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Towards effective throughcare approaches for Indigenous people leaving prison in Australia and New Zealand

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Introduction

In 2018, the Australian Law Reform Commission's *Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples* concluded that a cycle of reoffending can result for those prisoners who are released from prison without support to transition into the community. It noted that incarceration leads to significant disruption in a person's life that can include the loss of employment, housing, relationships and social support (see also Abbott et al. 2017) and identified the need for throughcare programs to be made more readily available (ALRC 2018). Although a large number of organisations, both government and non-government, now provide these programs, submissions to the Commission only identified a small number of programs that had been developed specifically for Indigenous¹ prisoners – and these were diverse in terms of both the scope and the types of service that were offered. The purpose of this Brief is to consider the current status of throughcare programs in both Australia and New Zealand and to identify some key issues going forward.

The term 'throughcare' has been used in various fields, including health and social work for many years, but was first used in Australian and New Zealand correctional settings in the late 1990s to refer to the provision of pre- and post-release services for prisoners. Broadly, the term is used to refer to programs that aim to break the cycle of reoffending by improving continuity between a prison sentence and life in the community after release (Baldry & Sotiri 2018). However, the services provided by throughcare programs are referred to using a range of different terms, including 'end-to-end offender management', 'transition management', and 'resettlement'. Other terms that are also commonly used include 're-integration', 're-entry', and 'aftercare' (Moore 2011; Willis & Moore 2008).

In a context in which multiple agencies are often responsible for service delivery, the lack of shared understanding about the meaning of the term throughcare and the absence of a common language to classify different programs prohibits the setting of common performance indicators against which program success can be measured. Progress in this area has been made in the US where the term re-entry has been adopted. This followed significant federal investment (through the US\$100 Serious and Violent Offender Re-entry Initiative, see Berghuis 2018) for a total of 89 adult and juvenile programs that provide services that provide offer continuity of services, involving *institutional* (up to 6 months before release), *structured re-entry* (6 months before release and 30 days after), and *integration* (31-plus days after release) components (see Taxman, Young, Byrne, Holsinger & Anspach 2003). The integration stage is regarded as the most critical period for service delivery, given that the risk of recidivism is considered to be highest at this time (Langan & Levin 2002). Nonetheless, in Australia and New Zealand there is a need for policy makers to adopt consistent terminology to describe the range of services and programs that might be made available to Indigenous people before they leave prison and after they return to the community.

Throughcare in Practice

Although there are numerous examples of throughcare programs that have been trialled across both Australia and New Zealandⁱⁱ, these are often pilot projects. They may be government-funded (and sometimes designed) but are run by non-government organisations and subject to short-term funding cycles which makes formal documentation relating to either service description or participant outcomes difficult to access. This creates significant difficulties in efforts to even describe current throughcare services, let alone to identify those that achieve the best outcomes or to make

meaningful comparisons between different programs. In New Zealand, for example, Gilbert and Wilson (2009:1) have observed that despite “some activity regarding the reintegration of Maori offenders, there is little published work describing specific program approaches”. In fact, it is probably the case that there are currently no throughcare programs in New Zealand - if throughcare is defined as the provision of a single program with institutional, structured re-entry, and integration services components. There are, however, a number of programs that do provide ‘aftercare’ (i.e., post-release support) and offer pathways through which prisoners can reintegrate back into the community (Box 1).

Box 1: Tai Aroha, a government-run, open community residential program for high risk adult male offenders based in the Waikato region of New Zealand

Tai Aroha is offered to male offenders who have been assessed as being at ‘high-risk’ of future serious offending and who are serving community sentences. It is a modular program utilising a rolling (open) group format in the context of a therapeutic community, which is supported by intense case management from departmental psychologists, probation officers, and the house manager. Participants are expected to stay for 14 to 16 weeks in order to allow for passage through the programme phases such as orientation, full residence, transition/ bridging, and through-care. This last component involves a 6-week minimum period after which participants can continue their involvement with the program on a voluntary basis. In the first two years of operation, Tai Aroha residents are mostly of Maori descent (74%), a higher proportion than the broader community offender population (45%) (King 2012).

In Australia, submissions to the ALRC made reference to four different programs (although many others clearly exist), each of which was referred to as a ‘throughcare’ program (Box 2).

