

# Women's Action Plan 2 2000 - 2003

N.S.W. Department of Corrective Services

October 2000



## FOREWORD

In 1994 the Department of Corrective Services developed the Women's Action Plan. The objective of the plan was to "develop equitable, realistic, cost efficient strategies designed to ensure improved access to services and programs for women inmates".

Since the implementation of the Women's Action Plan, the placement options, programs and services for women in custody have improved significantly. The Parramatta Transitional Centre and Jacaranda Cottages at Emu Plains Correctional Centre, both examples of domestic style accommodation, have provided the backdrop for the Department's strategy of specifically addressing the needs of women in custody; the Mothers and Children's Program with the best interests of children at its core is a world leader; the introduction of the female-specific classification policy has paved the way for needs-based classification and case management across the department. One of the most significant disadvantages women in criminal justice system face, distance from family and community ties, has been recognised with the expansion of regional facilities for women in full time custody and periodic detention.

In 1994 the focus of the Department's Women's Program was on equity of access to services and programs for women inmates. In 2000, the emphasis is on needs-based programming for all women under its care. Therefore, this second Women's Action Plan is based on a philosophy of throughcare; a continuity and consistency of services from women's first contact with the Department through to post release. To this end, this Women's Action Plan emphasises co-ordination between the custodial and community supervision sections of the Department and between those Government and non-Government agencies which have an interest in the well being of women in the criminal justice system.

The number of women involved in the Criminal Justice system continues to increase. The Womens Action Plan 2 represents the Department's ongoing commitment to the needs of women under our care and supervision and identifies our direction and priorities for the next three years. During this period, placement options for women in custody will continue to improve, but the focus will shift to the development of effective, needs-based program design.

The Department acknowledges that the criminogenic needs of women are different from those of men and that programming must take into account the social, vocational and economic circumstances of their lives.

The Department acknowledges that it cannot meet the full range of needs for women under its supervision, however we recognise their needs as a priority and through a co-ordinated approach with other Government and non-Government agencies we believe the cycle of incarceration can be broken.

LEO KELIHER  
COMMISSIONER  
3 October 2000

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# 1 INTRODUCTION

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This Women's Action Plan will be the guiding force for the Department's Women's Program over the next three years. This plan exists within the broader context of the Department's Corporate Plan which outlined the commitment to

*developing and delivering programs addressing offending behaviour and enabling offenders to make reparation to the community (within) the context of safely and effectively managing inmates of correctional centres and supervising offenders in the community.*<sup>1</sup>

The Department's Strategic Plan<sup>2</sup> stipulates the priorities which must inform the further development of the Women's Program both in terms of capital works initiatives and service provision. In accordance with these overarching policies, the Women's Action Plan emphasises:

- C the delivery of programs and services reflecting a holistic approach to women's health and well-being;
- C the co-ordination of programs and services in a throughcare model as a joint effort by the custodial and community supervision sections of the Department;
- C the provision of flexible programs for women in the areas of relationship and living skills, problem solving, alcohol and other drugs and health education, vocational training, offence-specific programs and recreational activities;
- C the planning and management of resources to ensure their equitable provision.

## 1.1 Background

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In June 1994, the NSW Department of Corrective Services published its first Women's Action Plan. It made recommendations concerning the provision of programs and services relevant to the needs of women in the NSW correctional system.

Since 1994, placement options, programs and services for women have improved significantly:

- C In addition to the main women's facility, the *Mulawa Correctional Centre*, which accommodates approximately 285 sentenced and unsentenced women, the *Emu Plains Correctional Centre* was established as a minimum security facility for 138 women. A small 19 bed facility for women (*June Baker Unit*) is operating at the

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<sup>1</sup> NSW Department of Corrective Services, Corporate Plan 1998 - 2001

<sup>2</sup> NSW Department of Corrective Services, Strategic Plan 1998 - 2001

*Grafton Correctional Centre*, and a separate unit for up to 8 women at the *Broken Hill Correctional Centre*. In 1996, the 21 bed *Parramatta Transitional Centre* for women and children was officially opened.

- C The Women's Services Unit (WSU) was established with a mandate to provide policy advice and advocacy at senior management level of the Department concerning the needs of women under supervision.
- C A female specific classification scheme was introduced which takes into account the circumstances of incarcerated women who constitute only 5 to 6 percent of the overall correctional centre population in NSW.
- C A Mothers and Children's Program (MCP) was developed to ensure that young children of women serving a custodial sentence were able to maintain an ongoing relationship with their mother.

## **1.2 Consolidation and Expansion**

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This Women's Action Plan is to build on the success of the Department's Women's Program by consolidating the earlier policy and program initiatives and by ensuring the ongoing integration of the custodial and community supervision sections of the Department.

The new strategies identified in this document, concerning the Women's Program have been derived from several important sources:

- C There has been ongoing consultation between the WSU and other Departmental staff, female inmates and representatives of community organisations with an interest in the well-being of women. This culminated in a planning day in 1998 which brought together representatives from the Department, other Government and non-Government agencies.
- C A longitudinal study into the programs at the *Emu Plains Correctional Centre* was carried out as a joint venture between the WSU and the Department's Research and Statistics Unit.
- C A systematic review of all programs and services provided in facilities accommodating female inmates was undertaken by the WSU.
- C An audit of the first two years of the Mothers and Children's Program (MCP) was carried out. The MCP incorporates the absence of female inmates under Section 26(2)(l) of the Crimes (Administration of Sentences) Act 1999 formerly known as Section 29(2)(c) of the NSW Correctional Centres Act, a residential program for children of pre-school age at the *Emu Plains Correctional Centre* and the *Parramatta Transitional Centre* and an occasional residential program for older children at the same facilities.
- C An extensive survey of women inmates was conducted by the WSU in 1998.

- C A joint project between NSW Health and the WSU examined Aboriginal women's access to health services whilst in custody.
- C The WSU in conjunction with the Indigenous Services Unit (ISU) undertook a preliminary analysis of the needs of Aboriginal women in custody. Part of this work helped to inform the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families in 1997.
- C A working party established by Probation and Parole developed the "Women's Positive Program" which will support women to make positive lifestyle choices and to identify inappropriate behaviour patterns which lead to criminal activities. This program will be available in all Probation and Parole District Offices from September 2000.
- C Periodic detention centres for women were established at Tomago, Wollongong and Mannus. In 1995, there were 66 periodic detention beds available for women; as of June 2000, 168 places are available.

## **2** **PHILOSOPHY AND PRINCIPLES**

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This Women's Action Plan is based on a philosophy of throughcare, a continuity and consistency of services from women's first contact with the Department through to post release. Throughcare operates between the custodial and community supervision sections of the Department and extends to those Government and non-Government agencies which have an interest in the well-being of women in the criminal justice system.

As well as expanding existing diversionary programs, the Department is committed to exploring further innovative alternatives to incarceration for women. A particular emphasis is placed on the needs of Indigenous women to ensure culturally relevant and appropriate program and services provision.

When designing programs and services for offenders, the Department applies the principle that in order for them to be effective they must be based on best practice models and meet the criminogenic needs of offenders.

The Department acknowledges that the criminogenic needs of women are different from those of men. Women's needs must be contextualised within the realities of their social, vocational and economic circumstances and women's specific patterns of learning and interacting with peers and authorities.

In focussing programs and services on the criminogenic needs of women so they can acquire skills which help them to avoid re-offending, the Department does not ignore the range of other needs with which women in its care present.

The Department respects the rights of families and children to have meaningful contact with their mothers, spouses and daughters in custody and considers it essential for achieving correctional outcomes that the women can maintain and strengthen their bonds with their families and children.

Because of the minority status of women within the NSW correctional system, the Department has recognised the need for advocacy on their behalf to ensure that the needs of women in the care of all sections of the Department can be adequately considered in policy initiatives, program and services development and implementation as well as capital works strategies. To this end the Women's Services Unit was established and continues to play a major role in this regard.

The Department recognises that working with women in the criminal justice system requires specific expertise. In devising appropriate programs and services for women it is essential that existing and new project initiatives are not merely adapted to give them a female dimension. Rather, programs and services are developed in response to women's needs and provided within a case work model. They are respectful of the women's rights while stressing their responsibilities and accountability for their offending. The Department will review programs and services for women regularly to take into account emerging research findings and changing needs.

Staff employed in the Women's Program follow the principle of dynamic security and are aware of the specific needs of women in the correctional system.

# 3 PROFILE AND STATISTICAL DATA

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Each year the Research and Statistics Unit of the Department publishes an inmate census. This census provides a snapshot of the inmate population taken on June 30 each year. Unless otherwise stated, all figures in this chapter have been extracted from the census data.<sup>3</sup>

## 3.1 Profile

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C The 1999 Inmate Census showed the number of women in correctional centres in NSW was 443 - 6.1 percent of the total inmate population. This was a significant increase from 1994 when the number of women in custody was 320 (5.0 percent of the inmate population). Aboriginal people continue to be over-represented in the criminal justice system. The number and proportion of Aboriginal women in NSW correctional centres also increased markedly over this period, from 59 (18.4 percent of women) to 106 (23.9 percent of women).

C Inmates are classified to determine appropriate levels of supervision, housing and legal requirements, program needs and work assignments. Until 1997, women were subject to the same security classification system as men which, considering the contrasts between the profile of male and female inmates, was inappropriate and inadequate. With the introduction of a female specific classification scheme based on the concept of 'high need - low risk', women can be classified within four different categories - category 4 requiring the most secure containment and management, category 1 the least.

Reflecting the profile of women in custody, the vast majority of women in NSW correctional centres between 1994 and 1999, were classified to category 2 and 1 (57.1 percent in 1999); the minority (5.2 percent in 1998) were classified as category 3 and 1.1 percent classified to category 4.

C In 1999, 26.6 percent of women in full-time custody were under 25 years old and 50.8 percent were younger than 30 years of age.

C In 1999, 30.7 percent of women in full-time custody were serving a custodial sentence under 12 months and 45.1 percent were sentenced to less than 2 years; 4.3 percent of the female inmate population served sentences of 10 years and more.

C A higher percentage of women in 1999 (30.5 percent) were serving a custodial sentence for violent crimes<sup>4</sup> compared to the percentage in 1994 (23.8 percent).

C The Periodic Detention scheme, a diversionary sentencing option, also saw an

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<sup>3</sup> For a statistical summary of women inmates, 1994-1999, see appendix 1.

<sup>4</sup> These offences include murder, attempted murder, conspiracy to murder, manslaughter, major assault, other assault, sexual offences and robbery with major assault

increase in the number of women participants between 1994 and 1999. On the census date in 1994, there were 89 women in periodic detention (6.9 percent of the total periodic detainee population). On the corresponding date in 1999, this figure had risen to 109 women (9.6 percent of the total). Women can now attend periodic detention at Tomago, Norma Parker, Wollongong, Mannus, Bathurst and Broken Hill.

- C The number of Aboriginal women sentenced to periodic detention has risen marginally from four (4.5 percent) in 1994 to six (5.5 percent) in 1999.
- C In June 1999, 17159 people were clients of the Probation and Parole Service<sup>5</sup>. Of these, 2652 were women (15.5 percent). Considering that the proportion of women serving custodial sentences is approximately 6 percent of the total inmate population, these figures show that women are increasingly gaining access to diversionary programs. On the other hand, only 252 of the women in diversionary programs were Aboriginal (9.5 percent). This is a relatively low proportion compared with 23.2 percent of Aboriginal women in full-time custody.<sup>6</sup>
- C On 1 June 1999, 1743 women were supervised on Probation Orders (good behaviour bonds) ordered by the court. Of these, 188 (10.8 percent) were Aboriginal women.
- C On the same date, 212 women were on post-prison orders; 31 (14.6 percent) of these were Aboriginal. The aim of this program is to assess and identify criminogenic risk and needs; implement appropriate planned interventions through group work, individualised case management and referral; and monitor offending-related behaviour and influence change through planned and individualised intervention to reduce the risk to the community.
- C There were 865 women on community service orders<sup>7</sup> on 1 June 1999. Of these 67 (7.7 percent) were Aboriginal. These orders are made by a court and involve unpaid work for the community for a specified period of time.
- C The Fines Act 1996 introduced a hierarchy of civil sanctions to recover fines. On 1 June 1999, 57 women including three Aboriginal women were performing community service work in lieu of payment of fines.

C Home detention is available in the Sydney Metropolitan, Illawarra, Central Coast and

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<sup>5</sup> This and all following Probation and Parole data was supplied by the Policy Projects and Training Unit and covers a snapshot for June 1999. For further details, see appendix 2

<sup>6</sup> For further details, see appendix 2

<sup>7</sup> These include community service orders, work orders and supervised attendance orders.

Lower Hunter regions. On 30 June 1998 there were 23 women including one Aboriginal woman on home detention.<sup>8</sup>

- c The Drug Court is a pilot program restricted to the Greater Western Sydney Metropolitan area. The Drug Court program comprises comprehensive and intensive supervision by the Probation and Parole Service in conjunction with specialised health and medical intervention from the Area Health Services. As of 14 April 2000, a total of 598 participants had been referred to the program including 94 women.<sup>9</sup>

### **3.2 Increase of Women in Custody**

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The 1994 Women's Action Plan predicted a

*continuance of the plateau in numbers which has been in place since 1990 and which looks to endure until the latter part of the decade.*<sup>10</sup>

For the first four years this prediction was accurate. Between 1994 and 1998, the number of women in full-time custody in NSW did not exceed 5.7 percent of the total prison population.

