

Breaking the Cycle – Tasmanian Corrections Plan (2010-2020)

Offender Demographic and Demand Issues

Analysis of existing corrective services offender demographics and projected demand, and identification of local issues in relation to 'best fit' or system capacity

1. Corrective Services in Tasmania

Tasmania's corrections system is comprised of the Tasmania Prison Service (TPS) and Community Corrections. The Prison Service is responsible for offenders sentenced to custodial sentences and for remandees (persons awaiting trial or sentencing who have not been granted bail), while Community Corrections is responsible for offenders sentenced to community-based orders: probation, parole and community service. Persons in the community on bail are the responsibility of the Police. Additionally, the Court-Mandated Diversion (CMD) program operated by the Strategic Policy & Projects branch of the Department of Justice manages offenders diverted to drug treatment programs in the community by way of bail condition or sentence.

Some offenders transition from a custodial sentence or a CMD order to a community-based order under Community Corrections supervision, while others serve wholly custodial or wholly community-based sentences. Community Corrections staff also prepare assessments of convicted offenders for the Courts and the Parole Board.

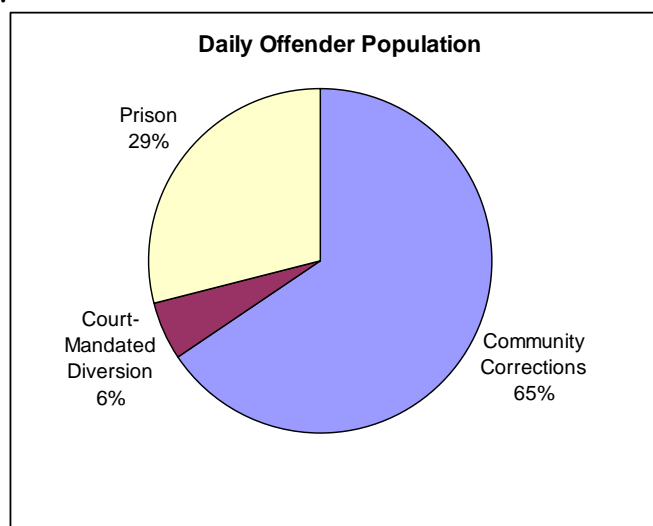
Despite the existence of the positions of Minister for Corrections and Director of Corrective Services, the Tasmania Prison Service and Community Corrections have traditionally functioned as separate organisations. Improved networking and communication, data sharing and co-operation have the potential to significantly improve service provision and outcomes.

2. Facilities, Offender Numbers and Capacity

In the 2008-09 financial year, the average daily number of persons supervised by the corrections system was approximately 1800.

As shown, this total consisted of:

- 522 (29%) in the prison system;
- 1177 (65%) supervised by Community Corrections; and
- approximately 100 (6%) managed in the community under the CMD program¹.



¹ Most of these offenders would otherwise have been in prison, particularly those on Drug Treatment Orders (DTOs).

Considering flux (entry and exit) figures, in 2008-09:

- 1625 persons were received into the TPS and 1608 were released;
- 1411 Community Corrections orders were commenced and 1516 orders completed; and
- 108 CMD orders were commenced and 103 completed².

It is worth noting that while Community Corrections only deals with offenders who have been found guilty of an offence, and the Court-Mandated Diversion project deals with both sentenced offenders and offenders who have pled or been found guilty and been released on bail awaiting sentencing, the TPS deals with both sentenced and unsentenced (including unconvicted) persons. Remandees comprise just under half of entries and exits from the TPS.

Note also that persons under 18 are the responsibility of Youth Justice within the Department of Health and Human Services (DHHS). Under agreement with DHHS and Tasmania Police, persons in police custody may be held temporarily in the Hobart or Launceston Reception Prisons awaiting court or transfer. This can include persons under 18 years of age.

