



Research Publication

Exploratory research into post-release community integration and supervision:

The experiences of Aboriginal people with post-release parole supervision and reintegration in NSW

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Acronyms

ACSOs	Aboriginal Client Services Officers
ACECOs	Aboriginal Community Engagement and Culture Officers
AMS	Aboriginal Medical Service
CBT	cognitive behavioural therapy
CCOs	Community Corrections Officers
CSNSW	Corrective Services NSW
LSI-R	Level of Service Inventory-Revised
OIMS	Offender Intake Management System
PGI	Practice Guide for Intervention
RNR model	Risk-Need-Responsivity model
SAPOs	Services and Programs Officers
SPA	State Parole Authority

TABLE OF CONTENTS

Executive Summary: Findings and Recommendations

1. Project Background	16
1.1 Outline of research.....	16
1.2 Methodology	16
1.2.1 Methods	17
1.2.2 Recruitment process and locations: Aboriginal people on parole in the community and CSNSW staff.....	18
1.2.3 Recruitment process and locations: Former people on parole who had parole revoked and were returned to prison.....	19
1.3 Profile of completed interviews	19
1.3.1 Data analysis	21
1.3.2 Ethics	21
1.4 Law and policy context for parole in NSW	21
1.4.1 Recent changes to parole in NSW	22
1.4.2 The Practice Guide for Intervention	23
1.4.3 Community-based post-release support in NSW	23
1.5 Report outline	25
2. Literature Review	27
2.1 Introduction	27
2.2 Parole supervision and completion	27
2.3 The experiences of people subject to parole supervision	28
2.3.1 Relationships with supervising officers	29
2.4 Parole conditions	30
2.5 Reintegration and the community sector	32
2.6 Other factors affecting reintegration and parole completion	35
2.6.1 Homelessness and housing instability	36
2.6.2 Connection to family and community	37
2.6.3 Substance dependency	39
2.6.4 Mental health disorders and cognitive disability	39
2.6.5 Employment	40
2.7 What factors do Aboriginal people identify as key to improving parole supervision?	40
2.7.1 Aboriginal community developed, owned and led support	41
2.7.2 Holistic, trauma-informed and based on Indigenous conceptualisations of health and healing	41
2.7.3 Incorporating cultural considerations and family obligations into parole decision-making	42

2.7.4 <i>The importance of structural context and removing practical barriers to reintegration</i>	43
2.8 Summary	44
3. Experiences of Supervision	45
3.1 Leaving prison on parole in NSW	45
3.2 What was in place on release?	47
3.3 Aboriginal people’s experiences with supervising officers	50
3.3.1 <i>The initial meetings</i>	50
3.3.2 <i>Building a positive relationship by working together</i>	51
3.3.3 <i>Being able to speak up</i>	51
3.3.4 <i>Set up for failure</i>	52
3.4 Summary	52
4. Gender and Parole Supervision	54
4.1 The impact of gender on the experience of supervision	54
4.2 The relevance of gender-specific support	54
4.3 Summary	56
5. The Qualities of Supervising Officers	58
5.1 Building a relationship of trust and rapport	59
5.2 Strategies for developing trust, rapport and respect	61
5.3 Patience, trust and the successful completion of orders	63
5.4 The ability to set realistic expectations and assist in understanding	63
5.5 The ability to balance support with compliance	64
5.6 An understanding of Aboriginal people, culture and community	65
5.7 Summary	67
6. The Role of Family and Community in Supervision and Reintegration	68
6.1 Positive support	68
6.2 The sense of loss of family	69
6.3 The complexity of family and community relationships	69
6.4 CCOs, family and community	70
6.5 Summary	71
7. Understanding Parole Conditions and the Impact on Successful Reintegration	72
7.1 Understanding parole conditions	72
7.2 The role of the CCO in explaining conditions	74
7.3 ACSOs and conditions of parole	75
7.4 Summary	76
8. The Importance of Aboriginal Client Services Officers	77
8.1 The Role of ACSOs	77

8.1.1	<i>The description and role of the ACSO position</i>	77
8.1.2	<i>The position within Corrective Services NSW</i>	78
8.2	The utilisation of the ACSO by CCOs	79
8.3	The lack of ACSOs	80
8.4	The importance of gender	80
8.5	The relationship building between parolees, ACSOs and successful supervision	81
8.6	ACSO career progression, training and development	82
8.7	The future role of the ACSO	83
8.8	Summary	84
9.	Developing Professionally Well-Equipped Community Corrections Officers	85
9.1	Do CCOs feel professionally well equipped to work with Aboriginal clients?	86
9.2	What were the experiences of CCO training at the academy in working with Aboriginal clients?	88
9.3	CCO training and practice	88
9.4	Increasing the number of Aboriginal CCOs	89
9.5	Summary	90
10.	Reintegration and Access to Community Sector Services	91
10.1	Housing and accommodation	91
10.2	Responding to mental health and disability	92
10.2.1	<i>Obtaining assessments</i>	92
10.2.2	<i>Impact on the supervisory relationship</i>	93
10.3	Access to Aboriginal and non-Aboriginal services	94
10.4	Refusal of service and lack of alternatives	95
10.5	Providing choice of service to Aboriginal parolees	96
10.6	Motivation	96
10.7	Summary	96
11.	Policy and Practice Framework	98
11.1	The impact of the LSI-R and risk on the supervisory relationship	98
11.1.1	<i>The LSI-R and assessing risk for Aboriginal people on parole</i>	98
11.1.2	<i>Risk, suspending supervision and more stringent supervision</i>	99
11.1.3	<i>Access to programs and risk</i>	100
11.2	Programs and responsivity	100
11.3	Group work and collective support	101
11.4	The Practice Guide for Intervention	101
11.4.1	<i>Literacy</i>	101
11.4.2	<i>Cultural relevance and suitability</i>	103

11.5 Compliance, rehabilitation and social work functions	104
11.6 Summary	106
12. The Institutional Setting: Developing an Aboriginal Approach in Community Corrections	108
12.1 The Community Corrections office: A family-friendly, culturally safe, community resource?	108
12.1.1 A family-friendly space	108
12.1.2 A culturally safe space	108
12.1.3 A community resource	109
12.2 Aboriginal decision-making within Community Corrections	110
12.2.1 Aboriginal consultative forum	110
12.2.2 Elders group	110
12.3 Summary	111
References	112
Appendices	120
Appendix A Semi-Structured Interview Schedules	120
Appendix B Participant Information and Consent Forms.....	128

EXECUTIVE SUMMARY

This project involves exploratory research into the experiences of Aboriginal people with post-release parole supervision and reintegration in NSW. The research focuses on identifying the qualities of the relationship between parole supervisors and Aboriginal people on parole that successfully assist individuals with reintegration and those aspects that require improvement.

The evaluation has reviewed the relevant literature and has used qualitative methods through 32 in-depth interviews with Aboriginal parolees, Community Corrections Officers (CCOs) and Aboriginal Client Services Officers (ACSOs)¹ in six Community Corrections offices and three prisons in NSW. Based on the research, we have made several recommendations to improve the supervision process by Corrective Services NSW (CSNSW).

FINDINGS

Experiences of Supervision

Many Aboriginal parolees acknowledged that release from prison is a very difficult time, often exacerbated by poor planning and lack of support. Both ACSOs and CCOs can assist in navigating this period, but the lack of throughcare is a major problem. Information provided to CCOs of parolees at the time of release was also inconsistent. It was noted that the ACSO could provide a CCO with important information at the first stages of supervision about Aboriginal parolees in terms of family and community.

Both CCOs and Aboriginal parolees noted that the initial supervision meetings were critical in establishing a working relationship between the two parties. For Aboriginal parolees, how the CCO interacted was important – whether they listened to parolees and whether they were perceived as being there to help. Several parolees spoke of whether they thought the CCO demonstrated a willingness to ‘work with them’ and not against them. Other parolees spoke of the importance of being able to speak up and have their voices and concerns heard and the need for flexibility and understanding in the relationship. The opposite were those parolees who felt they were being ‘set up for failure’ by being required to fulfil impossible tasks.

The ability of the CCO to create an environment where the person on parole feels their voice will be listened to is critical. This dynamic is of particular concern for Aboriginal parolees because there are so few Aboriginal CCOs in CSNSW. A non-Aboriginal person will supervise the vast majority of Aboriginal parolees.

Gender and Parole Supervision

Most parolees we interviewed considered the gender of their supervising officer to be irrelevant and placed greater emphasis on building trust and genuine relationships. However, both CCOs and ACSOs described situations, including those arising from cultural differences, where gender-specific supervision may be more appropriate. We

¹ In 2021, the role title Aboriginal Client Services Officer (ACSO) was changed to Aboriginal Community Engagement and Culture Officer (ACECO).

recommend below that the ACSO asks the person on parole at the time of initial interview whether they have a preference for a male or female CCO.

All interview participants – parolees, CCOs and ACSOs – highlighted differences in need across gender. It was noted that while there are considerably fewer women in prison, they often tend to have a higher level of need, specifically concerning family and caring responsibilities and experiences of violence and trauma. As these experiences are gendered issues, this highlights the benefits of supervision with a high level of expertise and skill in these areas.

The Qualities of Supervising Officers

Several ideal qualities of supervising officers emerged from this research. Parolees considered CCOs' understanding of the needs of the individual, listening to them and having patience as particularly important qualities of supervising officers. The ability of the parolee to speak up was also considered important to building a positive relationship, and we note that CCOs must be able to provide the space and environment in which parolees feel comfortable doing so. Being believed in and encouraged were also considered important to parolees.

Parolees, CCOs and ACSOs all spoke of the importance of building rapport and genuine relationships based on honesty and trust. Many suggestions were made as to how such relationships could be developed. Respondents spoke of the importance of honesty flowing both ways – parolees felt they needed to be honest with their supervising officer to get the most out of the experience and required honesty from them in return. Both parolees and CCOs noted the importance of setting realistic expectations, so parolees are not 'set up to fail' because they cannot meet certain requirements. The greater flexibility available to CCOs since the 2017 reforms was seen favourably by CCOs, ACSOs and parolees.

There was agreement among CCOs, ACSOs and parolees that one of the most effective strategies for building trust and rapport with Aboriginal parolees was to genuinely engage with 'who they are, where they're from and what's important to them', and to have some knowledge about their community, family and kinship. Therefore, an understanding of Aboriginal people, culture and community is particularly important and has the potential to either positively or negatively impact the relationship between the CCO and the parolee.

We acknowledge that both CCOs and ACSOs play an important role in developing trust and rapport in the supervisory relationship. We make recommendations to improve the training of CCOs in their work with Aboriginal parolees and recommend a more consistent role for the ACSO, particularly in providing relevant information to CCOs (e.g., on family/kinship and community), attending the initial interviews and case planning.

The Role of Family and Community in Supervision and Reintegration

Interview respondents generally spoke of the positive benefits of connection to family and community. Women in particular – mums, aunties, sisters, girlfriends, wives – were frequently mentioned as important and supportive people in the lives of parolees. Interview respondents told us that they often relied on family for social support and practical provisions – such as a safe place to stay – particularly in increasingly challenging housing contexts.

CCOs acknowledged the importance of family support specifically for Aboriginal people. Children were often described as a driving factor towards desistance for parolees, signifying that these relationships should be encouraged and supported where possible. If home and family visits are seen as appropriate by the parolee, this can be one way for CCOs to build relationships and connections with family and include them in discussions of case plans and the parolee's conditions to assist with their reintegration.

Family was generally considered a positive factor in the lives of those on parole. However, this was not always the case. Relationships between family, community and the individual could also be far more complex. Some respondents told us that they did not have family members they could draw on for support, and in some cases, these relationships were closely tied to problematic drug and alcohol use. Avoiding these relationships was considered a priority.

Understanding Parole Conditions and the Impact on Successful Reintegration

For the most part, Aboriginal parolees understood the conditions of their parole, at least in general terms. However, various individual factors can influence understanding, including cognitive impairment and literacy.

Understanding parole conditions is a separate issue to the ability to comply with those conditions. Factors identified in the interviews that can influence compliance include mental health and cognitive impairment, substance dependency, and separation from family and Country. Several parolees we interviewed spoke of relief at being breached and reimprisoned because their substance dependency or mental health problems made the stress of release into the community overwhelming.

The CCOs play an important role in explaining parole conditions. Being able to tailor conditions due to the flexibility enabled by the 2017 reforms was seen as beneficial. CCOs spoke of the need for open discussion with parolees in interpreting the nature or requirements of compliance.

The Importance of Aboriginal Client Services Officers

The role of the ACSO emerged in this research as a major positive influence on the supervision of Aboriginal parolees. Overwhelmingly, parolees, ACSOs and CCOs saw the role as beneficial, particularly in streamlining parole supervision, reintegration and case management of Aboriginal clients, and assisting with access to community-based services. Parolees saw the ACSOs as mentors and confidantes. ACSOs also provide the link between CSNSW and the Aboriginal community and Aboriginal community-based organisations.

The utilisation of the ACSO varied across locations, and the utilisation by CCOs also varied in specific offices. All the CCOs we interviewed who were actively supervising Aboriginal clients valued the role of the ACSO strongly. However, some CCOs noted a lack of clarity in utilising the ACSOs. A major issue was the state-wide inconsistency regarding whether the ACSOs could access the prisons to work with Aboriginal prisoners pre-release.

The development and career progression opportunities for ACSOs were seen to be non-existent and problematic in terms of the department's valuing of the position and Aboriginal staff. The significant state-wide lack of ACSOs further compounded this problem. Future developments for the role include increasing ACSO positions (both male

and female) to service the large numbers of Aboriginal parolees throughout the state. It would also be helpful to engage ACSOs in CCO training to explain their work and the assistance they can provide in case management. Giving thought to ACSO career progression and training and helping ACSOs access custodial settings to assist in the throughcare of Aboriginal parolees are all developments that would assist in the successful supervision of Aboriginal parolees.

Developing Professionally Well-Equipped Community Corrections Officers

The interviewees provided mixed responses to whether CCOs were well equipped for working with Aboriginal clients and communities.

The CCOs were generally negative about their training at the Academy on Aboriginal cultural matters. CCOs attributed their ability to engage with Aboriginal clients to their access to an ACSO and their on-the-job experiences.

There was a consensus that the newer, younger staff were more open and interested in engaging with Aboriginal culture and Aboriginal communities; however, they did not necessarily have the knowledge or training to do so. Parolees also noted the change who thought that newer staff were more open and thoughtful than punitive.

CCOs, ACSOs and parolees identified a significant need for employing more Aboriginal CCOs.

We make recommendations to improve the training of CCOs in their work with Aboriginal parolees, with a particular focus on improved supervisory practice. We also note that a more consistent approach to the duties of the ACSOs will assist CCOs. We recommend the development of strategies to increase the employment of Aboriginal CCOs.

Reintegration and Access to Community Sector Services

A need was identified to have all services brought to the office for a service day to process requests and applications. This initiative would assist with problems of access for parolees.

Community services and government agency information should also be developed into a directory and updated (either centrally or at the local level) to assist with access. Aboriginal parolees should be offered a choice in accessing either Aboriginal or non-Aboriginal services where available. Both the CCOs and ACSOs have a role in linking parolees with services.

Access to assessments for mental health and cognitive impairments for parolees was seen to be a significant factor. Where present, addressing these needs affected the supervisory relationship and successful completion.

The interviews widely acknowledged access to suitable housing as a core problem in successful reintegration. The current focus on criminogenic needs limits the role of CCOs to refer to external services. Some CCOs, ACSOs and parolees noted that parole supervision should extend beyond interventions that deal solely with criminogenic needs to reduce recidivism and support the reintegration of Aboriginal people.

Long-term, culturally appropriate, community-based support should be available for those who require it. Support may need to extend beyond the 12-week time frame through

which community-based services are currently funded under the Funded Partnership Initiative.

Policy and Practice Framework

There were various comments by CCOs and ACSOs relating to the LSI-R, EQUIPS and PGI. A common theme was the question of their suitability for Aboriginal parolees. Higher risk ratings for Aboriginal parolees through the LSI-R affect the likelihood of suspension of supervision and more stringent supervision monitoring and create further anxiety for the parolee.

Aspects of the PGI were seen to be inappropriate for low-literacy parolees and not culturally suitable by some CCOs leading to modifications in its use. Some CCOs and parolees indicated the importance of group work and group support for Aboriginal people on parole. Parolees considered that changes to supervision practice arising from COVID-19, including increased use of phone call check-ins, made complying with parole less onerous.

In the broader policy framework context, we were interested in considering how CCOs saw their functions in terms of compliance, rehabilitation, and social work. Most CCOs saw their role as a balance between these three functions, with the rehabilitation function largely defined in the context of responding to criminogenic needs and the social work function as limited to referrals. The move away from strict compliance was seen positively to enable a more individualised and holistic response to parolees. However, not all CCOs saw the shift to referral as an adequate response to addressing the broader structural conditions that negatively impact successful reintegration, such as homelessness and unemployment. This view raises the need for a more visionary response to broader social problems.

The Institutional Setting: Developing an Aboriginal Approach in Community Corrections

There is a concern about making Community Corrections offices an improved space for Aboriginal people and the community. There was a specific discussion of the need for a family-friendly space, a culturally safe space, and the office to act as a community resource. These ideas are not particularly unusual. Indeed, these ideas would support the NSW Corrective Services' *Aboriginal Strategy* (2014) of building closer ties with Aboriginal communities.

There was also discussion of other institutional-level responses that would aid successful supervision of Aboriginal parolees. One role of a consultative forum might be to provide input into policy development in areas such as the PGI or LSI-R or into broader initiatives such as introducing cultural safety principles within the department. Further institutional changes that would reflect trends in other areas of justice include greater involvement of Elders and respected community representatives in decision-making at the local level and the potential for greater involvement of Aboriginal community-controlled organisations in parole supervision.

RECOMMENDATIONS

Gender and Parole Supervision

1. We recommend that Aboriginal parolees in the initial parole interview should be asked – ideally by the ACSO – whether they prefer being supervised by a male or female parole officer.
2. We recommend that all CCOs supervising Aboriginal women undergo specific training in women-centred, culturally informed and trauma-informed care, particularly concerning domestic and family violence and other matters related to caring responsibilities.

Family and Community in Supervision and Reintegration

3. We recommend that CSNSW policy be developed to allow children, partners and other family members to attend parole interviews and appointments as a support person (if appropriate) and to include them in discussions of case plans, parolees' conditions and order obligations.
4. We recommend that where appropriate and alongside ACSOs, CCOs conduct family and home visits to provide a greater opportunity for family involvement.

Parole Conditions

5. We recommend that CSNSW encourage flexibility on the part of CCOs in tailoring parole conditions and the requirements for compliance.
6. We recommend the involvement of ACSOs in discussions between CCOs and parolees on parole conditions and compliance.

Improving the Position of ACSOs

7. We recommend revising the ACSO position description to better reflect the undertaken work. In reviewing the position description, we recommend that consideration be given to the following:
 - ACSOs have access to Aboriginal prisoners before release and involvement with release planning to ensure improved throughcare, and ACSOs continue to be involved in throughcare after release.
 - ACSOs are notified through the Corrective Services NSW portal of all Aboriginal people leaving prison on parole.
 - ACSOs are included in the initial parole interview with all Aboriginal people leaving prison on parole.
 - ACSOs are involved in developing all case plans for Aboriginal people on parole to ensure cultural considerations and family obligations are incorporated into parole decision-making.
8. We recommend that CSNSW consider the career progression and training needs of ACSOs.

9. We recommend that ACSOs be included in the training and development of CCOs at the Academy. This training should include information on the role of the ACSO as a core position within the department for assisting with the supervision of Aboriginal parolees.

10. We recommend that CSNSW give urgent consideration to the employment of further (male and female) ACSOs to reflect the size of the Aboriginal population under community supervision and locations across the state.

Developing Professionally Well-Equipped Community Corrections Officers

11. We recommend changes to existing training at the Academy to focus on improving the abilities of CCOs to work with Aboriginal people under supervision. Specifically, we recommend incorporation of skills-based training that:

- develops trust and rapport with Aboriginal people under supervision
- demonstrates the role of ACSOs in providing client information, assisting with case management and other avenues of assistance for CCOs
- utilises experienced CCOs and ACSOs to deliver (or at least support the delivery of) this training.

12. We recommend that current CCOs should have access to further training on supervising Aboriginal people on parole, including specific training on cultural matters and family responsibilities.

13. We recommend that CSNSW consider strategies to increase the employment of Aboriginal people in the role of CCOs.

Reintegration and Access to Community Sector Services

14. We recommend a community services day be held at the Community Corrections office, where the area services attend the office to assist parolees with their needs.

15. We recommend that CSNSW consider how to improve access to mental health and cognitive assessments both in prison and after release.

16. We recommend considering the Weave model (noted in Section 2 of this report). People leaving prison on parole should have access to a dedicated housing specialist within NSW Communities and Justice.

17. We recommend that CSNSW assist with establishing a database/resource directory of community-based services in local areas available to people leaving prison on parole, including service eligibility criteria.

Policy and Practice Framework

18. We recommend that CSNSW engage an external suitably qualified Aboriginal and Torres Strait Islander community-controlled organisation. The organisation should assess the current LSI-R, EQUIPS suite of programs and the PGI to evaluate cultural relevance, determine whether there are unequal or biased outcomes based on the person's Aboriginality, and determine whether and how problems might be remedied.

19. We recommend that CSNSW analyse how changes in supervision via phone call arising from COVID-19 restrictions affected parole supervision and what lessons might be learned from the experience.

Developing an Aboriginal Approach in Community Corrections

20. We recommend that CSNSW establish a staff Aboriginal consultative forum within CSNSW.

21. We recommend that the Aboriginal consultative forum and the Aboriginal Strategy and Policy Unit (as appropriate) advise on:

- strategies for developing cultural safety within CSNSW
- strategies for involving Elders and community representatives in various Community Corrections processes, including advice concerning compliance and breaches for Aboriginal parolees
- avenues for the involvement of accredited Aboriginal organisations in the supervision of Aboriginal parolees.

22. We recommend that Community Corrections managers consider practical initiatives to make local offices more child-friendly.

23. We recommend that CSNSW explore options to develop Community Corrections offices as a community resource. The New York Probation Department's NeON Project provides one example.

1. Introduction

1.1. Outline of Research

This project involves exploratory research into the experiences of Aboriginal people² with post-release parole supervision and reintegration in NSW. The research focuses on identifying the qualities of the relationship between parole supervisors and Aboriginal clients that successfully assist individuals with reintegration and those aspects that require improvement. In particular, the research includes discussion on:

- the relationship with the supervising officer, including the quality of the relationship and trust
- the availability of services and parolees' perceptions of effectiveness
- the perceptions of the legitimacy of the process
- the impact of the supervisory relationship on successful or unsuccessful reintegration
- reflection on how the supervision of Aboriginal parolees can be improved.

Based on the research, we have made several recommendations to improve the supervision process by Corrective Services NSW (CSNSW).

The core research questions which have guided this project are as follows:

- What are the experiences of Aboriginal people leaving prison on parole in NSW with parole supervision and reintegration?
- What are Aboriginal people's experiences specifically with the supervising officer?
- What particular qualities of the supervising officer support or enhance reintegration, and can these be developed through improved training and/or upskilling?
- How well are parole conditions understood by parolees, and do parole conditions impact successful or unsuccessful reintegration?
- To what extent does the reintegration support provided by community sector organisations influence successful or unsuccessful reintegration?
- To what extent do other factors outside the supervisory experience also influence successful or unsuccessful reintegration (e.g., connection to family and community, improvements in health wellbeing, stable housing)?
- What factors do Aboriginal people identify as key to improving parole supervision and reintegration?

² None of the interviewees in this research identified as Torres Strait Islander. We refer to Aboriginal and Torres Strait Islander people or Indigenous people in this report as appropriate when referencing other research or broader settings.

1.2 Methodology

The evaluation uses a qualitative research methodology informed by Indigenous research methodologies. Key underlying evaluation principles to the research include:

- ensuring awareness and respect for cultural protocols, values and behaviours are integral to the work and inform all interactions between the Evaluation Team, Aboriginal and Torres Strait Islander research participants and CSNSW staff
- ensuring Aboriginal and Torres Strait Islander people's needs are central in planning and undertaking the evaluation
- ensuring the evaluation process is an empowering experience for participants by genuinely giving them a voice to express their aspirations, objectives and experiences
- adopting a strengths-based approach that proceeds from identifying successes and what is working well at the organisational level and individual levels, and identifying opportunities for positive change and improvements
- adopting a strengths-based approach consistent with exploring a desistance framework.

The evaluation has reviewed the relevant literature and has used qualitative methods through in-depth qualitative interviews. Non-probabilistic purposive sampling was used to recruit 32 interviewees based on the criteria specified below. The participants have provided rich and detailed data across participant groups. While findings derived from this project are not to be taken as statistically representative of the entire cohort group of Aboriginal parolees, the diversity of participants across language groups, gender, length of time under parole supervision and location allows for specific findings relevant to the research questions.

1.2.1 Methods

A literature review of the relevant published research is included in this report. It has been prepared with specific relevance to Aboriginal people on parole (and on community supervision more generally) and the factors related to successful completion of orders, reintegration and desistance from offending.

Semi-structured, in-depth, face-to-face interviews³ have been conducted with three separate participant cohorts:

- Aboriginal people who are on parole (n = 13) and who are at different stages of their parole supervision, and a smaller group (n = 6) who have returned to prison following parole revocation. This cohort includes female (n = 8) and male (n = 11) parolees.
- Community Corrections Officers (CCOs) who supervise Aboriginal people on parole in urban and regional locations (n = 9).

³ There were three exceptions in which telephone interviews were used because of access or availability issues.

- Aboriginal Client Services Officers (ACSOs) in urban and regional locations (n = 4).

Interviews lasted between 20 minutes and one hour and were audio-recorded (with informed participant consent) before being manually transcribed and coded. A copy of the semi-structured interview schedules for each participant group is included as Appendix A and copies of the Participant Information and Consent Forms as Appendix B.

It was planned to conduct semi-structured interviews with Aboriginal people on parole who were at four different stages of their parole supervision (total n = 20) as follows:

- Group 1: within six weeks after release (n = 6)
- Group 2: less than 12 months after release (n = 6)
- Group 3: 12 months or more after release (n = 3)
- Group 4: returned to prison for breach of parole (n = 5)

There was some variation to this because of access issues, and the final numbers interviewed in the parole cohort were as follows (total n = 19):

- Group 1: within six weeks after release (n = 3)
- Group 2: less than 12 months after release (n = 9)
- Group 3: 12 months or more after release (n = 2)
- Group 4: returned to prison for breach of parole (n = 6)

The largest group interviewed were those who had been under supervision for greater than six weeks but less than 12 months (see Table 1.2 later in this section for further detail).

1.2.2 Recruitment process and locations: Aboriginal parolees in the community and CSNSW staff

Some primary CSNSW locations were selected based on the location of ACSOs, reflecting a spread across regional and metropolitan NSW, data indicating high-risk Aboriginal parolees and the capacity to include one female ACSO. These locations were both metropolitan and regional.

Office managers and ACSOs were contacted at Community Corrections offices and sent a Recruitment Poster, Participant Information and Consent Forms to recruit parolees. ACSOs assisted in organising suitable dates and times to conduct the interviews with potential participants. While parolees were offered a choice of where to conduct the interview (e.g., library, café, park), in the end, all interviews were conducted in a closed room, providing confidentiality at the Community Corrections office. We could not reach the anticipated number of parolee interviews at all sites and so included another outer urban Community Corrections office for additional parolee interviews. We interviewed 13 parolees in the community, which was one less than originally planned.

All ACSOs at the original four sites also chose to participate in interviews. There was generally a positive response from CCOs to participating in the research, and in some offices, more CCOs were willing to be interviewed than were required. In total, we interviewed nine CCOs, three more than originally planned.

The researchers met with potential interviewees, explained the Participant Information and Consent Forms in plain language and allowed the opportunity to ask any questions

about the study. The voluntary nature of the research was emphasised to ensure the potential participant did not feel coerced into participating. Participants were asked to sign a written consent form. Aboriginal and Torres Strait Islander parolees who agreed to participate in the research received a \$50 gift voucher as compensation for their time.

1.2.3 Recruitment process and locations: Former parolees who had parole revoked and were returned to prison

Both custodial and community services staff (Aboriginal Services and Programs Officers [SAPOs], Aboriginal Case Managers and ACSOs) assisted in identifying Aboriginal people who had returned to prison following parole revocation. The Recruitment Poster, Participant Information and Consent Forms were provided to SAPOs/Aboriginal Case Managers and ACSOs to share with those in prison who fitted the research eligibility. Interviews were conducted at three Correctional Centres. Participants received a \$50 payment into their buy-up account as compensation for their time.

1.3 Profile of Completed Interviews

In all, 32 interviews were completed for this project, as outlined below in Table 1.1. All interviewees were provided with a pseudonym of their choice at the beginning of the interview.

Table 1.1 Completed Interviews

Cohort	Male	Female	Total
Aboriginal Client Services Officers	3	1	4
Community Corrections Officers	2	7	9
Parolees: Revoked	(2)	(4)	(6)
Community	(9)	(4)	(13)
Total	11	8	19
All Interviews Total	16	16	32

As shown in Table 1.2, the majority of all the parolees interviewed were males (58%). However, the majority were female among the smaller group who had their parole revoked and were returned to prison. During the research process, access to male prisoners proved difficult either because of transfers at short notice or limited access to Correctional Centres. The average age of the male parolees was 35 and of female parolees was 32.

The two time periods noted below in Table 1.2 (Time Supervised at Interview and Total Parole Period) need to be treated with caution as some interviewees were unsure of either period and, in particular, the total parole period.⁴

⁴ For example, when asked about the total parole period, Mick responded, 'To be honest, I don't know. I think it's two years or like 18 months, something like that'.

Table 1.2 Parole Interviewee Profile

Name	Sex	Age	Time Supervised at Interview ⁵	Total Parole Period	Nation
Males					
Mick	M	47	12 months	18 months	Dunghutti
Richard	M	25	1 week	18 months	Wiradjuri
Tom	M	28	3 months	12 months	Gamilaraay
Bob	M	33	12 months	2 years	Bundjalung
Adam	M	41	11 months	Unknown	Gamilaraay
Johnny	M	32	3 months	9 months	Bundjalung
Jack	M	45	10 months	2.5 years	Dunghutti
Phil	M	41	3 months	18 months	Dunghutti
Joe	M	34	2 weeks	8 month	Aboriginal
Muhammed (prison)	M	34	3 weeks	6 months	Gamilaraay
Alan (prison)	M	29	2 months	5 months	Bundjalung
Females					
Niah	F	40	6 months	12 months	Aboriginal
Daisy	F	20	1 month	2 years	Wiradjuri
Rose	F	30	5 months	6 months	Wiradjuri
Libby	F	32	4 months	8 months	Bundjalung
Mary (prison)	F	36	3 months	7 months	Aboriginal
Vivian (prison)	F	37	16 months	18 months	Gamilaroi
Noleen (prison)	F	34	2 months	6 months	Gamilaroi
Sarah (prison)	F	27	6 months	11 months	Aboriginal

Tables 1.3 and 1.4 show the interviewee profiles of ACSOs and CCOs, respectively.

Table 1.3 ACSO Interviewee Profile

ACSOs	Sex	Age	Time with CSNSW	Prior to ACSO
Chris	M	50s	20 years	Pre and Post-release officer
Graham	M	50s	9 years	Community Corrections
Sue	F	60+	30+ years	Pre and Post-release officer
Trevor	M	40s	10 years	Youth worker

Table 1.4 CCO Interviewee Profile**CCOs (n = 9)**

CCOs	Sex	Age	Time with CSNSW	Prior to CCO
Audrey	F	40s	22 years	Admin Officer CSNSW
Sally	F	40s	12 months	Police
Margaret	F	30s	8 years	Case manager CSNSW
Maree	F	20s	4.5 years	Admin Officer CSNSW
Frank	M	50s	30+ years	Nil

⁵ For those in prison, the 'time supervised' was the length of time up to revocation.

Mark	M	20s	4 years	Nil
Camilia	F	30s	12 years	Case manager CSNSW
Blanche	F	40s	15 years	Nil
Delilah	F	40s	3 years	Child Protection

1.3.1 Data analysis

Interview data were transcribed and thematically coded using the tenants of grounded theory (Corbin & Strauss, 2008). Braun and Clarke’s (2006) six phases of thematic analysis were broadly followed: familiarisation with the data, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and writing up.