While the number of women remains very low in comparison to the number of male inmates in NSW, there has nevertheless been a significant increase since 1998. The increase in the female inmate population has been particularly marked between June 1998 and June 1999 when the actual number of women in custody increased from approximately 340 to about 450.

This growth in numbers occurred despite the fact that the home detention scheme was introduced in 1997 as a diversionary sentencing option and despite the fact that full-time custodial sentences for fine defaulters were abolished.

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<sup>8</sup> Heggie, K. (1999) *Review of the NSW Home Detention Scheme*. Research Publication No. 41 May, 1999. NSW Department of Corrective Services.

<sup>9</sup> For a snapshot of Drug Court statistics, see appendix 3.

<sup>10</sup> Women's Action Plan, A 3 Year Strategy for Female Inmates in NSW Correctional Facilities, June 1994, p 12

The level of, and growth in, the number of Aboriginal women<sup>11</sup> in custody remains of grave concern. Considering that Aboriginal women represent about one percent of the NSW population, they are grossly over-represented in the NSW corrective services system.<sup>12</sup> Between 1994 and 1999, the number of Aboriginal women in full-time custody rose from 18.4 percent to 23.2 percent of the total female inmate population.<sup>13</sup>

There is no single accepted explanation for the significant increases in the NSW correctional centre population. Predictions of inmate population trends continue to be difficult and speculative. One explanation might be found in a recent study by the Bureau of Crime Statistics<sup>14</sup> which asserted that sentence lengths for women appearing before local courts are rising, and that the overall number of women given custodial sentences by the higher courts has increased despite a drop in the number of convictions.

The number of men sentenced to full-time custody is also rising although the rate is not as steep as that of the women. There is a need to ensure that the needs of women with regard to facilities, programs and services are not subsumed by the pressures arising from increased resource demands in the men's system by the sheer weight of the higher numbers.

The 1994 Women's Action Plan highlighted that incarceration rates in NSW were generally higher than in other Australian States and Territories.

However, New South Wales was the only State in 1998 to record a drop in the ratio of women in prison per 100,000 population. In 1998 the NSW ratio of 13.5 was lower than the national total of 14.4.<sup>15</sup> The rise experienced in the last 18 months is in line with what is happening around Australia.

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<sup>11</sup> Aboriginality is self reported at reception into custody

<sup>12</sup> In addition, in every year since 1994, the proportion of Aboriginal women in custody has been significantly greater than for that of Aboriginal men

<sup>13</sup> For details, please refer to appendix 1

<sup>14</sup> Women in Prison - The Criminal Court Perspective by Jacqueline Fitzgerald - Crime and Justice Statistics: Bureau Brief Issue Paper no. 4 (December 1999). For full Issue Paper see appendix 4.

<sup>15</sup> The corresponding national ratio for male inmates was 255.4

# 4 THROUGH CARE

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## Objectives

- C Women under the Department's supervision are managed in accordance with the Department's Case Management Policy from the time of their first contact with the Department, until their release from custody or the end of their community supervision.
- C Women in full-time custody are classified and placed to ensure that public safety and the principles of sentencing are upheld.

The Department is committed to a throughcare model in the management of all people who have been ordered by a court to spend time under supervision, either in a custodial or non-custodial setting. In the Women's Program, this throughcare model ensures that all sections of the Department co-operate effectively so that women can develop attitudes and skills which they need to successfully take up their post release responsibilities. All professional disciplines contribute to the co-ordinated case management of all women at all stages of their sentence and supervision.

The Probation and Parole Service of the Department is a major player in the implementation of throughcare for women. The Probation and Parole Service is often called upon by Courts to provide pre-sentence assessments about the underlying causal factors of offending and alternative community-based sentencing options. For women in custody after sentencing, effective co-operation of all sections of the Department will ensure that the ongoing intervention requirements based on a woman's particular needs are established prior to her release from custody. The Probation and Parole Service ensures that links are established and maintained between the women given alternative sentences (home detention, probation periods, community service orders) and appropriate community agencies.

## **4.1 Case Management**

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Case Management is a participatory, co-operative process in which the interests of the community at large, of the Department and of the offender are recognised. For the period of custodial supervision and in preparation for release from custody, realistic and achievable goals are set to suit the individual needs of inmates to enable them to avoid re-offending.

To achieve the most effective and efficient outcomes as far as risk management, classification and placement, program and pre-release planning, culturally specific projects and access to medical and health services are concerned, the co-operation of all centres accommodating women is vital.

Preparation for release from full-time custody irrespective of whether a woman falls under the jurisdiction of the Parole Board will be enhanced by the involvement the centre-based Probation and Parole Officers because of their knowledge of a woman's possible prior difficulties with reintegration after having served a custodial sentence.

The Probation and Parole Officer provides information on discharge when a woman is released to community supervision, outlining her program participation and progress report. The officer also makes recommendations for continued interventions based on the identified risks and needs. This must be seen as a crucial part of the release arrangements.

### **Female Specific Classification**

There are significant differences between the profile of men and women under the supervision of the Department. Women are generally less violent and dangerous than their male counterparts. This is reflected in the fact that the male imprisonment rate is about 20 times higher than the female rate. In addition female inmates who are mothers are likely to be the primary carers of their children. The classification system affects much of the operation and management of all offenders and does not operate in isolation.

In essence, the Female Specific Classification System incorporates the following steps:

- C The classification and placement of women is determined as part of a comprehensive and detailed case plan designed to address their individual and identified needs.
- C The classification and placement of women aims to give priority to the interests of the children of mothers who are serving a full-time custodial sentence.
- C All correctional centres for women were redefined as variable security facilities, as all provide the appropriate security and community protection.
- C Women will not normally be regarded as needing to be confined by a physical barrier at all times, but requiring some level of supervision by an officer or designated employee at their initial classification, unless identified and well documented factors require this to be overridden.
- C Access to pre-release leave for women is to be determined predominantly on the basis of a comprehensive sentence plan.
- C Protocols and criteria of the escape management policy and the pre-release leave policy are not usually applied to female inmates due to their shorter mean sentences and the importance of strategies to maintain family contact.
- C The Case Management Committee provides advice to the Serious Offenders Review Council (SORC) to assist its assessment of a woman's case management plan.

# **S**TRATEGIES - CASE MANAGEMENT

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- C The Women's Services Unit (WSU) in co-operation with the Inmate Classification and Programs Branch will conduct an evaluation of the Female Specific Classification Policy and Procedures in the context of the Department's case management and throughcare policies.
- C As part of this evaluation the WSU will carry out a review of staff needs and a staff skills analysis in the context of the Department's equity training framework. The WSU in liaison with the Academy will design a modular, interdisciplinary staff training package to further develop the training initiatives of the existing Women in Prison training course.
- C The WSU in co-operation with the Policy, Programs and Training Unit of Probation and Parole will review the processes for information exchange regarding the throughcare of women.
- C Probation and Parole will revise its staffing profile in correctional centres for women with the view to increase participation of Probation and Parole Officers in case management and throughcare.
- C Probation and Parole will review the assessment and participation of women on community service orders, periodic detention, home detention and probation in line with the throughcare model. This will help to identify issues which might prohibit successful participation of women in these programs.
- C The WSU with the management of centres accommodating women will ensure the close co-operation of the centres as far as programs and services are concerned to enhance placement options, case management and throughcare.
- C The WSU will liaise with the Periodic Detention Review Committee to ensure that issues concerning the successful participation of women on periodic detention are considered.

## 4.2 Effective Program Design

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### Objectives

- C Ensure that programs and services for women are
  - 0.1 provided in an integrated manner across all sections of the Department
  - S designed to meet their psychological, social, educational and vocational needs
  - S reviewed in regard to their efficiency and effectiveness.
- C All correctional centres for women define their role in the case management process within the Women's Program to ensure the provision of programs and services in an integrated manner.
- C Ensure that programs and services support women in
  - S addressing the issues related to their criminal offences
  - S maintaining their family and community relationships
  - S preparing for life without criminal offending.
- C Ensure, as part of the Department's overall Equity Program that women under the Department's supervision have equity of access to programs and services.

Any program development for women, in the context of improving their chances of avoiding re-offending, must be based on conceptual models which take their social and economic realities and their life circumstances into account.<sup>16</sup> Particular emphasis must be placed on the cultural and language needs of women from non-English speaking backgrounds.

Research into "the criteria or elements that make for effective programs (for women) and promote successful client outcomes"<sup>17</sup> is limited but there is some evidence regarding the elements which make programming for female offenders effective. They include:

*...staff characteristics such as a caring attitude...; female staff; specific training relevant to women's family responsibilities and / or work; non-traditional job skills training; treatment to overcome co-dependent relationships; a safe and comfortable environment; and peer interactions. Feedback also suggested that successful programs appear to employ a comprehensive and holistic strategy*

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<sup>16</sup> See appendix 6 - Offender Programming Wheel and Offence Focused Multi-systemic Model of Inmate Services and Programs

<sup>17</sup> Barbara Bloom and Stephanie Covington, Paper, American Society of Criminology, November 1998, Washington DC

*aimed at addressing women's multiple needs in a continuum of care.*<sup>18</sup>

In the case of the Transitional Centre Program, for example, the “principles of effective intervention”,<sup>19</sup> are used in emphasising empowerment and participatory management, responsibility and accountability, rights and obligations.

### **Addressing Criminogenic Needs**

It is accepted that programs are most effective in reducing re-offending if they target so called “dynamic risk factors” which are amenable to change as well as directly related to the offending itself including alcohol and other drug addiction. These factors are defined as criminogenic needs. Effective programs and services are based on the notion that criminal activity can be predicted by identifying these risk factors. Contemporary research suggests that programs addressing criminogenic needs work best when targeted to higher-risk offenders.<sup>20</sup>

Women have different criminogenic needs to men which stems from their specific life experiences and their sense of self within the social and economic context of race and gender.

While the body of research concerning effective intervention in relation to criminogenic needs of male offenders is significant, the same cannot be ascertained as far as research into the criminogenic needs of women is concerned.

The Department has based much of the Women's Program on its own needs analyses, statistics and reviews, albeit in the context of national and international developments and policy initiatives. This included the Women in Custody Survey and the Women's Program Review.<sup>21</sup> The following policy directions were proposed in these studies:

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<sup>18</sup> Kathleen Kendall, Evaluation of Programs for Female Offenders in: Female Offenders, Critical Perspectives and Effective Interventions, An Aspen Publication, 1998.

<sup>19</sup> As devised by Kay McLaren in Reducing Reoffending: What Works Now, Penal Division, Department of Justice, Wellington, NZ, 1992, p78.

<sup>20</sup> See: McGuire, J. 1998, Alternatives to custodial sentences: effectiveness and potential for development, Memorandum of Evidence to the Home Affairs Committee, House of Commons, UK  
James McGuire, 1995, What Works. Reducing Reoffending: Guidelines from Research and Practice, John Wiley and Sons, Chichester  
Bonta, J. 1997, Offender Rehabilitation; From Research to Practice, Report No. 1997 -01, Solicitor General, Ottawa, Canada  
Gendreau, P. 1996 et al, Predicting Adult Offender Recidivism: What Works, University of New Brunswick

<sup>21</sup> These two linked studies were conducted by the Women's Services Unit in 1998 and were unpublished at the time of writing this Action Plan.

- C to increase the number of program options that have been designed specifically for women inmates;
- C to strengthen the links between the different Inmate Development Services (IDS) disciplines between and within all correctional centres accommodating women so that case management can be enhanced;
- C to place greater emphasis on developing links between correctional centre programs and other Government and non-Government agencies; this includes greater use of outside agencies for program provision within the women's centres;
- C to increase co-operation between the custodial arm of Corrective Services and Probation and Parole in relation to women's services;
- C to pay particular attention to program design, development and implementation with regard to women and include specific objectives against which programs can be evaluated as an essential component.

The Department recognises the need to pursue its own research agenda so that effective programs and services for women can be developed. To this end, the WSU, in co-operation with the Research and Statistics Unit, will develop a research strategy which can inform effective program intervention for women.

### **Inmate Services and Program Plans**

To ensure a co-ordinated approach in delivering inmate services and programs, correctional centres are required to develop an Inmate Services and Program Plan on an annual basis. Within the Women's Program this process will assist in the implementation of services and programs which meet the specific needs of women. It will also enhance greater co-operation between all centres accommodating women so that programs can complement and build on each other and provide the inmates with opportunities to progress and achieve the goals stipulated in their case plans.

Emphasis is placed on the importance of work and the development of vocational competencies and living skills (eg, cognitive skills, anger management, parenting, literacy and continuous learning). Women inmates will be able to explore constructive ways of spending free time, and healthy ways of managing personal stress.

The increased emphasis on the collaboration between Parole Officers and IDS teams in correctional facilities for women, and between Parole Officers at the centres and community-based Probation and Parole Officers will ensure that women after release can draw on support in consolidating their program activities undertaken during the term of their imprisonment.

The involvement of Probation and Parole Officers in institutional case management meetings and their assistance in preparing women for release will enhance the preparation of realistic and effective post release plans for women. In liaison with the WSU, the Probation and Parole Service will review and complete the existing program initiatives such as the Probation and Parole Service Shelf Program for Women.

To address issues surrounding women who return to custody after breaching a Parole Order, the effective co-operation between Probation and Parole and IDS staff is important in identifying immediate intervention needs. In addition, the Probation and Parole Service can have input into the design of programs which meet the particular circumstances of these women so that they can prepare for their release.

