk inmates, was a good experience because he was able to learn horticultural skills which he intended to utilise when he returned home.

“The farm was the best place because I worked every day out on the crops and learned a lot about what you need to do to grow veggies and fruit. I want to make my own garden when I get back to the island and have fresh veggies and fruit and not have to buy that old stuff from the store anymore.”

Fifty-percent of the subjects reported that they had participated in programmes such as ending offending, anger management and alcohol and drug counselling as a means of addressing specific issues associated with their prior offending. However a major barrier to accessing such programmes while in prison is that offenders have to be serving at least 18 months detention before being allowed to enrol in rehabilitation type programmes. The majority of participants who could participate however, saw some value in terms of preparing them for their reintegration back to their communities. One offender who had multiple convictions for domestic violence identified how he felt confident in addressing his anger towards his partner, through strategies he had learnt through his participation in the anger management programme:

O: What did you learn in the anger management programme?

I: I learnt that when my missus wants to bait me by telling stories about me, I can walk away and not get violent and hit her. I can see it coming and I can go some-place else until it passes.

O: What about if you have been drinking can you still walk away?

I: I know that after being in here I can just say no to whoever wants to get me on the charge and not drink. I can do that now.

Returning To Country: The Nature of Recidivism and Risk Factors for Re-offending

Individuals face a number of challenges when they re-enter their communities after serving time in prison. Moreover the challenges associated with a successful reintegration are even greater for those who have a history of reoffending, due to individual and environmental factors. Derived from the Latin *recidere* meaning to fall back, recidivism is the act of committing a crime again after having committed one previously. While recidivism determines the degree to which offenders re-commit crime the act of actually understanding recidivism is complex.

The process of collecting the narratives associated with re-offending from the Aboriginal men in this research was challenging, in terms of identifying the multiple life factors which prevent individuals from desisting from crime. One way of overcoming this problem is to adopt a model by Zamble and Quinsey (1997) who contend that recidivism should be viewed as a process and not as a static event. Subsumed within this logic is that offenders may recidivate or relapse but can go on to lead productive crime-free lives. The authors argue that viewing recidivism as a process allows for other factors to be considered which may assist in developing a new paradigm for assisting Aboriginal offenders to break the cycle of offending behaviour, which is an endemic problem in communities such as Doomadgee and Mornington Island. Zamble and Quinsey argue that internal and external factors should be considered and state that:

“New criminal offences result from an interaction between internal dispositions and external events so that a variety of dynamic factors are included, among them measures of stress, social support, coping skills, substance abuse, supervisory intervention variables and affective states” (p.9)

This research indicates that dynamic risk factors impact greatly on offenders who attempt to cope and manage stress when they arrive back in their communities. The interview data provides insights as to how individuals fail to cope with various stressors and problems, which often results in them falling back on old known behaviours such as further criminal activity to cope with a problem. This hypothesis relates to relapse theory which is a; “failure to maintain behaviour or change, rather than failure to initiate change” (Annis and Davis, 1991). It can be

argued that recidivist behaviour can be analysed as an individual's inability to employ coping skills to respond to a problem which triggers poor decisions resulting in further offending behaviour.

If recidivism is understood as a series of peaks and valleys mediated by learned coping skills and relapse prevention techniques are employed, offender management both inside and outside of prisons may be more effective. Schlager (2014) argues that this alternative way of viewing recidivism including notions of coping and relapse, offender case management, treatment and supervision could lead to fundamental reform and change the way the community perceives offenders.

In adopting this framework the dynamic risk factors associated with re-offending behaviour among Aboriginal men, is presented based on their perceptions associated with reintegrating back to their communities after their release from prison.

Challenges in Reintegrating Back to the Community

The interview subjects expressed diverse views about the prospects of not re-offending when they returned to their communities. For example some individuals were adamant that they would not reoffend and expressed a confidence that they would overcome the challenges which had previously led them to prison on previous occasions. By comparison others were more pragmatic about their chances of reoffending based on their past experiences as expressed by this Mornington Island man:

- I: When you come back here and get off the plane what is it like in terms of trying to settle back? Do you have any problems settling back?
- O: You know you get used to it going back and forward, you get used to it you know.
- I: Do you think that when you come out you will stay out?
- O: Oh well that's what everyone plans, you're going to stay out, but you can't predict it. You can't predict what's going to happen.

When asked about the greatest hurdles to overcoming the tendency to persist with offending a common response related to difficulties in finding employment when returning home. Most of the offenders stated that they possessed skills from previous work experience and possessed certificates for working with heavy machinery in the mining and construction industries, which should have potentially positioned them for a place in well paid positions with companies such as Century Mines which offered positions to Mornington Islander residents. However, a major

hurdle identified by the males in reconnecting with these positions related to structural forms of unemployment which resulted in people having to wait for positions to become available which produced stressors on the individual as in this account.

“No well like I was saying I came from Century Mine but now that I’m back I have to go on a waiting list to try and look for a job. I don’t want to sit around on the island here doing nothing and work for small money. I would rather go back with the skills I learnt and go back the mining sites. This really worries me because it’s no good just sitting around all day I need something to do.”

Others found re-entry to the job market difficult due to institutional barriers as a result of the stigma attached to their criminal history. For example several of the interviewees stated that they had previously worked in government funded positions in schools or the hospital but now found that they had to undergo criminal history checks, which prevented them from finding stable employment within communities which already had limited job opportunities:

I: Does the job find agency help you find a job?

O: No. What happens is you take your pay sheet over to how much I make a week and they put me on a fuckin’ waiting list. Now what fuckin’ jobs have you got on the island here? No jobs at all.

I: Is having a criminal history a problem when you try and get a job?

O: Yes, I went down to the school a couple of years ago. I wanted to be a cleaner. They had all the paperwork. I was approved to work and then the manager said; “ We’re going to have to send it to one more place to be checked out by the police agent, for your criminal history.” Then I had no chance of getting a job.

I: So getting a job is really hard because you have a criminal history?

O: Of course finding a job is one of the first things you look for when you get out of prison. It’s too hard to get a job in our community because the first thing they’re going to look at is have you got a criminal history? Sorry no job.

Others identified institutional hurdles in attempting to reintegrate back into the community associated with obtaining documents, such as a birth certificate or driver’s license, so that they could access Centrelink benefits in order to provide funds for basic needs such as rent and food. Problems associated with interacting with institutions increased the possibility of individuals relapsing back into negative coping responses through alcohol and drug abuse, which in turn enhanced the possibility of relapsing into criminal behaviours as in this account:

“People come back from jail and now you got to find a job. JobFind is shit and Centrelink you gotta go back and forwards and you got to keep going to the job mob

to find out if you are going to get a job. And there are not a lot of jobs today. That's why everybody is just walking around hitting the piss today.”

The value of possessing a job was emphasised by all of the interviewees as a means of obtaining an identity as a functioning member of the community and enhancing an individual's self-esteem. Members of the cohort agreed that gaining employment also gave them a sense of purpose and presented individuals' with a structured day, which limited the possibility that they would resort to alcohol or drug abuse which most people identified were the catalysts for further criminal behaviour. This Doomadgee male who had been to prison on four previous occasions stated that his chances of re-offending were enhanced when he was not working. He was able to chart the periods of time when he desisted from crime which paralleled with the times when he was employed. Conversely he identified the valleys of his life when he drank alcohol and smoked marijuana which led him to commit domestic violence on his partner:

O: The only times I was out of trouble is when I was working from Monday to Friday.

I: How would a job stop you for doing more domestic violence?

O: A job always kept my mind off alcohol and my mind off cannabis - ganja and then I didn't do domestic violence and then end back up in jail. It was always having this job.

For the four Mornington Islanders who gained employment at the nearby Century mine site, the constant surveillance of individual's drug and alcohol intake through random on-site testing provided an additional incentive for not relapsing into previous negative behaviours:

O: You know I stayed off drugs and alcohol when I was at Century. You can be tested any hour of the day for drugs and alcohol.

I: Testing?

O: Breath testing. There's an RBT. They drive straight through, get you tested and straight back to work.

I: So Century gave you a structure to your day and kept you out of trouble?

O: Yes me and others from here too.

However, the other subjects in the study identified their frustrations with long waiting periods before they could re-enter the workforce. Three interviewees suggested that the old CDP programme should be reintroduced so that unemployed people could work on projects as a pragmatic solution for engaging young and older people in activities, which gave them a sense of purpose and pride which benefited the community:

I: People here say there are not enough jobs for people. If there was something like CDP do you think it would keep people busy?

O: Back in the days there were a lot of older people here. We used to come round and pick up a lot of young fellows. They had to get out of bed first thing in the morning and they'd straighten up, get it together and then you're gone. Then back in those days whatever tool there was you could use it. Now look half of these roads are ripped up from the rain and shit like that. It's got a lot of operators like me that walk around here who could work that machinery and fix the roads for everyone to use. But now it's just no jobs nothing to do.

An additional barrier to reintegration identified by the offender cohort is breaching parole conditions upon release. Two of the most common problems identified by those interviewed were related to family and peer pressures to drink alcohol and not reporting to parole officers at a designated time. Breaching these types of parole conditions were amongst the most common factors which led people back to prison. Pressure from family or peers to drink alcohol while on parole was cited as a factor which led to the breach of parole conditions for a high number of participants in this study. Individuals were aware of their parole conditions and the outcomes for breaching parole. However, they admitted to often making the wrong choices and relapsing back to their former habits. In addition it was suggested that family members and friends were often not aware of these parole conditions and the impact that it had on their loved ones:

“When the family asks you to drink and you say; ‘I’m on parole’. But the family will keep going and then it’s up to you. You have to make that choice. You want to drink and go back to jail? You have to think about it. Are they going to write me this letter down there while I’m in jail a long time?”

Another common factor for breaching parole related to not attending appointments with their parole officers. Interviewees pointed to a number of factors as to why they failed to report, such as leaving the community to visit family or travelling with their family on fishing and hunting excursions “out on country”. An unusual case of breaching parole conditions related to a Mornington Islander man who had found well paid employment at Century Mines but failed to report because he was working underground and could not find the time to contact his parole officer. He was breached for failing to report and therefore lost his job and returned to prison. He described the scenario as being unjust due to the inflexibility of the justice system despite his attempts to reintegrate:

O: You’ve got nothing happening on the island job-wise and after all that I ended up with Century mines down there. But it’s closing down next year. But the parole officer wanted to ring me and tell me to report but if I do come back out they will call the cops and all that shit for breaching parole. So it just stops me from working at the mines and all that shit.

- O: I landed back in jail again because I never reported. You can't ring them up when you are down a pit all day. We are not supposed to use mobile phones either.
- I: So it was hard to report when you were at the mines. Did you end up breaking your parole conditions?
- O: Yeah and when I rang them they said; "you are a bit late". I said I was supposed to ring you yesterday but when you are down in a pit and you can't use your phone until you get back you only have lunch at 11.00am and that's it and the rest is just go, go.

A further problem associated with reintegration is overcoming the stigma of being labelled as a criminal. The cohort from Mornington Island in particular perceived that they were harassed by police when they returned to the community after being released from prison. There were accounts from individuals who stated that they were often stopped and questioned by police in public spaces due to the labelling effect associated with being a criminal as described in these scenarios:

"You know when you come from jail the policeman he don't like you so they pick on you. Even when you are not doing things. You sitting there with family drinking. For them they say it is not really responsible for me to do what other family doing."

"You could be walking on the road having your own fun and that and if you are not on the non-drinking paroles and you be walking on the road just with family and that they ask you what you are doing. When you talk to them you don't get anywhere. It's harassment from them. They supposed to protect and serve and not harass people all the time."

Another criticism aimed at the police on Mornington Island related to entering the premises of local people without a warrant to search for illegal homebrew stills or alcohol, which was perceived as an abuse of police power:

"This is taking advantage of people on the island, where people on the mainland they need a warrant to walk into a person's yard to check it out for grog. Well here they don't. The cops just walk right in and start searching the place which really upsets people here. Just because it's Aboriginal community living on an island do we have the same rights? No we don't have any equal rights."

By contrast the cohort from Doomadgee perceived that they had fewer negative interactions with police compared to their colleagues from Mornington Island. One contributing factor for the good relationships between the police and the Doomadgee community was attributed to the pro-active interactions by the police with community members, through their participation in activities such as sport and recreation. In particular the more experienced police who had lived in the community for a period of time and possessed a knowledge of Indigenous culture and

protocols, were singled as being effective in developing good working relationship with the community members:

“Yes this sergeant at the moment he’s alright because he gets around with the locals and talks to them, not like some of these young fellows they just come in here to the yard. But the police mainly are alright here in Doomadgee. Some help out with sports here with the younger kids which we appreciate so we don’t have many problems with them. The young blokes though sometimes act a bit smart. From my experience I don’t think they know anything about indigenous communities until they have to go out and have to live on a community.”

New Approaches to Reoffending: Offenders Suggestions

At the conclusion of each interview members of the offending cohort were asked to give suggestions about the most appropriate strategies for assisting re-offenders to desist from crime in order to prevent them from cycling through the criminal justice system. Overwhelmingly most of the recommendations proffered related to increasing the capacity of agencies to support people upon their re-entry. Investing in more community based support programmes was viewed as the most appropriate strategy so that offenders did not have to leave the communities and return to prison and avoid disrupting the lives of their families and friends. The suggestions were grouped into three sub-themes: criminal justice issues, community based programmes and individual resilience.

The majority of those interviewed perceived that when people come into contact with the criminal justice system they are disadvantaged because they lack knowledge of how the system works, which often results in unfair or overly harsh outcomes for the individual. For example breaching parole conditions is one of the major factors as to why so many people return in to prison. To overcome this problem the offenders suggested that an intermediary be present in meetings that occur between the parole officers and the offender to ensure he/she fully understands the conditions of their parole. It was also felt that a similar person be present when people who were about to face court consulted with the duty solicitor to ensure they fully understand the charges and the options that are available in terms of how to plead to an offence. These sentiments are summed up by one 23 year old Doomadgee male:

“Especially for these young fellows anyway, the words she says, the parole officer, she doesn’t break it down to them, break it down to how they can understand it. See I didn’t understand courts system back then. Like, I didn’t really understand, like white fella word. I didn’t understand what consent mean and all that. So I reckon they need someone who usually knows the big words, a local person or something. Have them in there sitting down. Get the fellow to look at and ask them what it means.

The local can break it down for them so they understand and maybe not get back into trouble again.”

Community based court officers could also play a role in explaining parole and court outcomes to the family members of those who are accused of a crime, to help overcome the common problem of peer pressure to drink alcohol as identified earlier in this section.