1.3.2 Ethics

Both Correction Services New South Wales (CSNSW) and University of Technology Sydney (UTS) research ethics committees provided ethics approval for this project.

1.4 Law and Policy Context for Parole in NSW

All Australian jurisdictions allow for conditional release from prison on parole. Those released on parole have different rights, responsibilities and intensity of support than those released from prison unconditionally (Council of Australian Governments [COAG], 2016). Specifically, they are required to follow the direction of Community Corrections and abide by the conditions of their parole order. Failure to do so may result in a return to prison.⁶ Parole incorporates supervision and reintegration support to ‘assist’ and ‘monitor’ the person’s ‘adaptation to a normal, lawful community life’ (State Parole Authority, 2019b).

In NSW, the State Parole Authority (SPA) determines the release of those serving a prison sentence of over three years with a non-parole period specified by the court. For those serving a term of imprisonment of three years or less, the court must issue a parole order and set the parole conditions. This is referred to as statutory parole, whereby the person is automatically released from prison after the non-parole period’s expiration (SPA, 2019a). Most people released on parole in NSW are released as a result of court-based orders (87%) rather than by SPA orders (13%) (SPA, 2019a, p. 10).⁷

Standard parole conditions apply for those on parole irrespective of whether they are on parole ordered by SPA or a statutory parole order. Those subject to standard parole conditions must be of good behaviour, not commit any further offences and submit to the

⁶ In NSW, when breaches of parole result in a return to prison, the time that the person spent on parole counts towards the head sentence. This is also the case in Queensland, South Australia and Western Australian (Australian Law Reform Commission, 2017, p. 312). In some states (the ACT, Tasmania and Victoria), time spent on parole does not count towards the head sentence and must be served again in prison following their return (Australian Law Reform Commission, 2017, p. 312). This has adverse consequences, including extending the time a person serves under sentence, thus acting as a disincentive for people to apply for parole (Australian Law Reform Commission, 2017, p. 313).

⁷ 9,629 compared to 1,480 respectively in 2018 (SPA, 2019a, p. 10).

supervision of Community Corrections NSW. People on parole are required to comply with all reasonable directions from their supervising CCO, specifically regarding their place of residence; participation in programs, treatment or employment; associating with specific people or visiting certain areas; and ceasing or reducing drug and alcohol use and complying with testing. Additionally, they must permit the officer to visit their residential address, notify them of any changes to address, contact details or employment, and remain in NSW, unless permission to leave is granted (SPA, 2015). There are also a range of additional parole order conditions which can be imposed.⁸ A breach of these conditions may result in the person returning to prison to serve the remainder of their sentence.

1.4.1 Recent changes to parole in NSW

In 2017, the NSW Government announced a wide range of ‘tough and smart’ criminal justice reforms to reduce adult reoffending by 5% by 2019 (NSW Government, 2017). The suite of reforms, implemented in 2018, introduced three significant changes to the NSW parole system:

- the first requires community safety to be the paramount consideration for SPA when making parole decisions
- the second makes supervision a mandatory condition for all people on parole
- the third gives CCOs clearer authority to respond to less serious breaches.

Reforms to the way breaches of parole conditions are managed included the introduction of a legislative framework of graduated sanctions to provide more flexibility and proportionality in the way breaches are managed by Community Corrections.⁹ Serious and repeated breaches are reported to SPA, who also have a range of graduated sanctions to respond,¹⁰ the last of which includes revoking parole and returning the person to custody.

Corrective Services NSW undertakes risk assessments ‘to ensure that the specific needs of Aboriginal offenders are identified and to ensure resources are appropriately allocated to those offenders assessed to be at the greatest risk of reoffending’ (NSW Department of Justice, 2017, p. 16). This strategy to reduce adult reoffending ‘targets new resources towards individuals assessed to be a moderate to high-risk of reoffending’, including ‘programs, services and reintegration support provided by non-government organisations’. The argument follows that as Aboriginal and Torres Strait Islander people

⁸ These may include electronic monitoring; abstaining from drugs, alcohol and gambling; attending relevant AOD programs, counselling or other mental health support (including residential rehabilitation); complying with Drug Court Orders; not contacting or communicating with specified people (such as victim/s or co-offender/s); not be involved in the control of an organisation; or possess a firearm, associate with children, or visit a specified place (SPA, 2015).

⁹ Under the new framework of graduated sanctions, CCOs are given the authority to note the breach and take no further action, give an informal warning, give a formal warning from a senior officer, give a binding reasonable direction to the parolee about their behaviour (e.g., increased reporting or to undergo drug testing), impose a curfew on the parolee of up to 12 hours in any 24-hour period and report the breach to SPA (NSW Department of Justice, 2017, p. 11).

¹⁰ SPA may note the breach and take no further action, give a formal warning, vary the existing additional conditions on the parolee’s order, impose further additional conditions, impose electronic monitoring, impose up to 30 days home detention, or revoke parole and return the offender to custody.

in contact with the criminal justice system are more likely to have repeated contact with the system, 'the NSW Government's targeting strategy will ensure that a greater proportion of Aboriginal offenders receive the interventions they require' (NSW Department of Justice, 2017, p. 16).

1.4.2 The Practice Guide for Intervention

The Practice Guide for Intervention (PGI) was introduced in 2016 as part of the 'Enhanced Community Supervision' strategy tied to broader criminal justice reforms. The PGI is underpinned by the RNR model¹¹ and is compulsory for those released on parole who have an LSI-R score of medium or above. The PGI provides CCOs with a series of written cognitive behavioural therapy (CBT) techniques to be used during the supervision interview as part of their overall supervision case plan (Ooi, 2020b). The introduction and implementation of the PGI were staggered over the period from June 2016 to June 2017.

An evaluation of the PGI (Ooi, 2020b) investigated whether its introduction had led to reductions in reoffending among parolees over 12 months. Ooi (2020b) compared reoffending behaviour between offenders released from prison on parole and those released unconditionally before and after the introduction of the PGI. The evaluation showed a 2 to 3 percentage point reduction in the likelihood of reoffending among parolees compared with those released unconditionally after the introduction of the PGI. However, the estimates are not statistically significant (Ooi, 2020b, p. 17). The results of this evaluation were similar to those of a related study on the impact of the PGI for those on community-based orders (either a good behaviour bond or a suspended sentence) (Ooi, 2020a, p. 2).

1.4.3 Community-based post-release support in NSW

The dearth of available community-based, trauma-informed, culturally appropriate services for Aboriginal and Torres Strait Islander people has been noted previously (CIRCA, 2013). While some services are available in metropolitan areas, there are limited options available for those living in regional, rural, and remote areas. Of the limited available services, many have strict eligibility criteria (CIRCA, 2013).

In NSW, there are a small number of community-based organisations providing up to 12 weeks post-release support for people leaving prison on parole who have a medium-high or high LSI-R score (see Table 1.5).

¹¹ Parole supervision in NSW is underpinned by the principles of Risk-Need-Responsivity (RNR) model of 'offender rehabilitation' (Andrews & Bonta, 2010).

Table 1.5 Community-Based Post-Release Support

Service	Description	Aboriginal-specific?	Timeframe
Transitional Support Accommodation (TSA)			
TSA provides up to 12 weeks of supported accommodation and support following exit from the service. All referrals to service providers are made through local Community Corrections offices.			
Glebe House, Sydney	A residential therapeutic community for men with addiction issues. The program includes case management and a range of holistic AOD supports. The program is a 12-step abstinence-based model.	No	12 weeks+ open-ended aftercare via Outreach Program
Rainbow Lodge, Sydney	A residential program for men exiting custody. The program includes case management and a range of holistic AOD supports.	No	12 weeks (residential)+ 21 months outreach support & case management
Guthrie House, Sydney	A residential program for women with addiction issues. The program includes case management and a range of holistic AOD supports.	No	12 weeks (residential)+ 12 month aftercare program
Namatjira Haven, Alstonville	An independent Aboriginal community-controlled organisation providing culturally appropriate, holistic AOD support and case management.	Yes	12 weeks+ transition for 6 months
Samaritans Foundation, Wyong	Samaritans after prison support services aim to address issues such as homelessness, social isolation, mental health and drug and alcohol use by providing housing support, employment connection, education opportunities, support with family relationships and pathways out of financial hardship.	No	12 weeks
Samaritans Foundations, Newcastle	See above.	No	12 weeks
Adele House, Coffs Harbour	A residential drug and alcohol rehabilitation treatment program for men over 18 years who are homeless or at risk of being homeless.	No	12 weeks

Initial Transitional Support (ITS)			
Each ITS provider is linked to the relevant Community Corrections office and provides up to 12 weeks of support for those considered high-risk who are under the supervision of Community Corrections. Support can be extended if necessary.			
Arbias/ACSO	Located in: Bathurst, Campbelltown, Dubbo, Gosford, Goulburn, Grafton, Kempsey, Lake Macquarie, Leichardt, Lismore, Mt Druitt, Nowra, Parramatta, Taree, Wagga Wagga, Wollongong, Wyong.	No	12 weeks
Centrecare South West	Located in: Albury, Griffith.	No	12 weeks
Housing Plus	Located in: Broken Hill, Maitland, Moree, Muswellbrook, Orange.	No	12 weeks
Salvation Army	Located in: Newcastle, Tamworth.	No	12 weeks
Extended Reintegration Service (ERS)			
ERS provides housing and support services to those with significant complex support needs, including mental health, cognitive disability and AOD issues. All clients must be homeless or at risk of homelessness.			
Community Restorative Centre (CRC), Sydney	This program works with people on release from prison who are homeless or at risk of homelessness. The program offers pre-release support and planning and intensive holistic case management for up to 9 months post-release. Housing is seen as central to case management.	No	12 months

Sources: Corrective Services NSW (2017) *Funded Partnership Initiative (FPI)*. NSW Justice; Corrective Services NSW (2017) *Transitional Supported Accommodation – TSA*. NSW Justice; Corrective Services NSW (2018) *Initial Transitional Support – ITS*. NSW Justice.

In addition to the above community-based services listed, there are various other services across the state providing housing, employment, drug and alcohol, mentoring, and other support that people leaving prison may be able to access. However, like the services listed here, availability and access to this kind of support varies significantly across the state and is particularly limited for those returning to regional, rural or remote areas. Importantly, as the findings of this research illustrate, criminalised groups may face challenges in accessing mainstream services – pointing to the necessity of specialist services.

1.5 Report Outline

There are 12 sections to this report. In Sections 1 and 2, we outline the research questions, methodology, the law and policy context for NSW and review the literature relevant to the research.

Section 3 considers the particular experiences of Aboriginal parolees with supervision from their perspectives, while Section 4 looks at the impact of gender on parole supervision. Section 5 focuses on the qualities of supervising officers that assist in successful outcomes. Section 6 considers the important role of family and community in

the supervision of Aboriginal parolees. Section 7 outlines the issues associated with understanding parole conditions and the role CCOs and ACSOs can play.

Sections 8 and 9 specifically focus on the role and functions of CCOs and ACSOs, respectively. Sections 10, 11 and 12 examine some of the broader matters raised in the interviews, including access to and problems associated with community sector services, policy and practice and the need for reform within the wider institutional setting of CSNSW.

2 Literature Review

2.1 Introduction

The number of Aboriginal and Torres Strait Islander people in prison in every state and territory in Australia is an urgent national concern and has been the focus of much academic research and numerous state and federal government reports and inquiries (ALRC, 2017; Johnstone, 1991). Figures published by the Australian Bureau of Statistics (ABS) (2019) show Aboriginal and Torres Strait Islander people make up approximately 3.3% of the Australian population but 28% of the prisoner population, making them 12 more times likely to be in custody than non-Indigenous Australians.

Much of the prisoner population comprises people who have been there before: 74% of Aboriginal people in prison in NSW have faced prior imprisonment (ABS, 2019). Other research has similarly shown high levels of repeat contact with the system: one NSW study found that 87% of Aboriginal people (and 58% non-Indigenous) who were convicted in NSW in 2004 were reconvicted within ten years (Agnew-Pauley & Holmes, 2015). While the reasons for this are complex and outside the scope of this report, previous research highlights the overrepresentation of Aboriginal people in prison as intimately linked to entrenched disadvantage and poverty and the ongoing effects of colonisation and racism (ALRC, 2017). The forced removal of Aboriginal and Torres Strait Islander children from their families and communities has contributed to greater levels of disadvantage, distrust of government agencies, and Aboriginal people's criminalisation (ALRC, 2017).

In response to growing prisoner numbers in NSW, there has been renewed government focus on reducing adult reoffending (NSW Government, 2019). As a form of conditional release aimed at supervising and reintegrating those leaving prison, parole has been identified as one avenue to achieve this aim (NSW Government, n.d.).

Close to 6,000 Aboriginal and/or Torres Strait Islander men and women leave NSW prisons each year, approximately 44% of whom are leaving prison on parole (NSW BOCSAR, 2020). Most Aboriginal people (and particularly women) in prison are either on remand or on short sentences of less than two years—many of whom are released unconditionally and therefore have limited access to post-release support (ABS, 2019; ALRC, 2017; NSW BOCSAR, 2020; Walker et al., 2019).

2.2 Parole Supervision and Completion

The effectiveness of parole compared to unsupervised release is a source of considerable debate (Gelb et al., 2019; Wan et al., 2016). Schlager and Robbins (2008) found that those released to parole by discretionary release (i.e., from a parole board) in New Jersey were significantly less likely to be rearrested, reconvicted and reincarcerated than those who left prison unconditionally. Yet both study cohorts had high rates of return to custody (78% and 88%, respectively). Ostermann (2013) analysed three years of post-release data of almost 30,000 people released from prison in the US. It was found that those supervised for at least three years would reoffend at an 8% lower rate than those released unconditionally. However, after supervision expired, parole did not have long-lasting effects concerning recidivism. Ostermann and Hyatt (2016) reported the findings of a quasi-experimental evaluation of a mandatory early parole program. They found that those released on parole were significantly less likely to be rearrested in the short term. However, the results did not persist after six months. In another US study, Vito et al. (2017)

found that those on parole were less likely to return to prison than those released unconditionally.

In Australia, Wan et al. (2014) reported that high levels of supervision were associated with a lower risk of return to prison and that rehabilitative (as opposed to strict compliance) focused parole was more likely to reduce recidivism. However, this study did not explore whether the outcomes differed for those who are Aboriginal and/or Torres Strait Islander. Other research from Australia suggests parole offers a modest effect on reoffending for those who are non-Indigenous but is less effective for particular cohorts, including Aboriginal people (Gelb et al., 2019).

However, other studies have found quite different results. For example, Solomon et al. (2005) analysed the impact of parole supervision on rearrest outcomes and found that parole has little effect. The study found that those released unconditionally had a rearrest rate of 62%, compared to 61% of those released to parole by mandatory release and 54% of those released by discretionary release. In NSW, Stavrou et al. (2016) also examined the relationship between release authority and recidivism. They found that those the courts released were significantly more likely to reoffend than those released by the SPA. In relation to young people, Drake and Barnoski (2006) found that parole supervision did not significantly impact recidivism for young people supervised in Washington State.

Wan et al. (2016, p. 499) argue that the inconsistent results regarding the effectiveness of parole may reflect differences in the level of supervision and support provided to people on parole between jurisdictions. Results may also differ due to selection bias in the research and due to the nature of parole release. In most situations, a randomised trial is impossible (Wan et al., 2016). Ostermann et al. (2015) note that definitions of recidivism may influence research findings and that parole supervision may be deemed effective or ineffective depending on which definition of recidivism is used (e.g., rearrest, reconviction, or return to prison).

There is a dearth of long-term, evaluated, community-based programs in Australia and no research specifically on the effectiveness of parole for Aboriginal and Torres Strait Islander people (COAG, 2016; Gelb et al., 2019). Therefore, the evidence base of 'what works' for Aboriginal people concerning parole and community-based supervision is not well established (ALRC, 2017; Corrective Services NSW, 2014).

2.3 The Experiences of People Subject to Parole Supervision

Despite the growing number of people subject to community-based orders, there are relatively few studies in Australia and overseas exploring the experiences of people under supervision (for some notable exceptions, see Armstrong & Durnescu, 2017; Durnescu et al., 2018; Halsey, 2017; Hayes, 2015, 2018; McNeill, 2019).

There appear to be no studies looking specifically at the experiences of Aboriginal and/or Torres Strait Islander people under community-based supervision, and the need to fill this gap in the literature has been recognised (Jones, 2019; Galouzis et al., 2020). Despite the lack of research in this area, it is acknowledged that a range of systemic and cultural barriers may exist to forming effective supervisory relationships (Galouzis et al., 2020).

2.3.1 Relationships with supervising officers

Supervising officers play a critical role in supervision experiences, and officers can significantly affect reintegration and recidivism outcomes (Phillips, 2014; Chamberlain et al., 2018). For example, Andersen and Wildeman (2015) looked at the effects of probation and parole officers on the labour market and recidivism outcomes for their clients on parole in Denmark. They found that officers have a significant effect on client outcomes. Similarly, research from NSW has found that parole officers affect the reoffending rates of those leaving prison on parole, although these effects are very small (between 1 and 2%) (Thorburn, 2018). This finding was consistent across the age, gender and years of experience of the parole officer. More recent research by Galouzis et al. (2020) found a small but significant association between the supervising officer and supervision outcomes, but only for non-Indigenous people under supervision.

The literature on the quality of supervisory relationships has produced several consistent findings. Building genuine relationships that demonstrate care about the person under supervision and fostering trust, respect and collaboration are critical (Phillips, 2014; Shapland et al., 2012).

A range of interpersonal skills that are considered crucial to the supervisory relationship is also identified in the literature. Kendall et al.'s (2018) evaluation of community-based re-entry programs noted interpersonal characteristics such as empathy, honesty, non-judgmentalism, perseverance, reliability, care and commitment contributed to post-release success (p. 7). Others have made similar findings. For example, Rex's (1999) study spoke of the need for probation officers to demonstrate empathy and noted that a supervisor's ability to listen and show interest and understanding enabled those under supervision to talk.

Shapland et al.'s (2012) review of the literature on probation practice and desistance found that there is a need to move away from the idea that quality supervision work is something solely produced by the probation officer and delivered to the passive probationer. Instead, it is clear that it is the interaction between staff and people under supervision which produces quality. Shapland et al. (2012) pointed to the importance of involving the client, engaging them and allowing them to identify what their needs, goals and priorities are. In Rex's (1999) study, for example, probationers who attributed changes in their behaviour to the supervisory experiences noted the active and participatory nature of supervision.

In addition to the characteristics of successful supervisory relationships already noted above, Trotter's (2011) review of the research identified some other practitioner skills that relate to reduced recidivism and increased compliance with community-based orders. These include the practitioner being clear about their role; that they model and reinforce pro-social values and actions; encouraging clients to focus on the issues related to their offending and help them to develop strategies to address them; and that they take a holistic approach to their needs, rather than focusing on just one specific problem (Trotter, 2012, pp. 1-2).

Halsey's (2017) research found that experiences of parole supervision come down to individual officers and that those who go 'above and beyond' (sometimes outside the scope of what is expected of Corrective Services employees) are those who make the most impact on people under supervision (Halsey, 2017). Respondents in Calverley et al.'s (2004, p. vii) study noted that a good probation officer 'treated people under supervision fairly and with respect, listened to them and showed understanding'. Similar findings have been made concerning the importance of being treated with respect, not being judged or patronised (Rex, 1999). This comes back to the necessity for people under

supervision to be valued and respected if they are to change their behaviour (McCulloch, 2005; Rex, 1999).

Trust is considered key to a successful supervisory relationship (Phillips, 2014; Sullivan et al., 2016). Participants in Phillips' (2014, p. 127) study of supervisory relationships in probation practice in England and Wales described mutual trust and respect as foundational to the formation of relationships. Developing and building trust is essential for those who have experienced trauma (Schwartz & Terare, 2020), which is the case for many criminalised Aboriginal people (ALRC, 2017). The Queensland Aboriginal and Torres Strait Islander Legal Service has argued for introducing Aboriginal case managers to work in conjunction with parole officers and 'to have a more hands-on mentoring approach' focused on rehabilitation rather than compliance (ATSILS Qld, 2016, p. 3). Ideally, these case managers would be able to undertake pre-release engagement with parolees to build trust and rapport (ATSILS Qld, 2016).

While the literature has outlined key findings around relationships with supervising officers, we know very little about relationships between supervising officers and Aboriginal and Torres Strait Islander people on community-based orders. COAG's *Prison to Work* report noted that there often appeared to be 'serious tensions' in the relationship between supervising officer and parolee (COAG, 2016, p. 42). For example, in Queensland, it was noted that 'not all parole officers have strong cultural competency skills or an understanding of the complex background and histories of Aboriginal and Torres Strait Islander prisoners' (COAG, 2016, p. 91). Of further relevance:

Some Aboriginal and Torres Strait Islander prisoners in New South Wales feel that a parole officer is an adversary who is out to get them rather than an officer who will assist in their rehabilitation. This pervasive perception is rooted in the distrust between Aboriginal and Torres Strait Islander people and authorities and means that a parole officer is at a severe disadvantage in building a productive relationship with an Aboriginal and Torres Strait Islander parolee. (COAG, 2016, p. 71)

The need to enhance cultural competency among Community Corrections staff has been recognised (ATSILS Qld, 2016; Jones, 2019).

2.4 Parole Conditions

In NSW, people on parole must comply with a range of conditions related to their order (see Section 1.4 for more details on the types of conditions). According to the latest published data from the SPA (2019a), in 2018, almost one-third (31%) of parole revocations resulted from a technical breach of parole conditions, where no reoffending had taken place, a decrease from previous years. For example, in 2014, almost half (46%) of all revocations resulted from technical breaches. Most parole revocations in NSW relate to court-based orders (82%) (SPA, 2019a).

Parole revocation is a significant issue affecting Aboriginal and Torres Strait Islander people under supervision (ALRC, 2017). Research from NSW has found that Aboriginal and Torres Strait Islander parolees are more likely to have their orders revoked and have a higher rate of reimprisonment in comparison to those who are non-Indigenous (Galouzis et al., 2020). It has been estimated that parole revocations for Aboriginal and Torres Strait Islander people leaving prison in NSW are 15 percentage points higher than for those who

are non-Indigenous.¹² Australia-wide research on community supervision shows Aboriginal and Torres Strait Islander people are less likely to complete community-based orders (including parole) when compared with those who are non-Indigenous (61% compared to 72% non-Indigenous) (Productivity Commission, 2020).

Several factors affect reintegration and parole completion rates for Aboriginal and Torres Strait Islander people. Some research has found that Aboriginal and Torres Strait Islander people in contact with the criminal justice system are more likely to be considered 'high-risk'. Therefore, they are subjected to more stringent parole conditions and supervision, which can, in turn, lead to higher breach rates (Apted et al., 2013; Grunseit et al., 2008). The ALRC (2017, p. 255) has noted several factors affecting compliance with community-based orders. These include cultural and intergenerational factors that may result in housing instability and homelessness; the lack of coordinated, culturally appropriate services in regional areas; the setting of inappropriate parole conditions and reporting requirements that are not underpinned by the provision of services; and the impact of mental health disorders and cognitive impairment on understanding and meeting reporting requirements and other conditions. Alongside this, the sheer volume of obligations following release from prison, such as parole reporting requirements, drug program attendance and Centrelink and housing appointments, can make it difficult for people to meet all obligations (Grunseit et al., 2008).

Aboriginal and Torres Strait Islander people are less likely to apply for and be granted parole than those who are non-Indigenous (ALRC, 2017, p. 302). Despite being eligible, some people choose to serve their entire sentence before being released into the community unsupervised (ALRC, 2017, p. 302; COAG, 2016). One possible reason for this is a concern they will be unable to abide by the conditions of their order and will be breached as soon as they are paroled. The Australian Human Rights Commission (2020, p. 205) has noted that parole conditions often require ongoing program participation following release from prison. In cases where programs are not conducted within home communities, some Aboriginal and Torres Strait Islander women choose to serve their sentence rather than apply for parole. Other reasons for not pursuing parole may be that they believe they are unlikely to be granted parole due to their living arrangements, lack of attendance at prison programs or because of their offending history. This may also be influenced by Australia's colonial history and a legitimated distrust of government services (ALRC, 2017, p. 303).

Research indicates that parole conditions should be flexible and individualised to the person's needs (COAG, 2016, p. 91), particularly for those with complex support needs (ALRC, 2017). For Aboriginal and Torres Strait Islander people, this involves ensuring that conditions are culturally appropriate and designed to support their reintegration (ALRC, 2017, p. 312; Gelb et al., 2019). The ALRC has noted that 'standard conditions of parole can be difficult for Aboriginal and Torres Strait Islander people to comply with, especially where conditions of release clash with cultural obligations and prevent reconnection with family and community' (2017, p. 312).

The *Prison to Work* report found that there is a disproportionate focus on policing and compliance with stringent parole conditions across Australian states and territories, without accompanying support for prisoners to meet them (COAG, 2016, p. 42). The report noted the importance of taking individual contexts – such as lack of transport, distance

¹² Corrective Services NSW research.

to parole offices and difficulties not associating with others in small remote communities—into consideration to support a parolee’s reintegration into the community. The report noted that parolees faced particular difficulties complying with conditions while also searching for or maintaining a job. Parole officers were unsympathetic to these demands and refused to have flexibility around meeting during lunch or after hours (COAG, 2016, p. 42).

A person’s understanding (or lack thereof) of their parole conditions and obligations will impact their ability to comply with an order (ALRC, 2017). Research has found that some people in prison sign legal documents without fully understanding the contents and implications, including agreeing to parole conditions they have not fully understood (Grunseit et al., 2008). Additionally, it has been found that people sometimes do not have their parole conditions read to them or explained in a language they understand (Grunseit et al., 2008). Various factors affect a person’s understanding of their parole conditions, including limited or no access to computers and telephones, lack of information about legal aid and confidence or ability with written documents (Apted et al., 2013).

The Australian Human Rights Commission’s (2020) *Wiyi Yani U Thangani (Women’s Voices)* report noted that for Aboriginal and Torres Strait Islander women, ‘the process of parole and the pathway required to be eligible for parole is occasionally not well understood, and some women expressed concern about how they could navigate the requirements to be eligible for parole throughout their incarceration’.

There is a need for further access to legal support and information on parole conditions. ATSILS Queensland (2016) have argued for further legal education for the community to ensure a better understanding of the laws around parole, to allow the community to understand the rights and obligations of community members on parole. There is also a need for communication of parole conditions in a culturally appropriate way:

Strong and effective communication is central to good service provision and can suffer from misunderstandings rooted in culture. Authorities, government and support services generally rely on Aboriginal and Torres Strait Islander people to communicate their needs and understand their obligations, but many do not communicate in a culturally competent way. Inaccurate assessment of prisoners for support and non-comprehension of parole conditions, or the reasons behind them, are issues commonly raised by service providers and prisoners. (COAG, 2016, p. 23)

2.5 Reintegration and the Community Sector

It is well known that criminalised populations often have a range of compounding complex support needs (Baldry, 2017). This brings to question the extent to which Community Corrections agencies alone have the tools necessary to support someone to complete their parole order adequately. The literature demonstrates that community-based wraparound services that provide structural support and assistance can influence reintegration outcomes (Griffiths et al., 2017; Sullivan et al., 2016). Such support is most effective when based on principles of throughcare, which is recognised as best practice in supporting people to transition from prison to the community (Baldry & McCausland, 2009). Throughcare can be defined as:

provid[ing] comprehensive case management for a prisoner in the lead-up to their release from prison and throughout their transition to life outside. [Throughcare] Projects aim to make sure prisoners receive the services they need for successful rehabilitation into the community... Good throughcare ‘starts in custody well

before walking out of the prison gate’, and provides hands-on, intensive support, especially at the moment of release. (COAG, 2016, p. 62)

Research indicates that a thorough exit plan from prison is essential (Tubex et al., 2020). This must be culturally competent and safe for Aboriginal and Torres Strait Islander people (ALRC, 2017; Willis & Moore, 2008). Throughcare models ‘are more likely to be successful for Aboriginal and Torres Strait Islander people if they are culturally competent, strength-based, and utilise Aboriginal and Torres Strait Islander controlled organisations and/or ex-prisoner organisations’ (ALRC, 2017, p. 315).

There is a need for knowledge of and access to local services which can support people on parole to tackle practical obstacles related to desistance (Shapland et al., 2012). Research has found there is a lack of coordination and collaboration in throughcare service delivery (Tubex et al., 2020).

There are several positive examples of throughcare programs operating in Australia. An evaluation of the ACT Extended Throughcare Program found it reduced the rate of return to custody for adults (both Aboriginal and non-Aboriginal people) by 22.6% (Griffiths et al., 2017). The evaluation noted that the program ‘had a particularly positive outcome for female Aboriginal clients’ who had ‘relatively lower rates of returning to custody compared to national and ACT reported figures’ (Griffiths et al., 2017, p. 4).

The North Australian Aboriginal Justice Agency (NAAJA) throughcare program in the Northern Territory is one of the few Aboriginal-specific throughcare programs and is often cited as best practice. Support starts as close as possible to six months before release and continues after release for a period, depending on the client’s needs. Although no external evaluation has been conducted, the program data suggests that only 14% of clients returned to prison while in the throughcare program (RCPDCNT, 2017, pp. 14–15).

Sullivan et al. (2016) explored the effectiveness of intensive support and supervision offered as part of Project Kete in New Zealand. Project Kete is a community-based post-release reintegration joint initiative between A3Kaitiaki (or A3K, a community-based organisation providing post-release support to criminalised Māori), the police and the Department of Corrections for men considered ‘high-risk’. The evaluation reported reconviction rates for one year (33%) and two years (50%). These rates were considerably less than the predicted reconviction rates of 48% and 64%, respectively (Sullivan et al., 2016, p. 414). As the men involved in Project Kete were considered ‘high-risk’, their likelihood of reoffending is higher (i.e., at 60%) (Sullivan et al., 2016, p. 417). Alongside reductions in reoffending, the project reported improvements to social outcomes for men and their families, including re-establishing and building positive relationships and increases in employment (Sullivan et al., 2016, p. 414).

As part of A3K, the men receive nine months of intensive pre-release support to assist their reintegration and three months of post-release support. The project is collaborative, working with organisations to assist with finding homes and employment, drug and alcohol services, physical and mental health services and other agencies as required by participants. With the agreement of the men and their families, family meetings are held (both pre- and post-release) to establish and strengthen relationships with families (Sullivan et al., 2016, p. 410). As Sullivan et al. (2016, p. 412) argue:

Developing strong relationships between a Tane, his whānau and appropriate support agencies is a crucial part of the case management process. Strengthening a Tane’s connection with their whānau and the community will help to produce

long-term sustainable changes that enable a Tāne to positively contribute to their own whānau and community.¹³

One of the key factors of the project, which the authors identify as a major contributor to its success, is the collaborative working relationship between the key agencies involved (Sullivan et al., 2016, p. 415). This collaborative case management approach ensures that trust is created, nurtured and maintained. The project also acknowledges the culture, customs and traditions of Māori. It involves an Iwi liaison officer whose role is to provide cultural support and improve relationships between the police and Māori (Sullivan et al., 2016, p. 410). Alongside this, the reintegration support and case management are holistic and tailored to the individual's needs with a strong emphasis on improving social outcomes for them *and* their families (Sullivan et al., 2016, p. 412).

Kendall et al. (2018) conducted a systematic review of qualitative evaluations of community-based re-entry programs for people with complex support needs. They found that the interpersonal skills of case workers, access to social support and housing, and continuity of caseworker relationships throughout the pre-release and post-release period are key social and structural factors in program success. Regarding referrals to programs, participants in Schwartz and Terare's (2020) evaluation of the Weave *Creating Futures* program noted that referrals to community-based services were more likely to be taken up by the participant if they did not come through official referral pathways (i.e., through Community Corrections), but if they came from 'soft entry points' in the community (i.e., through community-based outreach activities, such as football).

In NSW, a range of community-based post-release services supports people exiting prison on parole. These services are outlined in Table 1.3. While the services provide housing, employment, drug and alcohol, and mentoring support, they can only support a small fraction of those leaving prison on parole in NSW. Notably, there are very few services in NSW providing specialist, culturally appropriate support to Aboriginal and Torres Strait Islander people leaving prison.