Box 2: Examples of Australian Throughcare Programs (adapted from ALRC 2018)

The Young Women Christian Association Darwin voluntary transitional program provides 6 months pre- and 12 months post-release support for female offenders whether they are on remand, sentenced or under a community corrections order. The program offers case management support, learning opportunities and practical assistance to re-engage with the community (including reconnection with children, family and community, accommodation and education and employment pathways and help with transport), as well as focusing on personal development, and parenting, life and social skills. An independent evaluation of this program is reported to be underway.

The **WA Fairbridge Bindjareb** program provides workplace training for male prisoners to operate machinery. This includes training, qualifications, lifestyle and personal development training, the inclusion of mentors and Elders, and the provision of temporary accommodation where required. Those placed in the program are relocated to the Karnet Prison Farm and travel to Fairbridge Village daily to participate.

The **NSW Community Restorative Centre** post-release programs start prior to release and are community-based, long-term, and be staffed by skilled and dedicated workers who are able to incorporate system advocacy.

ACT Corrective Services’ Extended Through Care Program provides services to all sentenced detainees as well as to female detainees on remand. Participants are identified four months prior to release and a case manager allocated to develop a release plan. They are then referred to partner service providers that provide support in particular areas of need, with Indigenous detainees given a choice of providers depending on their individual needs and preferences.

It is clear from the throughcare literature that some throughcare programs target a specific area (e.g., substance use), whilst others have multiple goals (e.g., employment, housing, social support, and substance use). Some aim to provide continuity of service, transcending the period from prison through to the community, whereas others will only be available at certain times (e.g., pre-release). The unifying feature is probably the provision of intensive support based on structured assessment and case planning (ALRC 2018), although the defining feature of service delivery is typically case management. The Council of Australian Governments

in their 2016 *Prison to Work* report, for example, describes throughcare projects as providing “comprehensive case management for prisoners in the lead up to their release from prison and throughout their transition to life outside, with good throughcare starting in custody well before walking out of the prison gate” (p.62). MacDonald et al. (2012:3) have, however, described ‘throughcare’ as beginning much earlier; drawing on the work of Clay (2002), these authors see throughcare as an umbrella term that relates to the continuous, co-ordinated and integrated management of offenders from the offender’s first point

of contact with correctional services to their successful reintegration into the community and completion of their legal order. Both descriptions nonetheless emphasise the “importance of intervention, service coordination, and support” (ALRC 2018:315) (Box 3).

Box 3: Correctional Case Management

Correctional case management systems in both Australia and New Zealand involve a sequence of activities related to assessment, goal setting and planning, monitoring, and reviewing progress. It typically involves six related stages. The first stage, admission, involves an intake assessment and assignment to a case manager. This is then followed by an assessment stage, screening, in which offender needs are assessed (this includes screening for risk of reoffence, needs, and eligibility for home detention or bail). The next stage, planning, is where the case plan is developed, and is followed by the supervision stage (face-to-face contacts, exchanging information with other agencies). Finally, a 6-month review takes place (although more frequent reviews occur depending on the length of the order), which is followed by case closure, reintegration, and exit. The frequency of the supervision and monitoring of offender responsibilities, such as attendance at programs, is determined by the outcome of an initial screening process, with higher risk offenders receiving what has been termed “intensive” case management or supervision. This requires more frequent supervision meetings and referral to targeted programs.

KEY POINT 1: *It is not possible to understand ‘throughcare’ programs when there are inconsistencies in how programs are defined and the type of services that are provided. There is a need to develop a shared terminology, used across jurisdictions, to classify different types of program.*

Evaluation of Throughcare Programs

A useful starting point to efforts to identify evidence about program outcomes for Indigenous prisoners is to search the Australian Criminology Database - Aboriginal and Torres Strait Islander Subset (CINCH-ATSIS). This is a bibliographic database that indexes and abstracts articles from published and unpublished material on all aspects of crime and criminal justice and includes information on the involvement of Aboriginal and Torres Strait Islander peoples in the justice system. It collates both published and grey literature (e.g., Koori Mail articles). However, searches using the keyword ‘throughcare’ in the title or abstract of the paper produced just six articles, although a search using the term ‘re-entry’ produced nine articles, and ‘reintegration’ a larger pool of fifty-six. Of all of these only nine articles made any reference to the word ‘evaluation’ and *none* reported outcome data that could be used to assess the effectiveness of a particular program. This suggests that evidence documenting the outcomes of

throughcare programs has yet to be collected or reported.