# **S** TRATEGIES - EFFECTIVE PROGRAM DESIGN

- C The Women's Services Unit (WSU) in liaison with the Corporate Planning and Development Unit will facilitate a process which ensures that the Inmate Services and Program Plans in the correctional centres accommodating women are developed, implemented and reviewed in the context of case management and throughcare policies.
- C The WSU will participate with other Head Office Program Units under the leadership of the Director Inmate Services and Programs to provide an integrated planning and strategic approach to delivery of services and programs to women inmates.
- C The Director Strategy and Policy (Office of ACIM) will ensure that the Inmate Services and Program Plans in the Women's Program demonstrate a co-ordinated approach between the individual centres accommodating women.
- C The Director Inmates Services and Programs (Office of ACIM) will ensure that any alterations to programming or the introduction of new programming components be reviewed by the clearing house committee specifically established to enhance the Department's inmate services and program planning process.
- C The WSU will liaise with Corrective Services Industries (CSI) to ensure an expansion of the employment and vocational training program within the Women's Program.
- C In co-operation with CSI, the WSU will investigate the possibility of introducing an employment for women quota system to ensure equitable access to work for women in those regional facilities which are administratively attached to bigger correctional centres for men.
- C To facilitate throughcare, the WSU and Probation and Parole will co-operate to enhance the implementation of effective intervention strategies for women under the Department's supervision. This will ensure that the needs of women are identified prior to their release from custody and taken into account in post-release supervision.
- C Probation and Parole will review and complete the existing program initiatives for women under supervision.
- C The Probation and Parole Service in co-operation with the WSU will review the existing diversionary programs with the view to improve equity of access for women and particularly Aboriginal women.
- C Programs and services for women will be developed in the context of the Department's new inmate services and programs planning procedures based on established inmate needs. Inmate services and programs plans will state clear aims and measurable objectives.

### **4.3 Advocating for Women**

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Objective

- C Ensure that equity issues affecting women are represented at senior levels inside and outside of the Department.

In recognition of the minority status of women in custody and under community supervision, the 1994 Women's Action Plan articulated the need for advocates for this group. The establishment of the WSU and the Women's Advisory Network (WAN) were steps towards ensuring that the needs of women are represented at senior levels both inside and outside the Department. Part of the role of the WSU has been to advocate on behalf of women to Government and non-Government agencies which have an interest in the well-being of women in the criminal justice system, as demonstrated by networks with the Department for Women, NSW Health and the Department of Housing.

#### **Women's Services Unit**

The WSU has provided effective advocacy for women since 1995. The role of the WSU continues in representing the issues and needs of women at the senior management level particularly in the development of policy, program and service strategies. Since its inception, the WSU has formed an integral component of the Department's general approach to equity issues.

The WSU will continue to be instrumental in all evaluations of the Women's Program, in policy design with regard to the management of women and in the planning of new facilities for women. The WSU will continue to play a significant liaison role between the Department and those Government and non-Government agencies with an interest in the well-being of women in the care of the Department.

#### **Women's Advisory Network**

The Women's Advisory Network (WAN) had its inaugural meeting in March 1996. The members of the original WAN had their last formal meeting in June 1998 when existing terms expired and a review was requested, however, they continued as individuals to provide valuable input into the planning and development of services for women during 1998/1999. This included attendance at the Women's Action Plan Forum held in August 1998 which reviewed the achievements of the 1994 Women's Action Plan and initiated a consultation process for the development of the new Action Plan.

The WSU has in consultation with the previous WAN members revised the terms of

reference and Code of Conduct for the WAN.<sup>22</sup> The recommendations of the WAN were approved by Dr Leo Keliher, Commissioner of Corrective Services in early 2000. The newly constituted WAN is now fully functional.

### **Equity Within Inmate Services and Programs**

Along with the Women's Services Unit there are other policy units addressing broad equity issues. These areas are grouped within Inmate Services and Programs and report directly to the Director Inmate Services and Programs and also provide advice to the Assistant Commissioner Inmate Management and the Commissioner on issues of major concern regarding the management of people in the care of the Department.

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<sup>22</sup> See appendix 5.

## **S** TRATEGIES - ADVOCATING FOR WOMEN

- C Re-establish the Women's Advisory Network as recommended by the WSU in its submission to the Board of Management.
- C The WSU provides leadership and expert advice on issues pertaining to the management, facility design and program/services delivery for women.
- C The Inmate Services and Program Plans are used as a mechanism to advocate for the implementation of effective evidence-based programs and services for women.
- C The WSU continues it's liaison with other Government and non-Government agencies which have an interest in the well-being of women in the criminal justice system.

## 4.4 Mothers and Children

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### Objective

- C Ensure a safe and supportive environment in which selected mothers can care for their children, and in which the principles and objectives of the Mothers and Children's Program policy are upheld.

### The Mothers and Children's Program

As recommended in the first Women's Action Plan, a Mothers and Children's Program (MCP) was introduced in December 1996. The MCP is based on the premise that children of mothers who have to serve a custodial sentence must not be punished for the crime their mothers have committed. The multifaceted MCP includes:

- C Full-Time Residence:** Pre-school age children can live with their mother at the *Jacaranda Cottages* of the *Emu Plains Correctional Centre*, or at the *Parramatta Transitional Centre*.
- C Occasional Residence:** Pre-school age and school-age children can stay with their mother on a part-time basis at the *Jacaranda Cottages* or the *Transitional Centre*.
- C All Day Visits:** From early morning to late afternoon children can spend time with their mother at a correctional centre. Depending on the needs of a particular child, all day visits can occur daily for a set period of time, for example, for as long as the baby is being breastfed.
- C Section 26(2)(l) of the NSW Crimes (Administration of Sentences) Act:** The mother of a young child or children can serve her sentence under strict supervision conditions by permit of the Commissioner away from a correctional centre in her own home or any other place deemed appropriate where she can care for her dependent child or children.<sup>23</sup>

A Mothers and Children's Program Committee comprising representatives from the Department of Corrective Services, the Department of Community Services and including an independent children's advocate was established to facilitate all aspects of the MCP. This Committee not only deals with all applications by female inmates to any part of the Program but also ensures that all children living with their mothers in custody do so in the most appropriate circumstances.

The position of Mothers and Children's Program Co-ordinator was created. This

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<sup>23</sup> An application under Section 26(2)(l) is always considered as the first option.

Departmental officer works closely with the MCP Committee to ensure that applications to the MCP are dealt with equitably and that the recommendations of the Committee are processed appropriately.

### **Statistics**

Between July 1998 and October 1999, eleven female inmates were able to care for their children at home under the provision of Section 26 (2)(l) of the NSW Crimes (Administration of Sentences) Act. Twenty children benefited from this arrangement.

During the same time, 17 small children were placed with their mothers at the *Jacaranda Cottages* or the *Parramatta Transitional Centre*.

Between July 1998 and October 1999, the Occasional Care Program ensured that 40 children could stay sometimes with their mother during the school holidays. This part of the MCP is especially important for older children to maintain a close relationship with their mother, and it also helps to alleviate the strain placed on family relationships once a mother is released from full-time custody.

### **Future Directions**

A preliminary review of the MCP has shown that it has been successful. The physical design of new facilities for women must take the needs of children into consideration both as visitors and as occasional or full-time residents with their mothers. An expansion of the MCP to include mothers on remand is under consideration.

### ***Children's Program Support Worker***

Considering the scope of the Mothers and Children's Program, the need for a children support worker at *Emu Plains Correctional Centre* has become evident. To consolidate the objectives of the MCP, it is necessary to focus resources on:

- c parenting programs
- c one-to-one consultations/counselling with the mothers who live with their children in the *Jacaranda Cottages*
- c arrangements for staff of community agencies to attend the *Jacaranda Cottages* to forge links for mothers with services and resources outside the correctional system in particular in relation to alcohol and other drug services.

It is envisaged that the children support worker will process the initial applications for Section 26(2)(l) and the full time residency program, and will also liaise with community health providers to ensure the continued access of children to appropriate health care, including immunisation.

### ***Mothers on Work Release***

It is becoming increasingly apparent that the situation of women who live with children at the *Jacaranda Cottages* or the *Transitional Centre* and who are on the Work Release Program poses additional challenges for the MCP. For example, women on the work release program should be able to access day care for their children while they are at work exactly as they would if they were not in a correctional centre, including paying for the children's day care service.

### ***Lost Custody of Children***

As part of a holistic Mothers and Children's Program, women who have lost custody of their children merely as a result of their incarceration will require assistance. Specific programs should be designed for them to assist in maintaining a meaningful relationship with their children. To this end, interdepartmental co-operation will be required.

## **S**TRATEGIES - MOTHERS AND CHILDREN

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- C Create a position of Children's Program Support Worker to be based at the *Jacaranda Cottages* of the *Emu Plains Correctional Centre* to
  - S receive applications for Section 26(2)(l) conditional absence and the full-time residency program
  - S liaise with Probation and Parole with regard to the assessment for, and supervision of, Section 26(2)(l) absences
  - S design and implement parenting programs for mothers on the full-time residency program
  - S liaise with community agencies to ensure continuity in access to services for mothers
  - S liaise with community based child care organisations to ensure access of children to these services so that they are able to socialise with other children of similar ages
  - S liaise with community health providers to ensure the continued access of children to appropriate health care, including immunisation.
  
- C The Mothers and Children's Program Co-ordinator is to fulfil an advocacy role at Departmental and interdepartmental levels with regard to increased residential options for female inmates who are eligible for Section 26 (2)(l) conditional absence but are homeless.
  
- C The WSU reviews the need for an expansion of the MCP for women on remand and for women with AOD and/or mental health issues and provides a strategy concerning the implementation of the results of this review.

## **4.5 Aboriginal and Torres Strait Islander Women**

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### Objectives

- C Ensure that the needs of Aboriginal and Torres Strait Islander women under the Department's supervision are met through the provision of culturally appropriate and gender-specific services and programs.
- C Ensure that representatives of Aboriginal and Torres Strait Islander communities and organisations are involved in partnership with the Department in the development and delivery of programs and services to Indigenous women.

The Royal Commission into Aboriginal Deaths in Custody in 1991 investigated the deaths of eleven women. Its report described the considerable disadvantage Aboriginal women face within the criminal justice system as well as in the wider community.<sup>24</sup>

The strategies in this Women's Action Plan complement the policy and program directions which are stipulated in the Indigenous Action Plan administered by the Department's Indigenous Services Unit.

Programs must not only address issues of Aboriginal cultural identity, education, employment, alcohol use and self-esteem but must also recognise the cultural diversity among Aboriginal women. All programs need to be sufficiently flexible to allow for regional differences amongst Aboriginal women as well.

### **Provision of Appropriate Programs and Services**

In the Indigenous Action Plan the future directions for Aboriginal women are summarised as follows:

- C The Department will actively seek partnership with Aboriginal and Torres Strait Islander communities and organisations in the development and delivery of programs and services for women.
- C The Department is committed to meeting the needs of Aboriginal and Torres Strait Islander women through the provision of culturally appropriate and gender specific services and programs.<sup>25</sup>

### ***The Mobile Camp Program***

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<sup>24</sup> Payne, S. "Aboriginal Women and the Law", Aboriginal Perspectives on Criminal Justice, The Institute of Criminology, Monograph Series, No.1, Sydney, 1992

<sup>25</sup> Action Plan for the Management of Indigenous Offenders, NSW Department of Corrective Services, 1996 - 1998

The Department is extending its Mobile Camp Program to include a camp for Aboriginal women based at the *Emu Plains Correctional Centre*. Cultural awareness and identity are an integral part of the Mobile Camp Program. All components of the program must be appropriate in terms of the participant's female and Aboriginal status. Opportunities to participate in community projects involving restoration will be emphasised. The WSU will work in partnership with the Indigenous Services Unit to develop and oversight the program for the mobile camp.

### ***The MERCY Camp Program***

The MERCY camp is situated on a working sheep station close to Goodooga in the northern part of the State. It was established as a joint venture between the Department and Goodooga Aboriginal Elders. At its core is a cross-cultural awareness program. This program is of benefit not only to the participating Aboriginal and non-Aboriginal women but also to Departmental staff who want to increase their knowledge and understanding of Aboriginal experiences in the context of family and kinship relationships, relationship to land and country and the significance of cultural responsibilities and respect. There is also a specific focus on Alcohol and Other Drugs issues.

For Aboriginal women, the camps are to be a step towards increasing their learning about identity and belonging. By involving recognised Elders in the program, the participating women can develop and strengthen their relationship with those communities in which they will live after being released from custody. This will assist their resolve to carry out their post-release responsibilities without re-offending.

### ***Community Support Programs***

Under its Community Grants Program, the Department funds the Yulawirri Nurai Aboriginal Corporation on the Central Coast to provide post-release support services for Aboriginal women. This project is designed to assist Aboriginal women to establish and re-establish their bonds with their particular communities. A project officer has been appointed to liaise between women at Mulawa and Emu Plains and the community to establish housing and employment opportunities.

### ***Emphasis on Breaking the Cycle of Crime***

In the expansion of the Transitional Centre Program, the participation of Aboriginal women has been identified as being particularly desirable.<sup>26</sup>

It is of concern that, considering the overall disproportionate number of Aboriginal women in custody, they are under-represented in *Jacaranda Cottages* and the

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<sup>26</sup> See page 12 of this document

*Parramatta Transitional Centre*<sup>27</sup> - both facilities which are geared towards intensive preparation for release in a relatively open correctional centre environment. In expanding the Transitional Centre Program, the needs of Aboriginal and Torres Strait Islander women will be considered. It will focus on the cultural needs of this group of women with the aim of better facilitating their participation in specific release preparation and in addressing alcohol and other drug issues.