A recent NSW social impact investment 'On TRACC' explored the impact of additional community-based support services for high-risk parolees. On TRACC began in 2016 as the first social impact investment in criminal justice in Australia. The program aimed to work with almost 4,000 adult men and women leaving prison on parole in the Sydney metro region. As part of the program, parolees considered 'high-risk' received extra community-based support in addition to existing services provided by Community Corrections NSW for 16 weeks following their release from prison. A randomised controlled trial evaluation of On TRACC examined four measures of recidivism: the probability of return to custody, reconviction, reimprisonment and committing a personal, property or serious drug offence within 12 months of release from prison (Ooi et al., 2020). Participants were randomly allocated to either the control group, who received existing supervision services provided by NSW Community Corrections, or the On TRACC group, who received the existing services plus additional On TRACC support. The evaluation

¹³ 'Tāne' refers to a husband, male or man. 'Whānau' refers to extended family, family group and, more recently, may include friends. See *Te Aka: Māori Dictionary*, <https://maoridictionary.co.nz/>.

found no evidence that the additional services provided as part of On TRACC led to a reduction in reoffending compared to existing services provided by Community Corrections NSW, regardless of Aboriginal status (Ooi et al., 2020).

In light of these findings, On TRACC was ended by mutual agreement in January 2019. Stakeholders identified key learnings following the conclusion of the pilot. Caseworkers noted they had limited access to prisoners at the pre-release stage, which significantly changed from offering in-person support to offering support via telephone (Ooi et al., 2020, p. 12). Early face-to-face engagement is considered valuable for developing rapport with clients and increasing the likelihood of ongoing engagement in the program. There is limited information publicly available regarding the details of the community-based support provided under On TRACC (i.e., regarding caseloads, forms of support provided and whether the support was culturally appropriate). This lack of information makes it difficult to draw conclusions on the efficacy of community-based post-release support.

Clearly, the efficacy of community-based reintegration support is influenced by a considerable number of variables, including the quality of the program. What is clear is that given the complex support needs of people leaving prison, a range of services is often required to support people to reintegrate into the community adequately. The research indicates that community-based post-release support is most effective when it is collaborative, individualised, and starts at the person's needs. Support needs to incorporate systemic advocacy to ensure that structural barriers to reintegration are removed (i.e., regarding access to housing, employment and healthcare) and be based on a model of throughcare, including via the provision of in-person, pre-release support to build bridges between prison and the community (Sullivan et al., 2016). For Aboriginal and Torres Strait Islander people, throughcare should not be individualist in approach but should include family and community.

2.6 Other Factors Affecting Reintegration and Parole Completion

Decades of academic research alongside custody health surveys and reports have confirmed that those most heavily embroiled in the criminal justice system experience a range of intersecting life adversities. These include low levels of literacy and education, a prevalence of mental illness and cognitive impairment, drug and alcohol addiction, alongside other disadvantages, including poverty, homelessness and housing instability (AIHW, 2015, 2019; Halsey, 2017; JH&FMHN, 2017). Research from Australia and the US indicates that people leaving prison generally return to disadvantaged communities (Baldry et al., 2006; Visher & Travis, 2011). These factors may compound in ways that are likely to affect the prospect of a person complying with and completing a parole order (Apted et al., 2013; Jones, 2019). Many of these disadvantages are more acute for criminalised Aboriginal and Torres Strait Islander people (JH&FMHN, 2017). For many in prison, the factors that contributed to their offending have not been addressed during their incarceration. In many cases, their imprisonment exacerbates these problems (particularly concerns related to housing and employment) (AHRC, 2020). Other factors such as stigma and racism also impact reintegration (ALRC, 2017; Cherney & Fitzgerald, 2016).

Jones (2019, p. 69) also identifies other factors likely to affect reintegration and parole completion. These factors include:

- minimal services and support on release, including available and suitably located programs

- remoteness and lack of access/transport to parole offices or program locations
- not seeing the value in a program, leading to decreased motivation to participate/complete
- lack of access to legal support and information
- literacy concerns leading to misunderstanding of parole conditions
- unachievable and unrealistic parole conditions.

Finally, there are complexities associated with family responsibilities; and issues around family violence (Jones, 2019). There is evidence that some of these factors are more acute for women (Jones, 2019). The ALRC has identified several of these factors as specifically affecting breach rates for Aboriginal and Torres Strait Islander people (ALRC, 2017, p. 312).

Phelps (2017) looked at how probation completion in the US is affected by inequality, finding that those with more privilege are likely to have an easier time completing supervision requirements such as attending appointments, paying fines and complying with certain conditions (Phelps, 2017). While Phelps was focused on probation supervision as an alternative to custody as opposed to parole supervision as a form of conditional release, the same challenges may be faced by those on parole with limited access to the material and economic resources required to meet certain parole conditions. For example, where public transport is not available, and in the absence of a driver's licence or car, it can be very difficult for those on parole to meet the requirements of their order, particularly if they are living in regional, rural or remote areas (COAG, 2016).

2.6.1 Homelessness and housing instability

Finding safe, stable and affordable housing has been noted as one of the greatest challenges for people leaving prison and those working in the post-release space (ALRC, 2017; Schwartz et al., 2020; Tubex et al., 2020). In a recent survey on the health of prisoners, the Australian Institute of Health and Welfare (2019) reported that more than half of people leaving prison (54%) expected to be homeless upon release. Homelessness and housing instability are also issues that disproportionately affect Aboriginal and Torres Strait Islander people in prison (JH&FMHN, 2017a).

There is an interdependent relationship between homelessness and the criminal justice system: experiencing homelessness increases the risk of criminal justice system involvement, and experiencing imprisonment increases the risk of homelessness, creating a cyclical link between the two (Payne et al., 2015). Research from Australia and overseas has found that the lack of suitable, safe and stable accommodation for women leaving prison is a significant barrier to reintegration (Baldry, 2010; Baldry & McCausland, 2009; Dominey & Gelsthorpe, 2020). Baldry et al. (2006) found that those who frequently moved in the period following release from prison were significantly more likely to return to prison (59% compared with 22%).

Homelessness and housing instability is also linked to breach of parole conditions and revocation (Bevitt et al., 2015). Court-ordered parole may be revoked prior to release from prison due to lack of suitable post-release accommodation. This is a 'major hurdle' for Aboriginal and Torres Strait Islander people subject to parole supervision (ALRC, 2017, p. 308). Aboriginal people are disproportionately affected by homelessness, inadequate housing and overcrowding (ALRC, 2017, p. 308; JH&FMHN, 2017a). Figures from the most recent NSW custody health survey indicate that 28% of Aboriginal women in prison were

living in informal or temporary accommodation in the six months before their imprisonment, including 13% who were of 'no fixed accommodation' (JH&FMHN, 2017a, p. 12). For Aboriginal men, the proportion living in informal or temporary accommodation was similarly high at 18% (JH&FMHN, 2017a, p. 12). Both figures are higher for Aboriginal respondents in comparison to non-Indigenous rates.

The lack of housing for Aboriginal people leaving prison means many are forced to rely on families for housing. Research by Tubex et al. (2020, p. 6) argues that this can lead to significant problems, including overcrowding, with flow-on effects such as family conflict. For the women and girls who participated in the *Wiyi Yani U Thangani* report (AHRC, 2020, p. 205), the requirement for a permanent address and not being released to a household where family members also have a criminal record created issues when applying for parole. This creates very practical issues for people leaving prison, including that their options for housing may be limited. A lack of secure accommodation for Aboriginal and Torres Strait Islander women who have experienced family violence also places them at further risk (AHRC, 2020, p. 207). Participants interviewed for the *Wiyi Yani U Thangani* report stated that a lack of independent housing options gave them no choice but to return to violent situations.

2.6.2 Connection to family and community

Many of those in prison have fractured relationships with family, and rebuilding these relationships and connections (especially with children) is often a goal, particularly for Aboriginal and Torres Strait Islander women (AHRC, 2020; Baldry & McCausland, 2009). Research indicates that parole conditions may affect a person's ability to reconnect with family and community following imprisonment. Some parole conditions may prevent a return to the community and restrict access to family and support networks because members may have a criminal history (ALRC, 2017; COAG, 2016; Sofronoff, 2016). The *Prison to Work* report noted:

Additional barriers [to reintegration] may be present where parole conditions or conditions placed on other support provided to an ex-prisoner do not allow space for the reconnection with the community. This can occur where services do not understand the importance of family or cultural commitments, leaving an ex-prisoner with a choice to comply with obligations set by government (or services providers) or meet community and family expectations. (COAG, 2016, p. 41)

Research has also found that people may be breached for associating with particular people when returning to live with their family or in the community because some members had been convicted of crimes (Grunseit et al., 2008).

Prisoners (and many service providers) commented on the difficulties involved with complying with as many as sixty parole conditions, particularly when it comes to associating with other people with criminal records, which often includes family members. A significant number of prisoners said that they had chosen to serve out their full sentence, as they were convinced they would be breached as soon as they were paroled. (COAG, 2016, p. 42)

Participants in McCulloch's (2005) research noted the involvement of family members as one of the things most helpful in supporting reintegration. Research has recognised the need for greater involvement of family and community in reintegration (Willis & Moore, 2008). Family connection is considered helpful for promoting desistance but is not part of mainstream probation practice in Australia or elsewhere (Shapland et al., 2012). Practice tends to be individualised and concerned with the risks and needs of the person

under supervision, not upon the needs of their broader family or community. In their review of the literature on quality in community supervision, Shapland et al. (2012) argue the importance of the 'building up and thickening of social ties' with pro-social members of families to encourage desistance. They argue for increasing social capital to encourage those on the desistance path or who have already stopped offending (Shapland et al., 2012, p. 39). Shapland et al. (2012) note it is unfortunate that probation and parole practice has turned away from working with people's families, as this does not help to increase social capital. Similarly, McCulloch (2005) argues for increasing the level of involvement with families and local communities in efforts to support reintegration.

ATSILS Queensland (2016, p. 36) has argued:

For successful reintegration of Aboriginal and Torres Strait Islander parolees back into the community, the specific communities need to be consulted and supported to help reintegrate their kin. A community authority needs to be established, with community informed police, who have been culturally trained.

In Western Australia, there is a legislative base to local Aboriginal communities providing court-ordered supervision of adults and young people. The legislation allows for contractual arrangements between the WA Department of Corrective Services and Aboriginal communities for the local provision of community supervision for sentenced adults and young people (see the *Young Offenders Act 1994*, s 17b).¹⁴ An Aboriginal Community Supervision Agreement provides for the Aboriginal Community Council to supervise the completion of the requirements of a court order. The Council is paid for this service. These agreements were developed to discourage courts from imprisoning adults and young people from remote communities because any other penalty would not be enforced. In 2006, the WA Department of Corrective Services had agreements with 59 communities.¹⁵ The services provided to young people in their communities include:

- providing monitoring, support and guidance for young people on community-based orders coming back to the community after detention or from the court
- providing placement options for young people in communities that are not their usual place of residence
- providing placement options for young people who may be considered suitable for supervised bail
- having community members approved and trained to provide community conferencing for minor offending
- having community members assist in developing and/or facilitating programs (Department of Corrective Services, 2010).

¹⁴ See the following for further information on WA community supervision agreements: Agreements Treaties and Negotiated Settlements. (2008). *Aboriginal Community Supervision Agreement*. <http://www.atns.net.au/agreement.asp?EntityID=4632> and Department of Corrective Services. (2010). *Community supervision agreements: Fact sheet*. Government of Western Australia. https://www.correctiveservices.wa.gov.au/_files/youth-justice/csa-fact-sheet.pdf.

¹⁵ See Department of Corrective Services. (2006). *Annual report 2005–2006*. Government of Western Australia. https://www.correctiveservices.wa.gov.au/_files/about-us/statistics-publications/dcs-annual-report-2005-2006.pdf.

The WA Department of Corrective Services (2010) notes that it ‘provides training and ongoing support to community councils so they can undertake services to an acceptable standard’.

The review of the parole system in Queensland noted the need to engage Aboriginal and Torres Strait Islander parole liaison officers to aid in parole supervision (Sofronoff, 2016).

2.6.3 Substance dependency

Custody health surveys and research has consistently shown a high prevalence of substance dependency among those in contact with the criminal justice system (AIHW, 2015, 2019; JH&FMHN, 2017a, 2017b). Drug use has been identified as a coping strategy to deal with traumatic experiences, particularly for women (Segrave & Carlton, 2010). The Australian Human Rights Commission (2020, p. 208) *Wiyi Yani U Thangani* report highlighted drug and alcohol support services as critical for Aboriginal and Torres Strait Islander women leaving prison.

In NSW, there are a number of specialist community-based services partly funded by CSNSW to support people with chronic substance dependency issues who are under community based supervision (see Table 1.5).

2.6.4 Mental health disorders and cognitive disability

The NSW Network Patient Health Survey (JH&FMHN, 2017b, 2017a) provides Australia’s most comprehensive overview of prisoner health. The most recent survey found that Aboriginal and Torres Strait Islander prisoners experience high rates of mental health disorders, cognitive impairment and other health concerns. For example, 43% of Aboriginal women (vs 31% non-Indigenous) and 23% of Aboriginal men (vs 24% non-Indigenous) reported having a disability and 12% of Aboriginal women (vs 12% non-Indigenous) and 23% of Aboriginal men (vs 17% non-Indigenous) reported receiving a mental health diagnosis while in custody (JH&FMHN, 2017a, pp. 20, 28). Aboriginal and Torres Strait Islander people in contact with the criminal justice system generally have higher mental and cognitive impairment levels than their non-Indigenous counterparts, yet have significantly lower rates of access to appropriate health and disability support (Baldry et al., 2015; JH&FMHN, 2017a).

Aboriginal and Torres Strait Islander people with mental health disorders and cognitive impairment are likely to have experienced earlier and more significant contact with the criminal justice system and experience higher levels of disadvantage (Baldry et al., 2015). They are also more likely to face difficulties with parole due to problems in understanding or comprehending parole conditions and complying with the terms (Grunseit et al., 2008).

In recent years, there has been growing recognition that prisons are filled with those who have ‘complex support needs’; that is, they experience one or more issues for which they require support (i.e., a mental health diagnosis, cognitive impairment and/or substance addiction, alongside other disadvantages) and that these needs manifest in a way which is both intersecting and compounding (Baldry, 2014, 2017; McCarthy et al., 2016). The prevalence of complex support needs among criminalised Aboriginal and Torres Strait Islander people is particularly high (Baldry et al., 2015). Those who have complex support needs alongside prolonged contact with the criminal justice system have often not received holistic community-based services early on in life (Baldry et al., 2013). In recognition of the complex support needs of those enmeshed in the criminal justice

system, there is a need for both trauma-informed and culturally safe post-release support (ALRC, 2017).

2.6.5 Employment

People under community-based supervision and those who have been in prison are more likely to have a history of underemployment or unemployment. According to the latest NSW custody health survey, 55% of Aboriginal men (vs 33% non-Indigenous men) and 64% Aboriginal women (vs 45% non-Indigenous women) were unemployed in the 30 days prior to incarceration (JH&FMHN, 2017a). According to Corrective Services NSW, 'employment, education and antisocial attitudes are consistently identified as key criminogenic needs' for Aboriginal people (NSW Department of Justice, 2017, p. 17).

The lack of employment opportunities for Aboriginal people leaving prison and its detrimental impact on their reintegration have been recognised (Tubex et al., 2020). Tubex et al. (2020, p. 7) noted that the lack of opportunity is often associated with 'boredom, poverty and feelings of loss – all strong risk factors for substance abuse and reoffending'. Women interviewed in the Australian Human Rights Commission (2020) *Wiyi Yani U Thangani* report identified the importance of education, skill development and employment opportunities *during* imprisonment to improve employment opportunities post-release. Importantly, prison employment training must be relevant for the communities people return to (Tubex et al., 2020). Some identified barriers to employment include substance dependency, criminal history, attitude, poor employment skills and lack of transport (Lindeman & de Almeida Neto, 2017). In addition to this, parole conditions can make it difficult to look for a job (COAG, 2016, p. 22).

Graffam and Shinkfield (2012, p. 2) have noted the following elements of good practice in programs aimed to enhance the employment of Aboriginal and Torres Strait Islander people following imprisonment. Programs should:

- incorporate Indigenous knowledge and practices and be led by Indigenous people
- have a long-term focus (12 months minimum) and be underpinned by strong personalised, case management frameworks
- be based on principles of throughcare, beginning pre-release and continuing post-release
- be holistic in nature and take a broad approach, not just addressing employment but other issues related to social disadvantage
- incorporate on-the-job work experience and other forms of support, such as mentoring.

2.7 What Factors do Aboriginal People Identify as Key to Improving Parole Supervision?

While there is limited research on 'what works' to support Aboriginal people under supervision, research indicates that programs and support for Aboriginal people are most effective when developed, owned and led by Aboriginal communities. They must be trauma-informed and based on Indigenous conceptualisations of health and healing and include holistic throughcare and long-term case management support based on community-based outreach models. Importantly, post-release support and supervision should consider the importance of structural context and focus on removing practical barriers to reintegration.

2.7.1 Aboriginal community developed, owned and led

Contemporary correctional programming has an ethnocentric bias and is largely informed by research and theorising on the experiences of non-Indigenous people (Jones, 2019). This bias can create problems with the content, structure, delivery and assessment of programs for Aboriginal and Torres Strait Islander people (Jones, 2019, p. 13).

It is generally recognised now that programs and services delivered to Aboriginal people should be culturally informed, and ideally, Aboriginal community developed, owned and led (ALRC, 2017; COAG, 2016). A 2016 inquiry into the Queensland parole system noted:

The provision of courses and treatment to Aboriginal or Torres Strait Islander prisoners should largely be in the hands of Aboriginal and Torres Strait Islander people. No amount of cultural awareness training undertaken by a non-Indigenous Australian person can substitute for the actual life experience of Indigenous Australian people. (Sofronoff, 2016, p. 9)

Morley (2015, p. 2; in Jones, 2019) notes that there are several common factors in successful Aboriginal and Torres Strait Islander community-managed programs:

- the community has ownership of and control over decision-making
- culture is embedded in the program
- local Indigenous staff are working on programs, and existing capacity is harnessed
- there is good corporate governance
- trusting relationships with partners are established
- implementation timelines are flexible.

2.7.2 Holistic, trauma-informed and based on Indigenous conceptualisations of health and healing

Due to the depth of trauma experienced by some Aboriginal and Torres Strait Islander people with prolonged contact with the criminal justice system due to colonisation, reintegration programs should be informed by healing approaches. Healing is not simply about addressing offending as an individual phenomenon but is about working with families and seeing treatment as a community objective (Atkinson, 2013; Cunneen, 2002). As Cunneen and Tauri (2016, p. 129) note:

Indigenous healing approaches start with the collective experience and draw strength from Indigenous culture. Inevitably, that involves an understanding of the collective harms and outcomes of colonisation, the loss of lands, and disruptions of culture, the changing of traditional roles of men and women, the collective loss and sorrow of the removal of children, and relocation of communities.

Traditional rehabilitation and reintegration frameworks are based on risk management and are preoccupied with addressing individual problems considered causally related to offending (such as drug and alcohol addiction). However, this may ignore core issues related to offending (Sullivan et al., 2016). The focus on 'criminogenic needs' may fail to take into account the grief, anger, depression, trauma, spiritual healing, loss of language and culture and education deficits that have occurred as a direct result of ongoing government processes. Until these underlying factors are addressed, it may be impossible to address the 'criminogenic' factors directly related to offending, such as a person's drug and alcohol addiction (Cunneen & Luke, 2007).

For Aboriginal women in contact with the justice system, lifetime exposure to violence is also an important factor in addressing trauma-informed approaches (NSW Department of Justice, 2017, p. 17). As the *Wiyi Yani U Thangani* report (AHRC, 2020, p. 205) notes, 'Aboriginal and Torres Strait Islander women and girls need programs that are gender-specific, strength-based, trauma-informed and culturally safe'. The Weave *Creating Futures* program uses an Aboriginal Healing Framework to support clients, which is 'trauma-informed, strengths-based, culturally safe and client-led' (Schwartz & Terare, 2020, p. 2).

2.7.3 Incorporating cultural considerations and family obligations into parole decision-making

Tubex et al.'s (2020, p. 4) research on the throughcare needs of people leaving prison in Western Australia and the Northern Territory notes that many Indigenous people leaving prison have 'cultural obligations which are often not understood in the non-Indigenous world'. An inability to participate in cultural activities such as customary lore and funerals (either due to their imprisonment or conditions of parole) has 'far-reaching consequences'. These consequences include 'feelings of guilt, anger, and fear of possible payback, which increases the risk of recidivism'.

The Australian Human Rights Commission (2020, p. 205) has also noted that 'the prioritisation of and rebuilding connection to Country and community as part of parole programs are likely to contribute to a greater uptake of parole and better success rates'.

In the New Zealand context, some have argued for a specialised Re-Entry Court underpinned by Indigenous therapeutic jurisprudence to adequately incorporate cultural consideration in parole decision-making (Toki, 2011). Toki argues for introducing a *tikanga* system – a form of therapeutic jurisprudence into parole decision-making. Therapeutic jurisprudence is 'a window to introduce tikanga within the Parole hearing process and the conditions for parole, including the need to take responsibility for the conditions as a collective rather than an individual. The focus is on Indigenous law as a basis to reach a balance, a balance within the individual and a balance within the community' (Toki, 2011, p. 242). It is further argued:

Although parole board members engage in continuous training and learning to promote cultural awareness, First Nations, Inuit and Metis offenders have access to Elder and Community assisted hearings. These hearings are designed to provide a culturally sensitive process for Aboriginal offenders and may incorporate traditions such as 'a cleansing smudge', opening the room to a circle and conducting traditional teachings in preparation for a hearing. The Elders act as an Advisor to the Board during deliberation stage of the hearing. (Toki, 2011, pp. 235–236)

2.7.4 The importance of structural context and removing practical barriers to reintegration

Kendall et al. (2018, p. 6) identify the structural context as 'the systems that govern an individual's engagement with, or access to services [and] includes aspects of the social system impacting on the individual's health and wellbeing and capacity to avoid rearrest'. There is a need to move beyond individualised approaches to rehabilitation and the framework of CBT for people who have lifetime experiences of criminal justice system interaction. Specifically, we need to consider the structural factors impacting people leaving prison and their effect on reintegration. The evidence is clear that persistent offending is often accompanied by a range of obstacles to someone attempting to desist

from crime, and research has illustrated that the path to desistance is often shaped by the impact of such external obstacles (Shapland & Bottoms, 2011). Research has demonstrated the need to attend to the psychological needs and issues related to the social contexts of people subject to penal supervision to support their efforts to desist (McCulloch, 2005; Rex, 1999). These issues are particularly relevant to Aboriginal and Torres Strait Islander people as they are marginalised on a range of social, economic, health, education and other indicators (Productivity Commission, 2020).

There is a need to ensure practical assistance is provided to support reintegration, particularly with accommodation, finances and employment (ALRC, 2017, p. 299). Submissions to the ALRC *Pathways to Justice* inquiry noted that ‘this need superseded that of programs that focus only on offending behaviours’ (ALRC, 2017, p. 299). Similarly, Kendall et al.’s (2018) research noted the importance of structural context, with housing and employment identified as the most critical forms of post-release assistance (Kendall et al., 2018). Halsey’s (2017) research found that people on parole required practical support to cope with the ‘pains of re-entry’, emphasising the importance of securing the basic necessities on release such as clothing and having somewhere to stay.

Increased suitable housing support for Aboriginal people leaving prison on parole is critical (Apted et al., 2013; ATSILS Qld, 2016). There is a need for engagement with housing services pre-release to ensure those leaving prison have stable accommodation. A unique feature of the Weave *Creating Futures* program is a Memorandum of Understanding with NSW Communities and Justice, which gives caseworkers access to a dedicated housing specialist to assist with housing applications (Schwartz & Terare, 2020, p. 7).

As a result of difficulty navigating housing systems and securing accommodation, research has found that many people leaving prison plan to live with family following their release (Baldry et al., 2006; Visser & Travis, 2011). There is a need for support systems to be in place if things do not work out with family or things do not go to plan.

2.7.5 Long-term wraparound casework support based on principles of throughcare and community-based outreach

Given the complexity of need and level of disadvantage among those in contact with the criminal legal system, particularly Aboriginal people, comprehensive and meaningful long-term support is required. Most community-based services funded to provide post-release support can only work with people for 12 weeks. Working with Aboriginal and Torres Strait Islander clients for significantly longer periods, such as 12 months (or longer where necessary), is considered an important factor in the success of post-release programs (Schwartz & Terare, 2020).

The delivery of culturally safe, trauma-informed throughcare is crucial for Aboriginal and Torres Strait Islander people, particularly women (AHRC, 2020; Schwartz & Terare, 2020). Throughcare should be person-centred and individualised, not a ‘one size fits all’ model (AHRC, 2020; Sullivan et al., 2016), but tailored to the specific needs of the individual (Nakhid & Shorter, 2014). Effective throughcare for Aboriginal people must involve – and ideally be led by – Aboriginal people (Tubex et al., 2020). For women who have experienced family violence, returning to the community without support can be particularly harmful (ALRC, 2017).

Having adequate support and wraparound care is crucial to the lives and wellbeing of Aboriginal and Torres Strait Islander women and girls leaving incarceration. Ensuring that they are equipped with the supports that they need to succeed is

further likely to have a dramatic impact on the rate of recidivism. (AHRC, 2020, p. 204)

The Weave *Creating Futures* program (Schwartz & Terare, 2020) is an intensive support service for young adults leaving prison in Sydney, NSW. An evaluation of the program found that the recidivism rate for those engaged in the program during the evaluation period of 2017–2019 was 4% (compared to a general recidivism rate of 56% for Aboriginal people aged 18–30 years in NSW). As the authors note, while these figures are descriptive only (due to the absence of relevant control factors in the comparison group), they are still compelling (Schwartz & Terare, 2020, p. 2).

2.8 Summary

The literature has identified multiple areas of significance, which will be addressed throughout this report. Aboriginal and Torres Strait Islander people continue to be imprisoned at rates of national concern, partly due to many intersecting life adversities and systemic factors.

While the literature generally suggests parole effectively reduces reoffending, its efficacy remains a source of debate. There is a dearth of academic literature on the effectiveness of parole for Aboriginal people or insights into their experiences of being subject to supervision.

The existing literature demonstrates some key findings relevant to the current research. The supervisory officer is often seen as an adversary for Aboriginal people during the supervision period rather than a source of support to assist with successful completion. The role of the supervisory officer is critical, and they require important interpersonal skills to involve the client in decision-making and to recognise various cultural differences. Aboriginal people are more likely to be considered ‘high-risk’ due to intersecting structural factors. The suitability of parole conditions for Aboriginal people is critical, as technical revocations are more likely for Aboriginal clients. Research suggests that parole has been too focused on compliance rather than support and successful community reintegration.

The existence of throughcare and access to safe and stable housing following release from prison are two areas that require urgent addressing. Finally, there is a need to incorporate community-owned, developed and led supervision for Aboriginal clients.

3 Experiences of Supervision

We set out to explore both Aboriginal people's experiences with parole supervision and reintegration and the experiences of CCOs supervising Aboriginal parolees to understand how that relationship might be established, developed and maintained within a positive, respectful and effective framework. We also incorporate the perspective of ACSOs as appropriate.

Our analysis focuses on both different periods in the relationship (e.g., on leaving prison and beginning the parolee/CCO relationship) and different issues which arise, such as problems with the lack of throughcare. We discuss parolees' views on building positive working relationships, including having CCOs who work with them, providing flexibility and enabling parolees a voice in the relationship. This section also analyses the qualities of CCOs that work towards establishing a relationship of trust and respect. From an Aboriginal parolee's perspective, this involves being believed in and trusted and having someone there for them. CCOs identified the importance of trust and offered various strategies for engagement, including understanding Aboriginal culture and community and engaging with Aboriginal people with things that are important to them, such as family. Both CCOs and parolees discussed the need for flexibility and the setting of realistic expectations.

3.1 Leaving Prison on Parole in NSW

Not surprisingly, there were mixed responses from parolees to the period of immediate release from prison. When asked what it is like to be back out in the community, for some, it was terrifying, invoking for one interviewee a suicidal response:

I don't know. I was used to being in jail. [I've been out for] 12 days. Like... I was suicidal. It just happened. Once I got out everything hit me. I was excited to be getting out. I was looking forward to getting out. And as soon as I got out, it just wasn't what I thought it was going to be. (Joe, Parolee)

Alan, who had his parole revoked and was back in prison at the time of the interview, described his release as 'hard':

I'm still trying to get my head around it. Like I struggle with readapting well back into the society, because in here we get our food on a platter. We're forced into a routine. Going home it was hard to go back into a routine out there... The longest I recall being out was two months. But before that, it was only seven weeks. And I've been coming to jail the last four years. It's ridiculous, I'm over it.

Rose described the extreme anxiety she felt being back in the community after release from prison: 'I don't know. I feel like I get judged for being on parole, stuff like that, and I feel different and shame. I suffer from anxiety, and I have to wear glasses, like sunnies, in shops and that, because I just feel like I'm getting judged. So, I don't feel real comfortable walking around'.

Mick estimated that he had '10, 20 or more' supervisions, yet for him being released and the lead-up to release was a 'bit scary':

I even say that to a parole office before we even get out. I say look, what happens if we don't got an address to go to or somewhere where there's services that we need? And he says there's nothing for Aboriginals, so what are we supposed to

do? Like I say, who's my parole officer? Who's it going to be? I don't want none of these ones I don't get along with. And... they say you've got to stick with the same parole officer. And there we go, we're stuck from the first day. Because I've had previous parole officers where they don't want to work with me. (Mick, Parolee)

Another parolee, Adam, who identified that he had a mental health problem during the interview, wanted to return to prison: 'Fucking, I hate it. Stinks. I'm going back to jail next month anyway. I just breached the AVO'. Adam went on to complain that his CCO had refused to revoke his parole, 'I rang her up numerous times to pull my parole, but the bitch won't do it. Oh yes, I've been trying to go back in for fucking ages, yes. *[Interviewer: So you'd rather just finish your sentence?]* Yes'.

For others with unresolved drug and alcohol matters, it was directly back into offending on release: 'I was on the drugs you know, so I got out of jail and got straight back into hanging round the people, you know? Because that's only the people that was around me' (Johnny, Parolee). For Mick, it was 'just like bang, there you go. You're out on the street now. Go fend for yourself. And around here it's easy to fall back off the wagon and it goes bang, straight back into using or whatnot'.

Some parolees, including those who either had multiple experiences of imprisonment and tended to be older or had other supportive systems (such as family or family responsibilities), were more positive on release. Libby has two children and had also miscarried while in prison.

It's hard a little... Because I've been in and out of jail so many times and been on parole over the last few years up until now. It's learning from the mistakes, and then understanding like well, these fellas aren't messing around with me no more. It's not a joke no more... And not just that, I'm getting older... I've just lost a baby as well. I was three months pregnant, and I lost my baby while I was in jail. Yes, it's a big wake up call. Like on the drugs scene, it's just not my lifestyle no more. I've had enough of it. (Libby, Parolee)

Jack, who was 45 at the time of the interview, had been incarcerated for four years and had a two and a half-year parole period:

People who haven't been to jail and understand that the lifestyle in there is just a whole new world. And just being out, as an Aboriginal man, just so relieved and so amazing just to get back out... Just to be back out with loved ones, and families, and friends, and more than that, it's just awesome just to be out. It's not a place you want to be, in prison. It's not our way of life. (Jack, Parolee)

Similarly, Mick was an older Aboriginal man with multiple experiences of prison and parole:

Well, this is the longest I've been out in the community. Twelve months for me is like I'm finding a very long time. Any other time when I've been on parole, I've only lasted like a week, two weeks, a month at that and then I'm back in jail again... But this time I'm dead set like you know what I mean? I'm 47 years old and I don't want to go back to jail. (Mick, Parolee)

3.2 What was in Place on Release?

Accommodation, medication and support with travel were all immediate requirements for parolees on release. The extent to which these were met varied considerably. Some parolees had highly negative experiences immediately on release because of the lack of throughcare and assistance. Joe had been out of prison for 12 days when we interviewed him and related the following:

I was just let out on the street. I had to try and find a way back here [town]. They didn't give me any directions or any plan on what I should do. I tried to get on a bus and then work out how to get from the bus to train station and all that with a phone that doesn't work anymore, because of how long I've been locked up. So I didn't know where I was going. I knew where I had to go, I didn't know how to get there. So that was my first problem that I had to deal with. [I had] just my gate money, that I had from money that I'd stored up from not spending in buy-up, about \$60 or something. That was it, and the Opal card. Yes, and then I had to sign in by two o'clock at parole that day, that first day. They [prison] didn't even give me medication that I was meant to get – six days of medication. I didn't get that. They did help with three days accommodation. And then I had to just go through the stress of trying to sort more accommodation out which I've sorted now, anyway. Initially I guess your biggest stress was a roof over my head. (Joe, Parolee)

The failure to provide Joe with medication was to have serious consequences:

I was told that I was going to be getting six days of meds, when I was first getting released. And then as they started processing me, I got nothing. So, I mean six days of meds would have been helpful. I would have been able to get some sleep and everything. I couldn't think straight, I couldn't process what was going on because I was withdrawing from not having my meds. And then it took long enough to get on the meds, as it was, because Pathway's such a fuck around for that shit. They take forever to do anything. I waited ten months for a blood test that never even happened. I waited ten months to see a doctor and it didn't even happen. (Joe, Parolee)

It was Richard's seventh day after release from prison when we interviewed him. He had been released from a regional prison over 200 km from the parole office where he needed to report.