Another key suggestion was to increase community based activities which maximised opportunities for those who return home from prison. A major risk factor for reoffending identified by this cohort was associated with having few opportunities for finding employment or training options, which was compounded by having to live with the stigma of having a criminal history. It was suggested that people who return from prison should be assigned to a case manager who had either paid employment available or volunteer work in the community, which would give the individual a structure to his/her day and reduce the tendency for that person to relapse into destructive patterns of behaviour, such as drinking and drug taking:

“If you could get some funding up and running you know have a boat out there go fishing and hunting so blokes on community service they could go and cut wood for the old people. Soon as they finish work they go straight back out there and come back in the morning. When I was out on the farm at Stuart we used to go out in the morning and back in in the evening. It keeps your mind active”

Upon re-entry it was suggested that offenders should have access to rehabilitation services for drug and alcohol abuse which should be situated on both communities so that the families could be involved as a means of supporting the individual. Furthermore there were strong calls for a men’s shelter where men could voluntarily withdraw from their home situation to avoid being charged with domestic violence. These shelters would assist in reducing the already overcrowded living conditions that exist on both the Mornington Island and Doomadgee communities.

However by far the strongest recommendation for assisting the re-entry process was associated with the introduction of bush-camps, where individuals would be taken to camp or stay well outside the community to serve out their parole conditions. A high number of men identified that young people had lost their culture and that offending was linked to a loss of connection to traditional activities connected to the land as one former prisoner commented;

“Most of them they just hang around town, doing drugs and that. Most people don’t take them out bush and that they don’t know their culture, they don’t have respect for their elders so they just end up in jail”.

The introduction of bush-camps was seen as a viable alternative for magistrates when sentencing people for offences such as breaching parole or domestic violence rather than sending people to jail, and costing taxpayers huge amounts of money. It was also viewed favourably as a means of allowing people to hunt and fish with the help of elders or former prisoners, who would take on a mentoring role and have the opportunity to continue to pass on cultural traditions such as painting:

“I would be willing to go out there and talk to young people at the camp and work with them. It would be good to stay out in the bush. I had a passion for it coming out of jail and showing young children getting them together and showing them how to paint.”

One of the former prisoners also suggested that traditional languages should be re-introduced into the school curriculum so that young people had a greater understanding for their culture and respect for their elders as in the past:

“We need to teach them tribal laws and custom laws and language like in the old days. Culture should be taught in schools. This will help them to get back some respect for the younger ones. It will help them get ready for school in the mornings and keep them out of jail. The most important thing in those days was the respect. Everybody had respect. In this society today nobody’s got respect for anybody.”

Enthusiasm for the introduction of camps was based on the success of similar models such as the one that existed previously on Bentick Island near Mornington Island several years ago. Here former prisoners worked and lived on the island assisting a group of elderly women who were the traditional custodians of that country. A further perceived advantage of bush-camps was that families could be kept together through planned visits to the camp as summed up by one elder from Mornington Island:

“Years ago, when the men’s group was running, a lot of these elders used to go out bush with a lot of the young fellows and try to teach them about the culture and that and keep them out of trouble. I reckon something like that would be good with a facility like that, up around the gulf somewhere. It would be closer to travel into the community and we could keep our respect with the family when someone passes away. It would allow us to keep in closer contact with the family for Christmas and Easter and whatever other cultural activities we do. We would be just around the corner.”

In addition to the introduction of structural and environmental strategies based in the communities a high proportion of offenders identified that real and lasting changes in behaviour could only occur at the individual level of a person. The key to desisting from crime was through resilience in making conscious choices about not relapsing into past patterns of

behaviour which resulted in further criminal activity. Of the ten offenders in this study two could be seen as desisting from crime after they had developed relationships with partners and had made the decision to give up alcohol and drugs. Both young men also made decisions to disassociate with former co-defendants and develop new social networks consisting of non-criminogenic peers as viewed in the sentiments of this male:

“A few of the boys said; ‘You’ll go back mate’. I said; ‘I don’t think so mate’. I’m a man who’s got sense. I’ve got brains. I know how to use them. I said; ‘I’ve got a family back home that I love and I cherish and I want to be there for them. I’m not like you. I gave up grog 15 years ago to look after my children and be with my family.’”

Others made a commitment to finding a job and re-located to another environment to reduce the chances of re-offending. For example this male found a job at the local mine and a new partner and made the decision to leave the Mornington Island community as a means of avoiding the temptation to relapse in his former destructive behaviours:

“I spent all my life working over at century busting my arse off for this mob giving them everything. I was a single father too. I left their mother because their mother used to drink piss, gamble and do drugs. I didn’t want that life. Anyway I met up with this other girl and she don’t drink. We ended up having kids now. We moved out of here to Mt Isa for a few year lived out with our kids.”

Another young man made a similar decision to break the cycle of re-offending by giving up alcohol as he perceived that it was the reason which drove him to destructive behaviours such as fighting and stealing cars which in turn led him back to prison. He had an awareness that by desisting from alcohol his life could change for the better and new opportunities would be possible if he took this course of action as in this discussion:

I: So why is it that you have managed to stay out of trouble for so long?

O: I just didn’t want to end up back down there again.

I: How have you changed your life?

O: I just think not to drink alcohol and get into drugs and go fighting and drink driving.


I: So you decided to give up alcohol?

O: Yes I don’t drink and I stay out of trouble.

Summary

The offenders reported a similar trajectory into criminal behaviour, with early disengagement from school followed by involvement in low level crime (such as break and enter and drunk driving) when the structure and purpose of school days was lost to them. With few job opportunities, a lack of recreational activities, boredom and peer (and family) pressure appear to have been risk factors for offending behaviours. In addition, the pursuit of traditional recreation and healing through returning to country has resulted in driving offences due to a general lack of transportation available in either community. The largest precipitating factor for engagement in crime, however, was the use of alcohol or drugs (marijuana). Due to Alcohol Management Plans the consumption of alcohol is severely restricted in Doomadgee, and illegal in Mornington Island; despite this it is readily available, either from outside the community, or in the form of homebrew (Mornington Island). Use of alcohol and drugs can therefore be seen as the primary offence, leading in turn to offending behaviour facilitated by the effects of substance use. Some offenders began a life of substance use as young as 8 years of age and this precipitated early contact with the Criminal Justice System. As young offenders 'grew out' of their petty offending behaviour and started building relationships and families, domestic violence became the prevalent offending behaviour, still fuelled by substance abuse. This stemmed from a number of frustrations; a continuing lack of access to country and opportunities to transition to manhood; and accompanying barriers associated with gaining their status as a man through employment and providing for their family. Offenders also iterated their frustration at being unable to remove themselves from the presence of alcohol, or their families, when attempting to better themselves, or keep to the conditions of their parole. Indeed, breaking of parole is one of the most common offences amongst offenders. This is exacerbated by overcrowding, and misunderstanding of the legal system and parole conditions. The offenders perceived that there were a number of initiatives that may help them desist from crime upon the return to the community. These included: alcohol and drug rehabilitation programs; community based court officers, or transition officers; greater access to employment opportunities; a men's shed where they could voluntarily remove themselves from volatile

situations; and, overwhelmingly, the opportunity to spend time 'out country' to help transition them back into the community.

The background of the page is a solid orange color with a subtle gradient. Overlaid on this background is a pattern of dark orange, almost black, barbed wire. The wire is tangled and runs diagonally across the page, creating a sense of complexity and perhaps representing the challenges or barriers associated with family perceptions.

Chapter Four
**FAMILY
PERCEPTIONS**

Family Perceptions

The family as a social institution is often overlooked as being a critical component of the re-entry process for offenders. Much of the existing research literature has focused on the offender who is punished but relegates the impacts on family members who are often indirectly negatively affected when a loved one leaves their community, as a result of imprisonment. Offending therefore does not happen in isolation and it is inevitable that victims, families, and the community will also suffer, particularly in small Aboriginal communities such as Mornington Island and Doomadgee. Interviews with the families of offenders, including elders in these communities, reveal the full effects of offending behaviours and the associated problems with reintegration, as well as offering insights into the effectiveness of current systems and ways forward for their communities. It is also clear that older people in these communities are dismayed by the cycling of behaviours that lead to the current high rates of incarceration among community members and want to help in bringing about change in their communities to address these problems.

The interviews with the families of offenders as well as prominent elders on Mornington Island and in Doomadgee, sheds further light on the impacts on the community when young men are removed and sent to prison. The data in this chapter also triangulates some of the themes identified by the offenders in the previous chapter. The interviews allowed people to give their opinions, based on their firsthand experiences with offenders, the main precipitating factors for crime in their respective communities, the effectiveness of current systems, and their first-hand perceptions on the problems that currently prevent successful reintegration back into the community for offenders.

Precipitating Factors for Criminal Behaviour

The use of alcohol and drugs is cited by all family members as a major contributing factor to many of the problems occurring across the two communities, and definitely as a precipitating factor in law breaking activity. Due to the differing AMPs and availability of alcohol, homebrew has become a serious problem on Mornington Island, and it seems evident that drugs are also being smuggled into both communities. Disturbingly the use of cannabis now seems to be commonplace and is being supplemented with harder drugs such as meth- amphetamines.

Families report that the majority of law breaking behaviour constitutes domestic violence, theft, public nuisance, and the breaking of parole conditions.

While the focus on this study is offending/ reoffending, it should be noted that those (mostly) young people who don't act out, may internalise their problems and, combined with alcohol and drugs, suicide has sadly become a recurrent problem across both communities.

Getting Started on Alcohol, Drugs, Crime

For some community members the breakdown of cultural and family values, and respect, are major contributing factors for very young people turning to alcohol or drugs to relieve boredom. A contributing factor to this problem is the high incidence of truancy among young people across both communities. Another factor for young people is the constant presence of alcohol in their lives. Many learn how to make homebrew for themselves from a young age. Children as young as 10 are thought to already be involved in alcohol and drugs, as they are left to fend for themselves while family members consume alcohol or gamble at home, especially at night. These conditions result in many young people wandering the streets late at night as identified by an employee of a community organisation on Mornington Island, who developed a programme which took children off the streets and gave them shelter and food until they could be placed back with their family members:

“We drive around in a bus at night and pick up any little ones and take them back to the shelter and give them a bed and food if they need it. Many of the parents are drunk or are gambling and have no idea where their kids are, which is a real problem for these vulnerable little ones.”

Substance Abuse and Domestic Violence/Criminality

Interviewees showed a consensus in identifying alcohol as the overriding problem in both communities, with drugs also becoming widely used by sectors of the community. Despite the Alcohol Management Plans in place it is known that residents of Doomadgee are able to access alcohol from Burketown, while on Mornington Island those wishing to drink alcohol have resorted to brewing their own since the local canteen was closed. Many of those interviewed stated that attempts to prohibit alcohol in both communities have failed and produced a bigger social problem for residents along with an increase in illicit drug use:

I: Some people have mentioned the homebrew has been a problem here. Is that a big problem here?

FM: It's been a big problem for so long, since the canteen was closed.

Marijuana is cited as the main drug used (and most accessible) in both communities but the interviewees are under the impression that methamphetamine is also finding its way into the communities.

FM: The biggest issue now is home brew. I would say that is number one in this community, and drugs.

I: And you mentioned drugs. What's the biggest drug of choice here? What's the easiest drug?

FM: Marijuana.

Alcohol, Drugs, and Criminality

The interviewees were aware of the direct link between alcohol and criminality, stating that without alcohol the offenders were different people. Most became aggressive when they had been drinking which often led to the high incidence of violence against other community members:

FM: He drinks grog. That's the thing makes him go off.

I: What does he do when he goes off?

FM: Swearing and carrying on looking for a fight with this person, that person ...

Domestic Violence

The aggression caused by drinking is not confined to street violence, but occurs mainly within the home, with domestic violence being one of the most common crimes for which men are incarcerated. This female elder from Doomadgee identified the impacts on the community when a young male is taken from the community when sentenced to a period of imprisonment:

FM: Going to prison - it breaks our hearts when we see those boys going away. Even young men with children. I've got a nephew - one of my brother's boys. He's in and out of jail for the things he does.

I: Is that around domestic violence with him too?

FM: Yes....

FM: That's probably the biggest thing here in Doomadgee, domestic violence.

Women and Domestic Violence

In most of the literature females are often cited as being the victims of domestic violence by their male partners. However while this may be true a number of interviews with family members identified that at times women could be the instigators of domestic violence occurrences. This often took the form where some females “nagged” their partners and displayed jealousy with regards to other females which often resulted in retaliatory action by an enraged male partner. It was observed that there is a propensity by police to take the male out of a domestic violence situation and charge him rather than the female who may have instigated the situation. Women were only charged for domestic violence offences if they physically used a weapon against the male.

I: So do a lot of people then - they drink this homebrew, and you were talking about domestic violence. Is that a big issue here?

FM: That is a big issue. I brought that up at the justice meeting. It's still - women are the instigators of the domestic violence.

FM: This lady brought up the same subject that I'm just saying now, and it's so sad, but the men are the ones that are going in and out. I think the only thing I've seen and heard -the only thing that women go in for is when they use weapons against - that's the only time that I know and see that they go back to jail - when they stab their boyfriend or stab someone else. But otherwise, concerning alcohol, they don't go. The men have got to suffer in there.

Interactions with Courts/Parole Officers

A common factor leading to court appearances and subsequent incarceration relates to breaching parole conditions. There are a number of reasons why parole conditions are breached, from not fully understanding the conditions imposed, families and friends not aware of alcohol restrictions as a condition of parole, and the temptation of returning home to be with a partner despite restrictions about where a former prisoner can live when returning to the community.

The misunderstanding of parole conditions is indicative of the problems with communication across the various levels of the criminal justice system including the police, courts and prison.

Police Relations

There has been a history of poor relations between community members and police in both communities and while some of the older, long serving police have gained some respect, it is felt that young officers are sent to the communities with little training and a lack of knowledge about Aboriginal cultural protocols, which exacerbates the underlying tension and general mistrust of authority figures such as the police.

- I: What's the relationship like here in the community with the police? How do the young people respond to the police?
- FM: They mostly will get scared or they don't want to be near the police because – they don't want to be a bad person.
- FM: These young ones, the littlies even, they're scared of the police.
- I: Do you think police understand how they should behave in community policing? Are they respectful?
- FM: No. Most – some of them are, some of them aren't. I mean, there's differences with a person that doesn't drink alcohol. They're real respected [sic] to me.

On Mornington Island in particular the relationship with the community appears to have deteriorated since community liaison officers were phased out. (It should be noted though since these interviews were conducted Aboriginal police liaison officers have been reinstalled to both communities which may lessen the tensions which existed between community members and the police.)