The Department will aim to improve participation rates by Aboriginal women in the pre-release programs.

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<sup>27</sup> As a snapshot: in October 1999, there were four (4) Aboriginal women at the *Jacaranda Cottages* and one (1) at the *Parramatta Transitional Centre*

## **S** TRATEGIES - ABORIGINAL AND TORRES STRAIT ISLANDER WOMEN

- C Proceed with the establishment, program development and expansion of the women's Mobile Camp Program.
- C Investigate the feasibility of establishing a small community-based centre to cater to the needs of Aboriginal women serving a relatively short sentence and who have a history of recidivism.
- C Submissions to the Community Grants Program (CGP) must address equity issues with regard to access for Aboriginal women offenders.

## 4.6 Medical and Health Services

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### Objective

- C Ensure that the delivery of client based programs and services reflect an holistic approach to women's health and well-being.

The Department operates within the NSW Government framework of a holistic approach to women's health which

*“... recognises the links between women's social experiences and position within society and their health status<sup>28</sup>*

The health of women in custody is often affected by significant alcohol and other drug use and a lack of awareness of and/or access to health services. Women in custody experience significant mental health problems.

Mental health issues are of significance for service providers in women's correctional centres. The 1997 Inmate Health Survey<sup>29</sup> found women in custody twice as likely as male inmates to have been diagnosed with psychiatric problems and nearly three times as likely to be on psychiatric medication at the time of their reception into custody.

Whilst in custody, women exhibit greater rates of chronic self-harm and other self destructive behaviours placing them at risk of suicide. Since 1997, women exhibiting chronic self harming behaviours have been placed in Mulawa's Mum Shirl Unit. Also placed here are women who are either actively psychotic or are experiencing acute depression. Many women in the Mum Shirl Unit have been diagnosed with severe personality disorders.

The WSU continues to support the Disability Support Services Unit in its efforts to implement the Disability Action Plan, specifically with regard to the identification of women with intellectual disabilities, often complicated by a dual diagnosis and the provision of appropriate programs and services.

The Women's Program is guided by the relevant CHS policies in regard to the provision of health and medical services to female inmates. The WSU continues its liaison with the Director of Women's Health Services (DWHS) of the Corrections Health Service (CHS). As part of the consultation process in planning new facilities and in maintaining

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<sup>28</sup> Strategic Framework to Advance the Health of Women, NSW Health 2000.

<sup>29</sup> Butler, T., *Preliminary Findings from the Inmate Health Survey (i.e. Physical and Mental Health Status) of the Inmate Population in the New South Wales Correctional System*, Corrections Health Services, November 1997.

existing services, the DWHS has been involved in the Women's Action Plan Workshop and provided proposals for the medical services infrastructure of the new women's correctional centre at South Windsor.

Together with the WSU, CHS co-operated in a project dealing with Better Access to Health Services for Aboriginal Women in Custody. The Women's Health Consultative Committee comprising members from the Department, CHS and Area Health Services will continue to play an important role in monitoring the provision of health and medical services to women and in providing advice to the CHS Board.

## **S**TRATEGIES - MEDICAL AND HEALTH SERVICES

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- C Develop appropriate health and medical services at the planned new facilities at South Windsor and at the mid north coast by ensuring that close co-operation between Inmate Management, Capital Works, the WSU and CHS (Director of Women's Health) is maintained.
- C Advocate for a holistic approach to the health care for women by facilitating integrated health planning and regular team meetings across services at major facilities for women (Mulawa and Emu Plains).
- C Facilitate the development and maintenance of partnership between DCS (WSU), CHS and community based health services.
- C Advocate for the implementation of major State initiatives such as the Drug Summit regarding the provision of services for women.
- C Assist the Disability Services Unit in implementing strategies to identify women with intellectual disabilities and in developing and providing appropriate services and programs for them.

# 5 STAFFING PROFILE - WOMEN'S PROGRAM

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## Objectives

- C Ensure that an adequate number of female custodial officers are employed to work with women to ensure the effective and efficient operation of the Women's Program.
- C Ensure that all Departmental staff involved in the management of women are trained to be able to address the particular needs of women.
- C Ensure that all female staff working in women-specific areas are not disadvantaged in their career opportunities.

The modern management of women as stipulated in the Women's Program requires the significant involvement of female custodial staff. Currently, only about 16 percent of custodial officers in NSW correctional centres are women.<sup>30</sup> As men constitute about 93 percent of inmates, male custodial officers in men's correctional centres have greater career opportunities than their female colleagues.

For female custodial officers to have the same career opportunities as their male counterparts, their employment cannot be restricted to only those correctional facilities accommodating women. Consequently, the rostering of sufficient numbers of female officers on each shift to meet procedural protocols creates difficulties for *Mulawa* and *Emu Plains* as well as for the small women's units attached to correctional centres for men.

The Department has introduced a series of initiatives designed to address the gender imbalance in its custodial work force. For example, the EEO Management Plan 2000 - 2003<sup>31</sup> includes policies and procedures regarding recruitment, gender-specific staff training programs and improved competitiveness for promotion. The strategies in this Women's Action Plan further support these efforts to increase the number of female custodial officers and to enhance their career opportunities.

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<sup>30</sup> Statistics at June 1999, EEO Management Plan 2000 -2003

<sup>31</sup> The EEO Management Plan is expected to be finalised by May 2000

## **S**TRATEGIES - STAFFING PROFILE

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- C The Women's Services Unit will quantify the number women custodial officers required to ensure effective and efficient operations of the Women's Program.
- C In liaison with the Corrective Services Academy and the Department's Recruitment Unit, the WSU will identify the particular training needs of female officers and develop a gender-specific training package.
- C In liaison with the Corrective Services Academy, the WSU will review the training needs of non-custodial staff employed in the Women's Program.
- C The WSU in partnership with CHS will review the training needs of medical staff working with women.
- C The WSU will participate in the Female Recruitment and Career Enhancement Co-ordination Committee established to improve recruitment, training, placement, development and retention of female staff.

# 6 PLACEMENT OPTIONS

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## Objective

- C Ensure a diversity of placement options which is appropriate to the sentence plan and cultural needs of women in custody and which supports the maintenance of family and community relationships.

The majority of women serving custodial sentences reside in the Sydney metropolitan area. For those who come from the rural and remote areas of New South Wales, equitable access to programs and services as far as maintaining their relationship with family, children and community is concerned remains a major challenge for the Women's Program. This was identified as a development issue in the first Women's Action Plan.

Due to the increasing number of women sentenced to full-time custody, the need has arisen to build a new centre in the Sydney area to replace the antiquated facilities at the *Mulawa Correctional Centre* which are no longer conducive to contemporary correctional rehabilitative models.

There are significant developments in the planning of facilities for women in NSW. Under current consideration or in planning are:

- C a purpose-built correctional centre for women at South Windsor;
- C a review of role of the *June Baker Unit* at Grafton in relation to the development of a facility on the mid-north coast;
- C a separate regional unit on the mid north coast as part of a multi-purpose correctional complex;
- C an expansion of the Transitional Centre Program;
- C an expansion of the cottage units at the *Emu Plains Correctional Centre*.

In the planning of new facilities for women and in reviewing the role of existing correctional centres for women, the needs of children as residents and/or visitors are incorporated.

## **6.1 South Windsor Correctional Centre for Women**

The significant rise in the female inmate population has placed extra demands on the *Mulawa* and *Emu Plains Correctional Centres*. Neither of these centres have the necessary infrastructure to meet these demands.

A Capital Works Program Value Management Study in February 1999 recommended that a new women's facility be built in the Sydney metropolitan area and sections of the *Mulawa Correctional Centre* be refurbished and unsuitable areas demolished to ensure an effective implementation of the Women's Program.

As a result, the Government approved the establishment of a purpose-built women's facility at South Windsor and an addition of living units at *Emu Plains Correctional Centre*.

The new *South Windsor Women's Correctional Centre* will cater specifically to the needs of sentenced women. Those women who cannot progress to other placement options will be able to stay at South Windsor, engage in pre-release programs within an internal pathway and be released from this centre. The management plan for the centre will reflect the Department's throughcare model integrated with a multi-systemic programs and services model and covered by a conceptual framework for evidence based programs which focus on behaviour.

The establishment of a new facility for women at South Windsor provides an opportunity to design and build a multi-functional facility catering appropriately to the needs of female inmates.

## **6.2 Mulawa Correctional Centre**

Until now, the *Mulawa Correctional Centre* has had to cater for inmates at all stages of their custodial sentence. As the main reception centre for women, *Mulawa* has to provide services for women in crisis due to severe drug and alcohol dependencies; a history of unmet needs in terms of experience of abuse and violence; concerns regarding children, housing, and traumas associated with the crime committed, consequent arrest and reception into custody. In addition, *Mulawa* accommodates women who have been sentenced and who need to engage in programs preparing them for placement in a more open correctional centre environment and women at the pre-release stage. With the establishment of the *South Windsor Women's Correctional Centre*, *Mulawa* will be able to focus on catering for the high need group of women who are newly in gaol and those on remand.

The Mum Shirl Unit at *Mulawa* commenced its operations in September 1997 and was established to provide programs for women inmates who exhibit chronic self harm and self-destructive behaviours placing them at high risk of suicide. Many women placed at the Unit have also been diagnosed with a psychiatric illness. Generally speaking, the residents at the Mum Shirl Unit are either actively psychotic

or have an acute depression and/or are at risk of self-harm. Many are also diagnosed with severe personality disorders. The Mum Shirl Unit will remain at the *Mulawa Correctional Centre* and women placed there may either have been sentenced or are on remand.

### **6.3 Regional Facilities for Women**

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Until 1996, all correctional centres for women in NSW were located in, and on the outskirts of, the Sydney metropolitan area. For women who come from NSW country and rural areas and are serving a full-time custodial sentence, maintaining ties with family and friends is a major issue which adds to the pressures of life in gaol and increases the difficulties of the transition to release.

The first Women's Action Plan touched briefly on issues relating to housing men and women, though completely separated, in the same correctional centre. It referred to literature and anecdotal evidence which suggests:

*that where women inmates are located as an adjunct to an institution managed for males, they are frequently denied equal access to services and programs.*<sup>32</sup>

Therefore, where women are accommodated in a facility attached to a correctional centre for men, the Department will take the following issues into consideration:

- C The operation and program and service provision for the women's section at a larger correctional centre for men must be developed with clearly stated discrete objectives.
- C The needs of women must not be overshadowed by the needs of the larger male inmate population.
- C Any regional facility must be able to cater to the needs of women at all stages of their sentence including remand.
- C Staff employed to work in the women's section must have attended training with regard to the specific needs of female inmates.
- C The Inmate Development Services (IDS) and custodial staffing ratios must take the differing needs of female inmates into account.
- C Separate management, programming and roster arrangements should be implemented for the women's sections attached to larger correctional facilities for men.

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<sup>32</sup> Women's Action Plan p 46

### ***Grafton Correctional Centre - June Baker Unit***

In 1996, the periodic detention centre attached to the *Grafton Correctional Centre* was refurbished to accommodate 19 women and is now known as the *June Baker Unit*. Experience shows that it is difficult for such a small unit to cater to the diversity of needs of women who may be on remand, serving full-time sentences or awaiting court appearances.

The fact that the *June Baker Unit* is attached administratively and in the provision of services to the large *Grafton Correctional Centre* poses particular challenges as far as staffing and program and services provision are concerned. Therefore, the *June Baker Unit* is included in the general value management study of the *Grafton Correctional Centre*. In close consultation with Regional Management, the WSU will undertake a review of the women's program at Grafton.

### ***Mid North Coast Facility***

As part of the capital works program endorsed by the Government, an additional regional facility for men and women will be constructed at Kempsey on the mid north coast. A separate women's section will accommodate women of varying classifications and sentence status. The management of this centre will place a major emphasis on establishing and maintaining links with local Government and non-Government agencies and in particular with local Aboriginal communities. These community links will contribute to a supportive environment for women to remain involved in their family affairs during their time in custody, and will assist women to return to their roles and responsibilities upon release.

## **6.4 Transitional Centre Program**

As recommended in the first Women's Action Plan, the *Parramatta Transitional Centre* (TC) was established in 1996. An initial review of the Department's Transitional Centre Program in 1999 indicated that the program is successful and cost-effective. An expansion of the Transitional Centre Program is under consideration.

### ***Second Transitional Centre***

There is a significant number of women who experience frequent short episodes in custody. Within this group of short term recidivists with significant alcohol and other drug issues there is a significant number of Indigenous women. These women often have chaotic lifestyles which, along with the frequent episodes in custody, can involve significant levels of physical, sexual and emotional violence, and sex work.

A proposal for a transitional centre program designed for women with problematic patterns of alcohol and other drug use linked to their offending behaviour gained support at the NSW Drug Summit in May 1999. Funding for a second transitional centre has been allocated as part of an Integrated Throughcare Trial.

While the Parramatta TC was established to cater to the needs of women at the end of a relatively long custodial sentence, a small centre for women with alcohol and other drug dependencies will have a focus on breaking the crime cycle. It will provide an intensive community-based program delivered by staff trained to deal with the particular needs of this group.

By December 2000, a management plan for this new transitional centre will be completed. This plan will include the selection criteria for program participation and detail the operational procedures at this new facility. A development application for this transitional centre will be submitted to the relevant local Council within the same time frame.