2.1. Prison facilities and capacity

The Tasmania Prison Service is responsible for Tasmania's six prisons. Three are on the Risdon site: the Risdon Prison Complex (RPC), which houses male prisoners in medium- and maximum-security accommodation; the Ron Barwick Minimum Security Prison (RBMSPP), which houses male minimum-security prisoners; and the Mary Hutchinson Women's Prison (MHWP), which houses female prisoners in minimum-, medium- and maximum-security accommodation. The TPS is also responsible for the Hobart and Launceston Reception Prisons (HRP, LRP) and the Hayes Prison Farm (HPF).

The combined capacity of the prisons is 645. However, prisoners are placed according to gender and security rating, so it is important to consider these factors when looking at prison capacity. For male prisoners, the Risdon site has a base capacity of 52 in standard maximum-security accommodation, 196 in medium-security, and 170 in minimum-security. There is also provision to accommodate 33 offenders in specialist units (e.g. crisis support, behaviour management, detention) which are rated to maximum-security. Some of these were intended only as short-term accommodation, but others were designed to be suitable for long-term accommodation. For female prisoners, base capacity at MHWP is 15 in maximum-security, 12 in medium and 19 in minimum.

Additionally, there are the remote sites: Hayes (male inmates, minimum-security, capacity 68), Hobart Reception Prison (male and female inmates, all security levels, short- and long-term stay, capacity 36) and Launceston Reception Prison (male and female inmates, all security levels, short- and long-term stay, capacity 28).

Health Services for prisoners are provided by the Correctional Health Service operated by the Department of Health and Human Services. There are six inpatient beds within the Risdon Prison Complex. Inmates diagnosed with a mental illness may be accommodated at the secure mental health Unit on the Risdon site, the Wilfred Lopes Centre (WLC).

² Completed Community Corrections and Court-Mandated Diversion orders include both successful completions and revoked orders. Orders completed in 08-09 may have commenced prior to this period.

Additional pressure on accommodation is sometimes felt due to protection issues. Inmates may be separated to protect those at risk of victimisation (e.g. due to sexual orientation, age, disabilities, nature or notoriety of crime, or past interactions between inmates).

2.2. Community Corrections facilities and capacity

Community Corrections is responsible for Tasmanian offenders sentenced to community-based orders: probation, parole and community service orders. In 2008-09, the average daily offender population of 1177 included:

- 112 offenders on parole orders;
- 670 offenders on probation orders; and
- 571 offenders on community service orders.

Note that some offenders have more than one type of order, so the total number is less than the sum of the order types.

For offenders on probation and/or parole, the intensity of supervision depends on the offender's risk of re-offending, as determined by assessment at interview using a risk-assessment tool (the Level of Service / Case Management Inventory (LS/CMI)). More frequent contact is required of offenders assessed as being at high risk than those assessed as medium or low risk.

Community Corrections offices are located in Burnie, Devonport, Launceston, Bridgewater, Rosny and central Hobart. Staff also utilise office accommodation for service delivery in New Norfolk, Huonville, Queenstown, Smithton and Ulverstone and travel to provide outreach services in the rest of the state.

Community Corrections' capacity to provide services is primarily limited not by physical resources but by staffing. In 2008-09 Community Corrections had 56.12 FTE, of whom 40.64 FTE were operational staff (Probation Officers, Community Service Order Supervisors and Professional Supervisors, who have direct contact with offenders).

