

Prisoners set free into prison?

Community Offender Support Program (COSP) centres

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INTRODUCTION

Justice is not accomplished if a prisoner finishes serving their sentence, and then continues to be held in prison. Yet this appears to be occurring to some degree in the new Community Offender Support Program centres (COSP). In what they described as “a major breakthrough in reducing re-offending”,¹ the Department of Corrective Services (DCS) opened a number of COSPs earlier this year. “On April 23 the first of 13 centres- the Nunyara COSP at Long Bay- was officially opened by Minister Hatzistergos followed by centre openings at Penrith, Windsor and Kempsey.”²

COSP centres are a new space that has been created between prison and the general community. Such a space should not exist. People should either be in prison, or not in prison. It should particularly not be under the control of DCS. The actions of DCS so far already show a gradual, more coercive shift in emphasis for the COSP centres. By having an in-between space under the control of DCS, expansion of their coercive apparatus into the community will be easier to justify in the future.

Justice Action has received a number of worrying reports about the treatment of the residents staying at these centres. This report explains the nature of the COSP centres, both the intention and practice, and assesses whether or not they are effectively fulfilling their goals. It also considers alternative approaches before and after release from prison that could potentially achieve these goals more effectively, most of which involve greater involvement from non-governmental organisations.

¹ NSW Department of Corrective Services, *Annual Report 2007-08*, <www.dcs.nsw.gov.au/>, p.8.

² Commissioner of Corrective Services, ‘From the Commissioner’, *Department of Corrective Services Bulletin*, December 2008, p.3.

WHAT IS A COSP CENTRE?

'Definition'

A COSP centre is defined in NSW as a “non-custodial, community-based service providing accommodation, re-settlement and reintegration for offenders.”³ As part of the State Plan, the NSW government has an objective of reducing the rate of recidivism by 10% before 2016.⁴ DCS has recognised that “the lack of stable accommodation- of the ability to access accommodation at all- can be a significant factor affecting re-offending.”⁵ The goal of these centres was that, through the provision of accommodation, DCS could attempt to address a major contributing factor to recidivism. As they are a recent development, COSPs have not yet had an examination of their justification and structure. However, in practice it appears that many of these initial goals have not been fulfilled.

'Which people are sent to COSPs?'

There is a misconception that COSPs have been set up “to help serious offenders who emerge from jail without means, job or residence,” as the Sydney Morning Herald reported.⁶ This is not the case. A DCS submission in February 2009 to a Senate Select Committee outlined the main priorities and “target population” for COSP centres:

“COSPs are a non custodial community-based service providing interim accommodation for between three to six months for community-based offenders

³ NSW, *Parliamentary Debates*, Legislative Council, 27 November 2008, <[http://www.parliament.nsw.gov.au/prod/parlment/nswbills.nsf/1d4800a7a88cc2abca256e9800121f01/fcf497940f36cdabca25750c00159c31/\\$FILE/LC%202R.pdf](http://www.parliament.nsw.gov.au/prod/parlment/nswbills.nsf/1d4800a7a88cc2abca256e9800121f01/fcf497940f36cdabca25750c00159c31/$FILE/LC%202R.pdf)>.

⁴ NSW Government, *State Plan*, <<http://www.nsw.gov.au/stateplan/index.aspx?id=8f782cbd-0528-4077-9f40-75af9e4cc3e5>> priority R2.

⁵ Commissioner of Corrective Services, ‘Year of the COSP’, *Department of Corrective Services Bulletin*, April 2008, p.9

⁶ Malcom Knox, ‘Forever a prisoner of the system’, *Sydney Morning Herald*, 10 December 2008, <<http://www.smh.com.au/news/national/prisoner-of-the-system/2008/12/09/1228584839293.html?page=fullpage#contentSwap2>>.

(parole, probation, home detention, post-conviction). The target population comprises those offenders who are unable to attain or maintain suitable accommodation and/or access to community support services and programs.”⁷

Most residents of these centres are therefore not necessarily “serious offenders” who are more likely to re-offend, or are deemed dangerous to the community. The residents are sent there because they could not find alternative accommodation. These are people with exceptional needs, not exceptional problems. On the basis of such definitions, the new space was justified, and received government funding designated for addressing homelessness.

