

# Appendix M – Supporting people exiting justice or correctional settings



⚡ Rod has been in and out of custody most of his adult life for charges related to substance use. He also suffers with mental ill health and was released without any medication or scripts, which he needs otherwise he can become paranoid and fearful. He does not have a home or any support in the community. He has tried to go to the Housing office a few times however he feels like he is being judged and spoken down to, and often ends up leaving in frustration. ⚡

*Each person has their own unique experience and needs. It is important to understand the intersectionality between a person's gender, race, sexual identity, culture, experiences and circumstances. Workers may refer to multiple appendices to assist their understanding, engagement and support for each person they engage.*

## Overview

In 2018, more than half of the people exiting the Australian justice system expected to be either homeless or did not know where they would be staying when they were released<sup>i</sup>. In NSW, at least 4,000 people released from custody each year do not have a stable place to live<sup>ii</sup> and in 2021-22, 1,773 specialist homelessness services clients in NSW had come from custody<sup>iii</sup>.

Adults on remand can be discharged into the community at any time and may have limited opportunities to plan accommodation arrangements prior to release. People can also be refused bail because they are homeless and without an address.

Incarceration itself can have a significant impact on a person's physical and emotional wellbeing. People exiting custody may have experienced trauma in their past or during their incarceration; in NSW, 65 per cent of people in prison had experienced or witnessed a traumatic event<sup>iv</sup>. Workers should provide a trauma-informed response during all interactions.

People exiting custody may seek freedom in open spaces and stay away from services in response to their distrust of government services and to counteract the captivity and lack of control they previously felt.

Many people exiting custody will have no formal and often few informal supports. Without adequate pre-release planning or transitional support, people exiting custody may lack the essential resources to successfully transition to life after custody<sup>v</sup>. A person exiting the justice system may have challenges and considerations that impact their transition into community:

- Additional considerations for housing, such as parole conditions, Apprehended Violence Orders or the NSW Child Protection Register.
- Stigma and discrimination when attempting to access services or gain employment in the community. People exiting the justice system can be excluded due to their criminal record or lack of personal documentation (i.e. identification).
- Homelessness is one of the two main predictors of reincarceration in Australia<sup>vi</sup>. A suitable housing solution can reduce reoffending<sup>vii</sup>.
- Many people face a difficult choice between homelessness or returning to unsafe environments, such as a violent relationship.
- People exiting custody are often estranged from family and social networks. Exiting custody and navigating complex social dynamics can be isolating and lonely. For Aboriginal peoples, this sense of isolation is also related to being away from Country.

Between 200 and 300 young people are released from Youth Justice facilities in NSW each month<sup>viii</sup>. Young people experience many of the same challenges upon release from custody or engagement with the justice system as adults, however, due to their age, opportunities for suitable accommodation may be even more limited. Many vulnerable young people under Youth Justice supervision are involved with other services such as alcohol and other drug treatment services, and child protection<sup>ix</sup> and/or have mental health concerns. Workers should try to provide an age-appropriate response when engaging young people. Information on supporting children and young people can be found at **Appendix B**.

Workers must be respectful and non-judgemental when engaging a person who has exited a justice or correctional setting. A worker should also try to understand the impacts of incarceration and create an environment where the person is heard and empowered to make their own decisions, with options for appropriate support where requested.

## Over-representation in the justice system

People exiting custody often have intersecting and complex needs associated with disadvantage<sup>x</sup>. Some cohorts are also overrepresented in custody and require targeted and person-centred support to address their individual needs.

In September 2023, Aboriginal people made up 30.4 per cent of the adult prison population in NSW<sup>xi</sup> (approximately one in three people in custody). While 54.8 per cent of children in custody in NSW identify as Aboriginal<sup>xii</sup>. Information on supporting Aboriginal peoples can be found at **Appendix C**.

Women made up 6.6 per cent of the people in custody<sup>xiii</sup>. Information on supporting women can be found at **Appendix G**. Around 70 to 90 per cent of women in custody have experienced abuse<sup>xiv</sup>. Information on supporting people who experienced domestic and family violence can be found at **Appendix L**.

People with disability make up almost a third of the people in custody, despite being only 18 per cent of the general population. 95 per cent of Aboriginal peoples charged with criminal offences who appear in court are estimated to have an intellectual disability, a cognitive impairment or a mental illness<sup>xv</sup>. Information on supporting people with disability can be found in **Appendix F**.

In 2018, 40 per cent of Australian prisoners had been diagnosed at some point with a mental health condition, 29 per cent had a disability or chronic health condition and 33 per cent were previously homeless<sup>xvi</sup>. The majority of women are in custody due to illicit drug offences (23.7 per cent)<sup>xvii</sup>. Information on supporting people with complex health conditions can be found at **Appendix K**.