It's just stressful when I got out. I lost everything when I went to jail. I got out with not even socks and jocks. Like I've got no ID and Corrective Services give me a release certificate with the wrong date of birth, and the wrong spelling of my name. So I can't access none of my bank accounts. I can't do nothing. I've got out with no ID, no birth certificate. And I've been at Births, Deaths and Marriages the last two days trying to sort everything out. *[Interviewer: How did corrections manage to give you the wrong spelling of your name, and wrong birth date?]* Even in my property I had a photocopy of my original birth certificate. I showed them and they said 'no we can't change it'. So, it's just a headache. I knew because when I get my admitting card I could see my birthdate was wrong. So the whole time I'm telling them, 'listen, can you please change it, can you please change it?'. Because I knew when I got out I'd have this problem. (Richard, Parolee)

Other parolees also mentioned the problem with using release certificates:

They give you the release paper, but some people don't accept it... It's good for Centrelink, but after that it's up to who you know. If you're at a bank or something, they don't want to know about it. Maybe if it was linked in more with the

government in some way, shape or form. I don't know if they can put it on their myGov website and you know, you give them a code to that or something along them lines. (Phil, Parolee)

Jack's experience of release was far more positive:

Well, at the Hunter, the Hunter's pretty good. They do all that for you. Get your birth certificate. And they have an Aboriginal group that comes from Sydney. They come in and get you hooked up with Centrelink. You can also get your licence in there, driver's licence, if you haven't got it. We had traffic control guys coming in there... [there's an] Aboriginal men's group at the Hunter, so we can talk about why you're reoffending, how we can help you when you get out. I had Aboriginal Elders come in and speak to us at the Hunter and it was so good... But a lot of the boys, like I said, they can't read or write. (Jack, Parolee)

It was clear that both CCOs and ACSOs can assist in navigating that initial period in a supportive way. For Joe, who told us that he was suicidal after being released, the CCO and ACSO together:

were great. It's initial, but on face value it seems all right. They just helped organise medical stuff for me and helped steer me in the right direction to counsellors and all that. Just trying to get me support. Counselling services and I'm going back to rehab. I've been going through some shit since I got out... Things were going to shit but they're starting to look up now. In the last day things have been changing. (Joe, Parolee)

However, the problems with throughcare were acknowledged by the CCOs and the ACSOs.

A big thing is more before they get released. They say that they're promised a lot of stuff when they're [inside]. Well, this one [parolee] in particular, the one that had his leg off [amputated while a prisoner]. He got out on crutches and they had nothing organised for him. They had no accommodation. They gave him a train ticket back to [regional town]. That was it. So, he had nothing, but he had been in and out of the system for a long time. (Sally, CCO)

Tom, a parolee, also commented on the gap between what he was promised on release while in prison and what actually occurred:

I got out with fucking nothing. Yes, maybe parole could help with that, with people getting out. Because the people that are doing the parole in jail and these parole people out here, it's different. You think they're going to do all these helpful things with parole, and they're setting all these things up, and then you come out here and those fellows don't know nothing about it. (Tom, Parolee)

And Niah also commented on the lack of throughcare:

It's a bit scary when you first get out because they don't sort of give you anything on the way out, you know? They don't offer anything. You just get out and just land on your feet or not... I think there should be more in place. They make out like there's all these pre-release programs and shit, but there's not. I sat in jail for 12 months and then got out and that's it. I think one person came to see me. There's no plan put in place. (Niah, Parolee)

We interviewed a CCO who was based in a prison working on pre-release. The officer is required to establish pre-release plans for parolees who may be moving to any location in the state. When asked whether there was systematic information provided to her on services state-wide, her response was:

Oh, God, I wish. I really wish. I create my own spreadsheets. I've got a spreadsheet where I've got like... on a tab there's [regional town] and then you go like what AOD services are in [regional town] and do they cover [another regional town], so these are the ones for this town and these are the ones for the other locations and stuff like that. Yes, it's all my own work. Yes, it's not the neatest or the clearest but I understand what's going on. (Audrey, CCO)

One ACSO we interviewed noted the change from when he used to be able to visit the prisons as part of his work and its positive effect on throughcare:¹⁶

It's tough, because there's no throughcare from the jails to the community whereas when I used to go into the jail and I'd say look, where do you live? They'd give me a town like [town]. I said all right when you get out report to [town] make sure that when you down there to ask for me and I'll be able introduce you to the officers and get that transition happening straight away. Since I was denied the opportunity to continue on with that work [in prison], now when inmates get released they go missing in action, then I'm expected to locate them. And I don't even know them. (Chris, ACSO)

We asked CCOs what the information is like when they meet the parolee for the first time. Camilla responded, 'not enough. You can look on the system and see whether or not they identify as being Aboriginal, and then it's just basically the very specifics. You know what the offence is, the police facts, their criminal history. And besides that, not a lot of information'. Sally noted that the information was inconsistent. On the day we interviewed her, she had met with a new parolee. 'I knew nothing about him other than, here's the blue slip. He's turning up on your desk on Monday morning. I didn't even have his file because he came from a jail from [another regional town] so I hadn't actually received his file'.

CCO Camilla also made an important point concerning the role of the ACSO at her office, who is usually very helpful in being able to fill in some information on Aboriginal people being released to parole. 'Can you tell me where they fit in? What's their story? So really, not a great deal of the information I think that is helpful in terms of building a rapport, if [ACSO] was not there [to help]'.

3.3 Aboriginal People's Experiences with Supervising Officers

3.3.1 The initial meetings

¹⁶ The role of the ACSO varies across NSW locations; in some areas, the ACSO regularly works inside the prison.

For some parolees, the fear associated with parole supervision exists before even entering the Community Corrections building:

I've stood out the front for hours, just smoking, for a good 45 minutes, just smoking and waiting, not knowing... It's nerve-wracking, yes. 50% of the people that I know that's done it has walked away, hasn't even made it into the building, because they don't know if they're going to be revoked or not there and then. In their mind they're thinking they're going to get locked in the building and the police are going to get called, because I have seen it happen in the past. Yes. When anybody goes to their parole officer, your heart was beating. (Vivian, Parole Revoked, Reimprisoned)

For many parolees, the initial meeting with the CCO could be quite challenging or frightening:

At first when I met her, she was a bit... I don't know, scary. But she's all right now, yes. Well, I was frightened at first. But as I got to know her, she's a good person, yes. She's good. She helps me out, I suppose, yes. TAFE. Housing. Stuff like that. (Daisy, Parolee)

I remember the first time was a bit scary because you don't know what you're up against. You don't know whether they're there to help you, or they're trying to lock you back up. So you don't know if to be honest or hide. I haven't had that issue for a few years now. (Niah, Parolee)

It was also often the first meeting that set the tone of the relationship. As Alan, who had his parole revoked and was back in prison, stated, 'Just first impression. Her first conversation I felt like she was understanding me. Just when you meet someone, and you want to work with them. Yes, you let them know where you're at and stuff, and I was letting her know where I was at'. CCOs made similar comments regarding the importance of the first meeting. 'The first interview is really important. Because I think that if you don't build that rapport or give them some sort of trust towards you, you've lost them straight up' (Sally, CCO).

As a parolee, Libby also noted the importance of the first supervision meeting. She was asked, 'Going into a supervision, how do you know if they're going to understand you as an Aboriginal person, or not?'. She responded:

The way they explain themselves. When they speak, like I'm here, this is me. When they introduce you the first time when you go to your first appointment. I'm a person that I get to know someone straight up. Like whether they're going to be a shit person, or whether they're going to be a good person by the way they present themselves, and with their body language. Their vibes and whatnot. (Libby, Parolee)

The first meetings can also be highly emotional. Alan went on to state: 'I felt like she was understanding. Like I told her that dad passed away while I was locked up, that took a big toll on me, and coming home to a world I thought was the same, and it wasn't. And I remember crying, I remember crying in the room, and like spinning out in a way... And all the... God, the interview'. For Alan, the nervousness associated with visiting the Community Corrections office did not dissipate:

I get butterflies sometimes walking into there, because I feel like it's... I know they're correctional services, and I feel like I'm walking back to a mini jail or something. And you feel on edge, is she going to look at me... is she going to think I'm on the drugs? And then is the conversation going to be just about me being on drugs. (Alan, Parole Revoked, Reimprisoned)

3.3.2 Building a positive relationship by working together

Several parolees spoke of the need to have a CCO who could **'work with them'** rather than against them:

I've been doing all the right things that they've been asking me to do — especially with the parole officers they've been giving me. In the past, they wouldn't work with me. This time I've had decent parole officers [that are] young, that are willing to listen, and not just take one side of the story and not like any other time 'when alright, boom, you breached'. The parole officers... have been working with me. Where any other time, they don't work with me. They just want to break me and put me back in jail. (Mick, Parolee)

Joe expressed similar sentiments to Mick: 'My last parole officer was a jerk. He just wanted to find any way to try to send me back [to jail]. These guys actually seem like they want to keep me out'. Similarly, Libby stated that her CCO is 'pretty good. She's pretty lenient. She knows the situation that I'm in, and the partner that I'm with at the moment... And then I've got the baby, so she knows. And I'll let her know too, you can't expect me to do something that I can't do'.

Many parolees spoke of the need for flexibility in the relationship. Bob had been on parole for almost 12 months at the time of the interview. He noted, 'It's been good. She's [CCO] very good. We help each other out. If she can't make it or whatever. Or if I can't make it, I just ring up and make sure. On her work mobile. It's the way I can text her or ring her'.

Building a relationship is not easy. For example, Joe, who spoke positively about the help he received in a time of crisis from the CCO and ACSO, was asked whether he felt like he could trust them. His response: 'I don't trust anyone'. Those parolees who were reimprisoned at the time of the interview did not necessarily 'blame' the CCO for their situation. As Alan expressed it, 'My parole officer... was okay. But she was down the line. And, yes, I thought she was okay. But really, I'm just going to be honest, sometimes I was just off my face. You know, I'd be off there and lying to myself and others, you know, that I'm doing okay, that everything's all good'.

3.3.3 Being able to speak up

Several parolees spoke of the importance of being able to speak up and have their voice and their concerns heard as important to establishing a respectful relationship between the CCO and the parolee:

Me and [CCO] didn't get off on the right foot there for a while... Then, we had a meeting here at the office with [ACSO and CCO] and the manager. And then we had a lot of [discussion]... Put that on the table. Truths. And we came to an agreement. I'm always ringing you guys about appointments. I'm just always on top of things. In that meeting, it was so emotional, because I just needed my voice to be heard. (Jack, Parolee)

I've learnt to speak up for myself too with the parole. Back in the past, quite a few years back, it was just like, 'oh, well I'll do it, because I don't want to go back to jail'... But I've learned to speak up these days, because it's like you can't set me up for failure. You've done it before to me in the past. I'll do it... But if I can't do it, and I'll give you a reason, it's because I can't do it, and there's a good reason why. (Libby, Parolee)

Being able to speak up in supervision meetings obviously requires some confidence on the part of the parolee. Still, it also relates to the ability of the CCO to create an environment where the person on parole feels their voice will be listened to. This is a particular dynamic for Aboriginal parolees because there are so few Aboriginal CCOs in NSW Corrections.¹⁷ A non-Aboriginal person will supervise the vast majority of Aboriginal parolees.

3.3.4 Set up for failure

The opposite to working together was the complaint by some parolees of being '**set up for failure**'. Libby expressed this as being required to do impossible tasks:

Sometimes it's like they set you up for failure. It's a set up for failure all together getting out of jail. They wanted me to do a course in [town] 20 minutes away by car, knowing that I have a baby. He's one now. But he was only a couple months old at the time. Knowing that I've got a young child. Wanting me to come up here to [town], no transportation of my own, public transport. And it's hard, you know. Get up, make sure the child's right. You've got to make sure you have someone to watch the child to do the programs. And I told them, and they were notified that I didn't have the resources at the time. My family, most of them work. So, it's hard for me to get someone to look after him. I live with the father, but he's not very much help. (Libby, Parolee)

Similarly, Noleen also spoke of this problem in terms of not being able to get to meetings:

When you can't get there. Transport. That's the only thing. When I used to live in Bathurst, I used to live in Kelso... That's too far from town. I used to ring them and say, I'm running late and they used to threaten me. Oh, you better get here on time, or you're going to get breached. Well, if you can't get a fucking bus ticket... (Noleen, Parole Revoked)

3.4 Summary

It was acknowledged by many of the Aboriginal parolees that release from prison is a very difficult time, often exacerbated by poor planning and lack of support. It was clear that both ACSOs and CCOs can assist in navigating this period, but the lack of throughcare was a major problem. Information provided to CCOs of parolees at the time of release was also seen as inconsistent. It was noted that the ACSO could provide a CCO with important

¹⁷ To our knowledge, across NSW there is one CCO who identifies as Aboriginal and another CCO who acknowledges Aboriginal ancestry but does not identify as Aboriginal.

information at the first stages of supervision about Aboriginal parolees in terms of family and community.

Both CCOs and Aboriginal parolees noted that the initial supervision meetings were critical in establishing a working relationship between the two. For Aboriginal parolees, it was how the CCO interacted – whether they listened and whether they were perceived as being there to help. Several parolees spoke of whether the CCO demonstrated that they were there to ‘work with them’ and not against them. Other parolees spoke of the importance of being able to speak up and have their voices and concerns heard and the need for flexibility and understanding in the relationship. The opposite were those parolees who felt they were being ‘set up for failure’ by being required to fulfil impossible tasks.

The ability of the CCO to create an environment where the person on parole feels their voice will be listened to is critical. This is a particular dynamic for Aboriginal parolees because there are so few Aboriginal CCOs in CSNSW. A non-Aboriginal person will supervise the vast majority of Aboriginal parolees.

4 Gender and Parole Supervision

4.1 The Impact of Gender on the Experience of Supervision

We were interested in exploring the views of parolees regarding the gender of their supervising officer and whether this impacted their experience of parole supervision and completion or the ability to build trust and rapport. We received some mixed responses, but the majority of parolees, when asked this question, **considered the gender of their supervising officer to be irrelevant**. For example, when asked whether having a male or female parole officer made any difference to her supervision experience, Libby (Parolee) replied: 'No. Not for me... speaking for myself... I do go in there with an open mind, an open book'.

Mick (Parolee) built trust and rapport with his parole officer, a young woman. Similarly, both Vivian and Mary (Both Parole Revoked, Reimprisoned) noted that the gender of their CCO or ACSOs didn't bother them and noted that they were still able to build connections with a male ACSO:

Yes, like he's there if you need him or if you can get hold of him. Yes, their Koori group of a Thursday, he runs that. So you just see, like, we all can go in there, even if you're not on parole you can still attend it. And you sit around, have a yarn and that. (Vivian, Parolee)

For most parolees, it appeared that **building genuine relationships and developing trust was the most fundamental and valued aspect of the supervisory relationship** and this transcended gender.

4.2 The Relevance of Gender-Specific Support

We were also interested in the experiences of CCOs and ACSOs working with both males and females and their observations of the difference in support needs across gender. Some CCOs and ACSOs mentioned that male parolees often have difficulty 'opening up' to female CCOs, as Sally (CCO) explained:

I have found sometimes especially with the Aboriginal men with regards to the rehabilitation and social work function, they hate going to a lot of these services. A, because they don't like to talk, they can't express themselves or do anything really well. And most of the times with a lot of these places where they're referred to and the services are women who they've first got to meet up with. And I think in some aspect, there's one or two of them that just completely close down. They don't want to talk. You have to try to get them to open up a bit and they just don't want to talk to them at all. (Sally, CCO)

It was noted that male parolees might be particularly likely to 'close down' if there are histories of domestic and family violence. As Sally (CCO) told us, 'as I said again, some of the Aboriginal men are resistant to speak to a female because of previous relationships'. This dynamic was further explained by Trevor (ACSO) when reflecting upon his experiences as a male ACSO providing case management support to a female CCO supervising a male parolee:

I have one guy who's on electronic monitoring at the moment. And he's high-risk. He's the highest of the high. But his communication is not that good. And so, he's supervised by our female officer and I'm grateful that she got me involved. And

this guy here, for example, when he sits in the interview, he doesn't look at her. But when I'm in there he'll talk a bit more, he'll be more open. But me and the CCO anyway discussed his case plan and what to do and one of the case plans is for me to go out and see him. He has to be seen weekly. But I'll go out on the fortnight and see him. And, so, that makes me and his engagement positive. But, also, it helps with him gaining confidence and talking with the female CCO. Because he's got a lot of issues around females and he's got domestic violence and stuff. And, so, that case plan I feel is working well. And this guy will still be on our books for a while, but he's on a program with [drug treatment facility]. He's answering his phone, he's keeping his EM monitor charged. You know? He's doing all this stuff. (Trevor, ACSO)

However, Camilla (CCO) had a different experience, noting that in comparison to women, she found Aboriginal men to be 'more open' during supervision and that developing relationships with women could take longer:

I guess that's something I sometimes struggle a little bit with. I find Aboriginal men, and it might seem a bit odd talking to a woman, but they seem to be far more open. And I don't know whether that's something that's a bit of a shortcoming of my own. But Aboriginal women, sometimes, take a lot more warming, a sense of nurturing, I suppose. (Camilla, CCO)

When asked questions regarding the distinct support needs of male and female parolees, all ACSOs and CCOs pointed to differences in need — **women were generally considered to have a higher level of support needs and complexity**, specifically concerning family and caring responsibilities and experiences of violence and trauma. As Margaret (CCO) told us:

I think the difference between men, the men do seem to be a little bit more charming. They will really, really try. Where the females, they seem to have a lot going on. They might have child responsibilities, they might be a single parent. Unstable accommodation, family fall outs and stuff like that. So, they can be somewhat more chaotic because of them. And the males, I mean, they probably have children, but they're not in their care. They see them whenever they can. And it's different kinds of issues with the male and the female. (Margaret, CCO)

Aboriginal women, women in general really are really hectic to deal with like when they're really in a bad way. They're probably worse than any male. I can say that. Yes, they're more difficult to deal with. (Sally, CCO)

While several CCOs noted that the high level of need among women leaving prison was not just specific to Aboriginal women, it was noted that their level of need was often considerably higher. As Blanche (CCO) told us:

I've found women probably harder to deal with... Harder to work with the PGIs, especially with the COVID going on at the moment. Often there's a lot of stuff going on at home, so you're over the phone or you're in their driveway, talking to them. You're not able to actually sit down. I find women come with a lot more baggage, but that's also across the board with white women and Indigenous women as well. A lot of them are victims... DV [domestic violence], sexual, childhood sexual assault, that sort of stuff... I'd say it's probably more prevalent with [Aboriginal women]. (Blanche, CCO)

One of the offenders that I've got at the moment, especially with COVID, it's been really important to actually get her into an interview room. I've done home visits with [ACSO], and it's yes or no answers. Are you okay? Yes, Blanche. And it's like you know that she's not. And you're on the phone, and it's, how are things? Yes, that's fine. But until you get her in a closed interview room, that's when...

Interviewer: In terms of supervision, I mean, how do you deal with that, when you know the woman is still in a domestic violence relationship?

That's where your community contacts are so important. So for her, for example, she's linked in with a social worker and a DV support worker with an Indigenous organisation. So it's maintaining those open communication with them, just to say, hey, I've touched base today, and she seemed... It's picking up on those visual cues. (Blanche, CCO)

As family and caring responsibilities and experiences of domestic and family violence and trauma are gendered issues, this points to the benefits of supervision with a high level of expertise and skill in this area. **The importance of gender-specific support** and creating 'safe spaces' for women was also recognised:

One of the good things that they do up in [regional city] is they've got an Aboriginal women's group, so that's awesome for the women that we work with. A lot of them are domestic violence victims, so it gives them a safe space... (Blanche, CCO).

For male parolees, the importance of having gender-specific supervision and support was sometimes framed as important for male parolees to have someone they could 'look up to' and who they found 'inspiring'. As Alan (Parole Revoked, Reimprisoned) told us:

I just see a lot of, yes, a lot of yourself in people. And in people that you talk with. It wasn't just him I was talking to, you know. I've got uncles at home that's been through things, yes. And they mightn't be on Uncle Greg's level, but they're going all right. They're stable. They're not going to jail... And yes, inspiration. (Alan, Parole Revoked, Reimprisoned).

In a similar vein, Maree (CCO) reflected on the benefits of having a male ACSO involved in the supervision of Aboriginal parolees:

I think there are times where I've sort of wished that we had an ACSO here, just when... If I get an offender who's complying and I have a really good rapport with them, I never really need that sort of input... But there's sometimes where I kind of wished that we had someone that they could sort of engage with and... Like, you know, [male ACSO] was... I guess he was an Elder and... A lot of the times the offenders would sort of like look at him as, I guess, a father figure, an uncle or something along those lines and it would be good to have that balance come back in again. (Maree, CCO)

4.3 Summary

Most parolees we interviewed considered the gender of their supervising officer to be irrelevant and placed greater emphasis on building trust and genuine relationships. However, both CCOs and ACSOs described situations, including those arising from cultural differences and other factors, where gender-specific supervision may be more

appropriate. We recommend below that the ACSO asks the parolee at the time of the initial interview whether they have a preference for a male or female CCO.

All interview participants – parolees, CCOs and ACSOs – highlighted differences in need across genders. It was noted that while there are considerably fewer women in prison, they often tend to have a higher level of support needs, specifically concerning family and caring responsibilities and experiences of violence and trauma. As these experiences are gendered issues, this points to the benefits of supervision with a high level of expertise and skill in this area.

5 The Qualities of Supervising Officers

We have sought to delineate some **particular qualities of the supervising officer** that support or enhance reintegration from the perspective of the parolees and CCOs. We asked parolees what they thought the main role of a CCO was. Many responded regarding **providing support and assistance in complying with their parole requirements**. For example, with Alan, it was ‘Support. Yes. Support. Support’s a big one. And then... I seek comfort a lot. I think that’s another one too. I think that they should show a little bit of comfort’ (Alan, Parole Revoked, Reimprisoned). Others spoke of the role as:

to keep you on the straight and narrow, keep you out of lock-up, make sure you pull your head in and get the help that you need. They tried to help me with my housing and my counselling with Relationships Australia... and rang the hospital for my drug and alcohol counselling. (Bob, Parolee)

Similarly, Daisy responded, ‘Keep me in line... I wouldn’t do anything to breach my parole because I’m not going to jail... Supervision’s been helping me. But, yes, they did like a lot for me since I’ve been in here’ (Daisy, Parolee). Phil made a similar comment, ‘I think making sure that you’re not going out and getting yourself in the same positions you used to. You know, you’re not committing crimes, you’re not taking drugs’ (Phil, Parolee).

Many parolees identified the importance of **assistance, understanding and help**. Johnny indicated: ‘Helping. They help me out. [CCO] helps me a lot. Rings me up. Has a yarn with me. See if I’m still on track and everything, you know? And I’ve got [CCO]. She’s helping me out with my community service hours, too’ (Johnny, Parolee). Daisy also noted that her CCO ‘just looks out for me, rings me every couple of days and makes sure I’m all right’.

And for Libby:

What I want in a parole officer [is to] more to be understandable, to be more lenient with not trying to overflow you, like your day-to-day schedules, for them wanting you to do this and that. To be on board with you and to be understandable. You’re a human being, you’re not a robot. You can’t do everything at once. (Libby, Parolee)

Muhammed, who had his parole revoked and was reimprisoned at the time of the interview, also discussed help and understanding:

To help us. Not to go against us and to breach us on the stray little thing and chuck us back into jail... Instead of working with us to say, ‘Alright. What was the reason why? What triggered it off, what can we do to go about things for you to not to do this?’ You know what I mean? Work with us. That’s it man, helping us. And to make us feel comfortable with them so we can open up. If we’re not feeling comfortable with someone, no way we’re going to open up. (Muhammed, Parole Revoked, Reimprisoned)

Noleen, who, like Muhammed, was also parole revoked, commented, ‘Just understand where we come from too, you know? If we can’t get there, then help us. Try and understand why we can’t get there [to appointments]. Don’t just breach us because you’ve got the power to breach us, you know? Help us. We’ll do the right thing’.

5.1 Building a Relationship of Trust and Rapport

Many parolees and CCOs spoke of the need to build a positive relationship. The qualities that parolees identified in developing that type of relationship included **being believed in and being trusted**. As Libby noted:

Like there's one parole officer, she was really good. I'm a person that you know, I say that I'll be there! I'll be there! I'll be there! And then I'm like ten hours late. But she was pretty good. She even got me into a rehab up in Brisbane, and I completed that rehab. I got a lot out of it too. Yes, so it was more that she believed in me. (Libby Parolee)

In responding to the question of what makes a good parole officer, Bob responded, 'Understanding and trust. Yes, [I'm] slowly opening up to her... about my history in the past with everybody... Like with my daughter passing, my nan passing before I went to jail'.

Similarly, Mick noted that:

For me, I can't open up straight away to no one. I've got to get their trust. That's just a jail thing with me anyway. I find... I don't open up straight away. It's going to take a few [times] after that to earn their trust and for me to open up. I don't open up to no one straight away... At the moment it's like pretty good with her [CCO]. She's another young one and she's pretty lenient too... In the past I couldn't trust them because everyone was there just to lock me up instead of working with you. (Mick, Parolee)

Johnny spoke of having **a CCO who is always there for him**:

He understands me because I tell him the truth. Straight out. What I do, you know? Everything. Like, about my family. About my own things. Even when I'm stressed out, he calms me down. Like, you know, 'Listen, mate, I can see you've been thinking...'. But then we start laughing away on the phone, you know? He helps me...brings my spirit back, you know? That's it. Someone to ring me up and have a good old yarn, you know? It's good. And he's always there for me. He's good. I like that. (Johnny, Parolee)

For Phil, it was having parole officers that encouraged him and genuinely wanted to see him do well:

It's actually been not too bad. I think it really comes down to the two officers I had straight away. I had one at [Community Corrections office] for like, a couple of weeks, and then I come over here to [another Community Corrections office]. And I find him to be genuinely actually wanting to see you do well. It wasn't what I expected. I expected Gestapo-style tactics, you know. So I've been very lucky. The first lady was good as well. She was from [town]. Yes, I mean, it's good, they encourage you. I don't know if it's the same with all parole officers, but [CCO] is very good... But yes, it's been good, to be honest. It's not what I thought. I thought it would be a lot harder. (Phil, Parolee)

Tom identified trust, honesty and the ability of the CCO to listen to him as important:

[Interviewer: How's your supervisor and what's that relationship like?] Very good, yes. She's not beating around the bush with me and I'm not beating around the

bush with her, we just lay it out on the table. And like drugs in my life has been a bit of a hard thing, you know what I mean. So, I'm not going to be able to flick my fingers after having that life for so many years and then come out and flick the light switch and then everything is going to be all right and white picket fences and all that shit. She's been good in that she just listens to me and she takes my word for my word (Tom, Parolee)

Niah also identified the importance of honesty on the part of the parolee in building the relationship with the CCO: 'I think it's just honesty. The more you let them know the truth, the more they can help you. If you pretend you're not doing this, or you're not doing that, they can't really do much for you, can they?'. For Niah, this honesty was reciprocated: 'She knows me. She knows I don't muck around. I'm pretty straight up. If I fuck up, I'll say, I fucked up. So, yes, she's pretty fair'. Phil also discussed the importance of honesty in the relationship with his CCO:

Yes, I just try to be in contact with him all the time and just try and shoot him a couple of messages every now and then in case something goes not how I planned or whatever. I shoot him a message saying, this is where I'm at with it, and just keep him informed, so just try to be as honest as I can with him and stuff like that, because I really don't want to be reoffend. I don't want to be in jail anymore. Sick of it, you know what I mean? I just want to try and get myself stable, look after my health and then look after my children, stuff like that. (Phil, Parolee)

We also noted above that the ability of the parolee to speak up was important in building a positive relationship. We note the importance of the CCO in providing the space and environment where parolees can feel comfortable in doing so. For Jack, it was a meeting between the CCO, the ACSO and the office manager that changed what had been a negative dynamic: 'After settling in and after everything was laid out on the table with [CCO, ACSO, office manager], everything's sweet. Me and [CCO] get on very well now. Our conversations are good'.

CCOs also spoke about the need for developing trust. As Sally noted, 'You've just got to develop that trust. The trust is the biggest thing and I think that if you show them respect'. Similarly, Camilla stated, 'I think it's about building trust, and the language that you use — instead of trying or making the mistake of sometimes sounding like a white government department'.

As a non-Indigenous CCO, Margaret noted that:

There are some [Aboriginal parolees] that don't like non-Indigenous officers supervising them, because they don't feel that we're on the same wavelength. They don't know who you are, they don't trust you first off. So it's about building trust. They feel that parole is going to be really strict on them. That the first time they do something wrong, they're going to be breached. So I mean... that's where we get [ACSO] in.

Conversely, parolees were also able to identify the problems that arise when the relationship with a CCO is absent or breaks down. Jack spoke of the **problem of being judged by the CCO** before having established a relationship:

To be honest, I just thought [CCO], she judged me before she even knew me, because of my offence... I just thought she judged me before even meeting me, and she wasn't going to change her personality, or anything, towards me. And I felt

that in our conversations on the phone. That made me nervous because as an inmate, when you're coming out, we come out and if we're on parole, we've got to connect with that CCO straight away... And we've got to work with each other. The main objective is, stay out. That's all we want to do. I can speak of other parolees. I know there's a few that don't get on with their parole officers. (Jack, Parolee)

Vivian felt that the qualities of a good parole officer were 'someone that's there that's going to help you with the problems that you present with'. Adam identified that a good CCO is 'someone who [can] sit down and relate to you and know what's going on'. For Adam, this required that the CCO have some knowledge of his mental health issues:

You just got to find out a little bit about his background. And then decide whether or not you can take him on. Don't just sit there and say, 'I will pull this name out of the hat, and just fucking go with him'. It doesn't work like that. Like, come on man, it's in my fucking court files that I'm under mental health. It's in my court files that I hear voices and shit. And she [CCO] doesn't even know what the fuck's going on. She's like, 'you didn't tell me that'. It's like, I don't have to. It's like, get your notes, and read it. Don't just sit in the room and expect me to open up to you. I won't, I don't even know you from a bar of soap. (Adam, Parolee)

From Adam's perspective, the relationship with the CCO had broken down completely:

Fucking [CCO]. She's an idiot. I don't get on with her. Personality clash. Just from the first time I met her, just didn't like her. I complained to her fucking supervisor, done nothing... I haven't had difficulties with parole in the past, it's just [CCO]. (Adam, Parolee)

5.2 Strategies for Developing Trust, Rapport and Respect

The CCOs we interviewed identified various strategies for developing trust and rapport. Several spoke of the need to 'not talk down' to Aboriginal people but rather to engage the parolees with the things that were important to them. Audrey found that 'It's really about not worrying about [lack of] eye contact and how they're sitting and the persona per se. So, it's about talking to them on their level and asking them how their day was and making connection'.

CCOs referred to various other strategies, including, in particular, **knowing something about the person's family and kinship**:

Look, I just think that building that rapport is so essential, like actually sounding like you give a shit about their background, where they're born, what's important to them. Let them tell you their stories about where they link in family-wise and who they're related to. Tell you a bit about their story. Sometimes people don't see that that's a necessity or important. But without building that rapport and giving them the opportunity which is so important, to actually understand where these people are from. Personally, I think that if they feel like you get a true sense of who they are, and where they're from and what's important to them, it just makes it so much different. There are a lot of non-Aboriginal people who don't particularly care about necessarily talking about their family, or all those sorts of things. (Camilla, CCO)

The way in which the CCO engages is also important, as well as finding the points of connection:

I found that with a lot of Aboriginal inmates – they don't make eye contact. Very relaxed in their positioning and I don't like to put a table in between us because I'm kind of creating a wall. So, if I move around to the end of the table, they usually have a chat with me more and are a bit more relaxed. So, it's talking about how mum is or the aunties. So, you've got to do a little bit of research first, find out who the aunty is...