It is true that other categories of people can also be sent to COSP centres, even according to the initial definition. Unfortunately, having people sent to the centres for a variety of reasons can mean that none of their needs are met effectively. The submission to the Senate Select Committee in February 2009 continued:

“In addition, crisis accommodation for up to 14 days is available at COSPs for offenders whose accommodation arrangements suddenly break down in the community. COSPs also provide an opportunity to stabilise and provide enhanced supervision of offenders who may be experiencing difficulties in adjusting to normal, lawful community life, and who may otherwise be re-incarcerated for a breach of parole or other community-based order.”⁸

These categories of people were not intended to be the “target population” of COSP centres. Nevertheless, once the justification and funding of this new space in-between prisons and the community had been established, the target population of these centres shifted. In September 2009, Commissioner Ron Woodham described some ways that it is

⁷ Commissioner of Corrective Services, *Submission to the Senate Select Committee on Regional and Remote Indigenous Communities*, 25 February 2009, p.6, <http://www.aph.gov.au/senate/committee/indig_ctte/submissions/sub68.pdf>.

⁸ Ibid.

possible for a person to be sent to a COSP centre in answer to questions during a Senate Standing Committee:

“One way is that it is a condition of the Parole Authority to go into a COSP centre as a stepping stone back into their own accommodation outside. Secondly, for every person who is placed on an extended supervision order by the Supreme Court, it is normally a condition that they be housed in a COSP centre for a significant period of time ... Thirdly, if someone is out in the community and they start to look a bit shaky, we think that rather than breaching them and putting them back into full-time custody we will bring them back into a COSP centre.”⁹

The initial so-called “target population” of prisoners who were not able to find accommodation upon their release from prison is now not even mentioned. Instead, the focus is on enhanced supervision and on restrictions forcing people to stay in COSPs due to parole or DCS’s view of their situation in the community. The trend away from the simple provision of accommodation to address homelessness towards more typical coercive corrective services methods is clear. This change in emphasis, however, has not meant that their funding to address homelessness has been removed, or that the centres have had to be justified again. At present, changes could easily occur in the future to further remove this dangerous new space between custody and community from its initial justification.

⁹ General Purpose Standing Committee No.3, Tuesday 15 September 2009, Examination of proposed expenditure for the portfolio area: Corrective Services, Public Sector Reform, Special Minister of State, p.4-5

'Community based?'

The above definition describes COSPs as “community-based”, alternatively expressed as having “strong community links.”¹⁰ This should be a vital feature of the centres, because residents should no longer be prisoners, but rather free members of society. However, the extent to which COSPs are community-based is limited.

COSPs are run by DCS, a government organization. The relevant statute provides that workers in the COSPs are to be DCS employees.¹¹ According to DCS, with the “focus now on establishing stronger and lasting community links- in line with the key objectives of the State Plan- Community Offender Services is back in charge again.”¹² The continued reliance on DCS to organise post-release care, including COSPs, is inconsistent with the stated desire of increased community involvement.

Even most of the support organizations provided to residents are government-based or government-run. Examples include Centrelink, NSW Housing, NSW Health, and representatives from the local council, police and TAFE.¹³ These are all government-related organizations. While a small number of truly community-based organizations may be involved, the overwhelming links with governmental agencies mean that residents are less likely to trust those who may have the power to give them assistance.

Education services provided to residents are also often internalised, rather than community based. Director Community Offender Services Penrith Tim Putnam boasts that some of these programs “are run through the Penrith Community Offender Services (COS) District Office, which reflects the strong internal cooperation within the

¹⁰ Commissioner of Corrective Services, ‘New Age COS Works Release Program’, *Department of Corrective Services Bulletin*, February 2009, p.6.

¹¹ *Crimes (Administration of Sentences) Act 1999*, s236(o).

¹² Commissioner of Corrective Services, above n9, p.4.

¹³ *Ibid.*

Department's Penrith Cluster."¹⁴ However, that is a problem, not something DCS should be proud of.