## **S**TRATEGIES - PLACEMENT OPTIONS

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- C Establish a purpose built correctional centre for sentenced women at South Windsor and designate the *Mulawa Correctional Centre* as the main reception and remand centre for women.
  - C Improve access to regional facilities for women to ensure their continued relationship with family, children and friends.
  - C In the planning, design and review of correctional facilities for women which are attached administratively to larger correctional centres for men, ensure that women have equity of access to
    - 1.12 medical and health services
    - 13.adequate range of inmate services and programs
    - S employment and vocational training
    - S probation and parole services.
- Ensure that these provisions are specified in the relevant operational agreements, management, operational, inmate services and business plans.
- C Expand the Transitional Centre Program with a specific focus on the needs of women who are serving a relatively short custodial sentence and who have a history of recidivism.
  - C Expand the Transitional Centre Program to include a facility for women who need to deal with AOD issues.
  - C In co-operation between the WSU, the AOD/HHPU and the ISU, the the following actions will be taken by December 2000:
    - S development of a management plan
    - S identification of a suitable site
    - S submission of development application.

# 7 EVALUATION

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## Objective

- C Ensure that all policy and program initiatives in the Women's Program are reviewed on a regular basis.

As part of maintaining organisational performance, the Department is systematically evaluating all its programs and services. In implementing the strategies devised in the first Women's Action Plan, the Department has embarked on innovative policy and practices which are at the forefront of corrective service strategies designed to specifically meet the needs of female inmates. The Department is committed to ongoing evaluation of the Women's Program.

The Mothers and Children's Program, the Transitional Centre Program, a Female Specific Classification, the *Jacaranda Cottages* at the *Emu Plains Correctional Centre* and the *June Baker Unit* of *Grafton Correctional Centre* were initiated by the first Women's Action Plan. These are major initiatives in the management of female inmates and a critical assessment of the impact and effectiveness of these programs is the logical step to ensure the consolidation of those strategies recommended in the first Women's Action Plan.

In evaluating these innovative policy and program initiatives, the Department has not found a body of pre-existing relevant research. There is evidence that researchers

*generally ignore evaluations of female offenders programs...(and) the few existing evaluations...are poorly designed and tend to disregard diversity among women offenders.*<sup>33</sup>

The following evaluation framework is proposed:

- C short-term outcome measures, eg, program participation, rule violation and/or incidents, arrest for new criminal offence;
- C long-term outcome measurements, eg, return to custody for violation of probation or parole, relapse from alcohol and other drug recovery, observed significant behaviour change, employment status, type of new offence, seriousness of new offence.

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<sup>33</sup> Gender-Specific Programming for Female Offenders: What is it and Why is it so Important?, Barbara Bloom and Stephanie Covington, Paper, American Society of Criminology, November 1998, Washington DC.

The Department acknowledges that recidivism studies which focus exclusively on actual offences, arrest and convictions often ignore the context within which re-offending occurs. Female inmates are often faced with a daunting range of difficulties upon release from a custodial sentence and it is unrealistic to expect that programs in correctional centres can entirely overcome these issues.

At the same time, the Department recognises that it is in the public interest to ascertain whether therapeutic and living skills programs and other resources allocated in the Women's Program equip female inmates to cope with the pressures they face once released from full-time custody and whether they function to assist women to avoid criminal activities.

## **Evaluation Schedule for the Women's Program**

### ***Female Specific Classification System***

The Female Specific Classification has been in operation since 1997. During this time, the Department put in place many new policy initiatives with regards to case management and throughcare. A core principle of these initiatives is the concerted effort to make a link between activities and programs within correctional centres and the programs and services of community organisations and other Government and non-Government agencies to ensure continuity of support to women and their families. To confirm the principles of the female specific classification in the context of these developments, a review of the policy and procedures is necessary.

### ***Transitional Centre Program***

The *Parramatta Transitional Centre* was officially opened in September 1996. Within the framework for offender management at the TC, the Department placed a strong emphasis on participatory management, on responsibility and accountability, on rights and on obligations. A management committee comprising representatives from the Department, non-Government agencies, TC management and residents not only deals with issues arising at the Centre but also forms an important partnership between the TC and the local community.

### ***Mothers and Children's Program***

The Mothers and Children's Program commenced in late 1996. Since its beginning, the needs of the children have formed the primary focus for the program's operation, albeit within a correctional context. A Mothers and Children's Program Committee comprising Departmental, community and other Government agency representatives has been formed to make recommendations regarding the participation of women on this program within the framework established by the Mothers and Children's Program Policy. An evaluation of the operation of the program; including a review of the policy and procedures is necessary.

### ***June Baker Unit: Grafton***

In 1996 the *June Baker Unit* for women inmates opened within the *Grafton Correctional Centre*. Despite its small size, the *June Baker Unit* caters to a group of women diverse in their needs, at different stages of their sentences and of different classifications. A review of the women's program at Grafton will be undertaken.

### ***Jacaranda Cottages: Emu Plains***

The *Jacaranda Cottages* opened as part of *Emu Plains Correctional Centre* in 1996. This innovative model of accommodation was the first of its kind in NSW. The Cottages are located outside of the compound area of *Emu Plains*. The focus of operations are pre-release programs and the Mothers and Children's Program. A review of the *Jacaranda Cottages* will be undertaken.

### ***Probation and Parole - Women's Positive Program***

The "Women's Positive Program" developed by a Probation and Parole working party will be implemented in stages from September 2000. Women on community supervision whose needs can be met by this program will be able to participate at various District Offices.

# **S**TRATEGIES - EVALUATION

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- C Implement the evaluation schedule for:
  - S Female Specific Classification Schedule
  - S Transitional Centre Program
  - S Mothers and Children's Program
  - S June Baker Unit: Grafton
  - S Jacaranda Cottages: Emu Plains
  - S "Women' Positive Program"
  - S Initiatives from Women's Action Plan 2.
  
- C Create a policy/research position to ensure that:
  - S further policy, program and service development for female inmates is informed by the latest Australian and international study results
  - S a methodology for a recidivism study be devised which goes beyond a focus on actuarial measures.
  
- C Review diversionary program options with particular focus on the participation of Aboriginal women.

# **S**UMMARY OF STRATEGIES

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## **Case Management**

- C The Women's Services Unit (WSU) in co-operation with the Inmate Classification and Programs Branch will conduct an evaluation of the Female Specific Classification Policy and Procedures in the context of the Department's case management and throughcare policies.
- C As part of this evaluation, the WSU will carry out a review of the staff needs and a staff skills analysis in the context of the Department's equity training framework. The WSU in liaison with the Academy will design a modular, interdisciplinary staff training package to further develop the training initiatives of the existing Women in Prison training course.
- C The WSU in co-operation with the Policy, Programs and Training Unit of Probation and Parole will review the processes for information exchange regarding the throughcare of women.
- C Probation and Parole will revise its staffing profile in correctional centres for women with the view to increase participation of Probation and Parole Officers in case management and throughcare.
- C Probation and Parole will review the assessment and participation of women on community service orders, periodic detention, home detention and probation in line with the throughcare model. This will help to identify issues which might prohibit successful participation of women in these programs.
- C The WSU with the management of centres accommodating women will ensure the close co-operation of the centres as far as programs and services are concerned to enhance placement options, case management and throughcare.
- C The WSU will liaise with the Periodic Detention Review Committee to ensure that issues concerning the successful participation of women on periodic detention are considered.

## **Effective Program Design**

- C The Women's Services Unit (WSU) in liaison with the Corporate Planning and Development Unit will facilitate a process which ensures that the Inmate Services and Program Plans in the correctional centres accommodating women are developed, implemented and reviewed in the context of case management and throughcare policies.

- C The WSU will participate with other Head Office Program Units under the leadership of the Director Inmate Services and Programs to provide an integrated planning and strategic approach to delivery of services and programs to women inmates.
- C The Director, Strategy and Policy (Office of ACIM) will ensure that the Inmate Services and Programs Plans in the Women's Program demonstrate a co-ordinated approach between the individual centres accommodating women.
- C The Director Inmate Services and Programs (Office of ACIM) will ensure that any alterations to programming or the introduction of new programming components be reviewed by the clearing house committee specifically established to enhance the Department's inmate services and program planning process.
- C The WSU will liaise with Corrective Services Industries (CSI) to ensure an expansion of the employment and vocational training program within the Women's Program.
- C In co-operation with CSI, the WSU will investigate the possibility of introducing an employment for women quota system to ensure equitable access to work for women in those regional facilities which are administratively attached to bigger correctional centres for men.
- C To facilitate throughcare, the WSU and Probation and Parole will co-operate to enhance the implementation of effective intervention strategies for women under the Department's supervision. This will ensure that the needs of women are identified prior to their release from custody and taken into account in post-release supervision.
- C Probation and Parole will review and complete the existing program initiatives for women under supervision.
- C The Probation and Parole Service in co-operation with the WSU will review the existing diversionary programs with the view to improve equity of access for women and particularly Aboriginal women.
- C Programs and services for women will be developed in the context of the Department's new inmate services and programs planning procedures based on established inmate needs. Inmate services and programs plans will state clear aims and measurable objectives.

### **Advocating for Women**

- C Re-establish the Women's Advisory Network as recommended by the WSU in its submission to the Board of Management.
- C The WSU provides leadership and expert advice on issues pertaining to the management, facility design and program/services delivery for women.

- C The Inmate Services and Program Plans are used as a mechanism to advocate for the implementation of effective evidence based programs and services for women.
- C The WSU continues it's liaison with other Government and non-Government agencies which have an interest in the well-being of women in the criminal justice system.

### **Mothers and Children**

- C Create a position of Children's Program Support Worker to be based at the *Jacaranda Cottages* of the *Emu Plains Correctional Centre* to
  - S receive applications for Section 26(2)(l) conditional absence and the full-time residency program
  - S liaise with Probation and Parole with regard to the assessment for, and supervision of, Section 26(2)(l) absences
  - S design and implement parenting programs for mothers on the full-time residency program
  - S liaise with community agencies to ensure continuity in access to services for mothers
  - S liaise with community based child care organisations to ensure access of children of inmate mothers to these services so that they are able to socialise with other children of similar ages
  - S liaise with community health providers to ensure the continued access of children to appropriate health care, including immunisation.
- C The Mothers and Children's Program Co-ordinator is to fulfil an advocacy role at Departmental and interdepartmental levels with regard to increased residential options for female inmates who are eligible for Section 26 (2)(l) conditional absence but are homeless.
- C The WSU reviews the need for an expansion of the MCP for women on remand and for women with AOD and/or mental health issues and provides a strategy concerning the implementation of the results of this review.

### **Aboriginal and Torres Strait Islander Women**

- C Proceed with the establishment, program development and expansion of the Mobile Camp Program.
- C Investigate the feasibility of establishing a small community based centre to cater to the needs of Aboriginal women serving a relatively short sentence and who have a history of recidivism.
- C Submissions to the Community Grants Program (CGP) must address equity issues with regard to access for Aboriginal women officers.

## **Medical and Health Services**

- C Develop appropriate health and medical services at the planned new facilities at South Windsor and at the mid north coast by ensuring that close co-operation between Inmate Management, Capital Works, the WSU and CHS (Director of Women's Health) is maintained.
- C Advocate for a holistic approach to the health care for women by facilitating integrated health planning and regular team meetings across services at major facilities for women (Mulawa and Emu Plains).
- C Facilitate the development and maintenance of partnerships between DCS (WSU), CHS and community based health services.
- C Advocate for the implementation of major State initiatives such as the Drug Summit regarding the provision of services for women.
- C Assist the Disability Services Unit in implementing strategies to identify women with intellectual disabilities and in developing appropriate services and programs for them.

## **Staffing Profile - Women's Program**

- C The Women's Services Unit will quantify the number of women custodial officers required to ensure effective and efficient operations of the Women's Program.
- C In liaison with the Corrective Services Academy and the Department's Recruitment Unit, the WSU will identify the particular training needs of female officers and develop a gender-specific training package.
- C In liaison with the Corrective Services Academy, the WSU will review the training needs of non-custodial staff employed in the Women's Program.
- C The WSU in partnership with CHS will review the training needs of medical staff working with women.
- C The WSU will participate in the Female Recruitment and Career Enhancement Co-ordination Committee established to improve recruitment, training, placement, development and retention of female staff.

## **Placement Options**

- C Establish a purpose built correctional centre for sentenced women at South Windsor and designate the *Mulawa Correctional Centre* as the main reception and remand centre for women.
- C Improve access to regional facilities for women to ensure their continued relationship with family, children and friends.

- C In the planning, design and review of correctional facilities for women which are attached administratively to larger correctional centres for men, ensure that women have equity of access to
  - S medical and health services
  - S adequate range of inmate services and programs
  - S employment and vocational training
  - S probation and parole services.

Ensure that these provisions are specified in the relevant operational agreements, management, operational, inmate services and business plans.
- C Expand the Transitional Centre Program with a specific focus on the needs of women who are serving a relatively short custodial sentence and who have a history of recidivism.
- C Expand the Transitional Centre Program to include a facility for women who need to deal with alcohol and other drugs issues.
- C In co-operation between the WSU, the AOD/HHPU and the ISU, the following actions will be taken by December 2000:
  - S development of a management plan
  - S identification of a suitable site
  - S submission of development application.