## Engagement strategy

### Things to know before engaging:

- People who have had contact with the justice system experience complex and intersecting forms of disadvantage throughout their lives, which might mean they need support across a range of domains.
- People can be released from custody without identification, medication, or plain clothes, which can present barriers to accessing services, housing, and employment.
- People exiting custody may face many challenges when attempting to rebuild their lives in the community, which can cause an emotional response of stress, anxiety, anger and hopelessness<sup>xviii</sup>. People who have been in custody are also adjusting to different social and cultural ways of engaging in community. This shift in environment, combined with the emotional response and stress, can sometimes result in people presenting as agitated, closed-off, and/or defensive, and the person might struggle to communicate clearly and calmly with service providers. For information on supporting people in mental distress see **Appendix J**.
- People who have been in custody often have low levels of formal education, which can lead to poor literacy. People who have been incarcerated for long periods of time can also lose vital skills which are necessary for life outside a correctional setting, and they might require increased patience and support from workers.
- Prisons are located all over NSW, and people can be released from prison in locations they are unfamiliar with, and where they have no supports, or community connections.
- A person may project their frustration with the system or their experiences onto the worker. Workers are encouraged not to interpret the person's behaviour as a personal attack, but provide non-judgmental, positive and empathetic responses.
- A worker may not know if a person has a history with the justice system unless the person chooses to disclose this information.

### Strategies for engagement:

- Introduce yourself in a friendly manner, stating your name and the agency/organisation you work for.
- Allow the person to verbally release feelings of anger or frustration as is safe to do so. Respond calmly and encourage the person to express their needs which may differ from what you think they may be.
- Speak in plain language to facilitate the person's understanding and/or obtain an interpreter where required.
- Support the person to connect to appropriate service providers if requested.

## RESOURCES

| CRISIS SUPPORT   |   |  |
|--|---|--|
| Name   | Service   | Contact Details  |
| <a href="#">Ask Izzy</a>   | A website directory that connects people need with nearby services such as housing, food, health care and legal services in their local area  | <b>Website:</b> <a href="https://askizzy.org.au">https://askizzy.org.au</a>  |
| <a href="#">Link2Home</a>  | A statewide telephone service providing information, assessment and referral to specialist homelessness services, temporary accommodation and other appropriate services for people who are homeless or at risk of homelessness. It is available 24 hours a day 7 days a week every day of the year.            | <b>Phone:</b> 1800 152 152<br><b>Website:</b> <a href="https://www.facs.nsw.gov.au/housing/help/ways/are-you-homeless">https://www.facs.nsw.gov.au/housing/help/ways/are-you-homeless</a>  |
| OTHER SUPPORT  |   |  |
| Name   | Service   | Contact Details  |
| <a href="#">Bail Accommodation and Support Service</a>                     | An after-hours intake service for NSW Police which provides information that helps young people gain access to bail if they are likely to be held in custody. Young people can be connected with accommodation, transport, case support and other services to help them satisfy the conditions of a bail order. | <b>Phone (for police):</b> 1300 224 555<br><b>Email:</b> <a href="mailto:bail-and-accommodation-support-service@justice.nsw.gov.au">bail-and-accommodation-support-service@justice.nsw.gov.au</a><br><b>Website:</b> <a href="https://www.nsw.gov.au/legal-and-justice/youth-justice/bail-and-accommodation-support-service">https://www.nsw.gov.au/legal-and-justice/youth-justice/bail-and-accommodation-support-service</a> |
| <a href="#">Community Restorative Centre</a>                               | Provides specialist through-care, post-release and reintegration programs for people transitioning from prison into the wider community.  | <b>Phone:</b> (02) 9288 8700<br><b>Email:</b> <a href="mailto:info@crcnsw.org.au">info@crcnsw.org.au</a><br><b>Website:</b> <a href="https://crcnsw.org.au">https://crcnsw.org.au</a>  |
| <a href="#">EQUIPS (Explore, Question, Investigate, Practice, Succeed)</a> | Provides a suite of therapeutic and educational programs to reduce the risk of re-offending. It is designed to increase participation opportunities for offenders in both custody and community settings.   | <b>Website:</b> <a href="https://tap.nsw.gov.au/programs/equips-programs.html">https://tap.nsw.gov.au/programs/equips-programs.html</a>  |



## RESOURCES

| Name                              | Service   | Contact Details  |
|-----------------------------------|---|--|
| <a href="#">Prisoners Aid NSW</a> | Provides practical help to inmates, ex-inmates and their families including employment opportunities and ongoing education, qualifications and life skills.                                       | <p><b>Phone:</b> 0412 430 214</p> <p><b>Email:</b> <a href="mailto:info@prisonersaidnsw.org">info@prisonersaidnsw.org</a></p> <p><b>Website:</b> <a href="https://prisonersaidnsw.org/">https://prisonersaidnsw.org/</a></p>   |
| <a href="#">Youth on Track</a>    | A Youth Justice early intervention program that identifies and responds to the needs of young people aged 10 to 17 years who are at risk of long-term involvement in the criminal justice system. | <p><b>Email:</b> <a href="mailto:youthontrack@justice.nsw.gov.au">youthontrack@justice.nsw.gov.au</a></p> <p><b>Website:</b> <a href="https://www.nsw.gov.au/legal-and-justice/youth-justice/programs-and-services/support-services/youth-on-track">https://www.nsw.gov.au/legal-and-justice/youth-justice/programs-and-services/support-services/youth-on-track</a></p> |

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