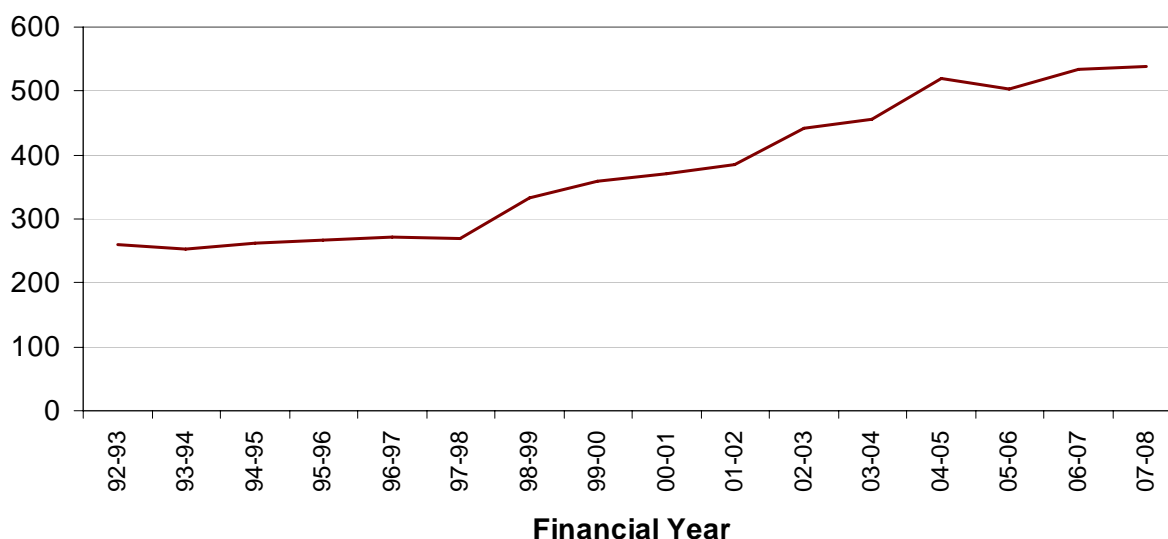
2.3. Corrections offender numbers

In the last ten years the number of offenders dealt with by the Tasmanian Corrections system has increased significantly. There has been a considerable increase in prisoner numbers in Tasmania, placing significant stress on TPS resources as described below. The number of community-based offenders decreased initially, but has risen for several years and is currently at a ten-year high.

Between 1997-98 and 2004-05 the average daily prisoner population increased by 94%, from 269 to 521. This was far greater than the state's population growth, which was only 3% in this period. Prior to this period of growth, the imprisonment rate was largely stable for 15 years.

As shown in the following graph, this situation is not unique to Tasmania, but reflects a national trend. All Australian states and territories have seen a dramatic increase (50-100%) in imprisonment rate in the last 25 years. The timing of the increase varies from one jurisdiction to another. Compared to other states, Tasmania's increase started later and occurred over a shorter time period, making its impact more noticeable.

Average daily prisoner population - Tasmania



The increase in Tasmanian prisoner numbers between 1997-98 and 2004-05 led to considerable pressure on prison capacity. At times it was necessary for prisoners to share cells. To address this, the Prison Infrastructure Redevelopment Plan (PIRP) was instigated. PIRP Stages A-C resulted in the opening of the Risdon Prison Complex in August 2006 and the Mary Hutchinson Women's Prison in November 2006, relieving the pressure on overall prison facilities. Further work has been planned (see Section 5).

The growth in average daily prisoner population has slowed in recent years, reaching 539 in 2007-08, and decreasing to 522 in 2008-09.

Day-to-day prison population figures may exceed capacity without being evident in the annual averages. There is a seasonality in prisoner numbers related to the sitting patterns of the courts. Maximum numbers tend to occur between September and November, while minimum numbers tend to be seen in January and February. In the past three financial years, the highest daily prisoner count was 592 in September 2006. In 2008-09 the highest daily prisoner count was 551.

Changes in Community Corrections offender numbers have been less dramatic. Between 1998-99 and 2002-03, the increase in prisoner numbers corresponded with a decrease in offenders on community-based orders. However, since 2002-03 offender numbers have trended upwards, and are currently at a 10-year high. Also, the numbers of reports requested particularly from the courts has significantly increased 2008-2009 placing additional demands upon CC resources, particularly in the South and North West regions.