- I: How long ago since the community police left?
- FM: In the '90s
- I: They used to liaise with the people – between the people and the police?
- FM: When they liaise with the police community, you know them well. The police know them. They get into trouble, the police go down and talk to them and listen to the policemen because they –

It is felt that the police currently make little effort to gain first-hand knowledge of community members:

- FM 1: Police in this community, they need to get out and –
- FM 2: Do things properly
- I: Get out to the people? The police need to get out to the people?
- FM 1: They need to get out to the people and know what different families are like.

Breaking Parole Conditions

Conditions of abstinence from alcohol are frequently broken soon after parolees return to the community as friends seek to celebrate their return by having a drink together. The influence by peers or family members to drink is often too big a hurdle for some parolees which results in them cycling back into the criminal justice system:

- I: When they go to jail, and when they come back - which is what we're concerned about in this project - do they come out as different people? Are they better people, or are they
- I: Or it doesn't have any effect on them?
- FM: Maybe for a week or two, they come out all right. But because for them being in there so long, they think they deserve a drink or a big celebration.

A major factor which contributes to the breach of parole conditions around alcohol consumption is a lack of understanding by family and friends about parole in general. Without understanding the parole conditions, family members and friends are therefore unwittingly setting up the parolees for a further period of incarceration.

- FM: I think when they come back to the community they don't - they see the others drinking around here, and they say, "Oh, why not? If you can't beat them, join them."
- I: So the people are saying to him, "Come on, let's have a drink," and he knows he shouldn't be drinking -
- FM: That's a temptation, and that's where -
- I: They fall for it.
- FM: They fall for it and it goes back to the beginning.

In addition the same underlying criminogenic conditions remain when they return to the community, with a lack of access to employment and no recreation opportunities. With no sense of purpose the temptation to resort to drinking again is strong without alternative activities being available.

- I: So when they come back from prison -
- FM: They've got nothing to do here.
- I: What's the answer? What do we do with them?
- FM: They've got no jobs, no recreation, nothing.
- I: So they're bored, they just wander around the streets?
- FM: They just wander around doing the same thing again - look for homebrew, make homebrew.

Lawyer/ Client Relationship

The interviewees also commented on the problems in understanding the language used by lawyers, and prosecutors when interacting with the court system. This problem is exacerbated by the relatively short time periods that the duty solicitor spends with a person who is facing charges and the regularity that they are often told to plead guilty to charges which may be contestable in other situations:

- I: We heard a lot of mob say that when they talk to their lawyers there, the lawyers often just say, "Just plead guilty." Do you hear that a bit?
- FM: Yes.
- FM: Yes.
- I: Maybe sometimes they're innocent, or maybe they shouldn't plead guilty.

Attitude to Jail

A period of incarceration is not necessarily seen as a negative experience by offenders as this presents as an opportunity to catch up with relatives (who are already serving time), experience good food, and the provision of opportunities to engage in education training or work which provides a structure to the day.

- I: I've got a question for you. With everything, when you're yarning with the young ones and you talk to them about the idea of prison and that kind of thing, do you think that it's actually something they're afraid of? Is it actually something that they care, or has it become so normal for them that it's almost like, that's what happens?
- FM: I don't know really, because it's just the same old thing with them. You know, their mum or dad or their brother or sister goes to jail and they come back and, "Oh, it's a nice place to be in."

Community members also commented on how returning prisoners often view the prison experience as a badge of honour in making the rites of passage as part of the process of becoming a man. A sense of bravado when returning home is viewed as an expression of masculinity which many Aboriginal men have lost within contemporary community life:

- FM: Yeah. They'll get all happy, when they start off drinking, and then all of a sudden, they start talking up about themselves. "I'm a man, I've been to jail," this and that.
- I: Do some guys see themselves as - going to jail as part of becoming a man?
- FM: Yeah. They think, just because they've been to jail, they think, 'I've been there, don't that, doesn't worry me, I'll go to jail'. This is the only way for many of them to be seen as a real man. They can't hunt out on country like their elders did and provide and have that male role any more. It's been lost here.

Effect on Family and Community

While there is a lot of concern for individual offenders who struggle to reintegrate into their community, the ripple effect on their immediate family and community evidently causes great distress to the family members that were interviewed. Throughout the interviews family members identified the negative impacts on young children when their father was sent to prison. The structure of family life often broke down when female partners were unable to cope financially or emotionally which impacted on the care and well-being of their children:

I: How does it affect the family if the guy hits the woman and he gets sent to jail? What families have you seen? What effect does it have on the family when he's away?

FM: Well, if it's a male folk that goes to jail, the father for instance goes to jail, the mother's at home and she's always intoxicated, just every day thing. Kiddies – I see it. These littlies are there and I feel real sorry for them. I can't help them, but they need help. It's just going to go around. Dads in jail, kiddies are going to be sent to Child Safety a lot.

I: Yes. Removing them?

FM: Removed from their home and if daddy comes back it will be an everyday thing with the daddy and mummy, domestic violence.

They see these young people, in turn, also turn to alcohol, drugs, and criminality. The offences committed by young people usually revolve around theft and sometimes joyriding.

FM: It hurts me to see family - the same - it's like a rotating all the time, on this island. They come out, and then they do offences and go back where they came from again, in prison. It's so sad to see our same lot of children returning there. It hurts us so much in our hearts. They're doing offending all the time and - I don't know, it's just –

The break-down of the family structure due to the removal of parents is most striking when young children are seen walking around darkened streets in the early hours of the morning, due to the absence of parents. A member of a team from Mission Australia described how the organisation had organised a street surveillance programme which picked up young children at night and gave them shelter until they could be reunited with their parent or carers:

FM: I work for the Mission Australia on the weekend and my shifts are Friday and Saturday nights, and I make sure to pick him up off the streets because these little - from 10 years old and up, I see them on the streets because they've got no home to go. Their mum and dad, parents or whoever the guardians are drinking home brew at home. They're on the streets. They come to me and," I want to stuff around. I'm bored."

Returning to the Community

Many family members reported that the biggest contributing factor to recidivism relates to males returning to their community with a lack of purpose in terms of re-engaging with employment opportunities, and interacting with pro-social peers who could provide assistance in the reintegration process. A lack of engagement with the community was seen as a factor for many men losing their self-esteem and relapsing back into their former negative habits:

“A lot of the men come back from prison and they feel like they don't have their place in the family. Like their traditional place. Like, they can't have jobs so they don't feel like they can provide, so it makes them feel quite hopeless. You see them on the streets with their heads down; they don't feel like men anymore.”

New Approaches to Reoffending: Family/Community Suggestions

Each interview with family members included a discussion about what measures needed to be adopted to improve the likelihood of the successful reintegration of offenders, to benefit both their family members and the community in general. The interview data highlights that families and communities suffer from a severe disruption and dislocation, when males are repeatedly taken from the community. There is a strong need within the communities to provide support for offenders when they return, with a desire to reintegrate them into the community to help them gain a purpose and strength.

Intermediary to Explain Court Terms and Parole Conditions

As previously highlighted in the offenders data as well as the family interviews, a major problem that needs to be addressed pertains to the lack of understanding of court processes and, upon release parole conditions. These issues are not only experienced by offenders, but families and friends who also lack the knowledge to adequately support the offender through these processes. As already discussed, this gap in the knowledge results in family unknowingly, encouraging their loved ones to break their parole conditions. One way of addressing this problem is to have someone available with them to explain these procedures and provide understanding of the consequences of breaching parole conditions:

I: So is there some things that you think that we can do to help people when they're coming out of prison from stopping getting in the trouble all the time when they get back, trying to break that cycle of in and out of -

FM: Well, that's the only one now, I'm thinking, that the parole, wanting to -

I: Help them to understand their parole better.

FM: Yeah, yeah. They have to, yeah.

Furthermore interviewees felt that as family members, elders, and members of the justice group, they should be fully informed of all police/court decisions, and conditions for parole. Again, this needs to be communicated in a manner that is consistent and clearly understood. It has been suggested that an intermediary be present to aid in this process of communication – this could also enhance the level of trust and confidence in a system that is currently viewed with suspicion.

I: What about family mob? Do family mob understand what these conditions are?

FM 1: No. Never told.

FM 2: They're never told about it.

I: So they get breached on it – 'cause you would see that all the time, hey? You see lots of parole breaches?

FM: There's a lot of breaches.

It is through this lack of knowledge and/or misunderstanding of parole conditions that family and friends can contribute to breaches of parole conditions.

I: So the people are saying to him, "Come on, let's have a drink," and he knows he shouldn't be drinking -

FM: That's a temptation, and that's where -

I: They fall for it.

FM: They fall for it and it goes back to the beginning.

Employment/ Community Based Activities

The lack of employment and worthwhile activities was commonly cited as an underlying risk factor for relapsing back into the negative cycle of alcohol/drug use and subsequent criminality. The risk of relapsing back into further criminal behaviour is most likely to occur within the first three months after release. This highlights the need to construct an holistic supportive framework which addresses the risk factors for each individual which needs to be implemented as soon as they return from prison:

"That's hard to really think. How I see is, I don't know what to say. Just, reoffending is the same thing – you're going go – you going to do the wrong, you're going to go, you're sent to Cleveland, wherever, come back. You'll do your couple of months, a year, whatever, come back, you're going to reoffend again. Why? That's is because you got – the way that I see it, it's just boredom for a young person anyway. They're bored. They want to – you want to get some more activities for the community itself. You want to give activities to them, but you can't. You got to answer to the thing what they want. Then you can give it to them. But they need help in a lot of areas or they will end up back in the big house again."

This problem has been observed for both juvenile and adult offenders

I: So when they come back from prison -

FM: They've got nothing to do here.

I: What's the answer? What do we do with them?

FM: They've got no jobs, no recreation, nothing.

I: So they're bored, they just wander around the streets?

FM: They just wander around doing the same thing again - look for homebrew, make homebrew.

Employment/ Rangers

Some family members expressed their desire to approach council and ask them to re-establish the former Rangers Programme, where former prisoners could be engaged in working out on country. This would provide much needed employment opportunities for local people across both sites and they would know their country was being looked after. In addition the elders in the community could show rangers the sacred sites so they can be protected and the stories could be preserved and passed on to younger generations.

FM 1: When I was saying about employment, we can get to the council ... see if we could set up rangers here.

I: That's a great idea

FM 1: Land council had rangers in Burketown but they go out to the coast around that area. We like them here too, and they'll feel better.

FM 2: Yes, jobs for them, too, you know?

FM 1: We'd go ... and show them rangers where the sacred sites are

Bush Camps

Interviews with families confirm the centrality of country to their health and well-being, for all members of the community, but especially for offenders trying to make the transition from jail to community. Apart from the practical components that can keep a man away from alcohol and drugs, country is viewed almost universally as a place to renew the connection to land and culture, somewhere to feel more useful and fulfil a traditional man's role, and a place where men can talk with other men about their feelings and challenges they face in settling back into their communities post-incarceration. A similar initiative had previously been viewed as a positive experience on Bentick Island as described by female elder:

Some of the older family members from Mornington remember when young families and returned offenders used to spend time on Bentick Island. This was an initiative of three of the older ladies who managed to implement it with no financial help (although they were able to secure some funding from Century Mine to build shelters on the island). They were able to ban grog from the island and as a consequence did not experience the problem of reoffending. For offenders it was a way to start with a clean slate, while young families could learn

traditional ways and culture. The offenders were kept busy gardening, hunting and fishing, and building a house, under supervision of elders. There is a will to reinstate the use of the island (or provide a similar experience) for the use of returned offenders and families. There were real success stories for some offenders having spent time on Bentick Island to aid in their transition:

I: So some of the people who've been on Bentick have come back and not got into trouble. Is that what you are saying?

FM: Some of them. The young fellow now, young he does really good.

I: This is the boy who got the job, he's got a boat now?

FM: He got a boat and a car.

Furthermore, the benefit of diverting or transitioning offenders was recognised by the court system on Mornington Island:

I: When you had the Bentick thing set up, did the magistrate like the idea of sending them over to Bentick?

FM: Yes

I: Did they use it very much?

FM: They used to

Bush camps have produced an overwhelmingly positive response, with most family members convinced it would alleviate the immediate problems when offenders returned to the community. The family members themselves stated how they felt stronger when they connected with country.

I: So do you think by taking men and women as well, when they come back from jail and that out bush, do you think it would make them stronger for coming home?

FM 1: Yes.

FM 2: Not a doubt. They could see how the old people before – how they lived, you know, and what they did, you know?

I: How they connected back to country? Back to their strengths, which is where the real strength of Aboriginal culture – yes?

FM 2: Let them know that's how it was.

I: Does it make you feel strong when you're on country?

FM 1: Yes.

Family members who are also on the justice group see it as a real alternative to jail to get young men back on track, indicating it would benefit the community as well as the offender by making it easier on families.

FM: My nephew, ... he spent his time out there. Not only [him], quite a few people went out to the - went out bush. Long as they take their food and water, spend time out - all day out bush, and their minds go from them off that grog and the trouble.

I: So the mind goes from the grog and the trouble when they're out bush, yeah?

FM: Yeah. It - like I say, when they out resting somewhere in the bush, their mind go away from all that sort of thing what they done before. Even the jail.

While a lot of family members recognise the importance and utility of returning to country they state that transport is a problem. The lack of transport for many families is an issue as it prevents them from leaving the community to seek respite in the country. One community member recalled that a bus was once available that took people out to the country on weekends which reduced some of the pressures of living within the community:

FM: There needs – if we have to get them out there, there's transport. There's transportation.

I: That's all right, yes.

FM: Like before, we had a big bus that used to take people out.

In Doomadgee there have also been suggestions made that will get returned offenders back to country. Some elders stated that have been collecting artefacts in the hope that they may one day start up a museum, which will provide opportunities for young men to go out and work with them, as a transition back to life after prison. They envision also teaching the young men how to create traditional items (spears, boomerangs) to sell (the proposed site is near a tourist park). There would also be provision to go fishing and hunting, with the elders keen to show their special places and go diving with turtles. Funding would be needed, but Century Mines had been approached in the hope they would provide donga's from the work-site for accommodation.

Women's Groups (Women's Bush Camps)

Elders suggested that there is also a need for young females to learn respect, culture, and the traditional way of life by spending time away from alcohol and drugs by returning to country. One suggestion is the introduction of a bush camp for females which could parallel the suggested camp for males:

I: So you reckon a bush camp would work? This is what you're talking about?

FM 2: Oh, yes.

I: Traditional bush camp.

FM 1: Women to young girls.

I: One for the girls, too, a separate one?

FM 2: Yes to teach them about respect for culture and keep them off the home-brew and drugs.

Parenting Groups

Many of the family members spoke of their dismay at the breakdown of families, the young age at which girls were having children, and the lack of parental responsibility, leading to children as young as 10 roaming the streets at night and becoming involved in substance abuse. As a consequence they feel a back to basics approach to teach parenting skills would benefit the communities.