I have a guy at the moment who won't talk to me about anything unless I talk about fishing first... And you'll talk about it for five minutes. Then I went, 'oh, have you ever smoked [yandi] while you've been fishing?' And then I suddenly got him linked in and he talked to me about that. So, I've got to get that other connection. He'll never look at me during the whole conversation. Won't ever make eye contact. That's fine. That's just how he acts. (Audrey, CCO)

Mark spoke of the importance of **respecting the individual importance** of each parolee:

I think the first part of that was to not just label them as an Aboriginal client, but to treat them like you're not a number in the system, you're an individual and I'm here showing them that I'm actually trying to help them, not that I'm here to catch them out... You don't want them to feel like they've just come in just to be ticked and flicked, more or less, like you want them to come in and feel like they can actually talk to you about stuff. (Mark, CCO)

ACSOs also had comments on how CCOs should be build rapport. For Sue, **the ability of CCOs to be able to listen to parolees** was important. 'I say, listen to them. Listen to them, and if you listen to them, they'll get to trust you, you know'. Trevor related the experience of seeing CCOs 'robot-like' when talking with Aboriginal parolees:

I've had officers come in and they'll be like, 'Yes. I'm going to talk to this person about this and then I'm going to breach'. I went into the interview and he [CCO] was robotic-like. Interrupted the guy from answering the questions. Just boom, boom, boom. And when we walked out of the room I just said, 'I don't want to tell you how to do your job, but I don't think that's a good way to do it. Because you didn't let him finish, you were robotic-like in how you were talking to him. And you were just firm and you didn't give him a chance'. It doesn't work. Aboriginal people we can feel the mood of what's going on. And if I can feel it, then they'll [parolee] definitely feel it. (Sue, ACSO)

For Trevor, the advice to CCOs was the 'first time you meet them, give a little bit of yourself without giving a lot. Just to try and gain that rapport. It won't happen in that interview, but it will happen later, you know? And to just be open, I suppose' (Trevor, ACSO).

One further consideration of trust extends more broadly beyond the relationship between an individual CCO and parolee. Blanche spoke of trust radiating out into the community:

And one of the biggest things, I think, is trust. It wasn't something that I noticed until I worked quite heavily in [location], which is where I've mainly held a caseload, is that they know who you are before you know who they are. You've got to build that trust in their community. Even to the point, like I've commented to our ACSO, you know, now I actually get spoken to when I'm out at Coles, shopping, which now I know that I've built that trust, so it's good. (Blanche, CCO)

5.3 Patience, Trust and the Successful Completion of Orders

The **importance of patience** was also added to the mix of trust and rapport by Mark:

An officer probably needs to control their frustration, because they're not going to do these things that they need to succeed on parole immediately, but patience is probably a good thing and rapport-building. And you'd need to get to know them... That's the only way to succeed because otherwise they're not going to want to come in, [or] want to engage with you and once they stop coming in we can't do anything else other than breach the client. So, rapport-building is probably the biggest thing, because if you can at least get them to ring you when they're not going to come in and say, I'm not coming in today because of XYZ. Can we book another appointment? To me, that's a success. That's an achievement. Like, you've got them to tell you something somewhat honestly, and you're working on it. (Mark, CCO)

From a CCOs perspective, building **rapport and trust was one element to successfully completing orders**:

I can't tell you the last time I've had an Aboriginal client that's lasted on parole for more than a couple of months, honestly. And that's for various reasons. I think that, from the ones that I can recall that have lasted, the relationship between officer and client has been very strong. Like, they're communicating a lot more towards the end about things. They're more relaxed when they come in. They actually like talking to you. Like, it changes them over a year. And they often will comment I've never been on parole for this long, or it's been x amount of years since I've lasted on parole this long. And they'll try to say, oh, you must be an easy officer or something. And I go no, no, it's all you. You're just doing all the right things. (Mark, CCO)

5.4 The Ability to Set Realistic Expectations and Assist in Understanding

Both the parolees and CCOs talked about the importance of realistic expectations. For parolees, this is related to the issue of **not setting them up to fail** because of the inability to meet certain requirements:

Sometimes they want you to do things when they know it's something that you can't actually get to do. And you can tell them that over and over. And they just say, well, you know, you need to do this. And it's like, well I've told you I can't do it. I'll let them know that I can't do it because of this reason. And it's not a reason like, oh, yes, I can't do it because I don't want to do it. It's I can't do it because I can't do it. (Libby, Parolee)

Some CCOs we interviewed identified the help parolees need to meet what might be required of them:

I think if you can, you don't have to use their language but if you can talk to them in a way that they can understand without trying to confuse them. Offer them [help] if they don't understand, like this gentleman this morning. He said I can't remember that. Can you write it all down for me? So I did. One, you got to do this today. Tomorrow do this, tomorrow that. (Sally CCO)

Assistance might also be obtained from family or support persons who a CCO might encourage to participate in parole meetings:

I've always said [to parolees] that come in here, you know, if you're not comfortable with just me, you can bring someone else in with you. I'm happy for you to bring a support person at any stage because sometimes it's hard to listen to everything that I'm telling you. And they might be able to tell me how you're going too. So I've encouraged [that]. There's one or two that have brought partners. I've said, 'bring your partners, if it's not DV, bring them in'. And sometimes I will let the offender go out and then speak to the partner by themselves, see if they're happy to chat to me. (Sally, CCO)

5.5 The Ability to Balance Support with Compliance

Several parolees identified a change in the approach of CCOs towards what they expressed as some 'leniency'. We have interpreted this as a shift towards support rather than strict compliance. This shift is consistent with the greater flexibility available to CCOs with the introduction of graduated sanctions in the 2017 reforms (see Section 1.1.1). For example, Mick noted the following:

Like some of the old ones [CCOs] I've had in the past have been dead set... When you go to explain to them like I've lapsed. 'Well, you've told me that. Now I'm going to have to breach you'. Now when I tell them that they're a bit lenient, not like before when they say alright, 'well I'm going to have to breach you'. Now, with these parole officers that I've been given now, these young ones, like I tell them like for me, a 47-year-old man in the community where drugs are, like where I come from out here in [town], where there's drugs all around me... that's hard for me. (Mick, Parolee)

For Mick, despite his occasional lapses, he has been doing what is asked by the CCO. He stated 'I've been engaging with the Aboriginal drug and alcohol and the mental health. She said, "yes, that's good". And that's been keeping me at it. She says, "without you doing that services, I'd have no choice but to breach you".' This ability of the CCO to balance support and flexibility with compliance has enabled Mick to realise, 'I would rather be out, stay out, and try to do the right thing'. At the time of the interview, he had achieved his longest period (12 months) of successful supervision in the community.

For Libby, flexibility and leniency contrasted the more compliance-based approaches she had experienced in the past:

It's quite daunting. I know that I have to do what I've got to do because I'm on parole... But what makes you [a CCO] any better than anybody else. Try and tell me this and that, like I'm some kind of person that you can just order around like a maid or something. But if they give me something that's achievable, that I know that I can accomplish, that I know that I can finish. And not give me ten things at once... It's so stressful. And all you want to do is get it done. Yes. It can be stressful sometimes. (Libby, Parolee)

5.6 An Understanding of Aboriginal People, Culture and Community

An understanding of Aboriginal people, culture and community was important to the parolees we interviewed and had the potential to either positively or negatively impact the relationship between the CCO and the parolee. In answering the question as to

whether their CCO understood Aboriginal people, Daisy, a young 20-year-old parolee, stated, 'Well, these ones here [CCO office], they do know like a fair bit of Aboriginal people, and they know the community and that. So, they do help. She [CCO] just sort of made me feel comfortable, and like she already knew'. Johnny, another parolee, thought his CCO 'understands me. He's a white fellow. We get along real good. When we yarn up on the phone. Yarn up about my uncle or my brother, you know? Yes. I tell him everything'. And Libby thought, 'some do and some don't' have a good understanding of Aboriginal people. 'Yes, half, half. 50, 50'. Tom, also a parolee, indicated that his CCO has 'known my family for a long time, a very long time, so she knows the ins and outs, the whole fucking sad story, the good story, everything'.

Margaret, as a CCO, felt that there was a need to 'stop being so administrative about the job'. For her, this involved **recognising cultural differences**. She gave the following examples: 'Times for appointments and stuff. They will say, ah miss, sorry, I ran out of time. And it might be a consistent thing. Or if you go and do a home visit, and they're not there, they're at their cousin's house or whatever'. For Margaret, this was normal, and it was not done out of deliberate non-compliance. For non-Indigenous parolees, 'they would do it, and it would just be purely because they show no regard for their order'. For Aboriginal parolees, 'you go to one cousin's house, and you'll find, you know, your other offender there. So I think that is the difference'.

Similarly, Blanche noted that questions of compliance were also related to culture and history:

Looking at compliance with their legal orders, even just getting into the office can be quite problematic at times because they are quite transient... There's also sometimes some negativity with actually getting them to report, because there's been past experiences where they've been arrested in or near the office. There's a perception that we're the bad guys, we're not actually here to help them. (Blanche, CCO)

Conversely, Jack as a parolee, 'felt like the [CCOs] need to have a better understanding about our way of life and culture... Maybe some aspects [they understand] but to be honest, no'. Another parolee, Alan, thought their understanding was limited. 'Not very much. We got, how can I say it, our black fella ways, you know. We got our own ways. And in our ways, I believe that we have our own little supporting styles, or our own way of being there for each other' (Alan, Parole Revoked). Mary, who had parole revoked and was reimprisoned when asked whether she thought parole officers understood Aboriginal people, replied, 'Not really, if you want us to be brutally honest. Not really. They can sit there and say, yes, but deep down inside they... they know nothing'. Muhammed, who also had parole revoked and was reimprisoned, thought that CCOs' knowledge of Aboriginal people varied between city and rural locations. 'No. I don't reckon. Not really. Up in the country they do. In the city we're just another black person. Which is a shame'.

Mick (Parolee) thought that some CCOs 'have got no idea' about Aboriginal life or culture. 'They don't know the upbringings or the backgrounds. Because I come from a little mission here in [town] and they don't know what it's like to be coming up living on a mission. We're branded more or less straight away. That's my opinion anyway'. Niah (Parolee) also commented on stereotypes and the lack of knowledge of Aboriginal life:

I think they think we're lazy or not motivated or whatever... To them, Koori family setups are a bit confusing. They're like, why would you want to be there, when you could... You know, because that's your family? I've got seven kids. A grandkid on the way. Because in most Koori families there's a lot of people that have got

records and that. And they don't want you to associate with them, but how can you dis your family? (Niah, Parolee)

Mick noted that what information the CCOs did have was from the ACSO, 'that's probably the only thing they're going to get'. However, he went on to state that he thought the newer CCOs were more aware and prepared to engage at the community level:

These new ones, they've come out, they've come out to the house and they've come, sat with the parents, had a talk with the parents, where before they would do nothing [like that]. Yes, it's good. I'd like that for them to come out and see what it's really like... This time the parole officers came out and met my mum and dad. (Mick, Parolee)

Understanding culture and community was also important for some of the CCOs we interviewed. One noted the need to be aware of the contemporary situations in which Aboriginal people live within the community. In particular, there is the issue of people within the family and community having a criminal record:

Sometimes if you're talking about [a parolee's] friends, then we're into a factor of their offending which is their associates. To non-Indigenous people, they might just need to break those ties with people, but in the Aboriginal community, that's their family. You know, everybody pretty much in their community has somehow had something to do with the legal system. Asking them to break those ties—essentially, you'd be asking them to walk away from their entire community. (Camilla CCO)

Finally, we asked the CCOs during the interview what their advice would be for other CCOs supervising Aboriginal parolees. Audrey (CCO) replied:

I think engaging Aboriginal-specific [i.e., addressing cultural matters, engaging in a way that is specific to Aboriginal people] is really important because they find it important. They're part of the country... I haven't met many that have been not going home to country. So, whilst they might be here and they mightn't be from here, they always seem to be going home. Maybe not worry about so much of the compliance... Build the rapport before you start trying to make big changes in lifestyles because the rapport usually means more than anything else.

Sally (CCO) said, 'I've changed my approach because originally I thought it's all about compliance and all that. So, in the last probably six, seven months, I've realised it's not about that. So, in some of these people that I have been working with, there's been a difference in them'.

Camilla (CCO) stated:

I think the main thing would be to try not to make it all about just focusing on the risks/needs. But actually have real, meaningful conversations, that are meaningful to them, about their community. About where they fit in, about who their family is, how they view themselves or where they consider they fit in, in the community... So just, spend some time focusing on things outside just the fact that, okay, you're an offender, this is the offence you committed and what we're going to do about that. Look at some of the other things and find the foundation of who that person is, would be my advice.

5.7 Summary

A number of ideal qualities of supervising officers emerged from this research. Parolees considered CCOs being understanding of the needs of the individual, listening to them and having patience, to be particularly important qualities of supervising officers. The ability of the parolee to speak up was also considered important in building a positive relationship, and we note that CCOs must be able to provide the space and environment in which parolees feel comfortable doing so. Being believed in and encouraged were also considered important to parolees.

Parolees, CCOs and ACSOs all spoke of the importance of building rapport and genuine relationships based on honesty and trust. Several suggestions were made as to how such relationships could be developed. Respondents spoke of the importance of honesty flowing both ways – parolees felt they needed to be honest with their supervising officer to get the most out of the experience and required honesty from them in return. Both parolees and CCOs spoke of the importance of setting realistic expectations, so parolees are not ‘set up to fail’ because they cannot meet certain requirements.

There was agreement among CCOs, ACSOs and parolees that one of the most powerful strategies for developing trust and rapport with parolees was to genuinely engage with ‘who they are, where they’re from and what’s important to them’, and to have an idea about their family and kinship. An understanding of Aboriginal people, culture, and community was considered particularly important and had the potential to positively or negatively impact the relationship between the CCO and the parolee.

We acknowledge that both CCOs and ACSOs play an important role in developing trust and rapport in the supervisory relationship. We make recommendations to improve the training of CCOs in their work with Aboriginal parolees and recommend a more consistent role for the ACSO, particularly in providing relevant information to CCOs (e.g., on family/kinship and community), in attending the initial interviews and in case planning.

6 The Role of Family and Community in Supervision and Reintegration

The interview material with parolees brought up many issues related to the role of family and community in supporting parole supervision and reintegration. While in the main, **family and community were seen as aiding in reintegration**, this was not exclusively the case as the relationships between family, community, and individual people could be far more complex. We also explore the development within Community Corrections of home visits by CCOs and their particular relevance to Aboriginal parolees.

6.1 Positive Support

Many of the parolees **acknowledged the supportive role of partners, parents and siblings in their rehabilitation and reintegration**. For example, Jack stated, 'You really find out who your family and friends are when you're in jail. And just to reconnect with all my family. Just also connecting back with my partner. She stuck by me right through my sentencing, and incarceration'. Libby noted, 'Like I had my aunt down there, my mum's sister. But she's not very much of a help, she's got a whole crew of her own kids. So, I moved closer to more family that I've got up here, which is more support and all that'.

Mick referred to **the importance of a non-judgemental environment in the family**: 'it's like straight out to our mums. Of course, we did bad or whatnot, they're always going to take you. Yes, I thank my mum and my dad and my girl'. Similarly, Alan spoke of being released on parole to his mother: 'Yes, with mum, back to mum's house. Mum's a big support, my family's tight. Mum's a widow, and she lost her husband. So I'm the eldest in the family, and she looks to me, you know'.

Family members can sometimes meet basic requirements such as an address to be released to:

I stayed with my daughter when I got out, because [partner] was up in [another state], and with my conditions, I needed an address. So my oldest daughter and her partner live in [town] on their own. They have no kids, and that. (Jack, Parolee)

Or a place where the occupants do not have criminal records:

It's either back there to my mum's or whatnot, because there's not many people I can go [to] for parole, like you know what I mean, that ain't got criminal records. Most of my friends all have got criminal records and they [parole] go straight away, bang. If I wanted to get paroled out, they do a background check and all that and they said, 'Oh, well. You can't go there'. (Mick, Parolee)

Or help with abstaining from drug use: 'Well, one thing [which helped] was going back to see all my family in [town]. People that I haven't seen for ten years. I haven't been home with them. Going back home' (Johnny, Parolee).

For others, there was as a sense of responsibility for family, particularly for children:

In the past I wouldn't give a fuck, you know what I mean? I'm thinking, 'like what the fuck', where I would rather go back to jail than stay outside. But this time I thought no, I want to be there for my kids and my missus and for my family. (Mick, Parolee)

I've lost count how many times I've been in jail. And it's just not the place to be. Especially when you've got children. It's harder being disconnected away from your loved ones... I've got a 12-year-old and a one-year-old at the moment. And my 12-year-old at the time, I had to hand him over to the grandparents because of my drug use, my being in and out of jail. Then having my second child, it was... I went to jail. I always told myself that I'd do better when I got out, all for my baby, and for my son. And I did try. It was just hard. But then I got better at doing it. Even though it took me a lot of mistakes to make to get better at it. I did get better at it. (Libby, Parolee)

When asked what advice he had for people coming out of prison on parole, Johnny responded, 'Go back to the people you haven't seen for ages. Go and see your family that you haven't seen for a very long time. Serious. And just move on with your life'.

6.2 The Sense of Loss of Family

Several parolees expressed a sense of loss of family members during their period of incarceration:

Well, in my four years [in prison], I've lost my parents. Both parents. And over 40 family members. And I could not go to one of those funerals. That's shattering in itself... That involved nieces, nephews, uncles, aunties, and cousins. So in that four years, round about 40, including my parents. (Jack, Parolee)

I also told them [CCO] that through my jail time and me being in jail, I lost a lot of family. I lost my father who I was just reconnecting with, and who wasn't there for me growing up. And in the same year, I lost my stepfather who was there for me, and taught me how to play the guitar, taught me the ropes. And mum being on her own, you know, that still hurts now. (Alan, Parole Revoked)

Another spoke of the loss caused by not being able to see his family:

The biggest stress is not seeing my kids... It would have been [child's name] birthday yesterday and it was fucking hard. My wife and kids are somewhere around here. I don't know exactly where they are because they've moved while I was in jail. I can't contact them, because there's an AVO order, which is hard, because it was my daughter's birthday yesterday and I haven't not been there for one birthday for 12 years. [I have] a sister, nephews. She's been good. She's been helping me out a bit. It's good. Family's everything. I miss mine so much. (Joe, Parolee)

CCOs also acknowledged that sometimes people released on parole do not have family or other support. Sally notes: 'Unfortunately, some offenders don't have anyone. So that makes it hard. And the ones that usually don't have anyone have the dual [diagnoses], the cognitive plus the mental health plus the addiction. So they've got the whole three, and it makes it hard'.

6.3 The Complexity of Family and Community Relationships

Connection with family and community can also be complex or indeed negative. Daisy expressed the lack of support and negative influence: 'Well, to be honest, my family's... My nan passed away in 2012 and my family's been pretty broken since. And I just do what I've got to do, really. I don't really have support or nothing because I know I can't be relying

on them. It's up to me'. She also saw the disjuncture between her experiences of CCOs and the views of her family: 'Oh, my family always said be careful, they're [parole officers] dogs. But they've been good to me, yes'.

Adam noted, 'I don't get on with my real mum. Parole sent me there, I got to live with someone that tortured me when I was a baby, and I couldn't take that. And my parole conditions were not to return to Sydney, but my parole officer changed all of that. Yes. She [CCO] was just helpful'.

Alan, who was in prison with parole revoked when interviewed, found that being released back from prison to his mother and in his community was not helpful:

I think it's about time I cut ties and leave the nest... That's because I'm thrown back into that circle. I'm thrown back into the neighbourhood where it all began. I'm dragged back into an Ice world, we call it the Ice Age. And I'm an addict. I use Ice to drown my sorrows, unable to fix my problems, bottle things up. And it's been happening the last four years. And I know that's why I've been coming back to jail. I need more help on another level.

6.4 CCOs, Family and Community

Many of the CCOs we interviewed acknowledged **the importance of family for Aboriginal people**. As Sally stated:

With Aboriginal [parolees] I always try to seek out family or someone that they can talk to just to see if there's someone else that they can relate to. Like I know the importance of family with Aboriginal people so I always, when I first start to talk to them, I always try to find out [who] is there... even if they don't have a close relationship. 'Who's mum? Who's dad? Who's family? Who do you live with?'. Stuff like that, so that I know to call upon someone else that they might relate to if they are feeling really low. (Sally, CCO)

As we noted above, **CCOs visiting the home and the community for supervision was seen as a positive step** by the Aboriginal parolees we interviewed who had experienced this. CCOs also saw this as a positive way of building relationships:

Without being threatening or intimidating, it's kind of all just being open and honest and including the entire family as well, in those whole conversations and, where it's appropriate, obviously. And it doesn't seem like it's just a relationship between you and that offender, necessarily, it's a whole family approach... I think it's actually really great. You can get some really great conversations happening, because it gets a bit like sitting around all together and having a conversation, instead of that really sedentary sitting in an office across the desk from each other. (Camilla, CCO)

For CCOs, it provided **the opportunity to break down some of the barriers and include family members who are important in the parolee's life**:

Having those conversations can sometimes be really helpful and help everybody feel heard. It's not just about working with that offender. It's about working with the whole family and hearing what they think. Because to be real, they're the ones who are professionals in their own lives. So we're only seeing what we have on paper and having the brief conversations we do. So if you can build that rapport

and that could include the entire family, or who is important to them, in their life, it can be really beneficial. (Camilla, CCO)

Similarly, Blanche noted:

Get in with the community, yes. That's my main thing, is get out there, talk to mum and dad. Try and be available at different times... talk to Mum or Aunty or whoever's there at the time... And ask them what they think the offender needs, who should they go to, because a lot of times they'll tell you who they respond to in the community. So you're working alongside them. (Blanche, CCO)

The interviews suggested that the family and community visits by CCOs – where they are seen as appropriate by the parolee – **can enhance a positive relationship and potentially improve outcomes**. They provide opportunities for family involvement and increase the understanding of CCOs of the lived experience of Aboriginal people.

6.5 Summary

Interview respondents generally spoke of the positive benefits of connection to family and community. Women in particular – mums, aunts, sisters, girlfriends, wives – were frequently mentioned as important and supportive people in the lives of parolees. Interview respondents told us that they often relied on family for social support and practical provisions – such as a safe place to stay – in increasingly challenging housing contexts.

CCOs acknowledged the importance of family support specifically for Aboriginal people. Children, in particular, were considered to be a driving factor towards desistance for parolees, signifying that these relationships should be encouraged and supported where possible. If home and family visits are seen as appropriate by the parolee, this can be one way for CCOs to build relationships and connections with family and include them in discussions of case plans and the parolee's conditions to assist with their reintegration.

While family was generally considered a positive factor in the lives of those on parole, this was not always the case, and relationships between family, community and the individual could also be far more complex. Some respondents told us that they did not have family members they could draw on for support. In some cases, these relationships were closely tied to problematic drug and alcohol use, so avoiding these relationships was considered a priority.

7 Understanding Parole Conditions and the Impact on Successful Reintegration

We were interested in exploring the understanding of parole conditions by parolees and whether this affected the successful completion of parole and reintegration. We were also interested in CCO and ACSO views on this question. Not surprisingly, there were mixed views concerning the extent to which parolees understood their conditions and their impact on reintegration.

7.1 Understanding Parole Conditions

For the most part, the view was that Aboriginal parolees understood the conditions, at least in general terms. However, as we note further below, understanding the conditions is separate from an ability to comply with those conditions. When asked whether they understood their parole conditions, parolees typically responded:

Yes. Not to leave [town]. Yes, and just basic things like I'm not allowed to fuck up with them. (Daisy, Parolee)

Not in the past, but [now] yes. It was more of a get out of jail free card in the past. [Interviewer: So you'd say yes to them just to get out?] Yes. (Libby, Parolee)

The conditions are fine. I've just got to behave myself. Stay away from drugs, alcohol. Can't associate with anyone, so I'm basically on my own. (Joe, Parolee)

Yes and no because of this COVID stuff and all that. Because I want to do my community service. I've got, I think it was 150 hours and I want to get that out of the way. (Mick, Parolee)

Niah also commented upon meeting parole conditions in the current period of COVID changes in supervision: 'It's pretty easy these days, with the COVID, it's all phone calls. I don't know how anyone can breach their parole at the moment. I really don't... How hard is it to make a phone call?'

Audrey (CCO) talked about parolees getting the 'general gist' of parole conditions:

They [Aboriginal parolees] usually don't ask a lot of questions. They'll just wing it, see how it goes. Like I often ask, do you understand that you're going to be asked to do a program? 'Yes, yes, I'll turn up'. I keep telling them there's a difference between turning up and participating in the program and actually learning something and usually they'll respond with, 'yes, yes, I know', and I just have to keep going with it.

Sally (CCO) made the link between cognitive impairment and the difficulties with compliance with parole conditions: 'A lot of the ones that I [supervise] have got learning disabilities and lots of other stuff, so their compliance to their additional conditions is sometimes difficult'.

Several parolees noted that understanding the parole conditions was a separate issue to the ability to comply with those conditions, particularly concerning drug use:

It felt easy at the time [of release] because I thought I was ready... [But] like I said, I struggle with readapting. Going home with a plan, and that just being thrown out

the window... I had been telling myself and my family before I go home I'm going to change. But it's easy saying that until you're approached by your old circle where all my criminal activities begun. And are full-on. And then that's when you realise that the temptation is big. So, I'm sucked back into that world. And then it becomes the normal again. (Alan, Parole Revoked, Reimprisoned)

Yes, I understand the parole conditions, the minute you sign them at reception, before you even get your little card. But any criminal that's a known addict, that stands there and says, yes, I'm going to do the right thing, they're lying to themselves. They're lying to themselves because they know as well as I know, that they're going to get out and use. (Vivian, Parole Revoked, Reimprisoned)

Other parolees acknowledged the difficulties in compliance. Daisy, who said she understood her conditions, also stated, '[I'm] just stressed sometimes because I feel like I'm owned. But I've got no choice to do it. Because like, you know, I can't go nowhere, got to stay in [town], got to come here every fortnight'. Muhammed noted that 'Yes, I understood them. I understand them. But in saying that, sometimes they're too strict'.

Similarly, another parolee, Jack, noted that:

To an extent, they might understand that they've got to abide by those conditions, and stuff. But just understanding a lot of the brothers that come out... are not educational, can't read or write, that are on the drugs, or coming down from the highs, that drank all their life... For them to come out and be on... conditions, and got to report every week, it's so hard.

Due to the nature of his offence, Jack had particularly stringent conditions:

It's so hard because you've got to put down the times, where you're going to go, how long you're going to be there, how you're going. For myself, I had to put my licence down, rego, what car, what number plate, and all that stuff. And it's a lot of paperwork that you've got to do. You've got to get it in on time. Set day, and all that stuff. So a lot of the brothers... Well, I think they'll find it really hard.

The difficulty in complying can become overwhelming. We noted in Section 3 Adam's experience of wanting to be breached and returned to prison. Mary also identified her sense of relief when she was reimprisoned. She described her CCO as 'good'. 'A few times I come close to getting revoked, but yes, she must have had faith in me or something. Because when I got in trouble the first time, she give me a warning, where really she should have revoked me, but she didn't'. However, Mary describes walking into the Community Corrections office and 'I was thinking, just send me back to jail. I just wanted to throw the towel in. So when I did get arrested and put back into custody, it was just like a weight lifted off my shoulders, you know?' (Mary, Parole Revoked).

A point often acknowledged in the literature (ALRC, 2017), and reflected by some of our interviewees, is that Aboriginal people may prefer to serve their full sentence in prison and not apply for parole:

It's difficult, some of them just want to get out and be amongst their family and mob. I know when I was working in jail Aboriginal offenders would rather do their whole time than come out on parole. They were like I would rather do the extra six months and just go outside so I don't have to worry about doing parole... So when they come out they just want to come out and be free and do as they please and

be amongst their mob and do what they normally do. And I think that's the difficult challenge that they find. We don't come from a very structured background so it's hard for them... Many men and women say, 'I just want to go and be able to do whatever I want with my mob, I want to go back to the bush and see family'. (Sue, ACSO)

In this context of a possible preference for serving a full sentence rather than applying for parole, further consideration of the impact of court-based parole on Aboriginal people and the supervisory relationship would seem appropriate.

Another ACSO stated:

We have offenders here all the time come into the city and say, 'We need to report here... I've got to stay in the city for six months because I can't go back home. All I want to do is go back home, I miss my Country, I miss my family'. And the conditions state that they cannot be allowed to go back there. So that's really hard for a lot of our mob. (Graham, ACSO)

The same ACSO also noted that being away from family and Country caused depression and made complying with conditions to refrain from drugs and alcohol more difficult.

Some of the parolees we interviewed understood their conditions but for various reasons ignored them:

I don't worry about my conditions man, I just kick along with it. I don't worry about it. They can explain it 20 times, I'm still not going to listen. My ex was my girlfriend, and they tried to stop me and my ex from seeing each other. It is impossible. I mean we were together for 17 years, you know what I mean? You can't just turn around and say, all right, after 17 years, no contact. It's not going to happen. (Adam, Parolee)

Part of my conditions was not to go back down there [city]. But me, I was going back down there, you know? And the police caught me down there and locked me up for it. I was on the drugs still... Like, smoking Ice. Drinking a lot. Heavy. Just didn't care. Just didn't care about life or anything. You don't care about anything. (Johnny, Parolee)

7.2 The Role of the CCO in Explaining Conditions

The CCOs can play an important role not only in explaining conditions but also in interpreting the nature of compliance. We discussed the need for flexibility in Section 3, and CCOs also raised this point when discussing compliance with conditions:

It's obviously important to go through all of those conditions, but then have a real conversation about what that means for them. That whole accommodation thing, residing at a particular address, that can be a bit more open and flexible in terms of what's happening. Because asking them to reside in one household, and that's got to be your allocated address, can be really quite difficult. They'd be breaching constantly. [They] don't always necessarily have that one family home. They can identify three homes that they would essentially house between. (Camilla, CCO)

[Since the 2017 reforms] the conditions are less prescriptive. We're able to tailor conditions to what that offender needs. So I think that that's been really helpful,

especially around approved addresses, that they must live at an approved address... One of the guys at the moment I've got in [town], I know when I do a home visit, if I'm trying to track him down, I've got to go to three separate addresses. But that's fine, where we can manage it. (Blanche, CCO)

Some CCOs noted the need for open discussion about compliance:

And just sort of breaking it down a bit, I guess. Being open to having those conversations, instead of sounding quite so authoritative, you know, 'this is how it is'. And that's not open to discussion or for interpretation or flexibility. Because it can be quite frightening, if you're laying down the law and saying, 'these are what the conditions are, it's not open for discussion'. And then they're thinking, 'well, you know, that's actually not going to work for me, but I'll just shut up'. Then it's not really an open line of communication. They're only telling you half the story because they're going to be fearful that they're in breach of those conditions. It just creates this whole brick wall and barrier. (Camilla, CCO)

Similarly, Maree (CCO) spoke of flexibility in compliance concerning drug use:

How often are you smoking [yandi] and they'll say, daily. I'll be like, okay, so next week let's just try and not smoke daily and like let's try and reduce the amount that you're smoking... A lot of people will go, look, I've used heroin for 20 years but now I'm just smoking pot and I'm like, that's great, like that's amazing, let's try and also get you down from that because that's obviously what the courts [require]. Yes, so it's never really... It's never an automatic breach.

Parolees also referred to the importance of CCOs in explaining conditions and schedules:

Yes. I picked it up pretty quick. [CCO] ran through that schedule really good. He was the one that opened up the CBD, and all that, to make it easier. Because, he'd read my file and seen what sort of person I was inside [prison]. We had a good yarn about how I want to be now, and look forward to the future. I picked up on it real quick, the schedules (Jack, Parolee)

7.3 ACSOs and Conditions of Parole

ACSOs also raised the issue of needing to consider what supports (including cultural supports) were in place in the community where the parolee was being returned to at the time the conditions were being set. There is a role for ACSOs to play in cooperation with the CCOs when CCOs are considering how to tailor conditions for particular Aboriginal parolees. One ACSO complained of the lack of involvement in this regard: 'But there's nothing, we don't get any involvement. We're just... We're the last line. The first and the last. No involvement, nothing' (Chris, ACSO).