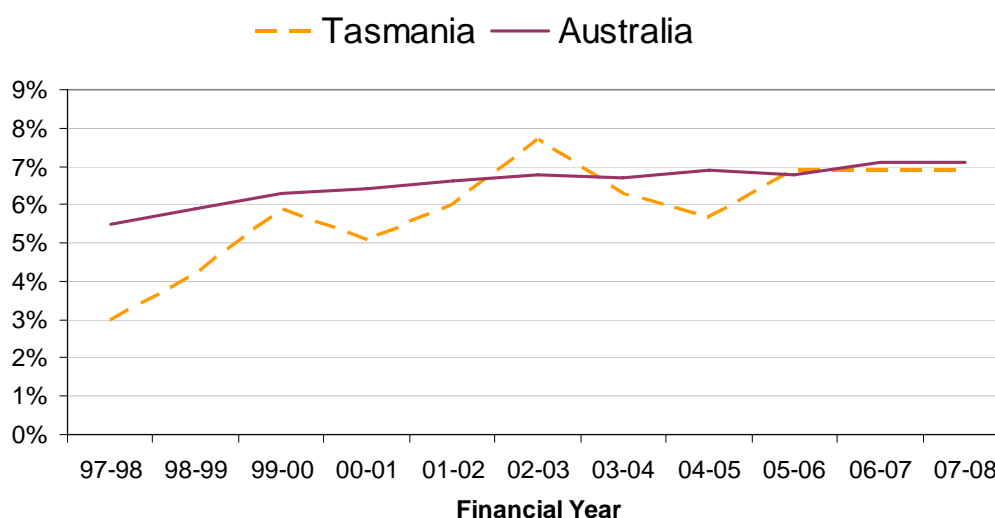
Factors influencing prisoner and offender numbers are discussed in Section 2.6.

2.4. Female prisoners / offenders

While overall offender numbers have increased as reported above, the number of female offenders has increased at a still greater rate, particularly in the prison system.

The average number of women in prison in Tasmania increased 5-fold between 1997-98 and 2007-08, from 7 to 37. This equates to a 2.3-fold increase in the proportion of prisoners who are female, from 2.6% to 6.9% of the total prisoner population. Similarly, the national imprisonment rate for women has increased by over 60% in the last 10 years. The increase in Tasmania is more dramatic, but this may be due to the low starting figure.

Women as percentage of prison population



As women tend to have shorter sentences than men, they comprise a larger proportion of prison entry / exit figures than daily population figures. In 2007-08 women comprised 11.5% of receptions and 10.2% of releases, including 9.1% of sentenced releases.

There has also been an increase in the proportion of Community Corrections offenders who are female, from 16.7% in 1999-00 to 20.7% in 2007-08.