I: Why is this generation now more in trouble with the police than previously?

FM: For me, I think it comes from within the home personally, I feel. Responsibilities should come from the home and nowhere else, and because the parents have got no control over their children, they – in this day and age, I see it for myself. The children just go wild. They just do what they want to do. Parents can't control them. It's sad.

I: How come parents have lost control of their kids?

FM: Because they drink and smoke ganja all the time. They've just got no control over their children. It's sad. They are having children at a very young age.

I: What sort of ages are the girls having babies?

FM: 14, 15, 16. Too young! They're children and they can't control their children.

Alcohol/ Drug Rehabilitation

It is felt that while rehabilitation services to aid desistence from alcohol and drugs are available during periods of incarceration, there is a need to bolster existing services which would assist former prisoners to address alcohol and drug issues. For example in Doomadgee there is only one specialist who assists people to address alcohol and drug issues. It is felt that a proper rehabilitation centre should be established at both communities due to the growing problem associated with alcohol and drug use:

I: Do we need anything else in this community that you'd like to see put here to help people who come out of jail?

FM: You mean something like rehabilitations?

I: Rehab for what sort of things? Drugs and alcohol?

FM: Yes. When they're coming out of jail, because they're going to come back and there's no one, there's no support out there. They don't know where the support is.

Counselling

The family members observe that it is very hard for many men to readjust to life in the community after a period of incarceration, and it is felt that more support is needed in this period of transition. It is felt that when a man comes back and is unable to find employment and take up his traditional role as provider for the family he feels like less of a man. In contrast to a structured existence in jail there is nothing to do in the community and they simply wander the streets to while away the time. It was suggested that the existing men's groups take a more active role in finding individual mentors who would assist men to reintegrate back into the community. Positive mentoring experiences would assist males to develop a positive self-esteem, reduce the negative effects of labelling as a result of their prison experiences:

I: So when they come back, when they do come back from jail, these guys, and you know plenty of these people here, what's the biggest problems they have about settling back here, besides not understanding the conditions of their parole? What other problems do they have?

FM: Nobody here to counsel them, all they do is just go up there to the parole officer. Nobody there to counsel them, you know, and ask them their problem. Look into their – why, you know? Is there something that – can we help you?

FM 2: I'd like some of the counselling for the menfolk. Like men's group mentoring these guys taking them under their wing for a while so they don't slip back.

I: Menfolk, yeah.

FM 2: These men, away from the grog, they can be very good, when they're together.

Support for Existing Community Efforts

Family and community members observed that existing recreational and support services in the communities, such as the PCYC and the youth hub on Mornington Island, do not seem to operate as effectively as they should, and while the ideas are supported it seems evident they are not meeting the needs of all young people. While the youth hub is well resourced and caters for older adolescents, younger people cannot attend which means a demographic of youth have reduced experiences in terms of recreational outlets on Mornington Island for example:

I: Yes. So the youth hub is another avenue. That's working pretty well?

FM: No. Some of the younger kids cannot go there and PCYC has few programmes too.

I: It's not open, it sounds like, at the right times from your point of view, doing night patrol. You're not able to use it the way you'd like to use it.

FM: Yes. That's it.

Some family members from Mornington Island are of the opinion that young people become bored with activities at the PCYC and become disengaged (although football arranged through the venue remains popular). However, by contrast the Doomadgee PCYC is well attended, with male and female participating in organised sports, such as rugby and soft-ball. The recent sporting success of the female softball team has raised levels of participation for young females in the community. Additionally in Doomadgee there is a popular young fellas group – that combines education and support, with elements of traditional activities and culture. The aim of this program is to:

“Try to get some of these young fellas to come along, like get them out of the house, and like, show them this program what we run. Things to get them out, like go out fishing, go out bush and stuff like that, instead of them being stuck in the community, smoking and drinking and stuff like that.”

Reintroducing Culture/ Respect to Young People

Lack of access/transport to country for many in the communities is preventing the passing on of culture to the younger generations, which is viewed as an underlying problem that leads to a breakdown in community values and respect for other members of the community and elders. It is notable from the offender’s perspectives that cars have been stolen in an attempt to access time on country, revealing the inherent need to reconnect and find alternatives to the problems encountered in the communities under discussion. Elders and family members express their deep regret that they are unable to pass on their values to younger generations.

FM: I’m happy in life for my kids because they’ve got an uncle, my brother. He’s older than me, and he takes them teaching them hunting out in the bush. Hunting little turtles and fishing, that’s why I’m sad because my kids have got these things and these kids haven’t.

I: Other kids don’t. Yes. So for some of the young ones, part of the recreation you think needs to be re-instilling the culture.

FM 1: Learning about culture. Yes. ...

FM 2: Yes. Even the older ones that come out of jail because that’s what they need. They’re missing out on all the bush life. That’s what I see.

Reopening of Canteen

It has previously been mentioned that the growing problem of homebrew and drug use in Mornington Island has been attributed to the Alcohol Management Plan (AMP) which resulted in the closure of the community canteen, which had set drinking hours per week. Some

community members suggested that re-opening the canteen may address the growing problem of home-brew and the criminalisation of alcohol across the community:

I: It was a bad move to close the canteen do you think?

FM: Yes. I was in the justice group when the canteen closed, and we got abuse from the community. A few ladies – elder ladies in the justice group, we were blamed for closing the canteen.....

I: So the homebrew snuck in after the canteen got closed?

FM: After the canteen got closed, yes. Now we cannot get rid of it. And our people are getting fined and going to jail for grog all the time.

The criminalisation of alcohol consumption has therefore created a new social problem in both communities. A family member from Doomadgee stated that sly-grog had become a big problem in Doomadgee and suggested that a licensed canteen could promote responsible, legal drinking in a more controlled environment, promoting the use of alcohol outside of the family home. This could also promote peer to peer support and an outlet for shared frustration, and a mutually supportive environment. Although this would not solve the problem of sly-grog entirely it could provide an alternative that over time may at least partially address the bigger problem. Modelling of acceptable drinking behaviour could also take place in this environment.

FM 4: That's what we were thinking - if a pub comes up here, they might be sociable.

I: Socialise? People can talk to each other?

FM 4: They won't go home and disturb them at home. They'll have their fun at the pub and they'll get to know people better over a few beers which might reduce some of the tensions in the community that flare up from time to time.

Summary


Families reported the most common criminal offences to be domestic violence, theft, public nuisance, and the breaking of parole conditions. They attribute the law breaking behaviour to the use of alcohol and drugs, and further explain their dismay that substance abuse is breaking families and the community apart. They wanted to also share their thoughts on other effects of substance abuse and perceived community breakdown, citing the high numbers of (youth) suicides, predominance of teen pregnancies and lack of parenting skills, and general loss of respect for elders.

Domestic violence was generally not considered to be instigated or precipitated only by men, with the women also cited as being verbally or physically aggressive in the period leading to an incident of domestic violence for which a man is generally charged.

Family and community members are frustrated with the lack of communication around parole conditions; both with the parolee and themselves, and state that they are unable to support their menfolk when they are unaware of conditions or restrictions that have been set in place.

They further express their frustration that a man is unable to regain status within the community when he returns, with the same criminogenic conditions in place as when he was incarcerated (but now exacerbated by his criminal record). These include lack of employment, and restrictions on living with family and associating with other community members. This further erodes his purpose and can deny his family of a father figure, and the community of a youth mentor. Indeed, there is widespread concern for the many children that are growing up without adequate family support, leading to a cycle of crime commencing from as young as 8 years of age.

Families would like to see interventions in their respective communities, including: an intermediary to fully explain court terms and parole conditions to the offender, families, and elders (particularly those involved in the justice group); more employment and community based activities that parolees can invest themselves in upon their return; counselling and drug/alcohol rehabilitation services; and bush camps where the menfolk can reconnect with their traditional values and roles in their community, while simultaneously being physically removed from the temptation of alcohol and drugs. In addition they would like women and children to benefit from reconnecting with cultural values by spending time on country with elders, and they also see an urgency to impart parenting skills to many families as a form of crime prevention.



Chapter Five
**COMMUNITY
AGENCY
PROVIDERS'
PERCEPTIONS**

Community Agency Provider's Perceptions

While offenders reintegrate back to society one person at a time, re-entry is also a community level process, especially when it occurs in high concentrations as in the Doomadgee and Mornington Island contexts. From a community context offender re-entry involves a sequence of events starting with the removal of the offender from the community to prison, which may be repeated because the offender has failed to thrive in the community environment. This process has been labelled by theorists as re-entry recycling (Clear, et.al., 2005: 182). In the context of this research, the previous sections relating to offender and family perceptions have highlighted that most offenders return to their communities post-prison, because of their established social networks including family friends and familiarity with the area.

However, despite debates about who is responsible for an individual's re-entry, communities are an essential component for successful offender re-integration. It is agreed by scholars and practitioners that offender re-entry should be a collective effort between the offender, his/her family, state entities (parole, corrections) and other agencies within the community. Building community capacity to assist reoffenders when they return home is therefore critical when considering the assistance they require across areas such as alcohol and substance abuse, mental health, employment and training and counselling services.

This section presents data from a diverse range of government and non-government agencies which have interactions with offenders when they return to their communities. Agencies which provide services such as employment, drug and alcohol rehabilitation, probation and parole mental health and well-being and juvenile justice case workers, were among the cohort who gave their perceptions in terms of the challenges they faced in assisting offenders, when they re-enter their communities after returning from prison. In addition the providers suggested strategies for improving services in both communities, to reduce the current high rates of recidivism in Doomadgee and Mornington Island.

Perceptions about Crime in the Communities

Service providers as a whole identified the major causes of crime across the communities in a similar way as the interviewees in the offender and family interview cohorts. To this end the root causes of the majority of crime in the community was perceived to relate to alcohol-related crime, which was linked to domestic violence and anti-social behaviour. Agency

representatives expressed concerns about the continual cycle of violence which led to many males in particular being charged and then sent to prison for domestic violence and breaching parole conditions. These observations by an Aboriginal community agency representative identified the factors which lead to reoffending, and highlighted the need for greater co-operation among community agencies for working with offenders:

“They end up in prison because of those primary offences. They come out and then they'll commit something else. It might be something not even related but because they've got that history, they end up back in jail again. Other stuff we're finding, we're coming across, is people are not paying their fines or they're not reporting and that, so they're - although we do have a high rate of incarceration for a community of our size, there are things that probably - if the system itself worked a little better around cooperating with other services and also with keeping track of the comings and goings of offenders, and also family involvement, then we could hope to minimise that sort of impact.”

Community agencies were also concerned with the rise in youth crime in both sites. Case workers, who work with young offenders, were concerned with the high rates of educational disengagement among youth, which led to cases of offending which was often fuelled by alcohol or drug use. The case worker was also concerned about the rise in petrol sniffing and the need for more assistance to deal with this problem as in this account.

- SP: We're seeing an increase in sniffing of petrol, and the kids breaking in to get fuel.
- I: This is a problem not shared with Doomadgee?
- SP: My understanding, in conversations just recently, it's starting to happen over there as well.
- I: Do you know any reason about why there's a sudden spike in petrol-sniffing here when it hasn't been a huge thing before?
- SP: In conversation it seems to be that over the Christmas period - just over Christmas - there were a few funerals and then older people coming into the community. They were sniffing, so the younger kids have picked it up and taken to it. That's what we've seen.
- I: So these kids, I presume, are stealing petrol? Because there's mainly opal, in the community
- SP: I've heard they are, now.
- I: Okay, there's been a few thefts out there, I've heard. So they're stealing petrol, coming back here, sharing it and getting very stoned, and doing crimes?
- SP: Yes. I've heard that with opal they mix it with coke, shake it up and then sniff it with the bubbles - like the gas from the coke it forces them -
- I: Do they do any education programs around this sort of stuff, do you know?
- SP: I don't know. The caseworker that's coming out here, he's fully trained in delivering the programs. So that was one of the big things for me to get him here, so he's going to be able to deliver - and help the kids. I think we need to be able to work with the broader community as well, not just our young ones.

Service providers observed that a worrying trend on Mornington Island was the reproduction of criminality across generations due to the increase in the numbers of youth who are becoming involved in the production of illegal homebrew on the island. A factor for the increase in the numbers of youth involved in the manufacture of home-brew is due to older residents providing the resources to the young people, as it is more likely that they will not face the same sanctions by police due to their age. In this context older residents are also less likely to be convicted by police and avoid large fines for the illegal production of home-brew:

SP: I don't know if you actually know the dynamics of what's going on there, because all the older people that have fines and know that if they get more fines then they'll be in deeper trouble and may have to go to jail. It's the younger people at the moment that are doing the brewing there.

I: So it's being passed down -

SP: Because under 16/17 you go to the Juvenile Court and -

I: And the fine -

SP: And they are not fined as much, as yet, and they make a lot of money. That is actually a group where they smuggle in from Doomadgee, probably, the meth, that's coming in by boat. They have the money, because the old people pay them for the home brew.

When young people are charged by police for these types of offences, magistrates often have few options other than to detain them and send them to the youth detention centre in Townsville, which has produced a new generation of offenders who are cycling through the juvenile justice system. It was perceived that community based initiatives for dealing with juvenile crime based on restorative justice principles, could be increased to divert young people out of the system. Under the previous state government the community based youth justice conferencing was rolled back so that magistrates no longer had the option to refer a young person to a conference. While this is still an option for police, it appears that the model has not been adopted in either Doomadgee or Mornington Island. One agency provider suggested that youth justice conferencing should be promoted in both communities as an effective way of addressing youth crime and that this could only happen if the whole community supported the notion:

“From my perspective, I think with Youth Justice, we need to have a bigger presence here and that police need to use it as a way of reducing the numbers of youth who are sent away for relatively minor crimes. At the moment, it's been hit and miss. I look at it and think there's so much potential. It's just harnessing that and everyone working together - like the agencies working together to get it happening. “

Impacts on the Community: Domestic Violence and Offending

There is a shared perception among agency staff that the issue of domestic violence requires urgent attention as a combined community approach. There is consensus that the current high levels of domestic violence, in both communities, are fuelled by alcohol and drug use. The problem is exacerbated by environmental factors associated with chronic over-crowding and a lack of personal transport, which makes it difficult for an individual to remove oneself from flashpoint situations. This agency provider, who had worked with female victims of domestic violence, suggested that the prohibition of alcohol has not been successful in either Doomadgee or Mornington Island and had been instrumental in the rise of violence in both communities:

“Alcohol is probably the one that causes more violence, and domestic violence, because cannabis - makes them a bit more peaceful. This community, Doomadgee, hasn't been too bad, because at least they don't do home brew, or at least not like Mornington. They have to go a fair distance to get alcohol. There's no alcohol being served here, and it's prohibited - that is to say, you can get mid-strength alcohol back into the community, although sometimes there will be a van that pulls up outside with bottles of wine, and then everybody goes off the deep end. Then you see a spike in violence in the community men bashing their partners and women beating their men too.”