7.4 Summary

For the most part, Aboriginal parolees understood the conditions, at least in general terms. However, various individual factors can influence understanding, including cognitive impairment and literacy.

Understanding parole conditions is a separate issue to the ability to comply with those conditions. Factors identified in the interviews that can influence compliance include mental health and cognitive impairment, drug addiction, and separation from family and

Country. Several parolees we interviewed spoke of relief at being breached and reimprisoned because addiction or mental health problems made the stress of release into the community overwhelming.

The CCOs play an important role in explaining parole conditions. Being able to tailor conditions due to the flexibility enabled by the 2017 reforms was seen as beneficial. CCOs spoke of the need for open discussion with parolees in interpreting the nature or requirements of compliance.

8 The Importance of Aboriginal Client Services Officers

The interviews with CCOs and ACSOs offered insight into the roles and responsibilities of ACSOs and the way these play out while supporting parole supervision and reintegration. There were different views of the position of ACSOs within the structure of CSNSW. The role is understood and utilised in different ways. We also explored the views of Aboriginal parolees as clients and how they see the role and benefit of the ACSO position.

The relationships ACSOs have with the CCOs and parolees were discussed, along with the aspects that make a 'good' ACSO. Furthering the development and training for the ACSO position, especially around throughcare and career progression, was viewed as important for both CCOs and ACSOs. It is clear from the research that ACSOs currently play a central role in ensuring a successful supervisory relationship between CCOs and Aboriginal parolees. However, it is also evident that the work of the ACSOs can be better developed, supported and integrated.

8.1 The Role of ACSOs

8.1.1 The description and role of the ACSO position

The position description for an ACSO is as follows:

- Primary purpose is to provide advice and support to Community Correction Officers, Unit Leaders and Community Corrections Managers in the case management of Aboriginal offenders in the community.
- Provide expert advice and guidance to Community Corrections staff in the scope of culturally appropriate interventions and prepare recommendations on strategies to deal with offenders.
- Provide support and assistance to offenders and families.
- Build and identify collaborative community networks and partnerships to improve the effectiveness of community-based programs.
- Liaise with community agencies and Aboriginal communities.
- Establish an effective network within all sections of the department to assist Community Corrections in reducing offender behaviour.
- Involve community agencies to support the management of Aboriginal offenders in the community.

Across all participants, the **role of the ACSO was acknowledged** to be significant and varied across the locations, particularly where ACSOs covered large geographical areas and multiple Aboriginal communities. As stated by Graham when asked about the role of an ACSO: 'I see our role as the ACSOs being the link between community or our organisation and community organisations and families. So, we are the link, and we need to know the organisations or the services that they are linked to and how we can help them liaise with parole officers, our department and families, and to build a cultural knowledge around that'.

Trevor (ACSO) referred to his role differently:

In the [region] office, I've worked with really good CCOs that know my role and know what I do. I know, for me, it's hard to spread myself around and I prioritise the high-risk and the high needs at that moment. But a lot of the CCOs, I reckon I've got probably over half here that are really good, that really use me, utilise me, that know what I'm doing, that ask me.

As generally seen by the parolees, the **ACSO needed to be a mentor and a confidante**. As Jay helped express it:

[ACSO], he's like a mentor for us anyway and he's trying to, like he tells everyone, you know what I mean? Like some of the boys or girls don't want to listen or whatnot. Like I said [ACSO] done a lot. He's helped me a lot this time. I can't thank him enough. Even he's blown out how long I've been doing good and well, and I appreciate [ACSO] for the help he's done for me. (Jay, Parolee)

This notion was backed up by Richard (Parolee): 'Just as Indigenous assistance work, I suppose. I feel more comfortable talking with him than I would with any other parole officer'.

8.1.2 The position within CSNSW

Compounded with the differences in **understanding the role and function**, the position within the department and office varied from location to location. When Sue (ACSO) was asked *Is the role of an ACSO different across NSW?*, she replied:

Yes, definitely. There's only two of us that go into the jails, which is sad. I believe that if we're going to work with our mob, we need to get to know our mob. You know, just because you're Koori, you don't know everybody. And so by going into the jails and talking to them, like I had one this morning ring up and said, Aunty, I'm getting out after Christmas. Can I go to [accommodation]? And I said, fill out the form and if it goes through, we'll try and keep you the bed, because we're full all the time. (Sue, ACSO)

Access to the jails was seen as a significant function for the ACSOs. Parolees saw this aspect of the ACSO role as positive. For example, Tom remembered fondly: '[ACSO] goes up to the jail and sees everyone at the jail and comes over and talks to everyone at the jail and see how everyone's getting on and that. Well, it's pretty good and that, some boys are doing it hard and that, so she will come around'.

CCOs had similar ideas of where an ACSO fitted in servicing Aboriginal clients. Camilla (CCO) noted:

I think it should be, obviously as accessible to us as staff, as [the ASCO] is to our clientele. To be open, to have those conversations with us about what's appropriate, what's not appropriate. And available for us and to come along on home visits and be, for lack of a better word, that interpreter between what's going on sometimes in a family home. Because you can walk into a family home and they're talking about, a bit in their own lingo, and it sort of can leave you scratching your own head. Or they might say something in their lingo and you can see a white parole officer looking at you, like, oh my God, that was... Or feeling a bit threatened. And it could be something really quite minimal. You know, nothing threatening at all. So, I think just with that building the bridge between staff and clientele.

There was a common theme within the department that the **ACSO position was not regarded at an adequate or appropriate level**. Margaret (CCO) reflected on her experiences:

I don't think that they give them enough credit. I think that the department... And I think that it comes down to, if you look at the volume of Indigenous offenders, we've got one ACSO. If they really thought so highly of them, you would think that there would be more ACSOs to support. [ACSO] carries a lot. Yes, I don't think that the... I don't think that they appreciate as much as what they should be.

8.2 The Utilisation of the ACSO by CCOs

Over the ACSO position's 25-year history, there have been many **core functions**. **However, the ambiguity around their utilisation** within each office and by the officers is still ever-present. Frank (CCO) explained: 'They have a position description, as you know, like we all do. I think the risk has been in the past that they could literally become trackers, to coin an old phrase, go looking for people, right? So that's a risk, and it seems like a missed opportunity there too [to more fully utilise their skills]'.

The engagement of the ACSOs by CCOs and other staff across offices was inconsistent. When posed the question *Do you think that, in general, the CCOs do make good use of having the ACSO in the office?*, Camilla indicated, 'Some do, some don't, in my opinion'. This was followed by, *Can you tell us why those ones who don't, what the reasons might be for that?* Camilla spoke about a perceived need for consistency and the unease in different approaches to or for Aboriginal people:

Well, actually I think sometimes they think that it's inappropriate to approach people differently. It should just be a blanket approach. I think that they think that, I just treat everybody equally... Because that's what we're taught growing up, isn't it? You know you treat everybody the same. They think they're doing the right thing, by treating everybody equally. But it's not what is necessarily the right approach. It shouldn't be a one size fits all.

Sally (CCO) commented on an early career CCO:

I know the one [CCO] that's with me... she's actually had to use [ACSO] the other day. That was the first time and that was because she needed to tick that box for training. And I don't know personally why she hasn't. I don't know. As I said, I think it's more of an arrogance thing. She didn't realise what [ACSO] could actually do for her.

Mark, who had been a CCO for six months, commented on the **lack of clarity on how to utilise the skills of the ACSOs**. When asked about the training around ACSOs, he acknowledged, 'I don't think that they ever got, we never really got told, oh, this is what the ACSO should do, this is how you should use [them]. You kind of had to figure it out yourself'.

Graham (an ACSO with several years of experience) also felt this uncertainty around how the CCOs approach and use the ACSOs. He felt that ACSOs are:

Probably not utilised as much as we'd like and I think through the nature of the organisation we've got a lot of new people that come in, they're not aware of our roles. I don't know whether that's something to do with when they're at the Academy and the Academy should trumpet our roles a bit more in relation to Aboriginal offenders. It might be something that they need to look at. But the new ones come in and when they do there's usually an introduction, we sit down and have a conversation around that and how they can utilise me. Some of them, I

guess it depends on how they work, they want to know or they want to be able to sort of prove themselves – that they can do things without as much support as possible. And some utilise us all the time.

8.3 The Lack of ACSOs

Across all the participant groups, there was the overwhelming thought that there were **not enough Aboriginal ACSOs**. As Frank (CCO) concluded:

I'm not completely convinced they've (CCOs) got the confidence in that [Aboriginal] space yet, or the skills, knowledge and training. And in addition to that, are they supported in that space? Do they have the opportunity to reach out to an ACSO... there's 25 officers and one ACSO [in this office]. What is it, 12 across the state now?

This lack of Aboriginal staff and the need for more ACSOs was felt by many parolees. This was compounded by the lack of Aboriginal CCOs – which we return to later in the report. As Niah (Parolee) points out, 'Yes. I think it depends on if you can gel with [as] your parole officer. There's not many Koori parole officers. [ACSO]'s the only one [Koori]. But he's always there for us. Whether we're with a different parole officer or not, so that's a good thing'.

8.4 The Importance of Gender

In exploring the role of the ACSO, we wanted to discover **whether there was a need for both male and female ACSOs** to adequately meet the needs of Aboriginal people on parole. Interview respondents spoke to the benefits of having both a male and female ACSO available. They noted that this would be particularly helpful for ACSOs completing home visits and navigating relationship dynamics and issues surrounding jealousy. Camilla (CCO), reflecting on the need for a male ACSO, told us:

Sometimes I think another thing to be mindful of, is if you're going to visit a male parolee, and you're a single, white woman, it can sometimes not necessarily be looked at fondly, seeing him residing there. And you've built a good rapport with that person, he's living there with his partner only. You don't want to seem threatening to her either, so it's about being very balanced. And I think that that's where [ACSO] coming along, to help bridging that gap, as well.

The same argument was made in reference to the need of a female ACSO, with Chris (ACSO) describing navigating issues around gender 'difficult':

I went to see this Aboriginal female offender one day, knocked on the door, a bloke answered the door, went inside and said to the partner's boyfriend there's another blackfella out here asking for your Mrs. And he jumped out the window and shaped up, wanted to grab some stuff and obviously whale me with it because he didn't know me and when I had to explain to say, 'fuck man, calm down. This is my role, this is who she is and this is what's going on'. So it's times where I'm not trusted enough because [I'm male]. We need a female person in our role, that's what I'm trying to say. For every male ACSO there should be a female ACSO in the same area. It just gives each other support. But it's difficult when we have to go someone's house and the family is asking about women's prisons. You know what I mean, the family was asking about certain female stuff that goes on in custody that I've got no idea about.

When asked whether there were differences around gender, Graham (ACSO) told us, 'Yes, there is. Like usually the women are a lot less likely to be engaged with me, I don't know why that is. I think it might be they like to speak to female officers too...'. He also noted that being a male was sometimes advantageous when supporting male parolees as this helped to build rapport: 'With the guys I can be a little bit more, I don't know, "how ya goin bra, you know, what's happening?" Be a bit more... without sounding tosser-ish, be a bit more blokey blokeish' (Graham, ACSO). Similarly, when probed why it might be important to have a female ACSO, Trevor (ACSO) told us that he felt female parolees would be more comfortable with a female ACSO and perhaps more likely to open up to them:

Look, I've dealt with female offenders. And I've had good success with them and not so good success with others. But I just feel that comfortability and being able to be open with them. Like, a lot of the guys are open to me about a lot of stuff that they wouldn't tell CCOs. But then I try and tell the CCOs in a way where they can understand what's going on... But the female ACSO would be important because of that reason. Because I've worked with a few females and even though they agree to work with me, I just think that we'll be more effective in what we're doing, you know? (Trevor, ACSO).

Trevor also framed the importance of having a **female ACSO as someone who could provide more gender-specific support, particularly in** matters concerning the care of children and family responsibilities. In a similar vein, Margaret (CCO) noted that having a female ACSO would help Aboriginal parolees, telling us:

The males are more keen to link in with [male ACSO]. But I think that that would be beneficial if there was a female ACSO, to help with the females because there's some stuff obviously that needs to be addressed with them that a female ACSO would be of benefit to them. (Margaret, CCO).

8.5 The Relationship Building between Parolees, ACSOs and Successful Supervision

In the interviews, we discussed the views of parolees, ACSOs and CCOs about how the ACSO **could and does assist with the development of relationships** and even already play a perhaps unacknowledged role in case management. Graham (ACSO) felt they provide a connection and guide to those parolees:

Who feel that disconnection, that's where my role comes in. And I've got to go in every week and just to see how they're going. Some fellows, if they're really struggling, I'll go out and we'll go and have a coffee somewhere. Like so, if they're staying out at the COSP centre which is normally where they'll stay, I'll go and get them, and we'll go for a bit of a walk and have a coffee somewhere out in [location] or somewhere in [location].

Further to this, Libby felt that:

[ACSO]'s good, yes, yes. He's good. He's more hands-on-deck with the Aboriginal people. Because he's in the Aboriginal community. So, he's seen a lot, he knows a lot. Especially with the people that come through this area. Because he's grown up with them. So he knows them. He knows their background and whatnot. And it's hard for him to... I guess it would be hard for him to do. See a lot of people that come through here, and just go back to the old ways. Having an Aboriginal person to assist was good. It's more comfortable to have someone that's your nationality. That's there, so more comfortable. Yes. (Libby, Parolee)

Specific aspects of the ACSO role were discussed at length with Jack, who stated that for him:

[ACSO] he's been an enormous, great help for me, along with [Aboriginal counsellor] and that. But [ACSO], he's just one of those guys. He knows his role real well and he'll help as much as he can. Obviously, we've got to give as well, and try and fix ourselves. But he's a bloke that cares for his people. We spoke at lengths the very first time we met... He's got a good nature. He's well known around here. He's local. For me, when I first sat down with him, I just felt comfortable and at ease because I thought, okay, he's legit. He's an Aboriginal person that knows his role. Whenever I need help, or anything like that, I'm always a phone call away... Yes. He's great. They didn't have one over in [regional town]. I really think they need one over there. I mean, I just don't understand why there's not a lot of [ACSOs or Aboriginal CCOs]. It's ridiculous. We've just got to get these people in there. (Jack, Parolee)

This was also felt by the majority of the CCOs we interviewed. For example, Audrey (CCO) felt that:

ACSOs work hard, [and] are great. Like I said, [ACSO], and [ACSO], they're both fantastic up there. They know the community because they're from the community and I know they work really, really hard... I think they're a good bridge between CCOs and the offenders when there's a breakdown in relationships in the hope that they'll rebuild them back up again. I think they could do with some extra skill base and learning what we do so that they understand why we've got to do what we've got to do as well. So, that would be nice.

8.6 ACSO Career Progression, Training and Development

There was the common understanding that there was a **ceiling in the career progression** for ACSOs. The position 'stalled' according to Trevor (ACSO), who went on to say, 'I don't think there is any more career [progression]... I mean, I can move to other positions, but I don't think there's anything else'.

The lack of development was also felt by Chris (ACSO), who commented:

I can't figure out what year it was but we asked for a pay rise, to be on the same level as a parole officer. Although we don't do, I think, one or two components as a parole officer, we don't meet the same wage criteria which is disappointing because the officers here do a great job and they get paid pretty good money. Whereas the ACSOs, we have to service five parole officers with x amount of offenders plus the community, plus general meetings. Our wage is at a five/six where it should be the same rate as a normal CCO.

Sue (ACSO) also noted the lack of career progression for ACSOs:

None. I'm still on six, and I probably do twice the workload of these fellows. We're all on low. That's why, [Aboriginal staff member] has just gone to Aboriginal Affairs, and he's been here for 18 years. Yes, we've had a few go.

As for his and other ACSOs career progressions, Chris also commented that:

No there isn't [progression]. We're in our identified position. The jobs in Sydney, it's all kept in Sydney. So for the ACSO maybe say you'd like to be a RAPO, a RAPO is a Regional Aboriginal Project Officer. We don't even get told there's an opportunity to maybe act in those positions to gain a bit of experience or a project officer in Sydney. We don't get any... There's no notification from the Aboriginal Support and Planning Unit to give us an opportunity to try and upskill our trade, to upskill our knowledge.

A number of interviewees touched on the need for improvement in the training and development of the ACSOs to be developed with strong consultation from those in the position. As Chris stated:

So all through that we had one training session. We were meant to understand the role of Corrective Services, the courts, Correctional Centres and how parole works within one week. And it was just too much information overload so we walked out scratching our heads, saying 'what the fuck are we doing?' So that gave us nothing and we'd been requesting this sort of training until we got it now. So for me, it was 19 years in the making and then when we got our training there was no consultation with the ACSOs to say what is it you want to know more about? But we've just been given information that our CCO has to do and that's all we have done – CCO work. (Chris, ACSO)

A further issue identified was the need to allow the ACSOs (and other Aboriginal staff) to meet to discuss common issues: 'We don't have a lot of contact together. I have contact with the ones that I have known over my years, meeting them at the staff network conferences and that... we talk quite regularly but that's only through the people that I know and I've made contacts with' (Sue, ACSO).

8.7 The Future Role of the ACSO

We noted the **inconsistency in whether ACSOs were directly involved in the prison pre-release**. Chris (ACSO), who was excluded from the prisons, discussed possibilities he would like to see:

I'd change it back to our old role as pre and post-release, still based in the Community Corrections office. That will really allow us to know who is getting out of jail, to have a sort of plan on what they need to address. Because I've got to have that information ready to say, look he needs housing, he wants his kids back, he wants to maybe relocate to another area. Can you find family members or if you can help with anything that can get him back on the right track? And then go to the office and report to the office and say look, 'you're going to get Jimmy coming out of [jail], this is his family, this is what I've said to him. When he reports can you make sure that I'm involved in the first appointment or first interview?' And that doesn't happen, it doesn't happen, not once. Because we don't know who's getting out and [then] because they don't report then they're expecting me to travel down to the communities where I'm supposed to find them.

Several CCOs spoke about this idea of role inclusion. Audrey felt that ACSOs should act as a 'direct link' for new parolees to the offices:

It would be easier, to have that... Like we send out the RMP, like our home visit request thing, and it would be nice to have a request for a link in with ACSO. So, whilst it's two requests, they're probably giving out the same information, the

ACSO needs to know that they're coming out as well because they don't all of the time. Whilst I send an email off to the ones I know, there's probably some out there that I don't know... Even just on our system. Having instead of like a site referral, just an ACSO referral and then they can pick them up. (Audrey, CCO)

Further, the new CSNSW case management policy provides an opportunity to involve ACSOs. Frank would seek to link the ACSOs and case management as a base:

Well, I think their role, to begin with, should be acknowledged, if you will, as being important and fundamental to case management. I'm not sure that it is. It's an important, valuable part of case management... That's why I think it should be fundamental and more intertwined with case management. But I do think that it's important that they're not necessarily a CCO—so it's not about breaching people—they complement case management. You know, they support case management. They're a knowledge base. (Frank, CCO)

8.8 Summary

The role of the ACSO emerged in this research as a major positive influence on the supervision of Aboriginal parolees. Overwhelmingly, parolees and CCOs saw the role as beneficial, particularly in streamlining parole supervision, reintegration and case management of Aboriginal clients, and assistance in accessing community-based services. Parolees saw the ACSOs as mentors and confidantes. ACSOs also provide the link between CSNSW and the Aboriginal community and Aboriginal community-based organisations.

The utilisation of the ACSO varied across locations, and the utilisation by CCOs also varied in specific offices. All the CCOs we interviewed who were actively supervising Aboriginal clients valued the role of the ACSO highly. However, some CCOs noted a lack of clarity in how to utilise the ACSOs. A major issue was the inconsistency state-wide as to whether the ACSOs could access the prisons to work with Aboriginal prisoners pre-release.

9 Developing Professionally Well-Equipped Community Corrections Officers

The matter we address in this section is **how to develop professionally well-equipped CCOs for working with Aboriginal parolees**. There was significant acknowledgement among ACSOs, CCOs and older parolees that a newer generation of CCOs was less focused on compliance and more willing to work with parolees to assist with successfully completing their orders. Section 3 contains some parolee comments in this regard – particularly by parolees who had several previous experiences of parole supervision. We have also acknowledged the impact of more flexible approaches to supervision enabled by the reforms of 2017. Related to the issue of developing professionally well-equipped CCOs is the need to increase the number of Aboriginal CCOs within CSNSW. We also address this issue in this section.

We might contrast the three experiences of ACSOs with Community Corrections staff in the quotes below, from **Chris discussing events several decades ago to contemporary attitudes** of at least some CCOs:

I think the good ones are the ones that are willing to work with Aboriginal offenders and that are coming in open-minded. Like I said, the times have changed so much. I know when I first came into this office 20 years ago the officers used to say to me, 'oh, you only got this job because you're black' and make me feel small. And I was like fuck these are arseholes, but I've got to work with this. I've had arguments over the years with them but now, like I explained before, they come in droves now at a younger age and Aboriginal culture is being spoken about more so I think they're more open to have dialogue with me around the community. When I can explain the dynamics of each community the dysfunction in a lot of Aboriginal families, it's easier than for us to sit down and map out the goals for the offenders to reach... I've noticed these last couple of years with these young ones coming through, I've been getting a lot of phone calls which is a massive change. Massive. (Chris, ACSO)

We've got some great CCOs coming through and want to learn. And I guess the beauty of today's society is we do come from [and] grow up in a multicultural society. Like we've got a very multicultural little group at our office and so they grow up in a society where it's acceptable of all cultures and unfortunately, I think, that's something that has been lacking in the past. (Graham, ACSO)

If we get a Koori that comes here, [some CCOs] come to me first. Ask me if I know them, the background, parents, whatever. And they're pretty good. Well, I know [CCO] she's one of the main ones. She has a lot of Kooris on her books. And so she makes it her business to find out what our needs are. (Sue, ACSO)

The fourth ACSO we interviewed, Trevor, also noted the **change in the CCOs**:

A lot of the officers come through, new ones, they don't seem to have that same [attitude] where it's like, breach, breach. Now they're asking me about stuff. So, I reckon there's a massive change... Most of our officers are new [in the office], but we've still got some old officers that have been there for a while, but you can see the difference in them where they ask me more about [Aboriginal issues]. That's where I can see the change. For example, I've had officers ask me about lateral violence. Which a lot of staff don't even understand what that is. That is crucial, not just for our offenders, but me being Aboriginal... you know, the ACSOs and all,

because we suffer all that. When they ask me that question that shows me that they're interested. I reckon there has been a massive change. (Trevor, ACSO)

In Section 3.4.5, we discussed the mixed views of Aboriginal parolees on the question of whether CCOs had an understanding of Aboriginal people, culture and community. Certainly, there was **no uniform agreement** that there was a good understanding. However, the interview material overall suggests that with the new generation of CCOs, many are willing to develop their knowledge and skills in working with Aboriginal clients.

9.1 Do CCOs Feel Professionally Well Equipped to Work with Aboriginal Clients?

We asked the **CCOs whether they felt professionally well equipped to supervise Aboriginal people on parole**. In discussing the question, the CCOs identified the extent to which they felt able to respond to Aboriginal clients now was from the **experience they had gained on the job and through the assistance of ACSOs**, rather than through any training:

Well, I think now, I feel far better equipped because I've got access to the likes of [ACSO], who's absolutely amazing and so generous with their time and open to conversations all the time... I've been privileged enough to work at [Aboriginal facility], and with [ACSO], and in there they've got a lot of Aboriginal clientele. So, just through trial and error, really, it would have been so much nicer to have some training... So initially, did I think I was equipped well enough, no. But do I feel like I am now? There's always room for improvement, but I think I'm far better equipped now, than I was. (Camilla, CCO)

Because I've been in the department for a while [before becoming a CCO] and I'd known other ACSOs and other CCOs who dealt with Aboriginal clients, I kind of just latched myself onto them and then learnt through others, basically, more than I did through the Academy. (Audrey, CCO)

I think your training comes on the job. I think here, you'll probably get a better understanding because you've got the ACSO position. So [ACSO] will take you out... I remember my first couple of weeks being in [city], he took me out to the missions, and I'd never been to a mission before. So that was really eye-opening for a city person, just to see that other side of things. Because you have an idea as a white person what a mission looks like, and it doesn't look anything like what you think it does. (Blanche, CCO)

The experience of being able to **visit Aboriginal communities** was seen as important:

I was able to travel out to those places (western NSW) and get to know them, visit the missions, visit the places that they were, so I was able to build a relationship up then. *[Interviewer: Did that help?]* Heaps, definitely. Yes, because you were able to communicate. They knew your face. It's always helpful when they know your face. They knew my background, where I was from, so it made it easier than sitting at a desk. (Audrey, CCO)

While the on-the-job training provided by the ACSOs has been fundamental to the work of CCOs, it is neither systematic (i.e., it is dependent on the interest of individual CCOs and whether there is an ACSO) nor is it recognised formally as part of the work of the ACSO.

Training around specific issues for Aboriginal people was identified as a need:

I think it [specialist training] could be useful [on] the importance that the Aboriginal people have with the family connection. Like I hear some other people that I work with in this office, they're saying, 'Oh, I can't believe this person wants to go to a funeral for the second cousin removed', where they don't understand that family thing.

I think that if they have a bit more understanding of that, when they're whingeing about trying to make arrangements for them to go back to a funeral out west or something, and they're just going, 'oh, I don't know why they should be going. It's only such and such. It's not even close or whatever'. I just think there needs to be a bit more information about the [importance]... with family. I know how important it is. And just also how they grieve and just even when someone's sick, like it's hard for them... I've got one client that's got a family member in a coma in Sydney hospital and he's just a bit chaotic at the moment. You've just got to give them a little bit of time to process all that. (Sally, CCO)

Margaret (CCO) noted, 'I think that there needs to be more training done on it, definitely. You do a three-day course on alcohol and drug training and stuff like that. And I think that there needs to be a **three-day course for working with Indigenous offenders**'. Maree (CCO) also noted that 'There'd be better benefit from doing some more intense training'.

Training around the broader structural context of offending was also identified:

I just think that if we can just get some more training... not just focusing on the offender, like looking at their entire life. You know it's all very nice that they come in and see you in the office once a week and you're talking about what are they going to do to stop offending and so forth. And in their back of their mind they're thinking, I couldn't send my child to school this morning, because I didn't have anything to send them to school with for lunch.

Do you know what I mean? Just looking at that big picture and taking the time and having the consideration... to actually have wholesome conversations instead of just focusing on [the offending]. And I know that not everybody would like to hear me saying that, because obviously, our time is supposed to be spent addressing specific things like the offence and their behaviour around that. But just being open to have conversations outside that, and what their lives look like. And what other challenges and barriers have you got going on, that we could maybe look at and even discuss. I don't even know what that sometimes looks like, apart from a conversation, but just giving a shit about the fact that their life's not just wound up in that one offence. (Camilla, CCO)

9.2 What were the Experiences of CCO Training at the Academy in Working with Aboriginal Clients?

Generally speaking, the CCOs we interviewed were critical of their training concerning working with Aboriginal clients.

The training at the Academy? Atrocious. Wouldn't recommend it to anybody... There was a module called cultural awareness but it wasn't specific for Aboriginal people. It was more city-based, more for other ethnicities. (Audrey, CCO)

Not enough, absolutely not, no... I think it was really quite broad, just being culturally aware. It wasn't Aboriginal-specific by any stretch of the imagination. It was just cultural appropriate in terms of a very broad range of cultural backgrounds. It wasn't Aboriginal-specific. (Camilla, CCO)

[Interviewer: Can you just tell us a bit about the cultural awareness training that you've had?] Do you know what? I can't recall. I know there would have been a day or it might have been just a two-hour session that we had and that was about all. That was it. I think when they did, it was just a two-hour session and it was with the two classes. So we're talking like nearly 80 people in the room so you weren't able to discuss, ask questions. It could have been on a Friday afternoon or something or the last session of the day. From memory, I think it was just another lecturer down there. So it wasn't actually like a guest speaker. I actually think that they incorporated... every cultural minority group so it wasn't individualised. (Sally, CCO)

To be honest, I don't remember much about the Aboriginal client training. I don't remember it being particularly insightful. It all seemed like information I'd heard before. I don't remember being told, this is how you should approach working with any kind of cultural minority or Aboriginal group. (Mark, CCO)

One further point raised concerning training was the **absence of access to any further ongoing training**: 'Not specifically for Aboriginal clients. There's only [refresher] training for, like, mental health or drug and alcohol intervention work. There's no avenue that I've seen where you can enhance the way you work with Aboriginal clients through the department' (Mark, CCO).

9.3 Training and Practice

We also asked whether the training provided any practical information about working with Aboriginal clients, for example, concerning the importance of families, or which language group or nation Aboriginal people identified with. For those who could recall the training, the responses were negative.

ACSOs also identified the need for **greater involvement in training at the Academy**. This involvement would be clearly beneficial in explaining the work of ACSOs and providing a practical approach to working with Aboriginal parolees. In addition, there is a need for practical training around how the supervisory qualities that we identified in the early sections of this report as beneficial for supervising Aboriginal parolees can be developed and enhanced. Aboriginal parolees, ACSOs and CCOs all offered grounded examples of how supervisory relationships can be improved.

9.4 Increasing the Number of Aboriginal CCOs

Adam (Parolee) was asked **what the biggest change to supervision would be** to help Aboriginal people. His response was simple: 'get Aboriginal parole officers'. Other parolees also spoke of the same need. Jack noted that 'honestly, we need more Aboriginals in this field, because of our culture, our way of life, and stuff'. Vivian stated:

My personal opinion would be, if you're from the same background as that person, culturally speaking, you're going to open up more to another black person than what you are to a complete stranger. They know what you're going through. They can relate. *[Interviewer: Have you had any black parole officers?]* Never.

Several CCOs also spoke of the need for Aboriginal people in CSNSW:

I don't know how it is in other offices but in my experience, I've not come across many [Aboriginal workers in Community Corrections] compared to, you know, other races, other cultures. So, like I think that would be great if we could get people. (Maree, CCO)

Frank (CCO) stated, 'I'd like to see a greater focus and concentration on trying to attract Aboriginal staff to the department. It seems like a starting point if we could attract a few more to the department, to just broaden the experience and skillset'.

Mark (CCO) discussed some of the **issues around race in the context of white parole officers and Aboriginal clients** and the fact that it is not usually spoken about until it becomes a problem. He commented:

So, I think having, not for every client, I think for some, having a non-white officer, if we could get an Aboriginal parole officer, if we could get more Aboriginal parole officers, that would be huge... I don't know of any Aboriginal parole officer in our office or in the surrounding offices. (Mark, CCO)

Chris (ACSO) similarly commented on the lack of Aboriginal staff:

I've only seen one in my life, in my area. Oh look, there have been some good success stories with Aboriginal staff within Corrective Services... But for me, in my area I've only seen one Aboriginal face in 20 years and that's the one that's here now. That's fucking shit really when you think about it.

Similarly, **at the managerial level**, Graham (ACSO) noted, 'I've only met [manager] who's an Aboriginal manager, I mean like he's the only one that I know'. Frank (CCO) also noted the absence of executives who are Aboriginal.

ACSOs and CCOs also commented on why there are not more Aboriginal staff at the CCO level. Sue (ACSO) stated, 'I don't think they trust us. I don't know, really. I don't. Whether they think we can't do it?'. She also pointed to the requirement of CCOs to move: 'we don't get a choice where you go...I live here, and I don't want to be going to Wollongong or whatever. I suppose that's why our mob don't go in to be parole officers because they don't want to leave where they are'.

Frank (CCO) commented on problems at the recruitment stage:

I've had three Aboriginal men and women say to me in the last 12 months, geez, that attendance centre scared the shit out of me. I just couldn't, you know. But hang on, they'd been to university, had a Bachelor's degree and have worked here and there. Like, geez, they couldn't get through the attendance centre... I mean, why is it they can be successful in academia, get a degree, function well in another government department, but not get through the attendance centre? Now, I'm not saying it's about the assessors.

9.5 Summary

The interviewees provided mixed responses to whether CCOs were well equipped for working with Aboriginal clients and community.

The CCOs were generally negative about the training they received at the Academy on Aboriginal cultural matters. CCOs attributed their ability to engage with Aboriginal clients to their access to an ACSO and their on-the-job experiences.

There was a general consensus that the newer, younger staff were more open and interested in engaging with Aboriginal culture and communities; however, they did not necessarily have the knowledge or training to do so. The change was also noted by parolees who thought that newer staff were more open and thoughtful rather than punitive.