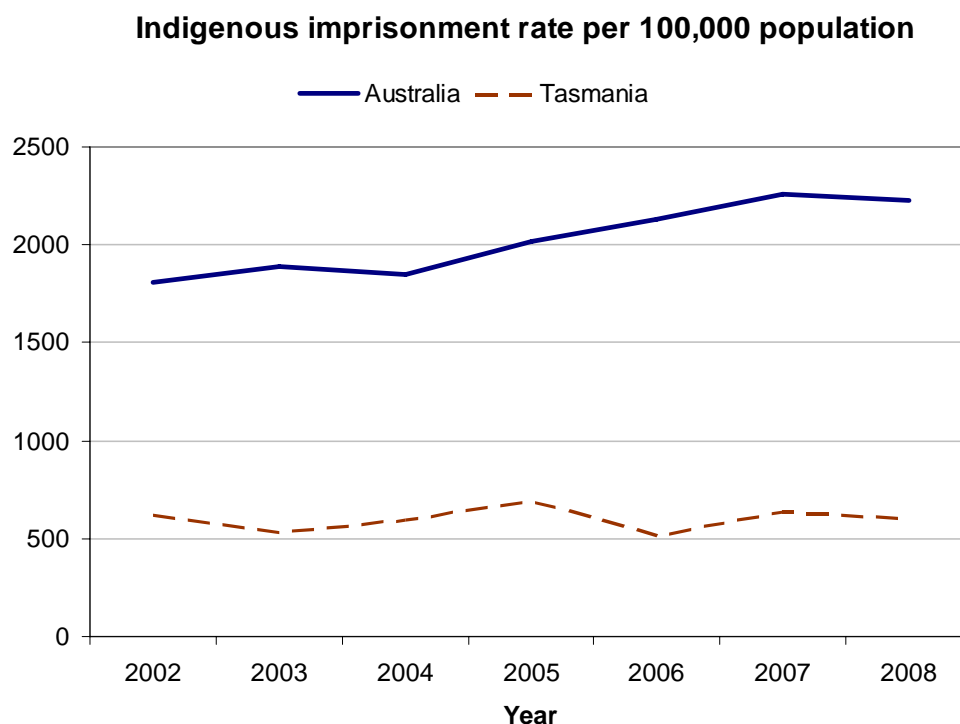
2.5. Indigenous prisoners / offenders

Indigenous people are over-represented in the Tasmanian corrections system, as they are in corrections systems nationwide. While 3.6% of the Tasmanian population identify as Indigenous³, in the 2007/08 financial year Indigenous prisoners comprised 13.1% of the prison population and 11.9% of the Community Corrections offender population. This equates to approximately 70 prisoners and 130 offenders. Indigenous Tasmanians are 3-4 times more likely to be involved in the corrections system than non-Indigenous Tasmanians.

The proportion of Tasmanian prisoners who are Indigenous has increased from 10.0% to 13.1% in the past decade. However, this corresponds to an increase in the proportion of Indigenous people in the Tasmanian population (through both natural increase and an increase in self-identification as Indigenous). If imprisonment rates per 100,000 adult Indigenous population are considered, Tasmania's Indigenous imprisonment rate has been largely stable in recent years (2002-2008). During this time the national Indigenous

³ 2006 Census, ABS.

imprisonment rate has increased by 23%, and some states, particularly Western Australia and the Northern Territory, have experienced particularly large increases, but this has not been observed in Tasmania (see the graph below).



2.6. Factors affecting prisoner and offender numbers

Prisoners and offenders become involved with in the corrections system as the result of procedures within the justice system. The corrective services do not have control over the processes by which offenders are assigned to them, and must respond to demand as it occurs. Factors which may influence the demand for corrective services include:

- underlying crime rates;
- rate of detection of crimes;
- arrest rates;
- remand rates;
- police action / charge rates;
- court findings / conviction rates;
- sentence type (fine, community-based order or prison sentence); and
- sentence length.

Changes in any stage of this multistage process may affect prisoner and offender numbers. For example, the increase in women's imprisonment rates could be ascribed to increased participation in crime, changes in offence types towards more serious crimes, or changes in sentencing trends for female offenders (type of sentence, length of sentence). Another example is the increase in the number of remandees as a result of the legislative changes associated with the Safe at Home initiative.

2.7. Offender numbers: future demand

Because of the complexities involved in crime detection, conviction and sentencing described above, it is difficult to predict future demand in corrective services. Underlying demographic factors can be modelled and predicted, but these are much less influential than policy changes and social trends.

Demographic factors in Tasmania are relatively stable. Population growth is slow, with an increase of about 6% expected in the coming decade⁴. Gender ratios are not expected to change greatly in this time.

Tasmania's age profile is of interest, as involvement in the corrective services system is strongly correlated with age. Young adults are much more likely to be incarcerated than those in older age brackets. 20-44 year olds account for about 80% of the corrective services offender population, but only 42% of the population. Interestingly, people in their 20s and early 30s are under-represented in Tasmania, largely due to interstate migration⁵. If this trend is reversed, the increased numbers of young adults may lead to an increase in offender numbers.

When predicting future demand for prison accommodation, it is expected that the population of certain types of inmate will increase at a faster rate than others. Women's imprisonment rates, in particular, have been increasing much faster than men's, and this trend is expected to continue. There has been an overall shift to a higher security rating profile for both male and female inmates.

Despite these factors, policy and practice changes are likely to have a much stronger impact on offender numbers than demographics and social changes. For example, the great increase in prisoner numbers in the last 10 years appears to be associated with changes in remand and sentencing patterns, rather than changes in the underlying population or in crime rates. As these issues are outside the control of Corrective Services, it is important that the corrections system be flexible enough to respond to the changes resulting from future changes in policy and practice.