There is a lack of services in both communities for the victims of domestic violence. Previously the women's shelter at Mornington Island was well resourced and provided a haven for women who required short-term accommodation. However, since the beginning of this research the shelter has since closed down in Doomadgee after funding was withdrawn. A further problem is that the women's shelter is only accessible by referral by police or hospitals, meaning that a woman who feels unsafe cannot just turn up. The lack of accessibility to this service curtails its effectiveness in assisting the victims of domestic violence and highlights the need for a more effective service delivery model around this issue.

Employees at the Mornington Island shelter expressed concerns that the scope of the organisation required a review in terms of allowing younger children to access the shelter with their mothers as a result of violence in the home. Employees cited that while there is a safe house managed by the Commission for Children, there is reluctance by many locals to use it as in this conversation:

“Rather than they can't be taken into the safe house because then you come under Child Safety. So if you had a safe house that was a safe place, that's a completely different view.”

At the same time it was agreed that some males may be the victims of domestic violence and may require a men's shelter. This would provide a safe place where they can remove themselves from violence or provocation.

Economic Impacts on Families

An interview with a social worker revealed that she was increasingly working with the partners of people who were in prison and observed the emotional as well as the economic strain produced by the loss of the family breadwinner. The social worker described how many families were in a spiral of economic crisis as a result of unpaid fines, which were often deducted from the families Centrelink payments. This produced a negative flow-on effect in terms of the family having less money to buy healthy foods which in turn threatened the health of young children in particular:

SP: Yeah, because one of the interesting things, for instance, on Mornington, is that all of the people that then have to get in front of the magistrate and get a fine, the minimum fine is \$500. So okay, you offend once, but the police is active enough to keep on looking for people that like grog or home brew, and so the fines are compounding.

I: Exactly. Can they afford to pay these fines, these people?

SP: They take it out of your Centrelink allowance, so that is less money to spend in the shop.

I: For your family, for food.

SP: That's right. Kids are always hungry here.

I: Of course they are, yes. So malnutrition is an associated problem. There's just a myriad of social problems here, in these -

SP: The iron - the majority of kids here are iron deficient as well -

I: Iron deficient?

SP: Yes.

I: Which significantly inhibits your growth and mental function.

SP: There's not enough that comes through the shop. Aside from the price, usually on a Saturday it's finished -

I: It runs out.

SP: Yes.

I: People live on tinned bully beef.

SP: Yes.

I: Which is no good for you. We all know that. That's something going back to World War Two. So it's exponentially pricey - people can't afford half of the stuff.

SP: I would really like to see a soup kitchen for families that ran every night. That's not going to happen because nobody - there's no funding around for anything like that. Just so kids got one decent meal.

The financial impact associated with the loss of the family provider also contributed to an emotional drain on the remaining partner, who had to encounter a possible reduction in the

amount of Centrelink payments after their partner was imprisoned. The social worker posited that more mothers were presenting at the Well-Being Centre asking for financial assistance or looking for help in navigating through the bureaucracy of Centrelink in order to provide the basic life necessities for their families:

“The women come in here and they are drained emotionally and are at their wits end. Because every man here has a role to play, in their own individual families they have a role to play. Their employment is a must. I mean, it’s hard for the mother to, say, have six kids, when the partner goes to jail, in regards to him actually working. It affects the mother, because if they’re over the age of six here the mother’s actually not getting any money at all, because the age for any child now - or parents or mothers to stop payments, is the age of six. So if she’s got six children and they’re all over the age of six, well, they’ve got no income. They look to us to help them around the Centrelink rules.”

Impacts on the Children of Incarcerated Adults

Children whose parents are imprisoned are one of the most vulnerable at risk populations in society. The impact on child when a parent is imprisoned may manifest itself in a number of emotional or psychological problems including anxiety, fear hyper-vigilance depression shame or guilt (Hagan & Dinovitzer, 1999. Hairston, 2008). Other research suggests that adverse behavioural symptoms may be suffered by children resulting in a decline in school performance, increased truancy, drug and alcohol use, aggressive behaviours, sadness, low self-esteem as a result of the absence of a parent for long periods of time. An agency employee described the negative impact on young children as a result of parental incarceration:

I: What other impacts does it have on a family, a woman with children -?

SP: It's the behaviour of children. It's terrible.

I: How does that manifest?

SP: So you have a mum who's struggling to raise these kids on her own. There's no male role model. You have these poor kids who are absolutely, "Where's my dad? Who's my dad? How long is Dad going away for? Why has Dad come back?" All of these issues, so it's all about that relationship building again when Dad comes back. The children don't want to put their faith in Dad or their trust in Dad because Dad could disappear again.

One salient initiative that has been put in place at both Mornington Island and Doomadgee is the advent of video-links between the prison and the family to enhance contact between family members. The video link provides the opportunity for family members to see each other and have quality conversations and assists in overcoming some of the negative impacts of separation:

“Do you know, it's like that - the excitement that builds in the room as it's coming round to the time. We're sitting in that community meeting room - We're sitting there and the babies

are dressed up with their ribbons in their hair and it's - everyone's really excited. The boys come on and it's like, "Oh my God, this is the best thing ever!" It's so emotional."

Employment Opportunities

A major barrier for those re-entering their communities is finding paid employment to give structure to their lives, and to provide a sound economic base for their families. At the best of times employment opportunities in the two communities are limited. However, agreements with mining companies have resulted in some Aboriginal males finding employment on a fly-in fly-out basis. However, Century Mines has provided jobs and apprenticeships in the past for which have proven to be excellent opportunities for young men, with the required drug testing regime also helping their commitment to sobriety and a resultant desistance from crime:

"We [have] worked very closely with MMG, Century Mine, who have an agreement with ... the local council, the Doomadgee Aboriginal Shire Council, who work together to create eight apprenticeship positions here locally. So there are opportunities, but they're not as available as - in the major sense, of course. "

However places at the mines are limited and most males who return to the community have to apply for Centrelink benefits. As part of this process each person has to register with a local employment agency and participate in 25 hours of work per week. This assists workers to learn new skills and to prepare them for paid work. In Mornington Island however attendance is erratic with low numbers of people regularly completing their weekly hours, which has resulted in some frustration for service providers:

"We have a well decked out workshop, plant nursery and a small engines workshop but for some reason we only get like twenty-percent of people turning up to work. There is a problem with engagement of former prisoners here."

In Doomadgee by comparison there is a better attendance record and engagement at the employment agency. However, when former prisoners attempt to seek paid employment outside of the programme, they encounter additional barriers due to their criminal history. While it is generally accepted that a criminal history exacerbates the process of gaining employment, it is notable that a large proportion of residents in the communities either have a criminal history, which prevents them from taking up positions in government institutions such as the local school or hospital. The inability to qualify for a blue card in Queensland is an ongoing issue for many who re-enter the community post-prison, as described by an employment officer:

“And blue cards. Well, that is an ongoing issue for us, because that actually precludes a lot of our people. In my mind it’s something - I don’t know how we get around that, because it’s something that needs to be looked at in a different context of who these people are in a remote environment. Maybe there’s another way or looking at how we go about solving that particular issue, because this current blanket, one rule fits all across the entire country, in terms of blue cards and so on, I understand the rationale behind it totally, completely. But there’s got to be a way of looking at it in a more inclusive way.”

The stigma of having a criminal history accrues over time when individual’s find they cannot obtain blue cards, despite desisting from crime many years previously. This produces a sense of frustration for the individual which often impacts on his self-esteem:

“One example - 20, 21 years ago - this guy was talking to me just recently. He was 16, his girlfriend was 14. Bingo. No blue card. Why? Because of the relationship, the nature of the relationship. That happened 21 years ago. It just doesn’t add up. They were teenage kids. So 21 years later, here’s this 37 year old who can’t get a blue card because it’s on his record; he had sex with an underage person, because he was 16 and she was 14. So those sorts of stuff. It’s a life sentence.“

The frustration of service providers and the potential employees is evident and calls for a review of the criteria for obtaining a blue card, if former prisoners are to have any chance of successfully reintegrating back to their communities. One agency provider who produces wooden furniture vented his frustration at the system which is preventing a former prisoner from obtaining employment due to his criminal history:

“On the one hand you’ve got a philosophy of, “You must get these people into work,” but on the other hand you’ve got these other barriers coming up, which are ... inflexible legal barriers. So how do we overcome that? This guy has got incredible good skills in furniture making. I want to put him on, and I can’t. I want to create a new activity in furniture making, which I will, but I can’t employ the person I want because of this 21-year-old thing hanging”

In more general terms much of the employment in the two communities is either for government departments, or funded by the government. A prerequisite for all these jobs is a blue card.

- SP: It’s hard. There’s 500 people on the island unemployed, well, probably more, and between jobs. Out here one of the jobs - there’s always jobs going at SAOs - school attendance officers - and of course they need to have blue cards.
- I: So that cuts them out. They can’t work at the hospital.
- SP 1: A lot of the guys that have a driver’s license that could can’t get a blue card.
- I: It's hard to find people jobs when there's no jobs.

SP 1: That's it, and the jobs that are here - because most of our services are either - are a Government Department or they're funded through a Government Department. Everyone is required to have a Blue Card.

Against this background it is easy to see why those charged with sourcing employment for ex-offenders and locals are experiencing a deep sense of frustration, especially when they have to compete with outside providers who are viewed as taking the jobs from local people as in this comment:

“Tell me why those sorts of projects stopped. So how do people get work? Why do they keep bringing in all of these bloody mainland contractors instead of training local people how to do the job?”

Reintegration back into community life after spending time in prison is therefore made more difficult due to a lack of employment and training opportunities. This lack of employment feeds directly into poor mental health, and a relapse back into negative coping strategies consisting of further alcohol and drug use, which feeds the cycle of criminality.

I: So when the guy comes back then, is he faced with problems? What are the sorts of problems that these guys face when they come back, in terms of getting back into the community, when they're back from jail?

SP: First of all, they face the fact that the reality out here is - within a week, they're actually looking to go back to jail, because -

I: They want to go back?

SP: Some of them don't want to, but there is no other avenue here for them.

I: No employment or -

SP: Yeah. Employment wise, they're ejected because they've come out of jail, and they've got a criminal record, which is probably the most - that's undermining some - that actually - they're forced to go back to the way they were before. There is no other avenue. There is no other way to actually express themselves or - it's all about their mental states of that particular person; whether it be a young person, whether it be an old person, and then they get secluded.

They start disengaging, and then it's harder to actually have someone that's partly engaged, and as they do, being pushed aside or not too much attention around them in regards to their current situation, they tend to fall by the wayside, and then they get disengaged.

Health and Mental Health Issues

Research shows that once offenders with a mental illness have interactions with the prison system they often tend to serve more time in prison than people who do not have a mental illness (Mc Neil and Binder, 2007). Once imprisoned, many of those with an illness find that their condition worsens, with those offenders often becoming victimized by other inmates. To

make things worse prison personnel often do not have the skills for screening those with mental health conditions or are ill-equipped to manage those offenders with special needs. Individual's returning home with an undiagnosed or untreated mental health condition often receive little assistance, and are at risk of returning to prison because of behaviours which are perceived to be anti-social or potentially dangerous. An interview with a mental health specialist who visits both Doomadgee and Mornington Island regularly stated:

“For people in the community that have got diagnosed mental health issues, and then there's people that have got organic brain problems, acquired injuries, and then there's people with foetal alcohol syndrome, those sorts of - they end up in jail because there is nowhere else to go. Police are not trained here to deal with mental health issues and often interpret the actions of someone on the street as dangerous and they lock them up. If they already have a reputation as a criminal it is easy to justify locking them up.”

While the prevalence of mental illness in the general population is considered to affect approximately one in every four or five people, it was observed by health practitioners that in the communities of Doomadgee and Mornington Island only one to two percent of people sought advice or assistance regarding poor mental health. There are well documented cultural barriers to accessing mental health. Those specified in this context include language and the reluctance to engage in mainstream services or discuss problems with white practitioners. The consensus of opinion is therefore that sufferers self-medicate with alcohol or drugs (or both). Apart from criminality there are additional effects of this strategy.

SP 2: Yeah, or they self-harm. A lot of people do -

I: Females more than males, with the self-harming?

SP: That's a difficult one. I think the males are probably - if they do it, they're more violent in what they do. The females are more self-harming and they'll show you, whereas the men probably hang themselves and be done with it.

I: Suicide, which is the ultimate - yeah, which is a huge problem. You must be pretty depressed to commit suicide, right?

SP 2: To feel so helpless; that there's nothing or no one that can help you, but yeah, that's interesting. That's just an observation.

This account highlights the need for more community based services at both sites if people who are returning from prison with mental health conditions are to receive immediate treatment with a view to addressing further offending behaviours.

Current Identified Problems with Services

Service providers were asked to reflect on any gaps in service delivery which impeded individual's from making a successful transition back to the community post-prison. They were also asked about strategies or initiatives which could work in assisting people to desist from further criminal activity when they re-entered their community.

Re-entry into the Community

It is a sad reality that some offenders do not make it back to their community before being re-incarcerated. The crux of the problem lies in the fact that released offenders often have to stay overnight in either Mt Isa or Cairns in order to catch a connecting flight the next day to their community. A common problem seems to be the temptation to meet with family and friends before returning to their community. This can result in a breach of release conditions by not reporting to parole officers in their community on time. This time spent in transition back to community is also seen as an opportunity to access alcohol before re-entering a dry community, again representing a breach of conditions for many parolees. As a result many people have interactions with the police and are often recycled back to prison before they reach their home destinations as described by this government employee:

“There's a plane ticket, a bus ticket. They often have to spend one or up to three nights in Mount Isa because of the inability to get them onto flights - to come back to Mornington Island. They stay in a hostel. They've got access then to frequent pubs or clubs, to meet up with, say, less than desirable criminal sort of associates within the areas. This all happens before they have had a chance to talk to their parole officers and their conditions to see if they fully understand them.”

Parole Conditions

Parole conditions are based on Risk of Re-offending (ROR) and are automatically calculated on a computer program. However, parole conditions that work well in urban areas can be totally unsuitable when applied in a remote community. In domestic violence cases, for instance, the parole conditions may involve not having contact with their spouse or children. However, these families, who are often unaware of the parole conditions, will sometimes actively seek contact.

“Especially when it's domestic violence and they come out on parole conditions. They're not allowed back at the house where their wife and children are, but they put somebody else's address down but they don't end up going there and staying there. They go back to their wife and their children, and then it just goes back into the cycle again... Sometimes

they can be pressured by the wife, you know? To go back to the house to them and the kids and that. They probably don't know what to do because they're [torn]. So the legal system there is on one side but we have the reality of their lives on the other, which is family expectations and what they want. It's natural, if they've got one, to want to go back to his wife. So that's a very big problem.”