This is not to suggest that evaluation activity has not occurred; indeed, there are many examples of process evaluations that assess whether a program has been implemented as intended and levels of stakeholder satisfaction. In Australia, for example, a national review of Indigenous Justice programs has described eight federally-funded offender support and reintegration programs, reporting that participants in each program felt that they had benefitted from attending (CIRCA 2013). However, they also noted a lack of data about the impact of these programs on recidivism, and there was no evidence to suggest that participation in any particular program would actually result in lower rates of reoffending or reincarceration. The CIRCA review was nonetheless able to summarise the key features of offender throughcare programs in relation to three key questions: *What is a good intervention and model?; What is a well-managed and delivered program?; and What are the strategies for achieving good practice? (Table 1).*

Table 1: Different Types of Program Evaluation

Exploratory evaluations	These can help at the beginning of a program to identify what services to provide and the best approaches to providing those services. They also help to determine what outcomes will be appropriate to measure, given the type of services offered. The purpose of an exploratory study is to gain familiarity, increase understanding, and to help to formulate better program services, evaluation questions and approaches.
Descriptive studies	These can help show whether a program is operating as planned, provide feedback about the services offered, determine whether a program is producing the types of outputs and outcomes wanted, and help to clarify program processes, goals and objectives. The purpose of a descriptive study is to provide an in-depth description of a phenomenon or the relationships between two or more phenomena. A descriptive study differs from an exploratory study in that there is more attention to securing a representative sample and the study may involve comparison groups. Data-gathering techniques also tend to be more precise in a descriptive study and there is a clearer and more specific focus on what is being studied.
Experimental and quasi-experimental studies	These can help provide more evidence of a causal or correlational relationship between services and the outcomes that are measured and are often utilised in summative evaluations. Experimental studies try to determine causality or correlation (in so far as this is possible); experimental studies compare an experimental group (the group that received the program) to a control group (a similar group that did not receive the program). Experimental and quasi-experimental approaches, when carried out well, can help to show that it is the program (not something else that happens to participants at the same time, or some change in the participant’s environment etc.) that leads to the outcomes.

These observations are important as they offer a foundation for the design and implementation of throughcare programs that are stable enough to support meaningful outcome evaluation. This will inevitably require the articulation of a clear approach to program design (e.g., co-design with local communities and stakeholders), governance, the theory of change underpinning program activities and interventions, and the routine collection of data relevant to the assessment of program outcomes.

In Australia, the Senate Standing Committee on Legal and Constitutional Affairs' report, the Value of a Justice Reinvestment Approach to Criminal Justice in Australia (2013), further noted that effective throughcare models will rely upon working closely with Aboriginal and Torres Strait Islander controlled organisations and/or ex-prisoner organisations. The involvement of family is also likely to be critical, with both Willis (2008) and Abbott et al. (2018) arguing that family members often play a key role in supporting successful transitions back into community. This reflects an understanding that incarceration and Indigenous family issues are both intertwined and complex with imprisonment not viewed separately from other issues in the community. This is illustrated in Box 4 by a personal statement which

draws attention to how the separation from 'country' that occurs after imprisonment hinders the normal family support process. Not only is there is a need to involve family members in throughcare planning, but families need to be supported to receive family members back after release. Whilst there are not discrete models of practice (see Muru Marri 2014; Sivak et al. 2017; Williams 2015), some communities already do substantial work in this area through:

- Local community development initiatives that involve working with corrections and justice agencies in the community, including Elders groups and women's and men's groups;
- Community engagement through local justice groups or family support services from court to prison;
- Male and female Elder involvement in community corrections processes extending into prison through prison visiting programs;
- Providing family support and diversionary services in community to work with families from entry through to exit from prison;

Box 4: The Importance of Family Support

"When an Indigenous person is arrested and sentenced in community, it is the family (adults and children) that will often be present and who will witness the whole process. Both adults and children observe their family member being transported in a police vehicle handcuffed and at times leg-shackled. Communication is minimal, but families are afforded a short time to say goodbye and then the prisoner is led away. This is a traumatic experience, and families return home to deal with the separation, experiencing grief and loss and left feeling isolated from the criminal justice processes.