Additionally, many of the COSPs are situated at the same location as a prison. In Cooma "the jail, transitional housing and community services are all situated in one location."¹⁵ This situation further reduces the extent to which COSPs are community based, as residents will feel that they are still based in prison, rather than in the community. Commissioner Ron Woodham has claimed that "none" of the COSP centres "are co-located with custodial centres."¹⁶ This is a blatant distortion of the truth. It is not an outright lie, thanks to the technical definition of "co-located" requiring the correctional centre and COSP to "share or designate to share the same place."¹⁷ For example The Nunyara COSP is located "in the grounds of Long Bay jail" though has "its own separate entrance through which residents are free to come and go."¹⁸ So technically the custodial facilities are located immediately next to the COSP centre, rather than being co-located with the COSP centre. Nevertheless, according to the everyday meaning of "co-located", "nearly all of the 12 COSP centres to be opened in 2009 are to be co-located with existing or planned correctional facilities. The three COSPs opened in 2008 are Nunyara at Long Bay, the old periodic detention centre, Boronia COSP at Emu Plains Correctional Centre, and Windsor COSP at John Morony Correctional Complex."¹⁹ Commissioner Woodham's attempt to cover up the fact that some COSPs are located immediately next to correctional facilities suggests that he too realises this situation is a problem that restricts the extent to which the centres are community-based.

¹⁴Commissioner of Corrective Services, 'Boronia COSP finds its feet', *Department of Corrective Services Bulletin*, August 2009, p.6

¹⁵'Jail Open for Rehab' *Cooma Express*, 21 July 2009, <<http://www.coomaexpress.com.au/news/local/news/general/jail-open-for-rehab/1573610.aspx>>.

¹⁶ General Purpose Standing Committee, 15th September 2009, above n7.

¹⁷ Dictionary.com Unabridged, 'co-locate,' Random House, Inc., <<http://dictionary.reference.com/browse/co-locate>>.

¹⁸ 'Forever a Prisoner of the System', *Cooma Express*, 10 December 2008, <<http://www.coomaexpress.com.au/news/national/national/general/forever-a-prisoner-of-the-system/1382253.aspx?storypage=0>>

¹⁹ Denise Weelands, 'Residential Centre or Day Prison? The Case of COSP' (2009) 20(3) *Current Issues in Criminal Justice*, 485, p.486.

The Council of Social Service of New South Wales (NCOSS) proposed the establishment of bail hostels in their Law, Justice and Safety State Plan Recommendations. A qualification was that they “must be run separately to Corrective Service facilities and must be based in homes in the general community. They need to be operated by NGOs and be linked with other ongoing community support services.”²⁰ These recommendations were for people who “would otherwise be held in custody.”²¹ These characteristics are even more vital in COSPs, whose residents would otherwise be free in the community. These points illustrate how little practical community involvement in COSPs is evident, despite DCS’s claims.

‘Non Custodial?’

As the residents of COSPs are no longer prisoners, the centres are also supposedly non-custodial. Executive Director of COS Lee Downes said in a magazine provided for DCS employees, that “people need to remember that those residing in COSPs are not inmates, but offenders on parole or community-based orders with all the freedom that entails.”²² This shows the common misconception, even amongst DCS workers, who consider residents of COSPs as inmates. Commissioner Woodham describes how “most of the people in there have been trained in our department as probation and parole officers.”²³ This has meant in many instances that the treatment of residents of COSPs have many custodial characteristics.

For example, a number of restrictions are placed upon residents of COSPs. Minister for Justice John Hatzistergos said residents will be required to “remain drug and alcohol free ... undertake community work and participate in reducing offending behaviour programs.”²⁴ Commissioner Woodham explains how residents are only “fairly free to move where they wish” and “have to be back in our facility by a certain time of the day,

²⁰ Council of Social Service of New South Wales, Law, Justice and Safety State Plan Recommendations

²¹ Ibid

²² Commissioner of Corrective Services, above n9.

²³ General Purpose Standing Committee, 15th September 2009, above n7.

²⁴ Commissioner of Corrective Services, ‘Minister opens first COSP’, *Department of Corrective Services Bulletin*, June 2008, p.8.

and that varies.”²⁵ Prohibitions on things such as alcohol, which would be freely available to them were they in their own accommodation, are not justified. Were these restrictions necessary, they would also apply to those people who have been able to find their own accommodation.

Restrictions imposed by the directors of COSPs and other custodial characteristics of the centres have been reported by residents. Some examples are listed below.