Even if a parolee does not return to the family home, it is difficult for him to avoid contact with family members:

“If you've got a - there may be domestic violence and there may be a condition that the parolee is not to see the victim of the offending. In a small community it's very, very difficult. It's virtually unavoidable.”

Another condition of parole that is almost universally broken is a requirement not to associate with others who have a criminal history. This is nearly impossible in a small community where there is a high degree of familiarity through extended family networks:

SP 1: The other one, I've seen a condition on an order that states the person cannot have any contact with any person known to have spent time in custody.

I: That could count a lot of people out in Mornington and Doomadgee.

SP 1: That counts out - what, you're talking 90 percent of the population, so that's completely unmanageable. But I know that the Senior Case Managers we have in Doomadgee and Mornington will take that back to the board.

I: And say it's unrealistic.

SP 2: Try to have it changed.

SP 1: However, that - and that's what you definitely would do, however that condition still stands until it's been amended.

I: It's a danger period.

SP 1: Very dangerous.

SP 1: Yes, so you're talking - by the time the person is released and you see the order, you have a discussion with them as to whether it's manageable or not, you need to write to the board, that's a long process to get to commence the amendment. You might be talking six weeks before the board manages to sit on it as well. You've got quite a period in there that's high risk.

Suggestions to Improve Successful Re-integration

Alternative Parole Models

It was suggested that other models of parole adopted in countries such as New Zealand could be worth considering as a means of overcoming the identified problems experienced by people, when they are released from prison. A central feature which appears to work in the New Zealand criminal justice system is the appointment of a probation officer who constructs a

transition plan for the offender before they are released, and then works with the offender to address risk factors associated with re-offending when they are released:

“In New Zealand if you apply for parole, then a probation officer is appointed to write a pre-release report for the board and that in New Zealand is very comprehensive. The probation officer will go and visit the proposed address, will speak to the proposed - sponsor. Will speak to support people that've been proposed, any proposed employer, and will also - can speak to the offender. That's where a relationship starts to be built, while they're still in prison.

There's a comprehensive review of all the risks, including reading the sentencing notes of the judge, previous psychologists' reports, all the criminal history. A very comprehensive pre-release report is written for the board and the conditions are recommended suited to that person. So you wouldn't get things where it's a small community and a condition's recommended that there be no contact whatsoever with a victim if it's just not realistic. If it's high risk enough, it might be that you can't go back to that town. But it's tailored to the individual and it's very comprehensive. What happens is that then if that - if there's recommendation for parole, because the probation officer in the area where the release is proposed will have written the report, if that prisoner is subsequently released it will be the same probation officer to which they're assigned, who has already built up a picture - of their offending and their risk and started to build a relationship. Then they'll get assigned maybe three months out and that probation officer will then start to go to the prison to start to explain the conditions, start to explain the reintegration plan, start to talk about what rehabilitation we can work on in the community to build on whatever programs they're doing in the prison.”

Appropriate Counselling

When asked what elements of case management providers would like to see immediately accessible to parolees upon their return to the community, appropriate counselling was considered of primary importance. It was suggested that counselling should be specifically targeted to the offender, their offending behaviours, and underlying causes of those behaviours. At present there is no male counsellor available which makes the effective delivery of counselling for males impossible.

SP: So a male person and somebody specific around the domestic violence and what - even imprisonment and that sort of stuff. That'd be great.

I: Are there any services specifically here around the issue of domestic violence, where couples get together and work through problems or - with the help of a counsellor? Could you see - would you be in a position to that if you had staff?

SP 1: If we had the staff, yes.

Intermediaries

It has previously been identified that there is insufficient, timely, explanation of parole conditions that are fully understood by the parolee. Service providers explained that not only can the language used in conditions be difficult to understand; there are also often multiple conditions that are not all taken on board by the parolee in one meeting. An intermediary who can explain the conditions in a straightforward manner would be helpful in this respect:

“Sometimes it can be overwhelming to have Condition A to W on your order. I sometimes find it difficult for us when we're managing to ensure that they're complying with all these conditions, so I can imagine on the other side it would be extremely difficult. So there's always the basic ones, not to - if its board ordered parole - not to drink, not to do drugs, subjected to testing. You may have to attend programs, things like that. That can get, I guess, forgotten about. “

Alcohol Management Plans

Questions have been raised about the efficacy of Alcohol Management Plans (AMPs) in the two communities with various issues detrimental to the community occurring as a result of their implementation. Besides the problem of homebrew on Mornington Island, and the increased use of cannabis and other drugs as a direct response to the total ban of alcohol in the community, other ‘side effects’ of the plans have been noted.

“I just wonder how much of it is alcohol related. I have this question in my own mind, which I have had for quite some time now, about alcohol management, alcohol restrictions. I don't think it works. It doesn't work here at all. It's a whole - it's very self-defeating. Actually, it has a negative impact again, because it actually takes dollars away from - welfare dollars, mind you - because people are paying - I know. I've heard the story that people are paying \$100 for a carton of XXXX, which is \$36 in cans - this sort of thing. So I think there's got to be another model around alcohol management. I've heard stories of a couple of examples in the Northern Territory, where they have their own local club, which is managed and controlled - it's open from 18:00 until 21:30. There's no sales of alcohol to take home. You consume your alcohol on-site, and there's a fully operational restaurant as well, and there's a big facility for the kids to play - a big kids' play area. It's totally a community gathering, and it's a club. You can have your meal, you can have your drink, and then you go home.”

The difference between jurisdictions is also a problem, in that it creates different laws for different people, dependent upon location. This, in turn, can have a direct impact on the extent of the criminal record, and chances of being re-incarcerated.

“Well, I personally think that it's more difficult for a parolee here on Mornington Island because there's an alcohol management plan that says no alcohol whatsoever. So we have

parolees getting into strife, we receive notification of reoffending because they're caught drinking home brew. If they were doing that in Mt Isa, it's not an offence. If they're doing it here, it is an offence. One of their conditions is not to reoffend. So we have chaps coming out and they have addiction issues, they get nabbed for possessing alcohol, and that - to me, a lot of the time we're then dealing with it in the criminal justice system when we should be dealing with it in the health system.”

Bush Camps

The inherent problems associated with re-integrating into these communities, particularly when trying to comply with unrealistic parole conditions has been noted above. It is commonly understood that offenders require intensive support around finding suitable accommodation when they return home. As previously noted many offenders cannot return to their family home as a condition of parole. It was suggested that a halfway house be established at both sites where offenders could stay until more permanent accommodation was found.

SP 1: If there was something like halfway house stuff, that might be something where fellas can go and –

I: That's exactly right.

SP 1: I mean, obviously there'd be needing to be one for the female or even if the females had access to the woman's shelter, which they don't at the moment.

I: Who's got access to the woman's shelter?

SP 1: If you - it only - you can only get into the woman's shelter by police report or hospital report, so if you –

I: You can't just romp up there if you've had a blue with somebody?

The concept of bush camps that can provide a safe place for parolees to begin their transition from jail to community was universally accepted as a viable proposition that could take great strides in interrupting the cycle of repeated incarceration for minor crimes and parole breaches. This is in keeping with the views held by the offender and family cohort who all strongly endorsed the establishment of on country camps as a first step in prisoner rehabilitation:

“Well, look, I believe that’s a good idea. At the moment, just directly speaking, personally, I believe if the men were actually given the rights to go back on the land, whether it be a bush camp, whether it be homelands, there would be a lot less violence and there’d be a lot less men going to jail.”

Most service providers did not see a problem with transferring their services to a bush camp, and certainly felt that it might result in better inter-agency co-operation in a targeted area as a means of providing a holistic and cohesive service for former prisoners. An official associated

with employment options could see the potential in working with offenders in bush camp settings:

I: Yeah. You guys could easily work through that one?

SP: Easily, without any doubt.

I: Yeah. Around the jobs and training –

SP: Definitely. We could dovetail into that camp. We could even have somebody there representing us. We could have a supervisor or something. We need to have that link. Because that's - it's about these guys. They're people. They're not necessarily all guys, but it's about these people.

In addition to service provision there was a perception that bush camps would allow families to stay connected through regular visits to the camps by family members:

SP 1: It's as far as enough that it could work. Access obviously - you wouldn't be able to access it during the wet but the things they did, one that I would see out there's - he said he's got a whole heap of fencing that needs to be done, so maybe some physical labour.

I: Good structured day, yes.

SP 1: Some - having regular visits from the counsellor go out and have - maybe stay overnight or have the day with them, depending how far away. But also health checks, health check visits, and even family visits on the weekend if they've stayed for the weekend. Or not, then just have the day trip.

SP 2: Even if the male children - if we're talking a male camp, even if the male children could go out and spend the weekend with Dad -

However despite agreement about the concept of bush camps as a transitional step in prisoner rehabilitation there was some scepticism that government funding would be provided:

SP: Just on that other thing too, for the outstations, the - I would like to just put a note there too. I'm interested to see how it would be paid for, who would manage that. It's easy to say - because we've got the recidivism money but that's not -

I: Well, it has to be ongoing.

SP 1: Yes, that won't be -

I: It has to be sustainable. The Government's going to have to pick this up as an idea.

SP 1: Could Corrections throw something through that way?

In addition some service providers felt that there was the possibility that bureaucratic hurdles could be put in the way when trying to implement these programs.

SP: For that Corrective Services really need to come to the party. I know when ideas like this were floating around years ago, they just stamped it out because of supervision and liability stuff. So they need to cut down the red tape so people can go, but to come in and do the things

that they want to do out there, not have to worry that you haven't got a full-time supervisor who's qualified. There might be a supervisor there but -

SP: For the bush trips and camps and that, people were talking in the past - this conversation has come up about infrastructure, about all of this stuff out there. People will sleep in a tent.

A final concern expressed was that Indigenous Land Use Agreements (ILUAs) are being granted across vast swathes of country, and that if this continued there would be no country left for their people to go back to.

“Yeah. Well, what we need is, we want every man to stand up and say, “Hey, that isn’t going to happen, because I’m going to stand up for my family and my rights, and I want my land, so I can go back on it, and then I’m not living in Doomadgee and getting into trouble and going to jail.”

Summary

Service providers point out that many crimes are minor in nature but repeated jail terms become the norm, based on the breaking of parole conditions, or a repetition of offences that have previously attracted the attention of the CJS.

Alarm was expressed at the growing trend of substance use by youth. Running concurrently with substance abuse are widespread physical and mental health illnesses. A culturally based reluctance to seek treatment for mental health illness is thought to lead to self-medication through substance use and abuse. Physical health is adversely affected by the low income levels experienced by a majority of the population – this disproportionately affecting families where fines have been imposed (these taken from Centrelink payments) and incarcerated males.

Concern is expressed that there is little access to ‘safe’ places, for men, and women and children, with access to the women’s shelter needing prior referral, and no such space available to men. It is considered that this exacerbates the problem of domestic violence as there is nowhere parties can remove themselves to in a ‘flashpoint’ situation. Safe houses for children are under-utilised due to the fear of the removal of children by the Department of Child Safety, or because such facilities can only be accessed by children already subject to child protection orders.

Employment services express frustration at the lack of opportunities, particularly when they see competent ex-offenders precluded from employment due to their inability to get a blue card. The impending closure of Century Mine, which has previously been supportive in terms of employing local men including those with criminal histories, will further restrict employment opportunities.

Problems were identified with getting parolees back to their community, and meeting with their parole officers, before re-offending, which frequently occurs on the journey home, sometimes resulting in re-incarceration prior to their parole induction appointment. In addition, communication with parole officers could be improved, to ensure the full understanding on the part of parolees. Some service providers have stated that there can be numerous conditions, which may be difficult to remember, or conditions that are not suited to the social or physical environment presented in the communities.

Service providers with experience in other jurisdictions have expressed that alternative, and more appropriate and responsive parole frameworks have been successfully implemented.

The main suggestions from service providers included: counselling, transition officers or intermediaries, a consideration of how AMPs have affected the communities (particularly on Mornington Island where homebrew is now prevalent), and the provision of bush camps which they believe could be effectively serviced by the providers to facilitate the transition of offenders back into the community.

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CONCLUSIONS

Chapter Six

CONCLUSIONS

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This research highlights that recidivism remains a major problem in both the Doomadgee and Mornington Island communities and that new approaches should be adopted to stem the flow of people who cycle into the criminal justice system. These approaches need to holistically address the individual familial and systemic risk factors which lead people to reoffend. In addition this study highlights the need for greater co-operation between corrections and the community to increase the prospects of individual's who attempt to reintegrate back to their communities post-prison.

A coordinated response with greater emphasis on diversion and community based programs is required, considering the alarming current statistics which show that in Australia 73 per cent of Indigenous prisoners had a history of prior imprisonment and that within six months of release from prison a quarter of Indigenous people had returned to custody, which is twice the percentage of non-Indigenous release prisoners (Australian Institute criminology, 2008). The following section of this chapter provides a summary of the conclusions for this project. Initially the demographics of recidivist offenders is presented with an analysis of environmental factors which contribute to reoffending. This is followed by a summary of prison experiences before providing a summary of the key issues around reintegration.

Demographics of Recidivist Offenders and Environmental Risk Factors

From the interview data obtained, from offenders, a number of individual risk factors were identified which contribute to the high incidence of re-offending. These individual risk factors included early disengagement with education which resulted in a high incidence of truancy and eventual withdrawal in the early years of secondary school. This corresponded with the first contact with the criminal justice system for property crimes or theft which was usually carried out with criminogenic peers while under the influence of drugs or alcohol. As young people without educational qualifications few of this cohort were able to obtain full-time paid employment in communities, where there is a dearth of employment opportunities in general, which meant that most of the individuals drifted through the criminal justice system until they were imprisoned at a relatively early age.

Other environmental factors which indirectly contributed to recidivism included overcrowding in the family home and exposure to alcohol and drug consumption. The high

incidence of home-brew on Mornington Island has contributed to the high incidence of violence in the community, with domestic violence as an area of concern which requires a coordinated community intervention response. The statistics highlight that the majority of interviewees had reoffended due to committing domestic violence offences or breaching parole conditions related to these offences. These factors are summarized in the table below:

Demographics of Offenders and Environmental Risk Factors

Limited education; early school disengagement ; no early exposure to paid work
Some families crime is a normalized experience ; negative role models
Early contact with juvenile justice system ; multiple crimes; mean age 15-16 first prison experience
Most crimes committed with criminogenic peers; under influence alcohol or drugs
Spiral criminal behavior continued from juvenile to adult system
Over-crowding and lack of opportunities to leave the community to go back to country
Some re-offenders had mental health problems which were not recognised at time of offence
Lack of ongoing treatment for alcohol and drug dependency
Eighty percent offenders charged with domestic violence offences which led to prison; all offences linked to alcohol/drug use
Seventy-percent offenders imprisoned on 4 or more occasions.