## **Evaluation**

Implement the evaluation schedule for:

- S Female Specific Classification Schedule
  - S Transitional Centre Program
  - S Mothers and Children's Program
  - S June Baker Unit: Grafton
  - S Jacaranda Cottages: Emu Plains
  - S Women's Positive Program
  - S Initiatives from Women's Action Plan 2.
- C Create a policy/research position to ensure that:
    - S further policy, program and service development for female inmates is informed by the latest Australian and international study results
    - S a methodology for a recidivism study be devised which goes beyond a focus on actuarial measures.
  - C Review diversionary program options with particular focus on the participation of Aboriginal women.

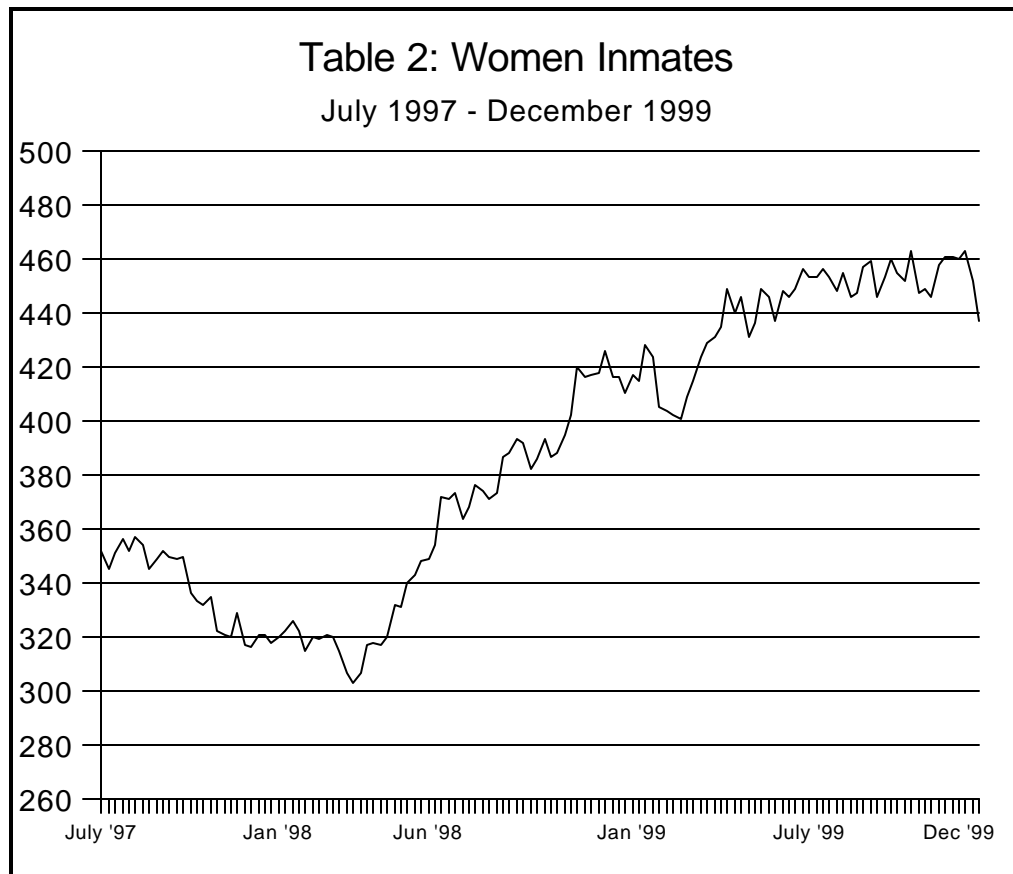
# **G**LOSSARY

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ACIM	Assistant Commissioner, Inmate Management
AOD	Alcohol and Other Drugs
AOD/HHPU	Alcohol and Other Drugs and HIV and Health Promotion Unit
CGP	Community Grants Program
CHS	Corrections Health Service
CSI	Corrective Services Industries
ISU	Indigenous Services Unit
MCP	Mothers and Children's Program
SORC	Serious Offenders Review Council
TC	Transitional Centre
WSU	Women's Services Unit

# A PPENDIX 1

Table 1: Women in Full Time Custody					
	Women		Men		Total
	no.	%	no.	%	no.
1994	320	5.0%	6100	95.0%	6420
1995	314	4.9%	6070	95.1%	6384
1996	338	5.4%	5929	94.7%	6260
1997	354	5.5%	6057	94.5%	6411
1998	372	5.7%	6117	94.3%	6489
1999	443	6.1%	6799	93.9%	7242



	NSW	VIC	QLD	WA	SA	TAS	NT	ACT	Total
<b>1991<sup>35</sup></b>	17.4	6.4	6.1	13.0	9.2	7.5	24.8	0	11.0
<b>1992</b>	17.4	6.6	6.7	15.3	11.1	2.8	14.6	1.8	11.4
<b>1998<sup>36</sup></b>	13.5	8.6	20.5	23.4	14.0	5.9	45.9	5.1	14.4

	Men		Women	
	No.	%	No.	%
<b>1994</b>	717	11.8%	59	18.4%
<b>1995</b>	773	12.7%	46	14.6%
<b>1996</b>	803	13.5%	66	19.5%
<b>1997</b>	851	14.1%	61	17.2%
<b>1998</b>	903	14.8%	83	23.2%
<b>1999</b>	1076	15.8%	106	23.9%

	no.	%
<b>1994</b>	178	55.6%
<b>1995</b>	173	55.1%
<b>1996</b>	172	50.9%

<sup>34</sup> The figures in Table 2 have been extracted from the Weekly States, issued by the Research and Statistics Unit of the NSW Department of Corrective Services.

<sup>35</sup> The 1991 and 1992 figures have been reproduced from the 1994 Women's Action Plan.

<sup>36</sup> Figures for 1998 were taken from Australian Bureau of Statistics: Corrective Services, Australia. June Quarter 1998. 4512.0

<b>1997</b>	209	59.0%
<b>1998</b>	230	64.2%
<b>1999</b>	291	65.7%

<b>Table 6: Most Serious Offence - Women in full time custody only</b>												
	<b>1994</b>		<b>1995</b>		<b>1996</b>		<b>1997</b>		<b>1998</b>		<b>1999</b>	
	no.	%	no.	%	no.	%	no.	%	no.	%	no.	%
Murder	17	5.3	16	5.1	20	5.9	17	4.8	19	5.3	20	4.5
attempt murder	3	0.9	5	1.6	4	1.2	4	1.1	2	0.6	2	0.5
conspiracy to murder	1	0.3	1	0.3	3	0.9	1	0.3	1	0.3	2	0.5
manslaughter	9	2.8	12	3.8	16	4.7	14	4.0	13	3.6	15	3.4
major assault	17	5.3	10	3.2	19	5.6	17	4.8	28	7.8	30	6.8
other assault	11	3.4	7	2.2	11	3.3	18	5.1	19	5.3	24	5.4
sexual offence <sup>37</sup>	2	0.6	3	1.0	3	0.9	5	1.4	3	0.8	5	1.1
robbery with major assault	16	5.0	21	6.7	17	5.0	24	6.8	23	6.4	37	8.4
other robbery	15	4.7	14	4.5	14	4.1	14	4.0	21	5.9	13	2.9
fraud	37	11.6	34	10.8	43	12.7	54	15.3	37	10.3	46	10.4
break enter and steal	47	14.7	49	15.6	47	13.9	35	9.9	35	9.8	36	8.1
other steal	51	15.9	43	13.7	49	14.5	56	15.8	57	15.9	65	14.7

<sup>37</sup>

In the Inmate Census sexual offences are categorised by: rape, serious sexual assault, incest/carnal knowledge; indecent assault; buggery/beastiality. Given the low numbers of women sexual offenders, these have been combined for this statistical report.

driving/traffic	10	3.1	7	2.2	7	2.1	11	3.1	5	1.4	13	2.9
offences against order	9	2.8	21	6.7	20	5.9	20	5.7	25	7.0	42	9.5
drug offences	46	14.4	51	16.2	57	16.9	54	15.3	44	12.3	52	11.7
other offences	29	9.1	20	6.4	8	2.4	10	2.8	26	7.3	41	9.2

**Table 7: Legal status of women in full time custody**

	1994		1995		1996		1997		1998		1999	
	no.	%	no.	%	no.	%	no.	%	no.	%	no.	%
<b>Sentenced</b>	225	70.3	242	77.1	240	71.0	251	70.9	256	71.5	287	64.8
<b>Appellant</b>	51	15.9	31	9.9	41	12.1	31	8.8	29	8.1	52	11.7
<b>Remand / Trial</b>	44	13.8	41	13.1	56	16.6	71	20.1	73	20.4	102	23.0
<b>Forensic Patient</b>	-	-	-	-	1	0.3	-	-	-	-	1	0.2
<b>Awaiting extradition</b>	-	-	-	-	-	-	1	0.3	-	-	-	-
<b>Awaiting deportation</b>	-	-	-	-	-	-	-	-	-	-	1	0.2

**Table 8: Classification of women in full time custody**

	1994		1995		1996		1997		1998		1999	
	no.	%	no.	%	no.	%	no.	%	no.	%	no.	%
<b>A1</b>	-	-	-	-	-	-	-	-	-	-	-	-
<b>A2</b>	4	1.3	10	3.2	4	1.2	9	2.5	-	-	-	-
<b>B</b>	45	14.1	32	10.2	39	11.5	33	9.3	-	-	-	-
<b>C1</b>	70	21.9	49	15.6	34	10.1	45	12.7	-	-	-	-
<b>C2</b>	70	21.9	120	38.2	127	37.6	140	39.5	-	-	-	-
<b>C3</b>	35	10.9	28	8.9	43	12.7	29	8.2	-	-	-	-
<b>E1</b>	-	-	-	-	-	-	1	0.3	-	-	-	-
<b>E2</b>	9	2.8	18	5.7	16	4.7	13	3.7	19	5.3	20	4.5

<b>Remand / Trial</b>	44	13.8	38	12.1	55	16.3	72	20.3	73	20.4	124	28.0
<b>Unclassified/Other</b>	43	13.4	19	6.1	20	5.9	10	2.8	10	2.8	18	4.1
<b>Cat 4</b>	-	-	-	-	-	-	-	-	8	2.2	5	1.1
<b>Cat 3</b>	-	-	-	-	-	-	-	-	30	8.4	23	5.2
<b>Cat 2</b>	-	-	-	-	-	-	2	0.6	202	56.4	227	51.2
<b>Cat 1</b>	-	-	-	-	-	-	-	-	16	4.5	26	5.9

	18-20 years		21-24 years		25-29 years		30-39 years		40-49 years		50 + years	
	no.	%	no.	%	no.	%	no.	%	no.	%	no.	%
<b>1994</b>	14	4.4	53	16.6	75	23.4	115	36.0	38	11.9	25	7.8
<b>1995</b>	16	5.1	46	14.6	84	26.8	107	34.1	40	12.7	21	6.7
<b>1996</b>	30	8.9	55	16.3	75	22.2	114	33.7	39	11.5	25	7.5
<b>1997</b>	34	9.6	67	18.9	87	24.6	102	28.8	41	11.6	23	6.6
<b>1998</b>	43	11.9	71	19.8	80	22.3	114	31.8	37	10.3	13	3.7
<b>1999</b>	36	8.1	82	18.5	107	24.2	143	32.3	58	13.1	17	3.8

	Australia		Other		Unknown	
	no.	%	no.	%	no.	%
<b>1994</b>	252	78.8	68	21.2	0	0
<b>1995</b>	214	68.2	67	21.3	33	10.5
<b>1996</b>	260	76.9	73	21.6	5	1.5
<b>1997</b>	217	61.3	59	16.7	78	22.0
<b>1998</b>	242	67.6	66	18.4	50	14.0
<b>1999</b>	331	74.7	90	20.3	22	5.0

<b>Table 11: Aggregate Sentence Length for Women in Full time custody</b>														
	1 day to under 3 months		3 months to under 12 months		1 year to under 2 years		2 years to under 5 years		5 years to under 10 years		10 years plus		Unsentenced	
	no.	%	no.	%	no.	%	no.	%	no.	%	no.	%	no.	%
<b>1994</b>	11	3.5	68	21.3	49	15.3	80	25.0	50	15.7	18	5.6	44	13.8
<b>1995</b>	16	5.0	90	28.6	39	12.4	61	19.4	48	15.3	19	6.1	41	13.1
<b>1996</b>	22	6.6	86	25.5	46	13.6	64	18.9	43	12.7	21	6.3	56	16.6
<b>1997</b>	25	7.1	93	26.3	44	12.4	64	18.1	38	10.8	18	5.1	72	20.3
<b>1998</b>	5	1.4	122	34.1	37	10.3	68	19.0	34	9.5	19	5.3	73	20.4
<b>1999</b>	18	4.1	118	26.6	64	14.4	79	17.8	41	9.3	19	4.3	104	23.5

<b>Table 12: Periodic Detainees</b>					
	Men		Women		Total
	no.	%	no.	%	no.
<b>1994</b>	1202	93.1	89	6.9	1291
<b>1995</b>	1270	93.0	95	7.0	1365
<b>1996</b>	1324	93.0	100	7.0	1424
<b>1997</b>	1419	92.0	127	8.0	1546
<b>1998</b>	1225	91.8	110	8.2	1335
<b>1999</b>	1031	90.4	109	9.6	1140

## **A**PPENDIX 2: Community Based Corrections Data

All data in the following table was collected and collated by the Policy, Project and Training Unit of Probation and Parole and relates to June 1, 1999.