- One COSP was described as having “just the feeling and look of a prison with high fences, small communal spaces and cell like room even though each person has his own key.”²⁶
- Residents at one COSP all had their mobile phones confiscated.
- “Every day movements are micro managed to the extent that infringements are noted on a whiteboard available for all to read.”²⁷
- “Constant requirement for permission to go anywhere,” with a requirement for the application to be submitted two weeks in advance.
- “Telling tenants they can not travel in a car together if one of them has a car then sends them altogether on a train to a meeting in the city so their exercise of keeping them apart was pointless.”
- Approval is required from DCS for any proposed new accommodation, however, there are “constant knock backs on external accommodation without any reason ... it comes across more like they don't want them to leave or change areas ... An unnecessary control game!”
- In contrast, another resident felt he was “under such pressure from the COSP to move out that they called in the CCG to search my room hoping to breach me.”²⁸

These regulations and restrictions are for people who would have no such restrictions if they obtain or had obtained their own accommodation prior to release.

²⁵ General Purpose Standing Committee, 15th September 2009, above n7.

²⁶ Weelands, above n17.

²⁷ Ibid.

²⁸ Quotes from anonymous residents of COSP centres.

A sample weekly plan requires a resident to wake up, eat breakfast, and have completed their chores by 9am on each weekday, have provided “activity, address, contact person, phone no.” details about every time they leave the COSP, and be back by their curfew of 6pm. A different resident referred to the situation in COSPs as “nothing more than day leave by another name.” It is true that COSPs seem remarkably similar to the situation of schemes such as day leave or works release. However the key difference is that these other schemes take place prior to release, while residents of COSP centres are supposed to have already finished their sentence. They should therefore be free from such custodial restrictions which are not applied to recently released prisoners who have found their own accommodation.

Criminologist Denise Weelands insightfully asks: “Should critical criminologists name a program that could be up to six months duration, is located in a custodial setting and has the hallmarks of a prison, as custodial?”²⁹ The question of whether or not COSPs are custodial should not arise. People should either be free or in prison, and any such transition to the community should apply to all prisoners during their sentences. Extending even parts of the prison system into the community should not be tolerated. The end result is the creation of an in-between state for people who are supposed to be free, which is neither prison nor community, and which is both unnecessary and harmful.

‘Providing Services?’

Another objective of COSP centres is to “provide a supportive environment ... where offenders can be motivated to undertake personal change... and ... to assist offenders to develop the skills required to resettle in the community.”³⁰ This is achieved through “access to targeted programs and services that address criminogenic behaviours; case management including the development of life skills, education and employment assistance”³¹ Examples from Boronia COSP are substance abuse programs Getting

²⁹ Weelands, above n17, p.489.

³⁰ NSW, *Parliamentary Debates*, above n8.

³¹ NSW, *Parliamentary Debates*, Legislative Council, 4 December 2008, <<http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA20081204011>>.

SMART and SMART Recovery, TAFE's Pathways to Education Employment and Training program and "the Life Management Program, which aims to help participants recognise issues and actions that have had a negative impact on their lives. It is designed to assist female offenders develop skills to improve their communication skills and behavior."³²

These are all worthwhile services, however the major problem is that they should have been provided to all residents prior to their release from prison. If these programs really are necessary, any former prisoners who were able to find their own accommodation will not have had the assistance of this training and support. Furthermore, "some services, such as domestic violence programs for offenders, are simply not available in the community. Other services are reluctant to accept parolees with complex needs."³³ The staff of these centres "don't have the resources of a correctional centre. There is no IAT, no Justice Health."³⁴ One person was told that he "could be treated if he stayed in jail, but not if he left."³⁵ Arrangements should be made so that such necessary services are accessible both prior to their release from prison, and once residents are released and find their own accommodation.

An additional problem is that it seems some of these services are not being provided to an effective standard. In addition to the services being weakened by not being community-based, staffing of the COSP centres is poor. "Sarah Brennan, the Corrective Services senior manager in charge of COSP, told the court that the Malabar centre was staffed mainly by female unskilled employees who did not have the capacity to look after the high-risk offenders."³⁶ One former COSP resident points out that "there was no appreciation of individuals' capacities and capabilities." As a 65 year old, he said he knows "how to budget, obtain licences, bank accounts and organise accommodation," but for his specific needs "no programmes or support re sex offending was available" and his

³² Commissioner of Corrective Services, above n13.

³³ Knox, above n5.

³⁴ Commissioner of Corrective Services, above n9.

³⁵ Ibid.

³⁶ Knox, above n5.

application for psychiatric help “was refused on grounds of cost.”³⁷ These flaws in the provision of services through COSP centres are major obstacles to effective rehabilitation.