Family care is neglected when a family member is incarcerated, moreover, family members are often left in ignorance of the potential contribution they can make in supporting their loved one to stay out of prison and leading meaningful lives in community. The impact of a prison sentence not only impacts the Indigenous offender, it also has direct impact on the family in community. Families of prisoners are often an unseen and unserved group in our communities and current correctional service practice generally falls short of involving family members in prisoner through care processes"

Dr Lynore Geia (personal communication)

The CIRCA (2013) review raises some important distinctions between different types of evaluation question; and how exploratory evaluations and descriptive studies of programs will produce different types of knowledge from experimental and/or quasi-experimental evaluations (Table 2). The need to establish whether participation in a throughcare program causes an improvement in criminal justice outcomes, such as lower rates of return to prison, is considered key

information for policy makers who have responsibility for identifying which types of program are likely to offer the best outcomes for Indigenous peoples and communities. However, this is the type of information that is usually derived from experimental or quasi-experimental evaluation studies in a context in which concerns have been expressed about the ethical and cultural appropriateness of these methodologies (e.g., Putt 2013).

Table 2: Components of effective throughcare programs (adapted from CIRCA 2013)

Question	Program Feature	Description
What is a good intervention and model?	Cultural appropriateness and inclusion	Based on the participation of Aboriginal and Torres Strait Islander people in design and delivery.
	Advocacy	Includes both system advocacy and individual advocacy as well as program co-design.
	Developing monitoring and evaluation functions	Measurement of program success that focusses on intended intermediate and long- term program outcomes (such as the development of skills, acquisition of competencies, placement in work or community settings, or increased motivation and capacity for program participants to successfully access and utilise other related and necessary support services or programs).
What is a well-managed and delivered program?	Effective governance and management	When there is a clear and realistic program intent through program logic mapping (or similar), particularly for those that operate as a gateway to other services. Robust client monitoring systems are needed.
	Sustainability in funding	Adequate, stable and ongoing funding is required, particularly to monitor client outcomes.
Strategies for achieving good	A valid design and program planning process	Focus on planning functions (including a comprehensive programme design document, attention to programme objectives, specifying expected outcomes, and regular reporting of progress in relation to intent, processes and critical issues).
	Develop monitoring and evaluation capacity	Initial and continued training and adequate resourcing to ensure continual quality improvement of the services and the capacity to meet changing needs. The adoption of data systems that include program and participant identifiers that enable access to and comparisons with criminal justice data collected by key government departments and agencies.
	Conduct research and use evidence-based interventions	The ability to articulate theoretical foundations and deliver interventions known to be effective in reducing offending behaviour.
	Adequate resourcing to achieve program aims and objectives	Many programs experience challenges in program resources and sustainable funding.

KEY POINT 2: *There are insufficient publicly available and methodologically robust throughcare evaluations to make any firm judgements about program effectiveness – at least in relation to the impact of programs on rates of return to custody. There is, as a result, insufficient evidence to determine what constitutes an effective program.*

KEY POINT 3: *There are descriptions of potentially effective practice. Throughcare programs should, for example, work closely with communities and families when planning for release and supporting ex-prisoners post-release.*

Moving Forward

This Brief has highlighted the lack of uniform terminology in describing programs considered to provide throughcare in Australia and New Zealand. This, coupled with the diversity of services that are offered, creates challenges for

evaluation efforts that seek to establish whether programs actually deliver outcomes for the criminal justice system and the community. There is a need to support the further development of throughcare programs in both Australia and New Zealand such that robust evaluation can occur, and the most effective approaches are identified and supported.

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¹The term Indigenous is used, respectfully, in this Brief to refer to First Nations peoples of both Australia and New Zealand, recognising the considerable diversity that exists both within and between different groups.

²For example, the Reintegration Puzzle is an annual conference which rotates across Australia and New Zealand to provide opportunities to hear the latest information concerning programs and services which aim to assist people to successfully reintegrate back into the community after prison. See <http://www.reintegrationpuzzle.com.au>

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