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# SUBMISSION TO THE HOUSE OF REPRESENTATIVES SELECT COMMITTEE ON WORKFORCE AUSTRALIA EMPLOYMENT SERVICES INQUIRY INTO WORKFORCE AUSTRALIA EMPLOYMENT SERVICES

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## ABOUT THE JUSTICE REFORM INITIATIVE

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The Justice Reform Initiative was established in September 2020 with a mission to reduce Australia's harmful and costly reliance on incarceration. We seek to reduce incarceration in Australia by 50% by 2030 and build a community in which disadvantage is no longer met with a default criminal justice system response.

Our website is <https://www.justicereforminitiative.org.au/jailingisfailing> and you can read in more detail about our organisation and the way we work from the site.

Our growing list of patrons include 120 eminent Australians, including two former Governors-General, former Members of Parliament from all sides of politics, academics, respected Aboriginal and Torres Strait Islander leaders, senior former judges, including High Court judges, and many other community leaders who have added their voices to the movement to end the cycle of incarceration in Australia. A full list of national patrons is included at Appendix B. We also have more than 120 supporter organisations who have joined the movement to reduce incarceration. This includes the Australian Medical Association; The Law Council of Australia; Federation of Ethnic Community Councils; the Australian Council of Churches; the Australian Catholic Bishops Conference, and multiple First Nations led organisations and service delivery organisations who have expertise working with people who have been impacted by the justice system.

The Justice Reform Initiative seeks to work with parliamentarians from all sides of politics, policy makers, people with experience of the justice system, and people of good-will across the country to embrace evidence based criminal justice policy in order to reduce crime, reduce recidivism, and build safer communities.

We are working to shift the public conversation and public policy away from building more prisons as the primary response of the criminal justice system and move instead to proven alternative evidence-based approaches that break the cycle of incarceration. We are committed to elevating

approaches that seek to address the causes of contact with the criminal justice system including responses to housing needs, mental health issues, cognitive impairment, employment, access to education, the misuse of drugs and alcohol, and problematic gambling. We are also committed to elevating approaches that see Aboriginal and Torres Strait Islander-led organisations being resourced and supported to provide appropriate support to Aboriginal and Torres Strait Islander people who are impacted by the justice system.

## KEY RECOMMENDATIONS

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- 1) The Australian Government should work with State and Territory Governments to significantly increase investment in education, training and employment services for people (including children and young people) in prison, with a focus on improving employment opportunities and outcomes for people leaving prison.
- 2) Future Workforce Australia funded employment programs and NGO funded programs, should adopt the core best practice principles in reintegration outlined in **Appendix A** of this submission, including pre-release engagement, throughcare and continuity of service provision inside and outside of prison.
- 3) Consideration should be given to funding existing proven providers of successful reintegration and post-release on support programs to also deliver further employment related services in addition to the work they currently undertake.
- 4) All Corrective Service Ministers and Departmental heads of Corrective Services (with the support and engagement of the Commonwealth) should have employment, training and education on the agenda for future national meetings to centre the importance of employment for people who have been to prison and to help drive much needed reforms in this area. This should include exposure to 'worlds best practice' international programs which have proven success in reducing recidivism and improving engagement with employment.
- 5) A high profile public campaign should be launched to increase employment prospects for people leaving prison. This campaign should focus on both prospective employer education as well as general community education about the need for a second chance for people who have spent time in prison. It should address the stigma of past incarceration, the importance of employment in rebuilding lives in the community, and the success of 'employment first' reintegration programs internationally.
- 6) Support for employers recruiting and managing people with lived experience of the criminal justice system is required (particularly with regard to conducting and considering police checks prior to hiring) and Workforce Australia should encourage the provision of such support services by contracted providers and remunerate them accordingly.

## INTRODUCTION AND BACKGROUND

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The Justice Reform Initiative welcomes the opportunity to make a submission to the Select Committee on Workforce Employment Services. This submission is focused on the need for improved employment opportunities for incarcerated populations, people leaving prison and for people at risk of imprisonment. We view the employment barriers, challenges and opportunities for people who are justice system involved as a critical, and often neglected policy focus of

employment services in Australia. The authors of this submission are the Executive Director of the Justice Reform Initiative Dr Mindy Sotiri<sup>1</sup> and the Chair of the Initiative Robert Tickner.<sup>2</sup> If the committee would be interested in hearing evidence directly from us we would also be supported by two people who have personal experience of incarceration and have faced the extraordinary challenges of finding work after prison.