‘Effectiveness?’

The success of the COSP centres in achieving their goal of reducing recidivism is as yet unknown. Statistics have not yet been released regarding their impact on recidivism. However, even if the general goals of these centres are being met, this success still does not justify the extreme prison-like measures used to achieve them. The extension of coercive power into the community should not be allowed. There are better alternatives that could be used to address homelessness and hence reduce recidivism.

Commissioner Woodham claims that “if you were talking to the Parole Authority here today, they would say that it works very well.” The centres certainly have been successful in justifying more funding and some good publicity for DCS. As to whether they have been achieving their more specific stated objectives, the fact that a number of different centres exist also makes it difficult to evaluate success. Some centres may be more effective than others, due to a number of potential reasons such as the staffing and community programs available in the area. However, there has not been a great deal of success in general. Most of the COSPs are not very effective in their attempts to be community based, non-custodial, or service-providing centres.

³⁷Details from an anonymous letter from a former COSP resident.

ALTERNATIVES?

'Reduced reliance on DCS'

One obstacle to appropriate alternatives to being considered is the continued reliance on DCS to organise aftercare. There is a need to “move beyond the idea that because we are dealing with newly released prisoners it is corrective services who must take carriage of post-release program development, delivery and evaluation.”³⁸ Corrective services departments, such as DCS in NSW, are typically less open to alternative solutions, wanting to maintain and extend the influence of their own department. “A whole of government approach in this area is preferable as it has the advantage of not being drive by criminal justice priorities”³⁹ Even more important, however, is the increased involvement of non-government organisations. “The responsibility to reduce crime and build safer communities is not simply the domain of those agencies charged with overseeing the administration of the criminal justice system,”⁴⁰ but also non-governmental organisations. Even when funding is provided to such organisations to achieve progress in these areas, it is still usually allocated via DCS. Responsibility for reducing recidivism needs to be spread more widely, in order to have a broader perspective on potential solutions.

'Non-governmental organisations'

Non-governmental organisations have a greater potential to address the needs of prisoners in a humane way, and hence reduce re-offending. “Contemporary research attests to the efficacy of community-based interventions with offenders, which promote restoration to the community, and address the issues underlying offending behaviour.”⁴¹

³⁸ Emma Ogilvie, ‘Post-Release: The Current Predicament and the Potential Strategies’ (2001) *Australian Institute of Criminology*, <www.aic.gov.au/crc/reports/ogilvie.html>, p.1.

³⁹ Weelands, above n17, p. 485.

⁴⁰ Mindy Sotori, ‘Position Paper for Beyond Bars- Response to NSW State Plan’, (2006) *Beyond Bars*, <www.beyondbars.org.au/Stateplanresponse.doc>.

⁴¹ Probation and Community Corrections Officers’ Association, ‘NSW Criminal Justice Plans Revealed’ *Media Release*, 3 November 2005.

Non-governmental organisations have “been active in attempting to cater to the special needs of post-release prisoners” in such ways for a long time.⁴² However these organisations “survive on the bases of rather precarious base funding, inadequate resourcing, and a concerning dependence on volunteer labour.”⁴³

Therefore, more funding needs to be directed towards non-governmental organisations. Currently, money intended to reduce homelessness is being directed towards COSP centres. This illustrates how “claims that rehabilitation in COSP will work justifies the retention of resources in the correctional sector.”⁴⁴ Instead, funding relating to the provision of housing could be allocated to organisations such as the Community Restorative Centre or Homelessness NSW. DCS often looks at things from a financial point of view. An example is the emphasis in a DCS report that “COSPs ... will achieve significant improvements in the efficiency and cost effectiveness of offender management.”⁴⁵ It is easier for non-governmental organisations to evaluate programs based on their merit for reducing recidivism, rather than on their cost-effectiveness. This involvement by non-governmental organisations should occur both prior to and after release from prison.

‘Pre-release alternatives’

COSP centres claim to provide a range of services that should instead be provided prior to release. If these services are provided in COSP centres, people who are released from prison and are able to find their own accommodation will not receive the benefit of these programs. According to a DCS research publication, “the reduction of recidivism can be seen as one of the fundamental goals of the correctional system.”⁴⁶ However obstacles to this include that fact that “there exists, amongst some custodial staff, the view that

⁴² Ogilvie, above n.36, p.4.