CCOs, ACSOs and parolees identified a significant need for employing more Aboriginal CCOs.

We make recommendations to improve the training of CCOs in their work with Aboriginal parolees, particularly with a focus on improved supervisory practice. We also note that a more consistent approach to the duties of the ACSOs will assist CCOs. We recommend the development of strategies to increase the employment of Aboriginal CCOs.

10 Reintegration and Access to Community Sector Services

This section of the report discusses access to support from community sector organisations. All groups of interviewees identified access to housing and stable accommodation as critical. There were also particular issues with mental illness and cognitive impairment, which affected supervision. Many of the parolees we interviewed also acknowledged the importance of being connected to community-based services by CCOs and ACSOs. Some interviewees saw the choice of service between Aboriginal and non-Aboriginal services as important. Availability of services was also a critical issue.

10.1 Housing and Accommodation

There was a widespread acknowledgement by parolees, ACSOs and CCOs of the **importance of accessing housing and stable accommodation**, and we have noted this in various parts of the report. When asked what they thought would help people most coming out of prison, many interviewees identified housing as **the most critical issue** on release.

For example, Libby (Parolee) noted that ‘a lot of people that come out, they have nowhere to go. So I guess setting them up with housing before coming out. I know it’s hard for housing. Yes. So more housing’. Similarly, Joe elaborated:

I guess the biggest thing is for some people is having a roof over their head. Because that’s the biggest stress, is not having anywhere to sleep at night. Putting somebody up for three days in a place and then expecting them to do the rest isn’t a good thing, when you’ve just come back on the street. It’s probably why people end up back inside so quickly. I’ve seen so many people get out and come back, get out and come back, get out and come back in the time [ten months] that I was in there. (Joe, Parolee)

Mary, who had her parole revoked and was back in prison, confirmed that ‘the biggest [problem] is that you don’t have a house. You need a home. They say, parole will help you with this and that. They don’t help you’. Libby also went on to identify lack of accommodation particularly affected women. ‘Most girls that I’ve seen that go to get out,

they're like "oh, I've got nowhere to go". Especially getting an address for parole. They have nowhere to go, because they have been homeless prior to getting locked up' (Libby, Parolee).

ACSOs made similar comments. Trevor indicated that 'the main thing is accommodation up here... accommodation, that's a massive issue, I feel'. Similarly, Graham stated:

Housing is a huge thing... I try to manage around the best way we can to get somebody [housed]... We don't have any Aboriginal housing anywhere [here]. I know with the Department of Housing there's a massive waiting list so I try not to go there. I know that it's just such a great area [of need] ... There's no immediate plans for that to be fixed. But it is, it's probably the biggest thing where people come out of jail, is finding housing. It's an ongoing theme. (Graham, ACSO)

Examples of CCOs comments include Sally, who stated, 'It would be nice if there was more support but it's hard. Like what sort of support is the most that they need? Housing is a big issue. Housing'. Mark, a CCO, commented on the added stress responding to **immediate concerns like housing placed on the parole supervision:**

Yes, so definitely accommodation, I find, is a big issue for a lot of Aboriginal people, unless they have family... Definitely accommodation and social welfare, finances, clothes, things like that, which we can't help with. We have to refer to another service for help like that... It's all just a referral. You ring Housing maybe, just to see if they're going in and that's about it. So you get them, they've come out homeless, they've got the money they're released with, what, \$30 or something, they've got nothing, essentially. And you have to sit there and not only get them to engage with parole, but also try and get them accommodated. It's either they'll go into their own housing, a family member, or they'll be homeless. And more often than not it's homeless, until they can find a couch to crash on. (Mark, CCO)

Alan, who had his parole revoked and was reimprisoned, made a similar point about the difficulties of engagement with parole supervision when housing was more critical for him:

I'm being honest. I told them I wanted independence, and I wanted my own house. And they just wanted to focus on drug and alcohol counselling. And I thought, 'Right, before we approach the drug and alcohol issues, I want to be stable... I want to feel independent about myself'. (Alan, Parole Revoked, Reimprisoned)

Access to housing impacts the ability of parolees to engage with supervision and the likelihood or not of them being returned to prison. According to our interviewees, the lack of housing is a major factor negatively affecting reintegration for Aboriginal parolees.

10.2 Responding to Mental Health and Disability

Several **issues relating to mental illness and cognitive impairment** arose from the interview material. These included the problems with obtaining assessments and the impact on supervisory relationships.

10.2.1 Obtaining assessments

One of the CCOs who worked on pre-release in prison noted the difficulty of getting people assessed while in jail. Assessment in prison makes it easier and more timely for CCOs to provide assistance when individuals are released on parole. Audrey (CCO) indicated that 'It's harder to get them diagnosed in custody if they don't already have the diagnosis beforehand. So, it's hard to get that diagnosis so I can get the meds, so that I can get them out [released] with meds and then keep it going on the outside'.

Audrey went on to describe the process of seeking a mental health/cognitive disability assessment in prison and the length of time it takes:

[Interviewer: So, you would suspect from the behaviour that there is a mental health issue or cognitive impairment that hasn't been diagnosed?]

Yes. So, you send the referrals through [to Justice Health] and then it's a waiting game to see if we can beat the clock, basically. I received a phone call today [9 August] from Justice Health saying, 'oh, you sent in a referral on 9 July. I'm just about to action that', and my response was, 'don't bother, he's already out'. That's the turnaround speed. So, about six weeks before they've even looked at it. It's not unusual, no.

[Interviewer: And then how long would it have taken beyond that to have a test?]

Three months, four months. I'm happy if I can get it done in three months. (Audrey, CCO)

In the type of situation noted above, the individual is released on parole without diagnosis or medication (if appropriate) and must go through a referral process and assessment in the community—which can again lead to significant delays—while at the same time needing to engage with parole supervision as we discuss later in this section.

10.2.2 Impact on the supervisory relationship

Sally, a CCO, discussed the **impact of mental illness on the supervisory relationship** and particularly in the context of the lack of community-based services:

It's really hard. You can refer them. I've got [ACSO] to assist some of them to go to appointments, to take them to places but again, our services are limited. We only have the one community mental health up at the hospital. There's a few good GPs that will refer them to psychologists but then there's a waiting list two to four weeks down the track to get into seeing a psychologist. A lot of the ones here don't have a phone so you can't even do a phone call to let them have a chat with someone over the phone. I've had one guy in particular come in here and he was really upset and I got on to Lifeline. He sat on the phone because there was nowhere else that he could go. I just was at a loss of where else to go for him.

Similarly, she noted the impact of cognitive impairment:

With the cognitive thing, it's really hard again because sometimes they just say, 'oh, no one will listen to me, no one will understand me'. So you can talk to them for a little while but half the time they get frustrated and walk out. So then you can just do checks on them. (Sally, CCO)

Adam, a parolee with **mental health disorders**, was critical of his CCO. 'Parole, pfft. Parole didn't even know I had a mental health condition. She [CCO] goes, you didn't tell me I'm seeing mental health. I don't have to tell you nothing, mate. It's in the folder, read it'. Adam went on to discuss the support he received:

Through mental health at [hospital]. I'm on a lot of meds. I was never on meds. Last year I was on no meds whatsoever. Wasn't sleeping. Someone would look at me the wrong way, and I'd just grab them, pull them on the ground, jump on their head, and just walk off. I didn't care. Now that I'm on the meds, I sort of see life different. (Adam, Parolee)

Adam also acknowledged the support of community-based services. Although he was expecting to go back to prison for breaching an AVO, he had been out on parole for nearly 12 months, which was the longest he had lasted ('Normally I last two weeks, three weeks'). When asked how he had stayed for so long, he replied, 'probably because of the support with Rainbow Lodge'.

Undiagnosed and untreated mental illness and undiagnosed cognitive disabilities can significantly impact the supervisory relationship and the possibility of successfully completing parole.

10.3 Access to Aboriginal and Non-Aboriginal Services

Getting parolees to **address mental health, drug and alcohol issues**, and so on is an important part of parole supervision. Being able to achieve this is dependent on access to organisations that provide those services. Many parolees talked about the importance of being connected to services by CCOs and ACSOs:

This time they've worked with me, And with the services too like me doing the drug and alcohol and the mental health. Yes, I couldn't thank them enough [for linking me with services]. (Mick, Parolee)

Well, she [CCO] connected me up with other services that helped me... and makes sure I'm getting the help that I need. She hooked me up with a Cert Three in Early Childhood Education at TAFE. Yes, two days a week [at TAFE]. Like she's been really good helping me getting into TAFE and housing. (Daisy, Parolee)

Now I've got a really good parole officer and she's been helping me and I'm doing all the shit that I'm supposed to do, so Opportunity Pathways and all that. And I've got my driving test, I got my licence, been doing my White Card and traffic control and forklift licence with Opportunity Pathways. (Tom, Parolee)

I don't drink no more. I don't smoke. I don't do drugs. I'm back into sport. Just doing all the right things now, and staying on that right path, and surrounding myself with positive people. I go to AA every three weeks and speak to an [Aboriginal] counsellor there, Uncle G. I have [ACSO], who constantly rings me... for my own sense of self... I haven't grieved, or cried, or anything since my parents passed and all my family members... At this stage, because of COVID, now I do a phone appointment with a psychologist, [psychologist]. He's awesome. He's known me for a long time. He's in Aboriginal Medical Service in [regional city]. (Jack, Parolee)

Several parolees spoke of the **importance of specifically Aboriginal services**, 'where it was possible to have a conversation with someone that's been through it and come out

on top' (Alan, Parole Revoked, Reimprisoned). 'I've got a bunch of them working with me here, the Aboriginal Corporation in [town] are working with me. And that's just for a bit more support. Because with baby and all that, and just like with housing and whatnot. Yes, so they're pretty good' (Libby, Parolee).

Camilla (CCO) noted, 'I think we are quite fortunate in that we do have good Aboriginal-specific services. We've got some really great services that are happy to work quite closely with us that are Aboriginal-specific services. But could there be improvement? Absolutely'. Sally (CCO) similarly noted the **shortage of (both Aboriginal and non-Aboriginal) services** and its negative impact on rehabilitation: 'We don't seem to have a great deal of variety. There's only the one-offs like AOD. We only have one place where they can get counselling here. It's through the hospital. At the moment there's 70 on the waiting list'.

Some CCOs noted that **Aboriginal parolees did not feel comfortable attending some of the mainstream counselling services**. 'I've had one or two of my guys go there and they've said, not for me because I felt like an idiot there because of the other people that were in the course. They've just said, I couldn't talk in the class' (Sally, CCO). Similarly, Sally related the story of a young Aboriginal woman she was supervising:

She has told me that she needs to speak to a doctor for some assistance with her ongoing use of illicit substances but she doesn't know how to start the conversation. She doesn't know how to say it. She's never had to talk about anything like that to anyone, but she wants to get off it so how does she approach, like how does she do it? She said that I only go to the doctor if I need medicine. (Sally, CCO)

CCOs also recognised the importance of the role of the **ACSOs in linking Aboriginal parolees with services**:

I utilise [ACSO] a lot in regards to that... He'll come back and say, look I talked to an Aboriginal builder here or Uncle L here, or you know, whoever. I guess I use [ACSO] quite heavily in regards to that. I do rely quite heavily on [ACSO] to talk to some Elders and program providers, that have got somebody specific in the community that tends to be a reliable source, that has open conversations with these young men and women. (Camilla, CCO)

In summary, as one CCO described it, 'helping parolees to get to a place where they want to address their mental health, their drug and alcohol, their trauma, is a part of success' (Mark, CCO). Integral to this is access to the organisations that provide those services.

10.4 Refusal of Service and Lack of Alternatives

Several CCOs in regional areas raised an issue related to parolees' inability to access services because they have been barred based on previous behaviour:

Another boy that you interviewed this morning had a meltdown two weeks ago, mental health. Mental health here at the local hospital wouldn't have anything to do with him because he carried on there. He went to [another town]... Lucky that he had someone to take him otherwise I don't know what would have happened. (Audrey, CCO)

Sally recounted the following situation for a parolee she was supervising:

I've had an Aboriginal guy in hospital that had his leg amputated. He's outlived his stay here in [town] because of every service [refusing to assist him]. He can't even walk into a chemist. He can't even walk into a supermarket. No medical practitioner here will treat him, write him a script or do anything. Because of his past behaviour. So he was homeless. I tried to engage him with a local place here. No, he's barred from [service]. He's barred from everything. He had to stay an extra seven weeks in the hospital because the hospital had a duty of care and they couldn't put him out... He's illiterate so he can't read or write so he needs someone there to assist him with that. And when I'd talked to him on the phone or go up and see him up at the hospital to see how he was going, he was saying, 'I just don't want to talk to that [service]'. 'Because', he would say, 'they won't listen to me. They don't talk to me. They don't understand me'. So that's the problem because there was no one else that we could go to outside of what was here. (Sally, CCO)

10.5 Providing Choice of Service to Aboriginal Parolees

Several interviewees noted the importance of **providing choice to Aboriginal parolees** as to whether they preferred to access an Aboriginal or non-Aboriginal service:

The first thing that I'll also talk to Aboriginal offenders about is whether they actually want Indigenous services involved. There sometimes can be a real nervousness about engaging with local [services] because well, there's no confidentiality there... it all gets spread around the community. So, a lot of times, they'll want white services. But, I guess, for me, it's always giving them the option of what they want to engage with. (Blanche, CCO)

Camilla (CCO) identified that Aboriginal-specific services 'can have benefits, but it can also be something that Aboriginal offenders may shy away from, because they feel like confidentiality's being breached'.

10.6 Motivation

One CCO thought there were enough Aboriginal services in the area she worked, but the problem was that Aboriginal parolees might lack motivation:

I think that it's relatively easy to link in with them [Aboriginal services]. But I think that some of the Indigenous offenders lack motivation... they might have said in the interview, because they think, 'I've got to be compliant, yes, yes miss, I'll go there, I need to do that'. And in the back of their head they're going, 'yes, I'm not doing that'. (Margaret, CCO)

Trevor also made a similar point:

I suppose, one of the biggest things around here, for me, is trying to motivate them to use services. Like, we've got [Aboriginal Service], which is a culturally appropriate Aboriginal service. But I've got some that use it and then some of the locals don't use it. And so, for me, the main thing with a lot of the Aboriginal people here, that I deal with, is the motivation. I'm constantly trying to motivate them. And that's one of the issues. Just trying to keep them engaged. (Trevor, ACSO)

However, Aboriginal parolees may feel unable or reluctant to use either mainstream and Aboriginal community-based services for the reasons noted above.

10.7 Summary

There is an identified need to have all services brought to the office for a service day to allow for requests and applications to be processed. Such an initiative would assist with problems of access for parolees.

Community services and government agency information should be developed into a directory and updated (either centrally or at the local level) to assist with access. Aboriginal parolees should be offered a choice in accessing either Aboriginal or Aboriginal services where available. Both the CCOs and ACSOs have a role in linking parolees with services.

Access to assessments for mental health and cognitive impairments for parolees was seen to be a significant factor. Where these issues are present, they can affect the supervisory relationship and successful completion of parole.

Access to suitable housing was widely acknowledged in the interviews as a core problem in successful reintegration. The current focus on criminogenic needs limits the role of CCOs to referral. Some CCOs, ACSOs and parolees noted that parole supervision should extend beyond interventions that deal solely with 'criminogenic needs' to reduce recidivism and support the reintegration of Aboriginal people.

Long-term, culturally appropriate, community-based support should be available for those who require it. Support may need to extend beyond the 12-week time frame through which community-based services are funded under the FPI.

11 Policy and Practice Framework

This section of the report considers the comments made by CCOs and ACSOs on three areas of policy and practice, the LSI-R and risk, EQUIPS programs and the PGI. We were particularly interested in whether and how these practices were suitable or not for Aboriginal parolees and their impact on the supervisory relationship.

11.1 The Impact of the LSI-R and Risk on the Supervisory Relationship

Some of our interviewees **questioned the assessment of risk by the LSI-R for Aboriginal parolees**. Our interviewees identified that risk assessment influences the supervisory relationship between CCOs and Aboriginal parolees across several different domains: suspension of supervision, more stringent supervision monitoring and access to programs.

11.1.1 The LSI-R and assessing risk for Aboriginal parolees

There was discussion on the way the **LSI-R determines risk for Aboriginal people**. One CCO specified that some questions on the LSI-R pushed Aboriginal parolees into higher risk ratings:

Yes, I think the first thing that jumps to mind is accommodation. If it's a high-risk environment, well it probably is. Do they have any other option? No, not necessarily. So yes. There definitely are pockets [of questions] that do increase the risks for Aboriginal people, on paper, so to speak. Because again, accommodation. Is it a high-risk area? Yes, it probably is. Are they homeless? You know, sometimes essentially, yes, they are, because they don't have a fixed abode. They sort of float around between family and so forth. So yes, I do think that there are some pockets in there, that would increase Aboriginal offenders opposed to non-Aboriginals. (Camilla, CCO)

One ACSO we interviewed, who supported the use of the LSI-R in general, also raised concerns:

Our LSI-R measuring system that we use, I've been here for a while, and I think it's great. But I think the LSI-R measuring tool that we use doesn't suit Aboriginal people when they're being measured, because when they measure... where they're living and they're employed and all this stuff, it always comes up [high] for Aboriginal people... it's because of unemployment, it's because of a range of things, you know, not being able to finish school. And that's where I feel it's letting our people down.

[Interviewer: It makes it artificially high?]

Yes, and that's what frustrates me because when I see someone they come in high, and I know this person, and then the officer's saying, do you know this person, and I'll say straight away, 'what's their risk rating?' And they'll say, 'high'. And then I'll say, I'll be scratching my head, and then they go, what? What's going on? And I'll say, well listen, this is not suited. (Trevor, ACSO)

Leaving aside the question of the validity of the assessment, it is clear that a **higher risk rating impacts the relationship between CCOs and Aboriginal parolees**. Camilla discussed how as a CCO, she attempted to manage the risk rating positively:

You know when you've been assessed as high-risk of reoffence, I personally don't like the wording around that. But at the end of the day that's what it is. I think that we could focus more on how we deliver that to people. Like saying, 'it's been highlighted, that you might need a little bit of additional support at this point in time. We need you to come in and report once a week so we can [provide that support]'. I really try not to continually talk about the fact that 'you're high-risk, you've got to come in weekly'. If you're constantly throwing around this high-risk, high-risk, high-risk, I think that can be quite damaging. A lot of the times, I feel personally, that these Aboriginal men in particular, have never been told anything positive or great about themselves... If we sit down and find something wonderful, everybody's got something wonderful that you can focus on. Whether it's their artwork, or I don't know, anything wonderful that they've done, they've just done something wonderful. Very rarely do people stop and say, well, gee, that's a really decent thing of you to do, or that's really amazing, I'm really impressed by that. So, I kind of try to focus more on those things, than just talk about risk. (Camilla, CCO)

However, for another CCO, there was no difference between Aboriginal and non-Aboriginal parolees in terms of risk.

I don't see it anything different to the general population. We get a score, and that gives us a guide on our service delivery standards, how often we see them. And it's looking at areas of risk, where they're scoring high, in areas of drug and alcohol, or mental health, that side of things. I think Aboriginality is taken into account as part of their case plan, but it's not the driver of their case plan. (Blanche, CCO)

11.1.2 Risk, suspending supervision and more stringent supervision

In the first instance, Aboriginal people are less likely to have their supervision suspended. As one CCO noted:

The people that walk through the front door that we would suspend their supervision early, are less likely to be Aboriginal people. The people that I would suspend early, are they Aboriginal people? No. They're typically the non-Indigenous people that are first time offenders, etc., whereas those Aboriginal offenders, with that LSI-R, are generally passed on to supervision. *[Interviewer: that would be partly related back to the LSI-R?]* That's right, absolutely. (Camilla, CCO)

Being determined as a **'high-risk'** also impacts the management of supervision. As Trevor (ACSO) stated, 'Some of them are managed pretty strict, you know, when someone comes out as a high-risk, even though I might know that they're not high-risk. But they're measured here as high-risk on the system, then they're treated probably a bit different'. Sally (CCO) was supervising 14 Aboriginal parolees¹⁸ at the time of our interview. She noted that for 'the majority, their risk rating or their LSI-R is well into the proportion of above Medium 1. So, I'm seeing most of them weekly or fortnightly'.

¹⁸ Sally (CCO) was also supervising seven non-Indigenous parolees.

A higher risk rating also influences how **other agencies, including the police, respond to particular individuals after their release from prison**. 'If the police are ringing up and trying to make some enquiries, then automatically our officers have to say, oh yes, they're high-risk on the system' (Trevor, ACSO).

The same ACSO also indicated that he considered it an important part of his role, 'when one of our women or men are doing really well on orders, is to go back to that CCO and say, you need to re-evaluate their risk rating on LSI-R to bring that down' because of the various issues that a higher risk rating creates – including added anxiety.

They've straight away got pressure on them, and they're straight away, as soon as they make one mistake, don't turn up here... They're on the run and it just creates more pressure and yes, it's frustrating. And then they'll be freaking out. Am I breached? Sending me text messages. That's what I feel is not serving Aboriginal people in the justice system. But straight away, if I'm high-risk, and I've only just had one offence, but then I reoffend and I'm back in front of the magistrate, the magistrate will straight away, look at, ah, what's the risk rating? (Trevor, ACSO)

11.1.3 Access to programs and risk

Two separate issues arose concerning **risk ratings and access to programs and services**. In the first instance, a higher risk rating could create anxiety not only in the parolee but also 'more anxiety for everyone working around them, all the services' (Trevor, ACSO). The second point raised was the relationship between risk and the requirement or eligibility to undertake programs. On the one hand, some higher risk Aboriginal individuals were required to undertake programs that the ACSOs believed were unsuitable. In contrast, some individuals with a lower risk rating were ineligible for programs that were thought to be suitable.

11.2 Programs and Responsivity

There was some discussion on the **suitability of the EQUIPS programs** concerning their suitability for Aboriginal parolees. Frank (CCO) discussed the problem of responsivity: 'We moved to a fairly narrow stream of intervention programs called EQUIPS... They're cognitive-based therapy programs... The psychologists will tell you till the cows come home that they work... I still think that there's an interesting space there around responsivity. Like, you've got to get people to move first. You've got to be able to engage them first'.

Based on his experience, Frank noted the problem of engagement with Aboriginal parolees:

Anecdotally, officers tell me all the time, 'I've got one Aboriginal client in there with a group of non-Aboriginal men and women, you know. They're already reporting back in week one they're feeling a bit isolated'. It goes to responsivity. All of a sudden that person pulls out in the fourth week. Now that's an example. But if we accept that programs are a very important part of case management and intervention, then there's just one area that could be open to some sort of consideration around the appropriateness for Aboriginal [clients], you know. (Frank, CCO)

The importance of **Aboriginal program facilitators** was also noted. 'Sometimes, I think some of the programs aren't suitable for our guys, but then again, we... had our first

Aboriginal facilitator in a few years. And she was engaging well with the guys that I thought were unsuitable, but they actually engaged well with her in there' (Trevor, ACSO). Similar comments were made by another ACSO: 'I know that we run a Koori Smart up there, like, still the same EQUIPS program, it's run by two Kooris. It's the best one I've ever sat in. It was marvellous. They opened up, they were, ah, they were just so honest, they talked among themselves. It was beaut' (Sue, ACSO).

11.3 Group Work and Collective Support

As a parolee, Alan strongly articulated the importance of getting Aboriginal parolees together to support each other through what he described as a men's group:

An appointment at the same time with all the workers and the [Aboriginal] people on parole. *[Interviewer: Getting all the parolees together at one time, you're saying?]* Yes. We're very supporting with each other. And that would be just a long face that'll turn a brother's head. And say, 'look at him here, he looks like down and out, let's go and have a yarn'. Yes. It'll help in that way, support, being there, counselling, being there for each other. Yes, that would be good. It doesn't have to be in the office, it could be out in a footie oval. Go and have a bit of lunch, barbecues. Yes. (Alan, Parole Revoked, Reimprisoned)

One of the ACSOs (in a different region to Alan) indicated that a men's group had been organised – although it was unclear if it was specifically for parolees.

Some CCOs also indicated the importance of both group work and group support for Aboriginal parolees:

I think more programs where they can work together... where they're within groups and they can get together because especially out here in rural areas, I think a lot of them are isolated. I just think that sometimes like we've got a few, especially the older men here that are completely [isolated]... Like they're just like lost souls whereas if they could have some sort of interaction maybe with the younger ones. (Sally, CCO)

11.4 The Practice Guide for Intervention

There was considerable **discussion among both CCOs and ACSOs concerning the PGI**. A significant part of the discussion concerned the question of the suitability of the PGI for Aboriginal parolees. Broadly speaking, the issues raised are related to literacy and cultural suitability questions.

11.4.1 Literacy

The problems associated with **low literacy levels and the ability to engage** with and complete the PGI worksheets were identified by CCOs and ACSOs:

Why is it that they (CCOs) find some challenges in trying to apply those PGIs to Aboriginal men and women who have a low literacy level or a low education? There's a genuine issue... An example given the other day... the Aboriginal man or woman might come in and, you know, the lad's been in school to Year 7 or something, but now you're asking him to do on a map or draft or consider this document. Do you know what I mean? (Frank, CCO)

Some of the CCOs we spoke with tried various strategies to make the PGI more understandable and relevant, including modifying the worksheets with more images:

I've adapted a few to suit the Aboriginal guys where... You get the wordy ones and they see a sheet with a whole lot of words on it. They hate that. Hate it. So, now I've got little pictures with smiley faces and sad faces and the angry faces. 'Yes, did it make you angry? Did you feel like this one?' And you point to the sheet of paper with the smiley face or the angry face and, yes, 'that pissed me off'. They can engage better without words... I think cutting down words, using more pictures... Not too many. Not overwhelming them. Give them the highlights. They don't want to listen for 20 minutes about a lecture. They've got five minutes in and out. (Audrey, CCO)

Another alternative has been not to use the worksheets directly and adapt them in various ways:

It's very rare that I'll actually sit down and fill out the PGI whilst having a conversation. I'll sort of use them how I see fit... I think it's built to capture the needs, but like I say, I sometimes may ask the questions a little bit differently or set the scene a little bit differently. I don't actually pull out the paper and go word for word. I'll just incorporate that into a conversation. I guess I adapt it in my own way, really. (Camilla, CCO)

We've often done PGIs and I haven't even had a piece of paper. Just having a chat... It takes a little bit more brainpower to remember it all so that you get it all down on the paper when you get back to the office but having them see a piece of paper with a whole lot of words on it freaks them out. Particularly the younger blokes, I find. It freaks them out. (Audrey, CCO)

Or for CCOs to assess when and how they might be useful:

In terms of working with Aboriginal clients, I've never once pulled out a worksheet with an Aboriginal client and gone, let's talk about this today. You know, I'll look at a worksheet and say, this is a good way for me to try and have a conversation with them. This is kind of what it's talking about. And then I'll bring it up in the interview as part of the interview, but I'm not going to say to them, we're going to sit down and do this today. They're not going to respond to that well. No one wants to sit here and do a worksheet with us. That's not why people come. (Mark, CCO)

I suppose it's not cut and dry, it's not like, 'Okay, I'm going to do this PGI today'. So I have a few that I float around if they come in and they're a bit all over the show. I look to see how they are, how they turn up. I don't force them into doing stuff that I don't think they're ready for. And especially if they are with grief or something like that, I might totally sometimes not even [start the PGI]. 'We're not going to do one of those worksheets today. Let's just talk about your feelings' or something like that... I don't know, I actually haven't been told that I can't do that but sometimes I just think their own personal welfare and where they're at is more important than trying to get them to look at something else. (Sally, CCO)

Another CCO questioned the **relevance of the PGI** to many Aboriginal parolees he supervised:

Things like accommodation, family, etc., they all factor into people reoffending at the end of the day. It's not just because, you know they went out and used drugs, or because they had violent tendencies, or they have poor mental health. It's because all these other factors are forcing them to do these things. (Mark, CCO)

Only one of the CCOs we interviewed saw little difference between Aboriginal and non-Aboriginal parolees in the use of the PGI. However, she did acknowledge that, in her experience, Aboriginal people were 'more visual':

I don't really see a difference. Some offenders, be them white or Indigenous, some of them actually really like worksheets, others just like it as a semi-structured conversation where they don't actually know they're doing a worksheet, but we're having a conversation about change. I've found women probably harder to work with the PGIs, especially with the COVID going on at the moment. Often there's a lot of stuff going on at home, so you're over the phone or you're in their driveway, talking to them. You're not able to actually sit down. (Blanche, CCO)

11.4.2 Cultural relevance and suitability

There were several comments by both Aboriginal and non-Aboriginal staff about **cultural relevance and suitability**:

We've got a suite of PGIs. And again, they're probably designed for a generic community... is there something in that space to be considered to review PGIs or amend them? Is something being missed or considered in terms of cultural fitting? (Frank, CCO)

Maree (CCO) commented on the lack of specificity for Aboriginal parolees:

There's a lot of debate around whether it's effective or not. I don't know, to be honest, sometimes with people it does work, sometimes it doesn't but it's very boxy... It's not specific. Like if we're talking about Aboriginal offenders in general, the PGIs I don't feel are specific to their needs and I don't feel that it's taken into consideration that other areas need to be addressed with them. There's no cultural-based ones or anything. A lot of the intervention for Aboriginal offenders comes from our referrals to external services, our referral to the ACSO, yes, that sort of stuff. (Maree, CCO)

One ACSO thought they should be **rewritten because of lack of relevance** to the Aboriginal community. 'Yes, I don't think it's really good at all' (Sue, ACSO). Margaret, a CCO, thought the PGI 'could be more culturally sensitive to them'. Another CCO, Sally, commented more specifically on some of the PGI exercises:

I find that cravings one's a pain in the butt... Managing cravings. I just think that just doesn't fit well. I think there should be a little bit more that's relating to their thoughts and feelings on things. Like what they personally think about instead of trying to direct them to this is how they should think...

There's others [PGI exercises] that I wouldn't even touch with them because they are Aboriginal. It's some of the relationship ones... the pro-social ones. It talks about someone who hasn't been in trouble before and why can't you? Do you know anyone like that? Some of these kids don't know anyone that hasn't been in trouble before and that might be their role model. And they might have been in trouble

before and they still might have a little infringement against them now but they're not bad people. But that model actually just talks about you have to be a pro-social person that's squeaky clean.

I just struggle with that one very much... Because the best role model could be Uncle Joe that's at home and pulls them into line and whatever else. But Uncle Joe could still smoke a cone or do whatever, but he still has his moral compass right... And that [worksheet] doesn't cater for that... But just the whole word, pro-social, antisocial just doesn't sit... If they're reading it or they can see it, and you're trying to ask the questions of it, they go, 'Oh, this is crap, Miss', and stuff like that. (Sally, CCO)

One theme underlying the comments on the PGI is **whether these interventions enhance the quality of the engagement and relationship** between Aboriginal parolees and CCOs:

I think the PGI is ultimately useful sometimes, depending on what we're talking about, just using it as the foundation, but not really following them verbatim. Because I hate feeling like you're in a classroom, you're pulling out a piece of paper and asking questions. (Camilla, CCO)

But why is it CCOs often, despite years of experience are saying, gee, sometimes it feels like I'm kind of ticking [the box]...the risk is that it becomes like a tick and flick. The focus is on applying the PGI rather than the engagement around them. Where is the quality of engagement? (Frank, CCO)

11.5 Compliance, Rehabilitation and Social Work Functions

In discussing the broader policy framework, we were interested in considering how CCOs saw their functions in terms of **compliance, rehabilitation and social work**. The CCOs approach obviously influences the quality of the relationship with Aboriginal parolees, and this has been discussed in detail in Section 3 of this report, where parolees noted a greater tendency for CCOs to 'work with them', rather than taking a strict compliance approach.