Interactions with the Criminal Justice System

This research highlights that for many Aboriginal people the court system is an alienating experience due to often not understanding what they had been charged due to the discourses of the law. In addition most family members who attended court had a limited understanding of what their family member had been charged with. Offenders also reported that they had limited time with the duty solicitor before entering court, and that they were commonly advised to plead guilty as a means of saving court time due to the high number of cases that were timetabled for the monthly one day sitting in each community. As a result a number of offenders stated that they were not given sufficient legal advice or offered additional representation in terms of contesting charges against them.

The prison experience for the majority of offenders is not viewed as an institution which aids in their rehabilitation or as a means of assisting them to desist from crime when they return

home. For young Aboriginal men prison was perceived as a normalized experience due to the high numbers of other family or community members who were also in prison. Experiencing prison for the first time for some young men was viewed as a rite of passage in becoming a man and not as a form of societal stigmatization as experienced by non-Indigenous prisoners. However, a problem for most of the cohort was associated with being separated from their partners, children, family and communities while incarcerated. None of the research cohort received personal visits due to the high costs of transport and accommodation, and were forced to rely on phone contact which had limitations for staying in contact with loved ones.

Prison however, presented opportunities for inmates with a structured day with three meals, a job in the prison laundry and a sense of belonging within the penal community, compared to life back in the community. It also provided some opportunities to learn employment skills, participate in therapeutic programs addressing anger management or participate in literacy and numeracy programs. However, there was a common perception among prisoners that there was no formal assistance with applying for parole, and they were often not informed about the outcomes of their applications until they were about to be released. Furthermore none of those interviewed were provided with a structured transition plan to assist them to reintegrate back to their communities, including assistance to re-engage with community based programs to address their re-offending behaviors. The conclusions relating to prison experiences are summarized in the table below:

Interactions with the Criminal Justice System

Offenders had limited time with duty solicitors; majority told to plead guilty
Offenders and family often had limited understanding of the what they were charged with
Prison normalized experience often viewed preferential to home
Prison provided structured day with employment, meals, exercise and association with known people
Limited interactions with rehabilitation services, employment, education, domestic violence, anger management or alcohol or drug abuse; mental health issues
Separation from loved ones major concern for all inmates
Economic social cultural impacts on partners and children of offenders major issue back in the community
Limited assistance in applying for parole
Absence of coordinated transition programs addressing barriers to reintegration when re-entering communities

Re-entry Issues

The absence of transitional arrangements while in prison resulted in prisoners becoming extremely vulnerable to returning to incarceration a short time after returning home. Some prisoners breached parole conditions such as abstaining from alcohol en-route to their communities and returned to prison in as little as 24 hours after release. For those who re-entered their communities the stigma associated with possessing criminal records impacted on their search for employment, which made them more likely to relapse into former negative behaviours such as associating with peers or indulging in alcohol or drugs.

A common perception shared by the offenders and family members is that ex-prisoners and their families often lacked an understanding of parole conditions, which resulted in ex-prisoners breaching the conditions of their parole and subsequently returning to prison. This underlines a need to implement an intervention to ensure that offenders and their family members fully understand parole conditions, and that these conditions are written in a clear and unambiguous fashion and in Aboriginal English to promote understanding. Additionally parole conditions should be more flexible to allow for minor variations to accommodate for people who fail to report by a due date if they are off community due to work obligations, or genuine family commitments.

The stigma associated with criminal offending goes beyond the problems of finding employment and a place back in the community. Ex-offenders often experience increased negative interactions with police when they return home, and perceive they are constantly harassed due to their past. In particular a number of men perceived that they were the victims of domestic violence by their partners and if they retaliated, investigating police were more likely to charge them for assaults due to the label associated with their past behaviours. The major barriers encountered by returning prisoners are summarised in the table below:

Re-entry Issues

Re-offending occurs en-route to community after release from prison
Most offenders had little knowledge about parole conditions resulting in early breaches and return to prison
Most family members had little no knowledge about offenders parole conditions which was a catalyst for further offending
Fifty-percent cohort found parole conditions inflexible or unrealistic (such as not returning to family home due to domestic violence charges); accommodation became a problem for some
Paid employment major problem due to prison record inability to access blue card; produced economic social hardships and reinforced stigma for returned offender
Absence of access to drug/alcohol rehabilitation services ; mental health, physical health services to aid rehabilitation
Perceived harassment from police due to label as a criminal often led to other charges
No co-ordination between government /non-government agencies to provide realistic transition back to community to reduce further re-offending
Limited transport to allow individuals to go back on country to diffuse conflict situations within community.

Reconsidering Recidivism, Desistance and Resilience

The conclusions drawn from this research shed light on the need to better understand why some individuals continue to reoffend if interventions or new approaches to the problem can be implemented. If new approaches to addressing this ongoing problem in remote Aboriginal communities are to be considered, it may also be useful to look at why individuals give up or desist from further criminal activity as in the two cases in this study.

Schlager (2013) in her discussion about the factors as to why people re-offend advises that resilience should also be taken into account when considering the process of recidivism as well as desistance. Schlager contends that if we visualise a continuum recidivism would be at one end with resilience (resistance) at the far end. Desistance would fall somewhere in the middle of the continuum. As this research clearly shows recidivists are those people who commit crimes at least once and do it again. Resistors by comparison are people who come from a similar environment and possess all of the characteristics of recidivists, who in the light of these risk factors would be expected to commit crimes, but do not. Desistors on the other hand embody characteristics of both concepts. They are people who have committed a crime(s) but have given up on a criminal trajectory.

While there is no consensus about a definition of resilience it should be considered because it identifies key protective factors which have the potential of positively impacting on future

generations of people, who possess the same identified risk factors for recidivist behaviour as their recidivist peers. In other words if we are to break the cycle of reoffending in communities like Doomadgee and Mornington Island there is a need for increased understanding as to what encourages the majority of people to never commit crimes, despite being exposed to the well-known risk factors such as violence, drug /alcohol use, over-crowding, and association with criminogenic peers. In addition to considering these risk factors, theorists such as Secombe (2002) posit that the structural deficiencies in society such as poverty, lack of services, poor health and unemployment must be considered. He states:

“The widely held view of resiliency as an individual disposition, family trait, or community phenomenon is insufficient... resiliency cannot be understood or improved in significant ways by merely focusing on these individual factors. Instead careful attention should be paid to the structural deficiencies in our society“ (p.385).

Research on desistance is therefore useful when considering strategies for breaking the cycle of offending in remote Aboriginal communities like Doomadgee and Mornington Island. The work of Maruna (2001) based on qualitative studies shows that people give up crime as a “need to make sense of their lives” (p. 7). Other scholars contend that offenders who desist from crime are; “shaped by external opportunities, cultural viewpoints, self-identity, pro-social peers and the desire to take control of their own destiny” (Bottoms, et.al. 2004). By comparison Rumgay (2004) furthers this line of inquiry by observing that individuals must be willing to adopt a conventional lifestyle by adopting a pro-social rather than their former deviant identity. Further research suggests that people who desist from crime often grow out of crime by engaging in significant life course events such as marriage, finding employment or having a child. However desistance is not a linear process and individuals may zig-zag or relapse back into criminal activity at any time if their circumstances change. This means that recidivist offenders who want to desist from crime must be given the circumstances and opportunity to reform.

Identifying why people give up crime is therefore useful to practitioners and policy makers because if the predictors of desistance can be identified this may lead to successful criminal justice interventions. Furthermore studying how individuals change and adopt pro-social identities may influence what kinds of interventions are put in place in community settings. In remote communities like Doomadgee and Mornington Island where there are less opportunities to assist offenders to desist from crime, there is a need to produce opportunities and interventions which will enhance the prospects of rehabilitation, and hence break the current

cycle of people who cycle from the community to prison and back. In addition there is a need for more research about recidivism in tandem with desistance and resilience to identify the key factors as to why people give up doing crime. The interventions that are initiated also require monitoring and detailed evaluations to measure the degree of success of such initiatives. Based on this discussion the conclusion of this chapter presents a rationale for community based interventions and provides a framework for the specific recommendations for addressing recidivism in the Mornington Island and Doomadgee communities.

Community Investment: The Way Forward

The outcomes of this research clearly show that incarcerating Aboriginal people does little to stop them from re-offending and does even less in terms of rehabilitation, so they desist from further criminal activity. Statistics highlight the ongoing over-representation problem of Aboriginal people with 1891 prisoners per 100 000 Indigenous adults compared to 136 per 100 000 non-Indigenous adults (ABS, 2009). In addition the costs of keeping one person in prison per year is over \$76 000 per year. In addition to the economic costs there are social and cultural costs when considering the negative impacts on the partners and children of those who are incarcerated. When people are released from prison there is also no co-ordinated plan to ensure that they successfully reintegrate back to their communities through the provision of paid employment and other forms of social support. These issues have been the subject of a number of national and international reports. As this report is being written Amnesty International released a damning review of Indigenous youth and their interactions with the juvenile justice system in Australia. The report entitled “A Brighter Future for Indigenous Kids” (June, 2015) states; “that juvenile justice system in Australia requires substantial reforms if it is to conform to International standards”, (UN Committee on the Rights of the Child). A key recommendation of the report is for governments to:

“Take a leading role through COAG to identify the data required to implement a justice reinvestment approach including by tasking a technical body with assisting states and territories to co-ordinate a national approach to the data collection” (Recommendation 10).

Justice Reinvestment approaches have been successfully adopted in other countries such as The United Kingdom and The United States. Justice Reinvestment aims to address the burgeoning numbers of people who are incarcerated by calculating what it costs to imprison people, who come from particular locations with high rates of crime, and then diverting a proportion of this expenditure back into those communities to fund programmes which can

have a positive impact to address reoffending. This is can be an attractive option for governments as well as they are channelling existing money out from corrections into communities without having to find additional money from their budgets. One successful Australian example of justice investment has occurred in the township of Bourke in New South Wales where rates of incarcerated Indigenous youth have fallen through participation in community based programmes, which directly address the causes of juvenile offending such as joyriding (car theft).

The ethos of a Justice Reinvestment approach resonates with economically and socially disadvantaged remote Aboriginal communities such as Mornington Island and Doomadgee. The qualitative data from the interviews illustrates that Aboriginal people in each community have clear ideas about what could work in their communities. These ideas to reduce recidivism have been clearly articulated from grassroots local people, who know what the problems are and have pragmatic solutions to these problems. Justice Reinvestment is the catalyst to make these solutions a reality, creating a break in this geographical disadvantage by providing funds to create capacity for alternative pathways for dealing with the recidivist problem. For example the implementation of more community based diversionary programmes such as youth justice conferencing, supervised bonds, community service orders and home detention would result in a reduction of prison rates and overcome the negative impacts on the families of those who are taken away from the community to prison. This is in keeping with the Aboriginal and Torres Strait Islander Justice Agreement which stated the need for more community based orders to address the over-representation problem in prisons across Queensland.

Finally, this research has elevated the previously silenced voices of Indigenous people from each community. The message that has come across from all sectors of the communities is the need for new approaches to an old problem. Initiatives such a justice reinvestment depend on the commitment, participation and support of grassroots people in each community if positive change is to occur. It also requires bipartisan support from state and federal governments so they redirect resources from the budgets of corrections into the community to effect long term change to recidivist patterns of behaviour.

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APPENDIX

APPENDIX 1:

GULF REMOTE RECIDIVISM CASE MANAGEMENT AND INTERVENTION FRAMEWORK:

PRINCIPLES AND PRACTICE

Principles:



The following principles underpin the Gulf remote recidivism case management and intervention framework. Principles have been formulated through methodology designed to balance review of best practice literature, community consultation and action research that sought to capture localised knowledge in relation to the problem of recidivism and potential solutions. The methodology adopted also incorporated trialling and grass roots evaluation of many of these principles in practice.

- 1. Individuals, families and communities are engaged by an ecologically and culturally informed service system that works with community to provide the support, skills and resources requisite to live an offence free life, with a simultaneous focus on prevention, early intervention and diversion.***
- 2. The service system seeks to identify and empower Aboriginal values, beliefs and Lore that support desistance from offending behaviour and that projects overarching guidelines for future standards of behaviour and the impetus for change, with particular focus on the core principles of Respect, Reciprocity, Relationships and Responsibility.***
- 3. The service system responding to recidivism demonstrates coordination and continuity across correctional and community settings and is established to meet the needs of the most vulnerable and marginalised offenders.***
- 4. Risk of recidivism is reduced by reintegration that aims to support the individual to meaningfully and positively re-establish themselves at individual, family and community levels.***
- 5. Case management and intervention is informed by culturally and ecologically modified strengths based approaches to the Risk, Needs and Responsively model, incorporating wellbeing oriented assessment, case management and intervention.***
- 6. Case management and intervention aims to empower and provide opportunities for individuals, families and communities to identify and develop the skills necessary to self determine culturally appropriate and ecologically valid behavioural change strategies.***
- 7. Case management and intervention addresses recidivism holistically within a wellbeing framework that focus on both criminogenic and non-criminogenic factors, and that reframes and implements best practice criminogenic intervention and treatment in culturally and ecologically appropriate formats.***
- 8. Communities are engaged in the design and production of social and therapeutic programs and resources that aim to challenge the status quo of chronic dysfunction and empower the positive transformation of individuals, families and communities through the development, documentation and promotion of the local knowledge and skills base.***

Practice:

The case management and intervention framework represents the practical approach to supporting individuals, families and communities to break the cycle of recidivism. The development of the framework has been simultaneously informed by emerging best practice, community consultation and action research which has incorporated the trialling and evaluation of many components of the model. At its core the framework adopts a culturally and ecologically modified approach to the Risk, Needs, Responsivity model. As such the model incorporates wellbeing oriented assessment and case management as well as therapeutic intervention informed by 'what works' literature, reframed to ensure implementation occurs in culturally and ecologically appropriate formats.

The stages and phases of the framework are represented in figure one below. The overlapping nature of stages demonstrates the coordination and continuity of service across correctional and community settings and highlights the responsive and consistent nature of holistic engagement with clients and their families, independent of which phase of the recidivist cycle they are currently in. The case management and intervention tasks, tools and programs associated with the model are subsequently outlined in the case management matrix.