⁴³ Ibid.

⁴⁴ Weelands, above n.17, p.488.

⁴⁵ DCS 07/08 Annual Report, above n.1, p.28.

⁴⁶ Thompson, ‘Recidivism in NSW: a General Study’ (1995) *DCS Research Publication* no.31, p.3.

prisons are primarily places of correction, not training.”⁴⁷ Programs furthering such a fundamental goal should therefore have a greater emphasis during prison terms.

These programs could take a variety of forms. Currently existing vocational education and training (VET) programs “include the provision of pre-release/transition and employment programs, the opportunity to be involved in meaningful prison work, the expansion of vocational training, and more access to advice about health services, education, training and housing prior to release” as well as the opportunity to complete educational diplomas or university degrees.⁴⁸ However, NCOSS pointed out in their report that “opportunities for inmates to participate in suitable rehabilitation programs have not kept up with this growth in prisoner numbers.”⁴⁹ Their recommended action was to “increase funding for inmate rehabilitation programs to reverse recent falling participation rates” and to ensure that “there are a variety of programs aimed at different cognitive levels within the prison population.”⁵⁰ A study in Queensland found that recidivism reduced by 9 percent if a prisoner had completed VET before their release from custody.⁵¹ There are many other programs that could be implemented prior to release that address other issues which contribute to recidivism, however a discussion of these is outside the scope of this article.

However, specifically in relation to housing, the aspect of recidivism that COSPs were designed to address, improved assistance for prisoners to find housing should be provided in prisons. This would include removing the barriers that currently exist for prisoners trying to find housing. Currently, prisoners can be “cut off waiting lists for public housing, through being incarcerated” and they “are often not aware of the exact time they

⁴⁷ Australian Institute of Criminology, ‘Reducing recidivism through vocational education and training programs’ (2008) *AICrime reduction matters*, no.65, <<http://www.aic.gov.au/en/publications/current%20series/crm/61-80/crm065.aspx>>.

⁴⁸ Ibid

⁴⁹ Council of Social Service of New South Wales (NCOSS), ‘Department of Justice: Corrective Services’, *Law, Justice and Safety State Plan Recommendations* (2008).

⁵⁰ Ibid.

⁵¹ V Callan & J Gardner, ‘The role of VET in recidivism in Australia’, (2007) in Dawe S (ed), *Vocational education and training for adult prisoners and offenders in Australia: research readings*, 27-36.

may be released ... and so are unable to apply for public housing while within prison.”⁵² Ensuring that every prisoner has housing arranged prior to their release would prevent, or at least substantially reduce the need for COSPs.

While ideally in-between areas between prison and the community should be avoided completely, if such a space is to continue, it should also exist prior to release. Works release is an existing example. A further example is DCS’s new facility called Balund-a, which involves offenders being “sent to work on a cattle farm in northern NSW instead of jail.”⁵³ Residents at Balund-a “are free to leave whenever they like, there are no bars or high fences,”⁵⁴ though residents will be sent to prison if they do walk out of the program. It is important to emphasise that the residents of this facility are people who have been convicted of crimes and are yet to serve their sentence, unlike the residents of COSPs, who have already completed their sentences.

Although the program does also have weaknesses, the Balund-a facility illustrates several qualities that should be imitated in attempting to reduce recidivism. Firstly, it is an example of education and support being provided prior to release, or in this case, even prior to sentencing. These programs “increase educational, vocational and employability skills”⁵⁵ and have “a strong focus on cultural connection, literacy, life skills, substance abuse treatment and rebuilding family and community relationships.”⁵⁶ A related positive aspect about the Balund-a program is that it is tailored to each individual. The “content and delivery will reflect the needs of the predominantly Aboriginal clientele”⁵⁷ in ways such as the fact that “as well as learning how to budget and write job applications, elders teach the men turtle diving, cooking around a stone campfire, Aboriginal art and how to clean a porcupine.”⁵⁸ Vitality, “programs are delivered as far as possible by community-

⁵² Ogilvie, above n.36, p.3.

⁵³ ‘Cattle Pens Offer a Second Chance’, *Sydney Morning Herald*, 6 August 2009, <<http://www.smh.com.au/national/cattle-pens-offer-a-second-chance-20090805-ea2q.html>>.

⁵⁴ Ibid.

⁵⁵ Commissioner of Corrective Services, above n6.