	Female		Male		Total
	no.	%	no.	%	no.
<b>Supervision</b>	1743	17.0%	8481	83.0%	10224
<b>Reparation</b>	865	16.2%	4465	83.8%	5330
<b>Fine Substitution</b>	57	16.3%	293	83.7%	350
<b>Other Orders</b>	99	20.2%	392	79.8%	491
<b>Post-Prison Orders</b>	212	7.7%	2540	92.3%	2752
<b>Total Persons</b>	2652	15.5%	14507	84.5%	17159

	Aboriginal Women		Non-Aboriginal Women		Total
	no.	%	no.	%	no.
<b>Supervision</b>	188	10.8%	1555	89.2%	1743
<b>Reparation</b>	67	7.7%	798	92.3%	865
<b>Fine Substitution</b>	3	5.3%	54	94.7%	57
<b>Other Orders</b>	8	8.0%	91	91.9%	99
<b>Post-Prison Orders</b>	31	14.6%	181	85.4%	212
<b>Total Persons</b>	252	9.5%	2400	90.5%	2652

### Notes

- C Reparation includes community service, work orders and supervised attendance orders.
- C Other Orders includes bail supervision and home detention.
- C Post-Prison Orders include parole, license, after care probation, partially suspended prison sentence, pre-release order
- C Figures relating to Aboriginal women also include Torres Strait Islander Women.
- C Where a person is serving orders of different types concurrently, that person is counted once in each type of order being served.

Women Under Community Based Orders: Total*									
1995		1996		1997		1998		1999	
no.	%	no.	%	no.	%	no.	%	no.	%
2526	15.2%	2840	16.0%	2956	16.2%	2646	15.6%	2652	15.5%

Women Under Community Based Orders: Supervision*									
1995		1996		1997		1998		1999	
no.	%	no.	%	no.	%	no.	%	no.	%
1609	17.5%	1770	18.0%	1732	17.6%	1682	17.2%	1743	17.0%

Women Under Community Based Orders: Reparation*									
1995		1996		1997		1998		1999	
no.	%	no.	%	no.	%	no.	%	no.	%
646	13.3%	741	14.9%	707	14.6%	770	15.7%	865	16.2%

Women Under Community Based Orders: Fine Substitution*									
1995		1996		1997		1998		1999	
no.	%	no.	%	no.	%	no.	%	no.	%
509	20.4%	611	20.8%	760	22.2%	314	20.8%	57	16.3%

Women Under Community Based Orders: Other Orders*									
1995		1996		1997		1998		1999	
no.	%	no.	%	no.	%	no.	%	no.	%
1	20.0%	1	50.0%	7	18.4%	51	15.3%	99	20.2%

Women Under Community Based Orders: Post-Prison Orders*									
1995		1996		1997		1998		1999	
no.	%	no.	%	no.	%	no.	%	no.	%
126	5.7%	165	6.5%	187	7.3%	195	7.6%	212	7.7%

\* All percentages are of women in relation to the total number of offenders under that particular community based order.

**DRUG COURT OF NSW - PARRAMATTA DISTRICT OFFICE**

<b>No of Drug Court Orders Issued</b>			<b>No of Active Participants</b>			<b>Current Bench Warrants Issued</b>		
Female	Male	Total	Female	Male	Total	Female	Male	Total
41	212	253	21	118	139	5	20	25

<b>Program Terminations</b>		
Female	Male	Total
15	74	89

**TREATMENT PLANS FOR ACTIVE PARTICIPANTS**

<b>Residential / Methadone</b>			<b>Residential / Abstinence</b>			<b>Residential / Naltraxone</b>		
Female	Male	Total	Female	Male	Total	Female	Male	Total
1	10	11	3	18	21	Nil	Nil	Nil

<b>Community / Methadone</b>			<b>Community / Abstinence</b>			<b>Community / Naltraxone</b>		
Female	Male	Total	Female	Male	Total	Female	Male	Total
10	41	51	6	38	41	1	11	12

<b>Phase</b>			
	Female	Male	Total
Phase 1	13	78	91
Phase 2	7	30	37
Phase 3	1	10	11
Totals	21	118	139

NSW Bureau of Crime  
Statistics and Research

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## WOMEN IN PRISON: THE CRIMINAL COURT PERSPECTIVE

Jacqueline Fitzgerald

The number of women in NSW correctional centres has increased significantly in recent years. Several changes in criminal court processes may have contributed to this rise: overall more women are being convicted in the courts, women are more often appearing for offences likely to incur a prison penalty, and courts are more readily handing down sentences of imprisonment.

The number of women in NSW correctional centres has increased significantly in recent years. Figure 1 shows the total number of women in prison by month as recorded by the Department of Corrective Services. Women on remand are included in these figures. It can be seen that the number of women in prison has been steadily rising over the past five years. A sharp increase can be observed from early 1998.

This briefing paper will consider how changing patterns in the NSW Criminal Courts may have contributed to the rise in female prisoners.

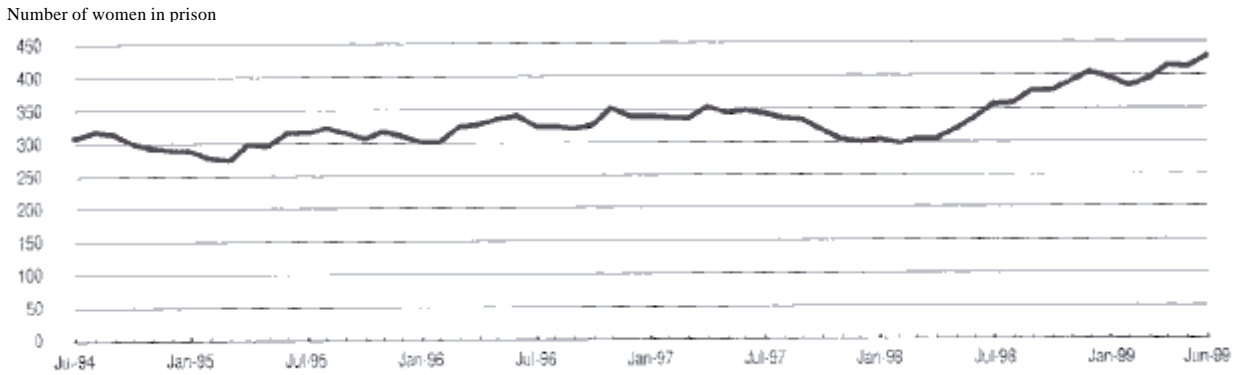
### NSW LOCAL COURTS

The number of women found guilty in the Local Courts has risen by 23.5 per cent over the five years from 1994 to 1998. The figures are presented in Table 1 below. In addition to the rise in the absolute number

of women being convicted, the proportion of convicted women being sentenced to prison has also increased by 14.7 per cent over five years. In 1994, only 3.4 per cent of women convicted in the Local Court were sentenced to prison, whereas by 1998 the proportion had risen to 3.9 per cent. Overall, in 1998 there were 179 more women sentenced to prison than in 1994.

These figures can be partly accounted for by a substantial increase in the numbers of women appearing for offences which are likely to attract prison penalties. Specifically, increases have been seen in the number of females convicted of offences *against the person* (up 51.4% from 1192 in 1994, to 1805 in 1998) and *against justice procedures* (up 61.3% from 724 in 1994, to 1168 in 1998). There was also a large rise in the number of women appearing for *driving* offences (up 30.8% from 4158 in 1994, to 5439 in 1998).

**Figure 1: Total female population in NSW correctional centres**



**Table 1: Trends in female convictions and sentences in the NSW Local Courts, 1994 - 1998**

	1994	1995	1996	1997	1998
Number of women convicted	13,077	13,824	15,013	14,849	16,145
Number of women imprisoned	451	509	539	537	630
Percentage of women imprisoned (%)	3.4	3.7	3.6	3.6	3.9
Average sentence length (mths)	3.7	3.6	3.8	3.8	3.9

Driving offences, however, are generally unlikely to attract a penalty of imprisonment. Appendix table A1 details the trends in convictions and sentencing by offence category in Local Courts.

Bureau research has also shown that the percentage of convicted offenders sentenced to imprisonment has been rising within certain offence categories. While this research did not consider women separately, it strongly suggests that the Local Courts are increasingly inclined to hand down custodial penalties (Baker, 1998).

Perhaps as a function of the changing offence profile and changing judicial severity, the average sentence length has also increased slightly. In 1994 the average sentence length imposed on women in the NSW Local Courts was 3.7 months. By 1998 this figure had risen 5.4 per cent to an average of 3.9 months.

**NSW HIGHER COURTS**

The number of women convicted in the NSW Higher Courts fell by 31.5 per cent between 1994 and 1998. The proportion of women sentenced to prison, however, has steadily increased over this time. In 1994, there were 87 women sentenced to prison from the Higher Courts (24.5% of convicted women). In 1998, the number of guilty women receiving a prison sentence had risen to 117 despite the overall drop in convictions (48.1% of

convicted women).

This increase can be partly accounted for by an increase in convictions for robbery. The number of women found guilty of this offence rose from 25 in 1994, to 45 in 1998. Robbery has been associated with drug-related offending. Recent household survey results show a substantial rise in the number of women reporting recent heroin use. In 1995, 0.2 per cent of Australian women reported using heroin in the past 12 months. By 1998, the proportion of the female population reporting recent heroin use had risen to 0.5 per cent. This equates to 39,100 recent female user in 1998 (AIHW, 1999).

In addition to the greater number of female robbery offenders in recent years, such offenders are also more likely to receive a prison sentence than in the past. In 1994, 52.0 per cent of women convicted of robbery were imprisoned. By 1998 this proportion had risen to 68.9 per cent. This is consistent with research by the Bureau which looked at general trends in court sentencing without regard to gender (Baker, 1998).

The number of women convicted of offences against the person excluding robbery remained fairly stable between 1994 and 1998 (44 and 41 women respectively) as has the proportion sentenced to prison. The numbers of convictions for drug

offences and property offences have dropped;

however, the proportion of people being sent

**Table 2: Trends in female convictions and sentences in NSW Higher Courts, 1994 - 1998**

	1994	1995	1996	1997	1998
Number of women convicted	355	274	235	209	243
Number of women imprisoned	87	75	86	76	117
Percentage of women imprisoned (%)	24.5	27.4	36.6	36.4	48.1
Average sentence length (mths)	25.9	19.4	18.5	25.1	19.8

to prison has increased for these offences. In 1994, 24.5 per cent of female *drug* offenders went to prison, whereas in 1998 the proportion had risen to 56.1 per cent. Similarly with *property* offenders, only 18.4 per cent went to prison in 1994. In 1998, however, 37.3 per cent received a prison term. Appendix table A2 details the trends in convictions and sentencing by offence category in the Higher Courts.

Unlike the Local Courts, the average sentence length for women in the Higher Courts has dropped between 1994 and 1998. This could be because less serious offences are increasingly receiving prison penalties for short time periods. In the past these offences would have attracted non-custodial sentences.

## CONCLUSION

It seems that several factors in both the Higher Courts and Local Courts may be contributing to the increase in the number of women in prison but in different ways.

In the Local Court:

- There has been a substantial increase in the overall number of women convicted in the NSW Local Court.
- In addition to the increased number of women found guilty, the proportion receiving prison terms has also increased. This is probably due to convictions for offences *against the person and against justice procedures* accounting for a greater proportion of offenders, as well as the increased popularity of prison as a penalty for some offences dealt with in Local

Courts.

- Sentence length has also risen slightly.

In the Higher Courts:

- The overall number of women sent to prison from the Higher Courts has increased over the past five years, despite the number of convictions dropping by 31.5 per cent.
- The increase in women sent to prison may be due to the number of convictions for robbery (for which prison is a common penalty) nearly doubling over the past five years.
- In addition, the proportion of female offenders receiving prison terms for *robbery, property crimes, and drug* offences has increased over the past five years.

Therefore, the increase in female imprisonment is likely to be due to both harsher penalties handed down by the courts, and a shift in the types of offences being committed by women towards those more likely to receive prison penalties. The growth in the number of women appearing in court for offences such as robbery may be related to the general growth in heroin use among women.

Further information on this issue can be obtained from the NSW Bureau of Crime Statistics and Research.

## REFERENCES

Australian Institute of Health and Welfare (1999)  
1998 *National Drug Strategy Household Survey: First Results*, AIHW: Canberra.

Baker, J. (1998) *Are the Courts Becoming More*

*Lenient? Recent Trends in Convictions and Penalties in NSW Higher and Local Courts*, Crime and Justice Bulletin No.40, NSW Bureau of Crime Statistics and Research: Sydney.