2.8. Tasmania's size and dispersed population

Tasmania has a small population, similar to that of large local government areas in other states (e.g. Gold Coast City Council). It has the smallest offender population of any jurisdiction except for the ACT (the Northern Territory, although having a small base population, has a larger offender population due to the overrepresentation of Indigenous people in corrective services). States with larger numbers can take advantage of economies of scale, and can provide a wider variety of specialised services.

Tasmania has the most regional and dispersed population of any state in Australia, with almost 60 per cent of the population living outside the capital city⁶. While the distances involved are not as great as those in other states, issues of regional service provision are very important in Tasmania.

Recent analysis of the Community Corrections offender population has shown that about 60% of offenders are in the Southern region and about 20% each in the North and North-

⁴ <http://www.dcac.tas.gov.au/> Population Projections, Medium series.

⁵ http://www.taspop.tasbis.com/webapps/site/588/1401/info/info-page.html?info_id=7

⁶ http://www.dpac.tas.gov.au/divisions/cdd/ocya/children_and_young_people_in_tasmania_snapshot/demographics

West regions. The regional origins of the prison population are similar. A small number of sentenced prisoners are accommodated in the Launceston Reception Prison. However, all other prisoners serve their sentences at facilities located in the south of the state.

3. Providing services to offenders

3.1. Offender needs

In general, the offender population tends to come from a highly disadvantaged background. Common problems include low education levels, poor literacy and numeracy skills, poor employment histories, problems with drugs and alcohol, histories of sexual abuse, and so forth. These problems are discussed in more detail in the background paper on offender life cycle. Families with multiple members with histories of offending have been observed. The health profile of offenders is also considerably worse than that of the population as a whole.

3.2. Service delivery: challenges and opportunities

Sentencing an offender to imprisonment or a community-based order provides an opportunity for intervention in their lives. Prison can be seen as an opportunity to provide focused services to a high-needs population. Community-based orders also give the opportunity for intervention. In fact, it is argued that intervention in the community can be more effective than in prison, as the offenders are in their home environment, exposed to risk factors, and can put their learnings into immediate practice (see also the background paper on offender rehabilitation). In keeping with recommended practice, TPS and Community Corrections' interventions deliberately target criminogenic factors, that is those factors associated with offending, identified by risk / needs assessments.

Various factors affect the ability of corrective services to provide services to offenders. Many services require a certain length of time, so the length of an offender's sentence is crucial for determining their eligibility. For group programs, efficient delivery requires a number of eligible and suitable offenders to be brought together, so offender location is important. A wider range of services are available at the Risdon site than at the reception prisons or Hayes. Similarly, the delivery of programs in the community is affected by offender numbers in the various regions and by issues such as access to services and transport.

As discussed above, remandees are a significant proportion (typically 20-25%) of the prison population. Many are only held for a few days, but there are others who are on remand for several months. Providing services for remandees is difficult due to their legal status and the unknown length of their stay.

Release from prison can be a very challenging time, as ex-prisoners can face great challenges in finding accommodation and employment and re-engaging with their family and social networks. It is also a particularly high-risk time for re-offending. Throughcare (continuity of support as offenders exit corrective services or transition between parts of the corrections system) is of critical importance in easing this transition and reducing the risk of re-offending.

A variety of programs are provided by the Integrated Offender Management unit of the TPS, including programs designed to help offenders address violent behaviour and drug and alcohol problems, and sexual offending. Community Corrections also offers programs

targeting offending behaviour. This includes programs such as the Sober Driver, Family Violence Offender Intervention, and Offending Is Not The Only Choice.

4. Recent Initiatives in Tasmanian corrective services

Over the last ten years, numerous reforms and initiatives have been undertaken within Tasmanian corrective services. Significant changes in the area of offender management include:

- The Prison Infrastructure Redevelopment Plan (Stages A-C), which involved commissioning of new medium / maximum security and women's facilities at Risdon, and the refurbishment of the old Risdon prison facility as a minimum security prison;
- Introduction of the Integrated Offender Management (IOM) model to the Tasmania Prison Service, focusing on reducing re-offending through case management and reintegration;
- Implementation of a revised prisoner placement process; a new 'personal contract' system; new suicide and self-harm (SASH) protocols; a revised disciplinary process; and a new system of therapeutic (psychological) services;
- Introduction of new technologies to support prisoner rehabilitation and education (e.g. Risdon LINC);
- Negotiation of MOUs and Service Level Agreements with a wide range of government and non-government partners and service providers;
- Implementation of new risk assessment and quality assurance processes and the introduction of programs (Family Violence Offender Intervention, Sober Driver) in Community Corrections; and
- Review of the structure and operations of Community Corrections, currently in implementation.