⁵⁶ Britt Smith & Nick Ralston, ‘Indigenous Offenders Working on Farm’, *The Australian*, 5 August 2009, <<http://w1.theaustralian.news.com.au/story/0,25197,25887489-5006784,00.html>>.

⁵⁷ Commissioner of Corrective Services, above n6.

⁵⁸ ‘Cattle Pens Offer a Second Chance’, above n51.

based groups.”⁵⁹ The principles of tailored education and support, prior to release from prison and provided by community groups should be put into practice in other areas of rehabilitation.

‘Post-release alternatives’

While these pre-release measures are essential, “crucially, genuine rehabilitation simply cannot be undertaken solely within the prison environment and must be undertaken at the post-release phase.”⁶⁰ The ways in which this is currently occurring are not acceptable. Again, more support should be given to the work of community organisations. “The NSW Department of Corrective Services does fund non-governmental organisations, through the Community Funding Program, to provide a range of support services to offenders and their families; however, the funding to these services have not matched the increase in the number of people requiring these programs.”⁶¹ In fact, funding for “community support for people exiting prisons in NSW” receives less than 0.1% of the DCS budget.⁶² However, “despite these very small budgets, the programs run by community groups have had astounding success at keeping high-risk offenders from returning to custody.”⁶³

An example of such an organisation in NSW is the Community Restorative Centre (CRC). “CRC provides a range of support services to prisoners, ex-prisoners, and their families and friends.”⁶⁴ This includes “a three tiered housing program to address short, medium, and long term post-release needs”⁶⁵ of recently released prisoners. This support also continues after initial housing has been found through mentoring programs, along with “on-going outreach support to clients to assist them in maintaining their tenancies

⁵⁹Commissioner of Corrective Services, above n6.

⁶⁰ Ogilvie, above n.36, p.5.

⁶¹ Council of Social Service of New South Wales (NCOSS), above n47.

⁶² Mindy Sotori, above n.38.

⁶³ Ibid.

⁶⁴ Community Restorative Centre, ‘Services Provided by CRC’, <<http://www.crcnsw.org.au/services/intro.htm>>

⁶⁵ Community Restorative Centre, ‘Accommodation’, <<http://www.crcnsw.org.au/services/accomm.htm>>.

long-term, enabling them to become part of the local community.”⁶⁶ Such support is ideally provided through non-governmental organisations, as former prisoners are often less open, trusting, and willing to develop relationships with governmental organisations.

‘Evaluation’

Whether one of these alternatives is chosen, or something completely different, it is important that a publicly reported evaluation is completed. “In the United Kingdom, Lewis reports that ‘of 220 programmes studied by Underdown and Ellis in 1998, barely a dozen on them had been run well enough to be called successful.’”⁶⁷ It is not unreasonable to expect that statistics about these governmental post-release programs would be comparable in Australia at the present time. “Imprisonment comes at the cost of services foregone to the community, including education.”⁶⁸ So if measures to reduce recidivism are more successful, the community will benefit in many ways. Commissioner Woodham, has assured a General Purpose Standing Committee that DSC is planning to have the Faculty of Social Work from the University of New South Wales complete a “proper evaluation” of the effectiveness of COSPs.⁶⁹ This is a promising indication, provided that the proposed review does go ahead. No method will ever be perfect, but with so much money being spent, and with people’s lives being affected, it’s important that aftercare is as effective as possible.

⁶⁶ Ibid.

⁶⁷ Ogilvie, above n.36, p.7.

⁶⁸ (PACCOA media release, pg 2)

⁶⁹ General Purpose Standing Committee No.3, Tuesday 15 September 2009, Examination of proposed expenditure for the portfolio area: Corrective Services, Public Sector Reform, Special Minister of State, p.4-5
<http://www.parliament.nsw.gov.au/Prod/parliament/committee.nsf/0/F8147050438FE89FCA2576330001382E>

CONCLUSION

The original goal DCS had for the COSP centres is an admirable one: reduction in recidivism rates. However, the methods they have employed to achieve this goal are flawed in both theory and practice. It is little wonder that COSPs are causing so much concern, since there seems to be much confusion in a variety of contexts as to what COSPs actually are. This in turn is not surprising due to the lack of information in the public domain regarding the planning, funding and operation of COSP centres. There needs to be an official, and public, review of what seems to be currently an unjust and ineffective system.