Figure One: Stages and Phases of the Recidivism Case Management and Intervention Framework



CASE MANAGEMENT & INTERVENTION MATRIX

STAGE	PHASE	TASKS	TOOLS & PROGRAMS
INTAKE & ENGAGEMENT	COURT & WATCHHOUSE	<ul style="list-style-type: none"> - Attend every Court sitting day and provide information in relation to the program and other support services available. - Encourage self, family and service system referrals for appropriate clients. - In cases of non-self referral, upon first meeting with client verify referral consent and release of information. - Attend WH upon police notification of arrest and meet directly with potential clients to discuss support services available and encourage self-referral. - Create client file once referral received. - Complete case notes documenting intake and engagement task progress. 	<p>Tools:</p> <ul style="list-style-type: none"> - Service information material appropriate to client group (written, digital and video) - Referral and consent form - Release of information form (multiagency) - MOU between wellbeing centre QPS and JAG <p>Programs:</p> <ul style="list-style-type: none"> - Court and Watchhouse support - Prison visitation program and prison based, community facilitated support and intervention programs/yarning circles - Men's and Women's Group
	PRISON	<ul style="list-style-type: none"> - Provide prison staff with program details and encourage formal referrals. - Regularly engage in prison outreach visits and provide information in relation to the program and other support services available and encourage self-referral. - In cases of non-self referral, upon first meeting with client verify referral consent and release of information. - Create client file once referral received. - Complete case notes documenting intake and engagement task progress. 	
	IN COMMUNITY	<ul style="list-style-type: none"> - Provide key community stakeholders with program details and encourage formal referrals. - Disseminate community appropriate information regarding service and encourage self and family referral. - Participate in community reference groups to encourage referral and address any barriers to referral. - Create client file upon receiving referral and make contact with client in timely manner as informed by intake 	

		<p>information (maximum period of one week or clear evidence as to why this cannot be achieved).</p> <ul style="list-style-type: none"> - In cases of non-self referral, upon first meeting with client verify referral consent and release of information. - Complete case notes documenting intake and engagement task progress. 	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">ASSESSMENT AND CASE PLANNING</p>	<p style="text-align: center;">COURT & WATCHHOUSE</p>	<ul style="list-style-type: none"> - Engage client in semi-structured interview (the good yarn) aimed at identifying immediate needs for them or their families as a result of arrest or other emergent court circumstances, and gain the information required to complete the case management cover sheet. - Acquire collateral information that can inform completion of assessment tools (family and system sources). - Complete holistic individual and family assessment utilising core assessment tools + any adjunct or additional tools appropriate to client circumstances (eg. suicide risk assessment). - In circumstances where client is to be remanded in custody complete the prison needs assessment checklist and forward to QCS programs and cultural team. - Complete case notes documenting assessment and case planning task progress. 	<p>Tools:</p> <ul style="list-style-type: none"> - Recidivism case management cover sheet - Core Assessment Tools: risk and protective factors checklist (recidivism and wellbeing); CAARS tool-Wellbeing Wheel (adult/child); IRIS - Prison needs assessment checklist - Wellbeing plan - Re-entry plan
	<p style="text-align: center;">PRISON</p>	<ul style="list-style-type: none"> - Complete recidivism case management cover sheet for any clients in prison in collaboration with the QCS programs and culture team including tracking court appearance and progression data. - Complete prison needs assessment checklist in collaboration with QCS programs and culture team. - During prison visits and via video conference engage client in semi-structured interview (the good yarn) aimed at identifying immediate and future needs and acquiring information required to complete holistic assessment. - Acquire collateral information that can inform completion of assessment tools (family and system sources). - Complete holistic assessment utilising core + any adjunct or additional tools appropriate to client circumstances. - Identify client release dates as early as possible. 	<ul style="list-style-type: none"> - MOU between wellbeing centre QCS, QPS and JAG in relation to accessing information regarding clients with their consent (focus on process and timeliness) <p>Programs:</p> <ul style="list-style-type: none"> - Court and Watchhouse support - Prison visitation program

		<ul style="list-style-type: none"> - Work with client, prison staff and family to complete re-entry and wellbeing plans at least one month prior to release date wherever practically possible. - Promote and facilitate the family connection video conferencing program and facilitate other family contact and support as required. - In circumstances of Sorry Business advise the QCS cultural team and provide advice in relation to which inmates could be affected. Facilitate family videoconference contact between inmates affected and their families as a priority. - Complete case notes documenting assessment and case planning task progress. 	<ul style="list-style-type: none"> - Community Service Program (Youth Justice) - Mariwu work program (structured community work for ex-offenders and those on community service orders) - Family connection video conferencing program.
	IN COMMUNITY	<ul style="list-style-type: none"> - Complete recidivism case management cover sheet. - Acquire collateral information that can inform completion of assessment tools (family and system sources). - Complete holistic individual and family assessment utilising core + any adjunct or additional tools appropriate to client and family circumstances. - Complete wellbeing plan as soon as practically possible. - Complete case notes documenting assessment and case planning task progress. 	
ACTION	COURT & WATCHHOUSE	<ul style="list-style-type: none"> - Provide individual and family support services in relation to engaging in Court process, being remanded in custody and understanding outcomes of appearances and/or arrest. - Liaise with Court stakeholders (eg. legal representatives; Justice Groups) to confirm client's current legal situation and likely future course of action. - Wherever possible facilitate family contact with offender if they are remanded to watchhouse. - Inform family members as identified by the client of the whereabouts of the client, visiting hours and future arrangements. - If the client is to be moved to prison liaise with family to acquire contact information, record this on the case management cover sheet. - When a client is moved to prison make contact with QCS- update the recidivism case management cover sheet and 	<p>Tools:</p> <ul style="list-style-type: none"> - Recidivism case management cover sheet - Prison needs assessment checklist - Wellbeing Plan - Re-entry plan - Order and Parole video resource - Order and Parole fact sheets in Aboriginal English

		<p>forward this and the prison needs assessment checklist to QCS.</p> <ul style="list-style-type: none"> - When a client receives a community based Order request a copy of this Order and spend time with the client to ensure they and their family members understand the conditions of the Order. - Provide clients with information and resources that will assist them to understand conditions of any Court Orders or Bail undertaking. - Complete case notes documenting actions and information pertinent to client's case. 	<ul style="list-style-type: none"> - Safety Plan (Do/Think/Support) - MOU between wellbeing centre QCS, QPS and JAG in relation to accessing information regarding clients with their consent (focus on process and timeliness) <p>Programs:</p>
	<p>PRISON</p>	<ul style="list-style-type: none"> - Forward the case management cover sheet and prison needs assessment checklist to QCS for any current or known future clients. - Provide family support services to partner of client incarcerated and their children as per wellbeing plan formulated. - Provide individual support to incarcerated clients on a needs basis, in association with the jail visitation program, their personal request and as per the request of family. - Work with QCS to ensure that phone number of wellbeing centre is available as a free dial number to clients. - Promote and facilitate the family connection video conferencing program and facilitate other family contact and support as required. - In circumstances of Sorry Business advise the QCS cultural team and provide advice in relation to which inmates could be affected. Facilitate family videoconference contact between inmates affected and their families as a priority. - Liaise with QCS, legal reps and other stakeholders to confirm client's current legal and/or custodial situation and likely future course of action. Where ever possible identify release dates. - Link with Townsville Custodial Corrections transition planning team and participate in formal mandated transition assessment and planning and encourage and facilitate family involvement. - Link with community based service providers and make referrals and collaborative care plans for transition support as appropriate to case. 	<ul style="list-style-type: none"> - Court and watchouse support - Prison visitation program and prison based, community facilitated support and intervention programs/yarning circles - Community transition and travel mentorship program - On Country transition support program (bush camp) - Family connection video conferencing program. - Mariwu work program (structured community work for ex-offenders and those on community service orders) - Men's and Women's Group

		<ul style="list-style-type: none"> - Provide family members of incarcerated clients with updates in relation to contact with them through the prison visitation program. - Act as a point of contact and information for the Parole Board in relation to what programs and services are available in community. - Prepare clients with support letters outlining potential reintegration programs available and any other contextual information. - When a client receives a Parole date request a copy of the Parole Order and spend time with the client and their family to ensure understanding in relation to the conditions of the Order. - Provide clients with information and resources that will assist them to understand conditions of Court Orders, Bail undertakings or Parole. - Complete case notes documenting actions and information pertinent to client's case. 	
	<p style="text-align: center;">PRE- TRANSITION & TRAVEL HOME</p>	<ul style="list-style-type: none"> - Provide family with support services or referrals to support services to assist with preparing the family for transition of client back to community as close to one month in advance as is practically possible. - Liaise with QCS to discuss means and mechanisms of transport back to community. - Organise pre-release family videoconferences to discuss plans in relation to travelling home and discuss with client the potential risks of re-offending whilst travelling back to community. - Encourage client to choose a pro-social family environment or alternatively a hostel for overnight stays on route home. Assist client to identify family supports and/or a mentor or 'buddy' that can assist them to stay safe and abstain from risk taking behaviour on route home. - Ensure that clients have necessary emergency contact numbers including the wellbeing centre number should they experience difficulties in relation to travelling home. - Complete case notes documenting actions and information pertinent to client's case. 	

	IN COMMUNITY	<p>WEEK ONE</p> <ul style="list-style-type: none"> - Immediate intake to “On Country” transition support program (bush camp) that gets client out of township for a specific period of time. In the absence of such a program, aim to ensure that client is doing some activity every day-prepare a timetable for them so they can see their commitments. Review their wellbeing plan and provide Probation & Parole with a copy. - Attend first client intake and induction meeting with Probation & Parole, with key task of reviewing conditions of Parole/Orders. Clarify specifically what is expected and what client can and cannot do. Clarify reporting schedule. Facilitate open solutions focussed discussion in relation to any challenges identified in relation to compliance. During next contact with Client view Order and Parole video resource and review Parole/Order conditions. - Where appropriate facilitate a family group meeting and ensure family understand the conditions of clients Orders. Facilitate open solutions focussed discussion in relation to any challenges identified in relation to compliance. Identify key family members able to support/monitor/mentor client. View Order and Parole video resource with family. - Ensure client is receiving Centrelink payments and is linked with JSA. Attend first JSA meeting with client. Ensure that JSA is aware of any further training and education that has occurred whilst in prison. - Provide intensive support work to help client adjust. Visit them each day and create ‘Think, Act, Support’ safety plans outlining how to manage risky situations. - Support client engagement with mental health and drug and alcohol professionals they have been referred to. - Refer to other service providers in response to emergent identified needs. - When in township support client’s engagement in men’s or women’s groups. - If client is based on bush camp invite attendance of stakeholders in case to visit and engage them at camp setting on individual and/or group level as appropriate. - Complete case notes documenting actions and information pertinent to client’s case. 	
		<p>WEEK TWO TO FOUR</p>	

		<ul style="list-style-type: none"> - Continue with any incomplete tasks from week one. - Monitor on a daily basis whether client is attending groups, programs and other scheduled commitments agreed upon and documented on timetable. - Have contact with Probation & Parole on weekly basis to discuss client tracking and discuss any concerns. If Probation & Parole raise concerns that client is at risk of breaching Order, arrange joint meeting with client asap. - Aim to have family meeting at least once or as required. Review wellbeing plan, discuss any emergent concerns and adjust wellbeing plan as required. - Support client engagement with mental health and drug and alcohol professionals they have been referred to. - When in township support client's engagement in men's or women's groups. - Refer to other service providers in response to emergent identified needs. - Complete case notes documenting actions and information pertinent to client's case. 	
		<p>WEEK FOUR TO TWELVE</p> <ul style="list-style-type: none"> - Monitor whether client is attending groups, programs and other scheduled commitments agreed upon and documented on timetable. - Have contact with Probation & Parole on at least monthly basis to discuss client tracking and discuss any concerns. If Probation & Parole raise concerns that client is at risk of breaching Order, arrange joint meeting with client asap. - Aim to have family meeting monthly or as required. - Complete case notes documenting actions and information pertinent to client's case. 	
REVIEW	COURT & WATCHHOUSE	<ul style="list-style-type: none"> - In circumstances where re-offending results in the client being held in the watchhouse or returning to Court engage the client in semi-structured interview (the good yarn) aimed at identifying the factors precipitating their recidivism in this specific instance. - If appropriate complete the 'what happened' checklist with the client and their family or independently but based on primary and collateral information. The 'what happened?' 	<p>Tools:</p> <ul style="list-style-type: none"> - 'What happened?' checklist - Core Assessment Tools: risk and protective factors checklist (recidivism)

		<p>checklist should be completed as soon as is practically possible.</p> <ul style="list-style-type: none"> - Identify immediate needs for client and their families as a result of arrest or other emergent court circumstances - Review and revisit assessment and case planning activities in light of change of circumstances. - Complete case notes documenting review and information pertinent to client's case. 	<p>and wellbeing); CAARS tool-Wellbeing Wheel (adult/child); IRIS</p> <ul style="list-style-type: none"> - Prison needs assessment checklist - Wellbeing plan <p>Programs:</p> <ul style="list-style-type: none"> - Family connection video conferencing program.
	PRISON	<ul style="list-style-type: none"> - In circumstances where the client is returned to prison before contact is possible, complete the 'what happened checklist' based on family and collateral sources of information. - Have contact with the client via videoconference or prison visit within two weeks of their readmission and engage them in semi-structured interview (the good yarn) aimed at identifying the factors precipitating their recidivism in this specific instance. - Identify immediate needs for client and their families as a result of arrest or other emergent court circumstances - Review and revisit assessment and case planning activities in light of change of circumstances. - Complete case notes documenting review and information pertinent to client's case. 	
	PRE-TRANSITION	<ul style="list-style-type: none"> - Prior to release facilitate family videoconference to review family wellbeing plan in context of re-entry, client specific re-entry plan and understanding in relation to Parole or other Order conditions. Ensure that there is a focus on reviewing how to manage challenges and risk/needs based aspects of assessments. - Alter family wellbeing plan and make additional referrals to support services as informed by pre-transition review. - Complete case notes documenting review and information pertinent to client's case. 	
		<p>WEEK ONE</p> <ul style="list-style-type: none"> - Attempt in person or telephone contact with client every day to 'check-in'. Review wellbeing and safety plans and update if alterations are required. 	

	<p>IN COMMUNITY</p>	<ul style="list-style-type: none"> - During course of family group meeting review wellbeing plan established and update if alterations are required. - Complete case notes documenting review and information pertinent to client's case. 	
		<p>WEEK TWO TO FOUR</p> <ul style="list-style-type: none"> - Have in person contact and review Order conditions and safety plans with client at least once per week and update as required. - Complete case notes documenting review and information pertinent to client's case. 	
		<p>EVERY THREE MONTHS THEREAFTER</p> <ul style="list-style-type: none"> - Review Order conditions and safety plans with client at least once per fortnight and update as required. - Complete case notes documenting review and information pertinent to client's case. 	