5. Recent reviews and existing projects

Recent and ongoing projects that are related to the Breaking the Cycle Project are the:

- Prison Infrastructure Redevelopment Program;
- Review of Community Corrections and Community Service Scheme;
- Review of Parole Board; and
- Sentencing Review.

6. Measures of efficiency and effectiveness of corrective services

The Report on Government Services (RoGS) published annually by the Australian Productivity Commission is the primary source of nationally comparable information on the efficiency and effectiveness of corrective services. Statistics provided in the Corrective Services chapter of RoGS include:

- numbers of prisoners / community-based offenders, and rates per 100,000 population;
- cost per prisoners / community-based offender per day;
- number of community-based orders completed,
- assaults and deaths in custody;

- escapes from prison;
- prisoners' average time out of their cells per day;
- proportion of prisoners involved in employment and education;
- prison utilisation as a percentage of capacity; and
- community corrections offender-to-staff ratios.

While the RoGS data is robust and reliable, it covers a limited number of measures. Measuring the effectiveness and efficiency of corrective services is complex. For example, the time-out-of-cells statistic is the only figure in RoGS designed to reflect prisoner welfare. Which statistics are seen as relevant varies according to one's perception of the goal(s) of the corrections system. Many of the most important goals are difficult to quantify.

7. Key points from recent Reports on Government Services (RoGS)

In addition to figures quoted earlier in this paper, key Tasmanian statistics from recent releases of the *Report on Government Services (RoGS)*⁷ include the following:

- In 2007-08 the cost per prisoner per day in Tasmania was just under \$250, while the cost per offender supervised by Community Corrections was about \$10.50.
- Tasmania's real recurrent expenditure on corrective services in 2007-08 was \$112 per person (i.e. per Tasmanian) in this time, slightly below the national average of \$115 per person.
- No deaths due to unnatural causes have occurred in Tasmanian prisons since 2001-02 (RoGS, various years).
- Rates of assaults by prisoners on staff and other prisoners are among the lowest in Australia⁸.
- In 2007-08, Tasmanian prisoners in secure custody had more time out of their cells per day than prisoners in any other state or territory. The figure for prisoners in open custody (that is, Hayes Prison Farm) was also above the national average.
- In 2007-08 Tasmania reported an increase in the rate of prisoner employment to 70.1% from 57.4% in 2006-07. Nevertheless, this is below the national rate for prisoner employment, which was 77.8%.
- Tasmania's percentage of eligible prisoners participating in education has been either first or second in the country for the past six financial years (RoGS 2004-2009).

Information on recidivism is presented in the preface to the overall Justice section of the RoGS, rather than in the Corrective Services chapter, because of the many factors that influence re-offending and re-conviction (see section 2.6). In Australia, around 25-30% of offenders completing a community-based sentence and 35-40% percent of sentenced prisoners released from prison will return to corrective services under a new conviction within two years. The Tasmanian recidivism figures have been decreasing for several years and are currently below the national average. However, it is unclear whether this difference is statistically significant due to the small numbers involved.

⁷ Figures are from RoGS 2009 unless otherwise noted.

⁸ Assault rates have decreased since the opening of the new prison complex.

8. Constraints: legislation, guidelines, and treaties

A wide range of legislation, guidelines, treaties etc constrain and guide corrective services processes. Of particular importance are the following:

- Sentencing Act 1997;
- Corrections Act 1997;
- Family Violence Act 2004;
- Prison Director's Standing Orders;
- Standard Guidelines for Corrections in Australia 2004;
- National Corrections Drug Strategy 2006-2009; and
- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (not yet ratified).