CCOs reflected on this broader shift in the policy framework:

So, back then, it was [about] 12 years ago, it was so much heavier in relation to the compliance function. And constantly saying to them [parolees], look, if you don't do this you'll be breached and I'm giving you a direction to do this. So, I am pleased to say that a lot of that language has changed. And it's not near as compliant based as it used to be. They are highlighting the rehabilitation and social work far more. So that's quite nice to see that change come through. But I still think there's people out there that work in the field that could do with some more training around looking at that rehabilitation and more culturally friendly sort of approach. (Camilla, CCO)

Most CCOs saw their role as some type of **balance between compliance, rehabilitation and social work functions**, with the rehabilitation function largely defined in the context of responding to criminogenic needs and the social work function as limited to referrals:

I think it's a combination of all of them but nothing specifically. (Audrey, CCO)

The way I always explain my role is, I'm here as your support, and I'm here to guide you. But I'm also from the court, and the person between you and the court or you and the parole board, so I have to let them know if you're not doing the right thing. But I'm here to give you as many avenues to do the right thing. (Blanche, CCO)

Compliance is always there but I don't over [do it]. Like I say to them, you know you've got to see me each week but you know if you can't get here you've just got to make sure [you tell me]. I suppose COVID's been a little bit easier because we've had the phone contact which has made it a little bit easier for our clients because the hardest thing is to get them actually into the office. I've just said you've just got to maintain contact with me. It's when you stop contacting me that makes it difficult. (Sally, CCO)

Obviously, we've got to find that real balance in between, trying to work all of those three functions into one. I think, unfortunately, a lot of Aboriginal offenders come to us already knowing that whole compliance function, what's expected of them, and what they should be doing. But sometimes, it's a bit more helpful... not sort of make that [compliance] the catalyst of what the supervisions about. But, linking into what their goals are, what their dreams are, what their desires are, and what does rehabilitation actually look like, to them? (Camilla, CCO)

Some CCOs did emphasise the compliance functions more than others but saw it as less important with Aboriginal parolees:

I'm a compliance person. These are the rules. I'll lay them out in front of you and this is how we're going to do it. But then I'll work with you, if I can see you more working towards the rehabilitation and social welfare kind of thing. I don't rely on compliance as much for the Aboriginal guys. Not quite as much emphasis is put on compliance but I try to work out where they're at first with their mindset and where they're going back to see whether anything that I put in place is achievable. (Audrey, CCO)

So, I guess it sort of falls more heavily on the social work and the rehabilitation [function], linked in together. Obviously, your aim is to comply, without making it appear or to be the main focus, the constant conversation. I try and steer away from that actual compliance conversation more, I guess. (Camilla, CCO)

The social work function is largely currently defined by **referral to services**:

In the last, say, two years it's gone to predominantly focusing on compliance and rehabilitation. The social work is something that we've sort of been advised is not [a] priority. [We are] just sort of being told just to only address the risk of reoffending. So, when that comes to a situation like that, we generally refer people out to those services. (Maree, CCO)

I think probably the social work side less so, because that's not our primary role. We will refer out. I mean, we definitely support it, but, yes, we're not here as social workers. (Blanche, CCO)

Not all CCOs saw this shift to referral as an adequate response:

There are sometimes when someone reports in crisis and we can't actually do any sort of compliance or PGIs or anything like that. We really have to focus on

housing... I mean, we're supposed to refer people to Housing, but it doesn't do anything. That's a lot of feedback that I've gotten [from] people I've supervised, is that they want more help from us with housing... The majority of Aboriginal offenders are homeless or living in temporary accommodation or living in sort of like share houses where you have ten other people and it just puts them at further risk. In terms of the social, you know, accommodation, employment, we do touch on that but not much, not as much as what we used to. (Maree, CCO)

The comment by Maree above links to a wider discussion about responding to some of the broader structural conditions like homelessness and unemployment, which present considerable risks to people on parole and which lie beyond 'criminogenic need':

They can't get to, you know, addressing mental health, domestic violence or whatever until they're clothed, sheltered, fed and unfortunately the view of the department is we need to not worry about those things and we need to address the criminogenic factors immediately, regardless of what's going on. But I find that usually the social stuff that's going on feeds into everything, and without addressing that, we're not going to get anywhere. (Mark, CCO)

One person identified the need to address these broader issues on parole:

If you're not doing crime, you're not making money. And to live on the dole is a nightmare, so there needs to be more housing stuff, or be able to get out and get a job straight away, like help with that sort of thing. Because it's so hard to get a job if you're a career criminal. It's not like many people are going to say, yes, come, I'll give you a job. (Niah, Parolee)

11.6 Summary

Various comments have been made by CCOs and ACSOs relating to the LSI-R, EQUIPS and PGI. A common theme was the question of their suitability for Aboriginal parolees. Higher risk ratings for Aboriginal parolees through the LSI-R affected the likelihood of suspension of supervision and more stringent supervision monitoring, creating further anxiety for the parolee.

Aspects of the PGI were seen to be inappropriate for low-literacy parolees and not culturally suitable by some CCOs leading to modifications in its use. Some CCOs and parolees indicated the importance of both group work and group support for Aboriginal parolees. We also note that changes in supervision via phone call arising from COVID-19 restrictions changed supervision for many parolees, making it less onerous to comply.

In the broader policy framework context, we were interested in how CCOs saw their functions in terms of compliance, rehabilitation, and social work. Most CCOs saw their role as a balance between compliance, rehabilitation and social work functions, with the rehabilitation function largely defined in the context of responding to criminogenic needs and the social work function as limited to referrals. The move away from strict compliance was seen positively to enable a more individualised and holistic response to parolees. However, not all CCOs saw the shift to referral as an adequate response to addressing the broader structural conditions that have a detrimental impact on successful reintegration, such as homelessness and unemployment, raising the need for a more visionary response to broader social problems.

12 The Institutional Setting: Developing an Aboriginal Approach in Community Corrections

Some of the parolees, CCOs and ACSOs commented on much broader institutional concerns that affect parole supervision and the relationship between the parolee and Community Corrections Officer. These types of matters are related to the institutional setting.

12.1 The Community Corrections Office: A Family-Friendly, Culturally Safe Community Resource?

Throughout this report, we have noted in various places that parolees can feel anxious, stressed, **and frightened when entering a Community Corrections office**. For example, Alan described the feeling as, 'I feel like I'm walking back to a mini jail or something'. Frank (CCO) noted that 'we still have Aboriginal men and women coming to us who I know are nervous about that. They're nervous about coming into an office. They're nervous about walking down the street [to the office]'. We pick up on three concerns below that relate to the Community Corrections office: family friendly, culturally safe and a community resource.

12.1.1 A family-friendly space

Some of the women parolees we spoke with talked of the problem of **not being able to bring their children into the office** or the lack of consideration or amenity for children:

You can't even take your kids into the parole office. I took my kids in once – I took [daughter] with me. Yes, and she [CCO] was going to breach me. She goes, 'where's your mum?' I said, 'well, my mum had to do something'. And yes, she goes, 'next time don't bring your kids or I'm going to breach you'. (Mary, Parole Revoked, Reimprisoned)

Vivian (Parole Revoked, Reimprisoned) was asked whether there had been parole matters that had made it hard in terms of family. She responded, 'Just the kids. You know they should have somewhere for the kids to sit, you know, while they talk to you. It takes five minutes. Like a little playroom, sort of thing. The AMS has a playroom'. There is an obvious tension here between the desire expressed by some CCOs to involve family members in the supervisory process¹⁹ if the office is not welcoming and family friendly.

12.1.2 A culturally safe space

The importance of Aboriginal culture has been discussed in various parts of the report regarding its role in supervising Aboriginal people on parole, concerning the important work that ACSOs undertake and the need to **employ more Aboriginal staff within CSNSW**. One matter that bridges the importance of culture across these three groups is the concept of (and need for) cultural safety:

¹⁹ See Section 5.

I reckon it would be great if there was a genuine cultural safety space for our mob and our people. I'm sure that's an issue. For both staff and clients. (Frank, CCO)

The Aboriginal and Torres Strait Islander Social Justice Commissioner has defined cultural safety as:

[A]n environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning, living and working together with dignity and truly listening.

He has acknowledged that 'for Aboriginal people, a culturally safe environment is one where we feel safe and secure in our identity, culture and community' (ATSISJC, 2011, p. 123).

The absence of cultural safety is reflected when parolees express their fear of attending the Community Corrections office or their **concern at not being understood or listened to**. This issue is also reflected by ACSOs who feel their contribution is devalued or not understood. Likewise, it is reflected in the few Aboriginal staff who work in Community Corrections—particularly given that 22% of people on community-based orders²⁰ are Aboriginal and/or Torres Strait Islander—and the apparent difficulty in recruiting more Aboriginal staff.

For Frank (CCO), the problem of cultural safety was self-evident: 'There has to be. You know, we're dealing with historical stuff', and there was a need to 'really embrace or create some sort of cultural safety space'.

It is beyond the parameters of this report to elaborate on **how Community Corrections might develop cultural safety within its operations**. However, there are experienced Aboriginal staff members within the department able to provide guidance.

12.1.3 A community resource

We are aware that (at least) one ACSO periodically brings relevant **community organisations into the Community Corrections office for information sessions for parolees**. Vivian (Parolee) raised the idea of Community Corrections offices being more of a 'service centre': 'What about changing the actual building, making it not just a parole office? You know, a service centre. Somewhere where other people go [as well], not just parolees'.

We are aware of examples outside Australia where Community Corrections offices are seen as a community resource, where various services attend regularly, and the office is open to community members besides parolees. **The NeON (Neighbourhood Opportunity) project** developed by the New York Probation Department is a model for reconceptualising local probation and parole offices as a community resource. For example, the South Bronx office has various educational, literacy and numeracy

²⁰ Australian Bureau of Statistics. (n.d.). *Corrective Services, Australia: Latest Release*. <https://www.abs.gov.au/statistics/people/crime-and-justice/corrective-services-australia/latest-release#community-based-corrections>

programs; after-school activities; regular visits by social security, employment and health services; and community projects (such as art and poetry). The office is open to and utilised by members of the community. Indeed, when visiting the office, it is impossible to distinguish a probation/parole client from the various staff and community members using the services (Brown et al., 2016, pp. 108–110, 248–249).

A senior official with the New York Department of Probation describes NeON as:

our effort to invest into local communities... it is talking about our clients as members of families, members of communities that were in need of... empowerment with skills and resources and opportunities. We had a role in helping to make that happen. (Brown et al., 2016, pp. 108–110).

In our view, the vision of Community Corrections as a community resource has particular relevance to Aboriginal communities, given both the levels of need in the community and the overrepresentation of Aboriginal people in custody and Community Corrections.

12.2 Aboriginal Decision-Making within Community Corrections

There were several potential opportunities discussed in the interviews for developing **Aboriginal decision-making with Community Corrections**, all of which have the potential to impact positively on parole supervision. These opportunities included the development of an Aboriginal consultative forum and Elders/Aboriginal community involvement in supervision.

12.2.1 Aboriginal consultative forum

There was some discussion about the absence of an **Aboriginal consultative forum within CSNSW** that could provide input into policy development and programs. One CCO asked, 'Where is the structure to actually provide some input into innovation, decision-making and ideas or policy initiatives?' He went on to state that:

What we still have [is] non-Aboriginal people at the moment in most public service agencies across Australia making the decisions, making the calls. It's not about the people, they're good people. Why isn't there an opportunity to establish, to set up a consultative forum, that's fair dinkum... Why not really think about your workforce, drill down to it, understand it, think about what your resources available are, your levels of knowledge, possible input? You've got people who are genuinely grounded in their culture and their communities working for the organisation who I reckon, if you explored a bit more with them, would be really happy to be really engaged in the processes. (Frank, CCO)

One aspect of the role of a consultative forum would be to **provide input into policy**: 'our policies, I would say are mostly what we'll call generic-type policies... I wonder if there's some space for that to be adjusted or modified, and maybe such a [Aboriginal] forum could help to shape or amend some of that policy' (Frank, CCO).

12.2.2 Elders group

Several CCOs saw the potential for greater involvement of **Elders and community members** in decision-making. Mark (CCO) suggested the involvement of Elders and/or community members in making decisions about whether to breach an individual or not:

Breaching is where it becomes a bit of a problem. As soon as you use that word, forget it. Like, they don't want to know you. If we could involve an Aboriginal Elder or the Aboriginal community itself to determine whether this person should go to jail, rather than a statutory body, or some kind of combination of the two. I think that would work better, because they respond better to criticism from their peers than they do from authority. (Mark, CCO)

Camilla (CCO) had a similar suggestion, although she referred to the involvement of Elders and/or community as similar to the circle sentencing process:

I think if we can try and include, like they had the circle sentencing at one stage, [a] more culturally appropriate [process]. Include some members of the public that are influential Aboriginal people. That's the Elders, or service providers, or that have got other sorts of specific meaning to the community. Incorporating those people more to be helpful with the delivery of what we're trying to deliver. (Camilla, CCO)

Although Mark's suggestion is more tied to breaching and Camilla is thinking about service delivery, the basic premise of both is the same: the need to involve respected Aboriginal people in the process of supervision. Such a suggestion is certainly consistent with what is happening in other areas of justice, such as the courts. We also noted in Section 2.6.2 that in Western Australia, there had been a legislative base to local Aboriginal communities providing court-ordered supervision. Contractual arrangements between the WA Department of Corrective Services and Aboriginal communities allow for the local provision of community supervision for sentenced adults. It might also be worth considering how supervisory functions might be contractually delegated to accredited Aboriginal community-based organisations in some circumstances. These types of arrangements have also been developed in the Aboriginal child protection space (see, for example, s 12 of the *Victorian Children, Youth and Families Act 2005*).

12.3 Summary

The interviews demonstrate a concern about making Community Corrections offices an improved space for Aboriginal people and the community. There was a specific discussion of the need for a family-friendly space, a culturally safe space, and the office to act as a community resource. These ideas are not particularly unusual and would indeed support the NSW Corrective Services' *Aboriginal Strategy* (2014) of building closer ties with Aboriginal communities.

There was also discussion of other institutional-level responses that would assist in aiding successful supervision of Aboriginal parolees. One role of a consultative forum might be to provide input into policy development in areas such as the PGI or LSI-R or in broader initiatives such as introducing cultural safety principles within the department. Further institutional change that would reflect trends in other areas of justice includes greater involvement of Elders and community representatives in decision-making at the local level and the potential for greater involvement of Aboriginal community-controlled organisations in parole supervision.

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APPENDICES

Appendix A Semi-structured interview schedules

Corrective Services NSW – Exploratory Research into Post-Release Supervision and Community Integration in NSW

SEMI-STRUCTURED INTERVIEW GUIDE

Interview Participant Group 1 (Parolees and Ex-Parolees Reimprisoned)

Participant pseudonym:

CSNSW Location:

Consent Form Explained and Signed:

Introduction

Thank you for your time. Today we are going to talk about your **experiences with Parole Supervision and Community Integration**. We are particularly interested in discussing the things that made supervision work well for you or not so well, and what you see as areas that could be improved.

1. Demographic:

Gender:..... Age:.....

Length of time of involvement with Correctives Services under parole supervision:.....

Aboriginal or Torres Strait Islander or other cultural background?

i. Nation or Language group.....

ii. Any other cultural background.....

2. What has it been like to be back out and into the community? Are you back to a familiar area and community? How are things going for you generally?

Supervision

We are going to start by talking about your parole supervision

3. What is/was your relationship like with your parole supervisor? (Dive into any keywords used)

a. Have you been able to build a relationship? How has that developed or worked?

b. Do you feel as though you can trust your parole supervisor? Why/why not?

4. Are there some things that help to create a positive relationship or experience with your supervisor? Can you give me some examples?

5. What things may have made the parole supervision experience difficult for you? Can you think of some examples?
6. Did you feel as though you understood your parole conditions? Were there any particular conditions that were tough or difficult for you to comply with? Why? Was your parole officer understanding of these problems?
7. Are there any specific qualities of a supervisor that especially helped you? What do you think makes a good or helpful parole supervisor? Alternatively, what qualities of a supervisor did you think were unhelpful? Why?
8. What do you think the main role of a parole officer should be when supervising someone?
9. Did you feel that the parole supervisor understood Aboriginal people and was able to work well with Aboriginal clients? Can you think of examples that show this?
10. If you had the opportunity to change the way parole supervision works, what would you recommend? What things could be improved?
11. Do you have any ideas about improving the way parole supervisors work (e.g., any particular training for supervisors)?

Support

Now I'd like to ask about the support you received while on parole from community organisations

12. What agencies in the community have helped you while you have been/were on parole? What type of help have they provided? Were you referred there by your parole officer?
13. What would help (or have helped) you the most to prevent reoffending and to support you in the community? Can you tell why that is?
14. Have you re-established or kept up contact with your family? Has this helped you?
15. Are there any other particular problems with your health or with finding housing that have affected you?

Final reflections

16. Would you have any advice to give someone else who was going to be released on parole (i.e., in terms of the supervision experience)?
17. If you could, what would be the one major change with parole supervision that you want to tell policy-makers?
18. Do you have any further thoughts or ideas that you would like to discuss?
19. Would you like a copy of your transcript to be sent to you?
20. Are you happy to be contacted again for any follow-up questions?

Many thanks for your time and for working with us on this research project.

**Corrective Services NSW — Exploratory Research into Post-Release Supervision and
Community Integration in NSW**

SEMI-STRUCTURED INTERVIEW GUIDE

Interview Participant Group 2 (Community Corrections Officers)

Participant pseudonym:

CSNSW Location:

Consent Form Explained and Signed:

Introduction

Thank you for your time. Today we are going to talk about your *experiences with Parole Supervision and Community Integration, specifically with Aboriginal and/or Torres Strait Islander parolees.*

Preliminary

1. Can you confirm for us that you currently supervise or have supervised Aboriginal and/or Torres Strait Islander parolees?
2. How long have you been a Community Corrections Officer?

Supervision

3. Can you tell us a little about how your work in parole supervision responds to:
 - ensuring offenders' compliance with their legal orders (**the compliance function**)
 - rehabilitating offenders to promote behaviour change (**the rehabilitation function**)
 - addressing non-criminogenic factors that enable offender reintegration into the community (e.g., finding accommodation or employment) (**the social work function**)?
4. Thinking about these three functions (**compliance, rehabilitation, social work**), can you talk about how meeting each of these functions might be different for Aboriginal parolees? And are there any particular differences between men and women?
 - **compliance:** (e.g., is understanding and complying with parole conditions different for Aboriginal parolees?)
 - **rehabilitation:** (e.g., Community Corrections Officers are meant to be 'active agents of change' in achieving rehabilitative outcomes and promoting behaviour change. Does this play out differently for Aboriginal parolees?)
 - **social work:** (e.g., are there differences with Aboriginal parolees in addressing non-criminogenic factors?)

5. What impact do any of these differences make on how you do your supervision with Aboriginal parolees? Are there any particular differences between men and women?

6. Leaving aside the areas identified above, what other differences do you find when supervising Aboriginal parolees (e.g., cultural differences, the role of family/community)?

7. It is often recognised that building rapport and establishing relationships with people on parole can be challenging given their particular circumstances and issues with trust. Do you find any particular difficulties with establishing rapport and trust with Aboriginal parolees? Are there any particular differences between men and women?

8. Best practice in community supervision suggests that it is not only the supervision content or what is delivered in the supervision meetings that matter, but also the manner in which it is done and the relationship developed with parolees. In general, how would you characterise your relationship building with Aboriginal people on parole? Are there particular qualities of supervision/supervisor that help to establish relationship building?

9. How professionally well equipped do you feel you are to supervise Aboriginal people on parole? Are there particular training needs or other resources that would be helpful?

10. Do you have any suggestions about how the Practice Guide for Intervention might be developed/improved to meet the supervisory needs of Aboriginal clients?

Support

Now I'd like to ask about support for Aboriginal and Torres Strait Islander parolees from community organisations

11. Besides the assistance from Community Corrections, government departments or agencies, what have you seen helping Aboriginal parolees in the community sector?

12. Do you have any other ideas about who could/would help Aboriginal parolees? Why is that important in particular?

Final reflections

13. What advice would you give someone who was going to be supervising Aboriginal and/or Torres Strait Islander parolees?

14. If you could, what would be the one major change with parole supervision you would like to make? How might this benefit the supervision of Aboriginal and/or Torres Strait Islander parolees?

15. Do you have any further thoughts or ideas that you would like to discuss?

16. Would you want a copy of your transcript to be sent to you?

17. Are you happy to be contacted again for any follow-up questions?

Many thanks for your time and for working with us on this research project.

**Corrective Services NSW — Exploratory Research into Post-Release Supervision and
Community Integration in NSW**

SEMI-STRUCTURED INTERVIEW GUIDE

Interview Participant Group 3 (Aboriginal Community Service Officers)

Participant pseudonym:

CSNSW Location:

Consent Form Explained and Signed:

Introduction

Thank you for your time. Today we are going to talk about your *experiences with Parole Supervision and Community Integration, specifically with Aboriginal and/or Torres Strait Islander parolees.*

Preliminary

1. How long have you been working as an Aboriginal Community Service Officer (ACSO)?

Your Work

2. Can you tell us a little about your work as an ACSO, especially in terms of how you work with Community Corrections Officers and with parolees?

3. How do you see your role in the supervision process? What are the positives and negatives?

4. Are there particular issues that Aboriginal parolees have that impact on them differently to non-Aboriginal parolees, especially in the following areas:

- complying with parole conditions
- rehabilitation and addressing reoffending
- addressing non-criminogenic needs (e.g., finding accommodation or employment)
- reintegration back into the community

Thinking about the above, are there any particular differences between men and women?

5. As part of your role as an ACSO, you get to observe the development of case plans and supervision of Aboriginal parolees.

What is your view on whether these are designed, implemented and carried out in a culturally sensitive manner? Can you give some examples?

6. How well do you think Aboriginal parolees respond to current supervisory arrangements? Do you think different styles or approaches to supervision are important for Aboriginal people? If so, what might this involve? Is there something that helps create a positive supervision experience?

7. It is often recognised that building rapport and establishing relationships with people on parole can be challenging given their particular circumstances and issues with trust. How well do you think Community Corrections Officers establish rapport and trust with Aboriginal parolees? Can you give us some examples or specific obstacles?

8. From your observations, what particular qualities in a Community Corrections Officer do you think are the most important when supervising Aboriginal people on parole?

9. How professionally well equipped do you feel Community Corrections Officers are to supervise Aboriginal people on parole? Why? Can you think of some examples? Are there particular training needs or other resources that would be helpful?

10. Do you have any suggestions about how the Practice Guide for Intervention might be developed/improved to meet the supervisory needs of Aboriginal clients?

Support in the Community

Now I'd like to ask about support for Aboriginal and Torres Strait Islander parolees from community organisations

11. Besides the assistance from Community Corrections, government departments or agencies, what have you seen helping Aboriginal parolees in the community sector? Any key people or services?

12. Do you have any other ideas about who could/ would help Aboriginal parolees? Why is that important in particular?

Final reflections

13. What advice would you give someone who was going to be supervising Aboriginal and/or Torres Strait Islander parolees?

14. If you could, what would be the one major change with parole supervision you would like to make? How might this benefit the supervision of Aboriginal and/or Torres Strait Islander parolees?

15. Do you have any further thoughts or ideas that you would like to discuss?

16. Would you want a copy of your transcript to be sent to you?

17. Are you happy to be contacted again for any follow-up questions?

Many thanks for your time and for working with us on this research project.

Appendix B Participant Information and Consent Forms

PARTICIPANT INFORMATION AND CONSENT FORM

Exploratory Research into Aboriginal and Torres Strait Islander Post-Release Supervision and Community Integration in NSW

Corrective Services NSW HREC Approval Number D20/0509741

UTS HREC Approval Number ETH20-5214

WHO IS DOING THE RESEARCH AND CONDUCTING THE INTERVIEWS?

This research is being conducted by researchers at the Jumbunna Institute for Indigenous Education and Research at the University of Technology Sydney. The researchers are Professor Chris Cunneen (Chief Investigator), James Beaufile (Research Fellow) and Sophie Russell (Research Fellow). These individuals will also be conducting the interviews, either face-to-face or via the phone.

WHAT IS THIS RESEARCH ABOUT?

This research is looking at the experience of Aboriginal and Torres Strait Islander people on parole in NSW. The research will look at what is working well and what needs to be improved.

WHY HAVE I BEEN ASKED?

You have been invited to participate in this research because you have been identified as an **Aboriginal and/or Torres Strait Islander person who is currently on parole and under the supervision of Community Corrections NSW OR you have recently returned to a NSW prison after your parole was revoked.**

IF I SAY YES, WHAT WILL IT INVOLVE?

If you say yes, we will invite you to participate in an interview that will take about 45 minutes to 1 hour. The interview will take place at a time and location that is convenient for you and that respects your privacy.

With your permission, the interview will be audio-recorded so that it can be transcribed. Everything said in the interview will be completely confidential, and you will not be identified in any publications or reporting of the research.

Your involvement in the study is completely voluntary, and you may withdraw your participation at any time. During the interview, you do not have to answer any questions you do not want to, and you are free to stop at any time. Nothing bad will happen if you say you don't want to be in the study anymore and you don't have to give a reason. If you do choose to withdraw from the study, it will not affect your relationship with Corrective Services NSW, the University of Technology Sydney, or any members of the research team.

If you do participate in the study, you will be given a \$50 gift card as reimbursement for your time. If you are in prison, \$50 will be deposited in your buy-up account.

ARE THERE ANY RISKS/INCONVENIENCES?

Every effort will be made to minimise any risk and inconvenience to you. The interview will be conducted in a private and safe location where you feel comfortable.

You may be asked sensitive questions about personal matters, but you are free to stop the interview at any time or take a break. You are also free to take your time answering or not answering any of the questions. We will also provide the contact details of a culturally appropriate local counsellor in your area should you wish to speak with someone after the interview. Members of the research team will also be available in person or via telephone if you wish to contact us following the interview.

You will not be asked any questions about specific criminal activity. If you do reveal any information about specific criminal activity, the interviewer will stop the recording, rewind the tape and record over it.

DO I HAVE TO SAY YES?

Participation in this study is completely voluntary. You do not have to say yes if you do not want to.

WHAT WILL HAPPEN IF I SAY NO?

If you decide not to participate, it will not affect your relationship with Corrective Services NSW, the University of Technology Sydney or any members of the research team. If you wish to withdraw from the research once it has started, you can do so at any time without having to give a reason by contacting a member of the research team.

If you withdraw from the study, the transcripts and audio recordings of the interview will be destroyed. However, it may not be possible to withdraw your data from the study results if these have already had your identifying details removed or have already been published.

CONFIDENTIALITY

By signing the consent form, you consent to the researchers collecting and using personal information about you for the research project. All this information will be treated confidentially. Your name won't be used in any reports, and instead, a pretend name will be used. No information will be included that could identify you. All information will be kept on a password-protected computer that only the research team has access to. Your information will only be used for the purposes of this research project, and in all instances, your information will be treated confidentially.

We plan to publish the results in a report to Corrective Services NSW and academic journals. In any publication, information will be provided in such a way that you cannot be identified.

WHAT IF I HAVE CONCERNS OR A COMPLAINT?

If you have concerns about the research, please feel free to contact a member of the research team:

Chris Cunneen (Chief Investigator)

Phone: 0417 878 793

Email: c.cunneen@uts.edu.au

James Beaufils (Research Fellow)

Phone: 0437 360 986

Email: james.c.beaufils@student.uts.edu.au

Sophie Russell (Research Fellow) Phone: 0412 414 830

Email: sophie.russell@student.uts.edu.au

You will be given a copy of this form to keep.

NOTE:

This study has been approved by Corrective Services NSW Human Research Ethics Committee [D20/0509741] and the University of Technology Sydney Human Research Ethics Committee [UTS HREC Approval Number ETH20-5214]. If you have any concerns or complaints about any aspect of the conduct of this research, please contact the Ethics Secretariat [on phone: +61 2 9514 2478 or email: Research.Ethics@uts.edu.au], and quote the UTS HREC reference number. Any matter raised will be treated confidentially, investigated, and you will be informed of the outcome.

CONSENT FORM

Aboriginal and Torres Strait Islander Post-Release Supervision and Community Integration in NSW

CSNSW Ethics Committee Approval Number D20/0509741 and UTS HREC Approval Number ETH20-5214

I _____ agree to participate in the research project **Aboriginal and Torres Strait Islander Post-Release Supervision and Community Integration in NSW** [CSNSW Ethics Committee Approval Number D20/0509741 and UTS HREC Approval Number ETH20-5214] being conducted by Chris Cunneen, James Beaufils and Sophie Russell.

I have read the Participant Information Sheet, or someone has read it to me in a language that I understand.

I understand the purposes, procedures and risks of the research as described in the Participant Information Sheet.

I have had an opportunity to ask questions, and I am satisfied with the answers I have received.

I freely agree to participate in this research project as described and understand that I am free to withdraw at any time without affecting my relationship with the researchers, University of Technology Sydney or Corrective Services NSW.

I understand that I will be given a signed copy of this document to keep.

I agree to be: Audio-recorded

I agree that the research data gathered from this project may be published in a form that:

Does not identify me in any way

I am aware that I can contact any member of the research team if I have any concerns about the research.

----- /-----/-----
 Name and Signature [participant] Date

----- /-----/-----
 Name and Signature [researcher] Date

PARTICIPANT INFORMATION AND CONSENT FORM

Exploratory Research into Aboriginal and Torres Strait Islander Post-Release Supervision and Community Integration in NSW

Corrective Services NSW HREC Approval Number D20/0509741
UTS HREC Approval Number ETH20-5214

WHO IS DOING THE RESEARCH AND CONDUCTING THE INTERVIEWS?

This research is being conducted by researchers at the Jumbunna Institute for Indigenous Education and Research at the University of Technology Sydney. The researchers are Professor Chris Cunneen (Chief Investigator), James Beaufile (Research Fellow) and Sophie Russell (Research Fellow). These individuals will also be conducting the interviews, either face-to-face or via the phone.

WHAT IS THIS RESEARCH ABOUT?

This is an exploratory research project looking at Aboriginal and Torres Strait Islander people's experiences of post-release parole supervision and community reintegration. The project will identify aspects of the supervisory process that successfully assist individuals with reintegration and those areas that require improvement.

WHY HAVE I BEEN ASKED?

You have been invited to participate in this study because you have been identified as a **NSW Community Corrections Officer** who supervises Aboriginal and Torres Strait Islander people on parole or a **NSW Aboriginal Client Services Officer**.

IF I SAY YES, WHAT WILL IT INVOLVE?

If you say yes, we will invite you to participate in an interview that will take approximately 45 minutes to 1 hour. The interview will take place at a time and location that is convenient for you and that respects your privacy.

With your permission, the interview will be audio-recorded so that it can be transcribed. Everything said in the interview will be completely confidential, and you will not be identified in any publications or reporting of the research.

Your involvement in the study is completely voluntary, and you may withdraw your participation at any time. During the interview, you do not have to answer any questions you do not want to, and you are free to stop at any time. There are no penalties for withdrawing from this study, and you do not have to give a reason. If you do choose to withdraw from the study, it will not affect your relationship with Corrective Services NSW, the University of Technology Sydney, or any members of the research team.

ARE THERE ANY RISKS/INCONVENIENCES?

Every effort will be made to minimise any risk and inconvenience to you. The interview will be conducted in a private and safe location where you feel comfortable.

You will be asked questions about the operation, practice and frameworks of parole supervision in NSW, specifically regarding the supervision of Aboriginal and Torres Strait Islander people. We don't expect the questions to cause any harm or discomfort. However, if you experience feelings of distress as a result of participation in this study, you can let the research team know, and we will provide you with assistance.

DO I HAVE TO SAY YES?

Participation in this study is completely voluntary. It is completely up to you whether or not you decide to take part.

WHAT WILL HAPPEN IF I SAY NO?

If you decide not to participate, it will not affect your relationship with Corrective Services NSW, the University of Technology Sydney, or any members of the research team. If you wish to withdraw from the study once it has started, you can do so at any time without having to give a reason by contacting a member of the research team.

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Phone: 0417 878 793
Email: c.cunneen@uts.edu.au

Phone: 0437 360 986
Email: james.c.beaufils@student.uts.edu.au

Sophie Russell (Research Fellow)

James Beaufils (Research Fellow)

Phone: 0412 414 830 Email:
sophie.russell@student.uts.edu.au

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Aboriginal and Torres Strait Islander Post-Release Supervision and Community Integration in NSW

CSNSW Ethics Committee Approval Number D20/0509741 and UTS HREC Approval Number ETH20-5214

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I have had an opportunity to ask questions, and I am satisfied with the answers I have received.

I freely agree to participate in this research project as described and understand that I am free to withdraw at any time without affecting my relationship with the researchers, University of Technology Sydney or Corrective Services NSW.

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Does not identify me in any way

I am aware that I can contact any member of the research team if I have any concerns about the research.

----- /-----/-----
Name and Signature [participant] Date

----- /-----/-----
Name and Signature [researcher] Date