**Table A1: Trends in female convictions and sentences in NSW Local Courts by offence category, 1994 - 1998**

		1994	1995	1996	1997	1998
<b>Offences against the person</b>						
Number of women convicted		1,192	1,264	1,557	1,678	1,805
Number of women imprisoned	49	47	67	58	63	
Percentage of women imprisoned (%)		4.1	3.7	4.3	3.5	3.5
<b>Property offences</b>						
Number of women convicted		4,299	4,490	4,732	4,401	4,480
Number of women imprisoned	252	274	279	291	353	
Percentage of women imprisoned (%)		5.9	6.1	5.9	6.6	7.9
<b>Property damage</b>						
Number of women convicted		344	393	422	419	428
Number of women imprisoned	5	7	16	8	5	
Percentage of women imprisoned (%)		1.5	1.8	3.8	1.9	1.2
<b>Environmental</b>						
Number of women convicted		2	11	11	8	8
Number of women imprisoned	1	1	0	0	0	
Percentage of women imprisoned (%)		50.0	9.1	0.0	0.0	0.0
<b>Against justice procedures</b>						
Number of women convicted		724	839	972	1,039	1,168
Number of women imprisoned		67	105	91	99	121
Percentage of women imprisoned (%)		9.3	12.5	9.4	9.5	10.4
<b>Against good order</b>						
Number of women convicted		1,138	1,138	1,023	1,031	1,320
Number of women imprisoned		5 13	13	7	17	
Percentage of women imprisoned (%)		0.4	1.1	1.3	0.7	1.3
<b>Drug offences</b>						
Number of women convicted		1,116	1,081	1,208	1,128	1,318

Number of women imprisoned	40	41	49	45	39
Percentage of women imprisoned (%)	3.6	3.8	4.1	4.0	3.0
<b>Driving offences</b>					
Number of women convicted	4,158	4,509	4,956	4,975	5,439
Number of women imprisoned	20	21	24	29	29
Percentage of women imprisoned (%)	0.5	0.5	0.5	0.6	0.5
<b>Other</b>					
Number of women convicted	104	99	132	170	179
Number of women imprisoned	12	0	0	0	3
Percentage of women imprisoned (%)	11.5	0.0	0.0	0.0	1.7
<b>Total</b>					
Number of women convicted	13,077	13,824	15,013	14,849	16,145
Number of women imprisoned	451	509	539	537	630
Percentage of women imprisoned (%)	3.4	3.7	3.6	3.6	3.9

**Table A2: Trends in female convictions and sentences in NSW Higher Courts by offence category, 1994 - 1998**

		1994	1995	1996	1997	1998
<b>Offences against the person</b>						
Number of women convicted		44	32	33	36	41
Number of women imprisoned	17	11	16	15	21	
Percentage of women imprisoned (%)		38.6	34.4	48.5	41.7	51.2
<b>Robbery and extortion</b>						
Number of women convicted		26	36	33	37	46
Number of women imprisoned	13	20	18	20	32	
Percentage of women imprisoned (%)		50	55.6	54.5	54.1	69.6
<b>Property offences</b>						
Number of women convicted		125	87	73	55	75
Number of women imprisoned	23	20	23	19	28	
Percentage of women imprisoned (%)		18.4	23.0	31.5	34.5	37.3
<b>Property damage</b>						
Number of women convicted		5	5	9	8	3
Number of women imprisoned	1	2	1	1	0	
Percentage of women imprisoned (%)		20	40	11.1	12.5	0
<b>Against justice procedures</b>						
Number of women convicted		30	19	29	14	21
Number of women imprisoned	3	3	2	4	6	
Percentage of women imprisoned (%)		10	15.8	6.9	28.6	28.6
<b>Weapons</b>						
Number of women convicted		2	3	0	1	2
Number of women imprisoned	0	0	0	0	0	
Percentage of women imprisoned (%)		0	0	0	0	0

**Against good order**

Number of women convicted		2	2	1	1	1
Number of women imprisoned	0	1	1	0	0	
Percentage of women imprisoned (%)		0	50	100	0	0

**Drug offences**

Number of women convicted		102	81	48	49	41
Number of women imprisoned	25	16	23	15	23	
Percentage of women imprisoned (%)		24.5	19.8	47.9	30.6	56.1

**Driving offences**

Number of women convicted		19	5	8	8	12
Number of women imprisoned	5	0	1	2	6	
Percentage of women imprisoned (%)		26.3	0	12.5	2	5 50

**Against prison rules**

Number of women convicted		0	1	1	0	1
Number of women imprisoned	0	1	1	0	1	
Percentage of women imprisoned (%)		0	100	100	0	100

**Other**

Number of women convicted		0	3	0	0	0
Number of women imprisoned	0	0	0	0	0	
Percentage of women imprisoned (%)		0	0	0	0	0

**Total**

Number of women convicted		355	274	235	209	243
Number of women imprisoned	87	75	86	76	117	
Percentage of women imprisoned (%)		24.5	27.4	36.6	36.4	48.1

# A

## PPENDIX 5

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### Women's Advisory Network to the Commissioner of Corrective Services

#### Terms of Reference and Code of Conduct for Establishment of the new Women's Advisory Network (WAN)

#### Terms Of Reference

##### **Role**

The WAN to the Department of Corrective Services is an important mechanism for input from community organisations and individuals interested in the well-being of women in the justice and correctional system in New South Wales.

The WAN provides advice and consultation to the Department of Corrective Services (the Department) in fulfilling its obligations concerning female inmates under the *NSW Crimes (Administration of Sentences) Act 1999*.

The existence of the WAN is a recognition that the Department is committed to standards of best practice and open to scrutiny in its management of female inmates.

The WAN functions in close co-operation with the Department's Women's Services Unit (WSU). The Manager, Women's Services Unit together with the staff of the WSU facilitates the meetings of the WAN and ensures that the information exchange between the WAN and the Department takes place in an effective way.

##### **Objectives**

- C to advise the Department on issues of relevance to the WAN.
- C to provide a link between the Department and community organisations which have an interest in the well-being of women in corrections and their through care.
- C to provide a link between the Department and sections of other government departments with a mandate to administer policies and services relating to women in general and women with special needs.
- C to provide a link between the women in correctional centres and community organisations with an interest in the well-being of women in corrections and their through care.

- C to provide a mechanism for monitoring the processes dealing with complaints from female inmates and help identify systemic problems.
- C provide an opportunity for exchange of information between community groups and the Department.

### **Membership**

The WAN consists of 11 members.

- C The Commissioner appoints the members of the WAN from the nominations of
    - < community organisations with an interest in the well-being of women in the NSW correctional system; from these nominations 3 representatives will be appointed (the groups may also nominate an alternate representative). [3]
    - < the Corrections Health Service. [1]
    - < the Department for Women. [1]
    - < individuals who can make an important contribution to the WAN because of expertise in the field of women in corrections. [2]
    - < an ex-inmate representing women in correctional centres. [1]
    - < a member representing custodial staff of correctional centres for females. [1]
    - < the Director, Strategy & Policy Unit and the Manager, WSU are members of the WAN; other staff of the WSU may be invited to attend WAN meetings as required. [2]
  - C The initial meeting of the new WAN should be chaired by the Manager, WSU.
  - C Subsequent meetings should be chaired by nominated members of the WAN according to a schedule to be determined at the first meeting.
  - C The WAN has the power to co-opt 2 additional members as the need arises.
  - C Membership of the WAN is for 2 years; nomination for another two years may be sought.
  - C Members who cannot attend a meeting will be expected to provide advance notification and send a delegate where appropriate.
  - C Members of the WAN who fail to attend three consecutive meetings will be deemed to have resigned unless they provide a written submission of exceptional circumstances for consideration by the WAN.
- In constituting the WAN, special attention will be given to encouraging representation from non-English speaking and Aboriginal backgrounds.

## **Operation**

- C The WAN meets at least quarterly.
- C At its initial meeting the WAN will develop a plan of action to determine its focus for the next 12 months. This plan of action should then be submitted through the Assistant Commissioner, Inmate Management to the Commissioner for consideration.
- C The schedule of meetings, including venues, for the WAN for the ensuing 12 months should be determined at the initial meeting.
- C The WAN meetings should be held at each of the metropolitan female correctional facilities at least once a year and arrangements made for members of the WAN to meet with inmates subsequent to the meeting.
- C The Assistant Commissioner, Inmate Management and the Commissioner will attend the second meeting of the WAN at which protocols for the WAN's interaction with the Commissioner will be agreed.
- C The WAN may decide from time to time to establish sub-committees or working groups to pursue objectives in relation to women in custody.
- C The members of the WAN are bound by a code of conduct.
- C The WSU facilitates the information exchange between the WAN and the Department.
- C The WSU prepares, distributes and keeps the minutes of the WAN meetings.

## **Code of Conduct**

### **Confidentiality**

The work of the Department takes place in a complex legal and political environment and is often the subject of intense media scrutiny.

To ensure the effective consultation between the Department and the WAN, sensitive information which is not in the public domain may sometimes be disclosed to members and they have to deal with this in confidentiality.

Members of the WAN have a duty to maintain confidentiality of this information and should not disclose it to outside parties including the organisations they represent without the clear authority of the Commissioner.

Failure on the part of a member of the WAN to maintain confidentiality has the potential to seriously harm the relationship and trust between the Department and the WAN and may damage the integrity and credibility of both bodies.

Failure to maintain confidentiality has the potential to seriously harm the process of rehabilitation for female inmates.

If members are unsure about the confidentiality status of particular information, the Director, Strategy & Policy Unit or the Manager, WSU should be asked to clarify the position.

### **Other responsibilities**

Members of the WAN have the responsibility to advise the committee of individual approaches by the media and female inmates of correctional centres. Members of the WAN representing non-government agencies are free to discuss in general terms the role and function of the WAN without referring to specifics of the WAN meetings or interpreting departmental policies.

### **Public Comment**

While members of the WAN representing non-government agencies have the right to make public comment and to enter into public debate on issues involving the operation of the Department, there are some circumstances in which public comment may be inappropriate.

There is a risk that public comment, although made in a private capacity or on behalf of a community organisation, appears to be an official comment of the Department or of the WAN. It should therefore be avoided.

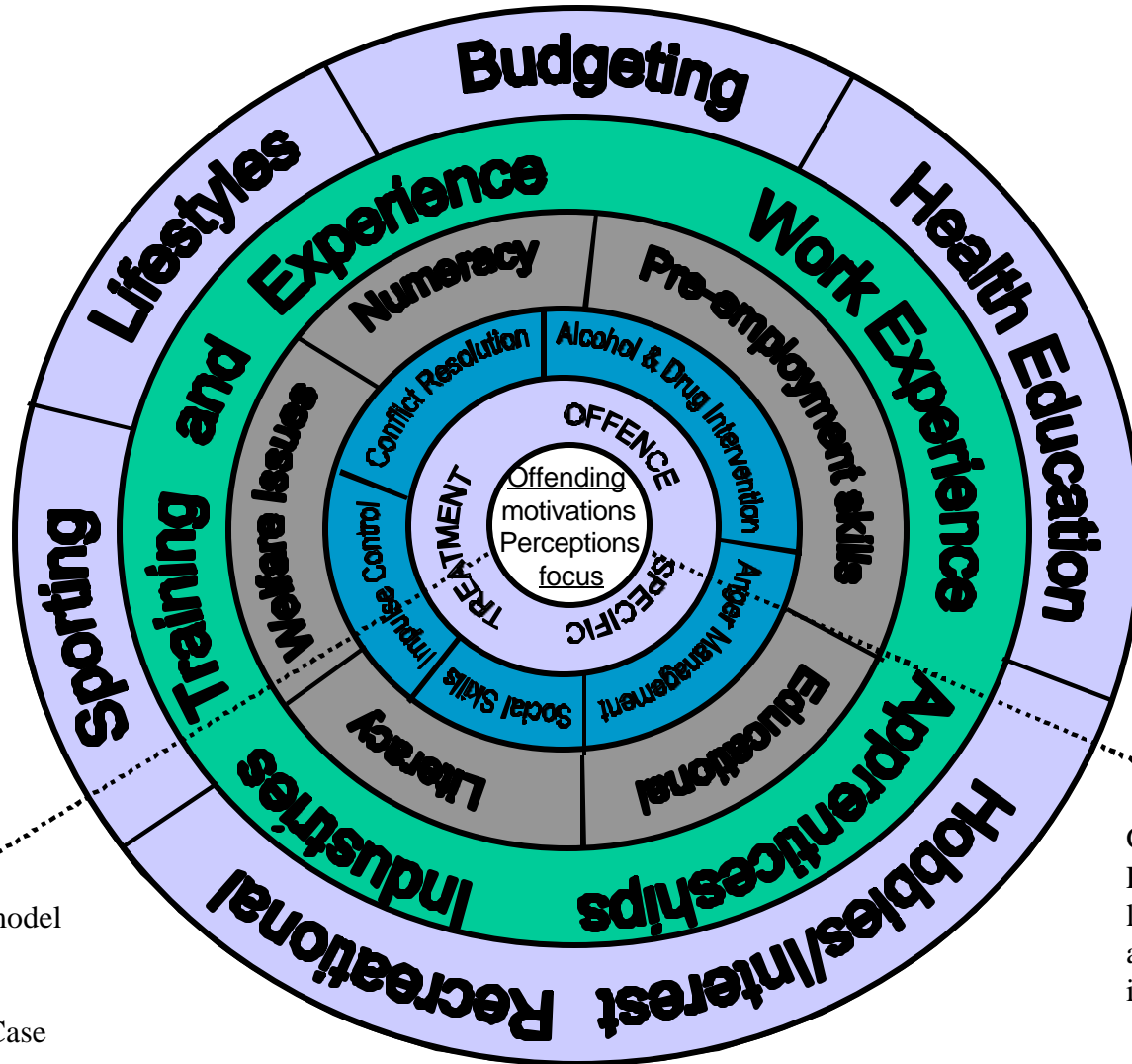
Committee members should bring concerns about the operation of the Department to a meeting of the WAN, or to the attention of either the Director, Strategy & Policy Unit or the Manager, WSU before making public comment.

If a Committee Member is to make a public comment on behalf of the WAN, the Department requires that the Director, Media & Public Relations is advised prior to any public comment being made.

# Offender Programming Wheel

(Based on Mc Guire 1998)

Diagram IV



Graded sequence of Programming leading to release and successful re-integration

Throughcare model delivery (see diagram II) facilitated by Case Management

# AN OFFENCE FOCUSED MULTISYSTEMIC MODEL OF INMATE SERVICES & PROGRAMS: levels and components