We note the broad terms of reference for the Committee, and specifically the commitment to explore “*the extent to which Workforce Australia Employment Services delivers services in a way that is fair, leaves no-one behind, respects individuals diverse needs, and supports jobseekers into secure work, in particular its support for long term unemployed and young people.*” The Justice Reform Initiative is keen to highlight the additional barriers to employment faced by people who have also been involved in the criminal justice system, and the current failure of the existing system and structures to build pathways to employment for so many people in Australia who are incarcerated.

People leaving prison in Australia have one of the highest rates of unemployment of any demographic.<sup>3</sup> There are currently very limited pathways into employment, training and education for people who are in prison, or for those who are preparing to leave. There is a significant body of research that points to the importance of engagement in employment, or education and training as a pathway to employment, is one of the key factors in breaking entrenched cycles of justice system involvement.<sup>4 5</sup>

There are multiple barriers faced in terms of employment for people who have been incarcerated. These barriers include:

- Lack of experience in the (legitimate) paid work force
- Poor literacy
- Absence of formal education and training
- Absence of confidence and associated limitations on work readiness (often as a consequence of the above factors)
- Systemic and structural exclusion on the basis of criminal records
- Systemic and structural exclusion on the basis of ‘failing’ working with children checks
- Difficulty accessing mainstream job placement services
- Difficulty accessing the support required to sustain employment
- Homelessness and other forms of housing instability
- Social isolation

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<sup>1</sup> Mindy Sotiri has worked in criminal justice system settings as an advocate, community sector practitioner, activist, academic, researcher, and policy and service delivery reform specialist for more than twenty years. During this time, much of her work has been focused on advocacy around decarceration and building sustainable community-based and community led pathways outside of prison settings. Her PhD (2003) explored the purpose of imprisonment. She was also a 2016 Churchill Fellow (with a project exploring international community led post-release services).

<sup>2</sup> Robert Tickner has worked in the not-for-profit sector for the majority of his working life including a Principal Solicitor of the NSW Aboriginal Legal Service and CEO of a national not for profit employment network then called Job Futures which became Co-Act. During the time Robert was CEO together with VACRO, (a longstanding and highly respected Victorian support organisation for people leaving prison), Job Futures in partnership undertook the provision of a Pilot Employment Program for people on correctional orders and for others who were being released from prison along with another respected Victorian not for profit Australian Community Support Organisation (ACSO).

<sup>3</sup> Baldry E, Bright D, Cale J, Day A, Dowse L, Giles M, Hardcastle L, Graffam J, McGillivray J, Newton D, Rowe S, Wodak J (2018). *A Future Beyond the Wall: Improving Post-release Employment Outcomes for People Leaving Prison: Final Report*. Sydney: UNSW Sydney. <http://doi.org/10.26190/5b4fd2de5cfb4>

<sup>4</sup> Baldry E, Bright D, Cale J, Day A, Dowse L, Giles M, Hardcastle L, Graffam J, McGillivray J, Newton D, Rowe S, Wodak J (2018). *A Future Beyond the Wall: Improving Post-release Employment Outcomes for People Leaving Prison: Final Report*. Sydney: UNSW Sydney. <http://doi.org/10.26190/5b4fd2de5cfb4>

<sup>5</sup> <https://www.ebpsociety.org/blog/education/297-employment-recidivism>

- Difficulty accessing health and welfare services that would support people to become employment ready.

The majority of people incarcerated in Australia come from circumstances where they have experienced multiple and intersecting disadvantage. The over-representation of First Nations people in our justice system both reflects and reproduces a raft of First Nations disadvantage. 30% of adults<sup>6</sup> and 56% of children<sup>7</sup> incarcerated are First Nations. People with mental health conditions are significantly over-represented (at least 40% of people in prison)<sup>8</sup> as are people with cognitive impairment.<sup>9</sup> Around 60% of people in prison have alcohol and/or other drug dependency<sup>10</sup>. Half of all people in prison were homeless before entering custody<sup>11</sup> and a disproportionate number come from a small number of 'postcodes of disadvantage' where access to education, healthcare, support, and employment are all comparatively lacking.<sup>12</sup> **78% of people who are released to prison are released to unemployment.**<sup>13</sup>

As noted in the documents provided by this Committee, people exiting prison constitute 12.3% of the national case-load of employment services in Workforce Australia.<sup>14</sup>



## A SNAPSHOT OF THE PRISONER POPULATION IN AUSTRALIA

On the eve of the COVID-19 pandemic, Australia's imprisonment rate had soared to its highest level in over a century. Rising imprisonment rates are almost a uniquely Australian story – only two countries in the world, Turkiye and Colombia, saw a greater growth in adult imprisonment

<sup>6</sup> <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release>

<sup>7</sup> <https://www.aihw.gov.au/reports/youth-justice/youth-detention-population-in-australia-2022/contents/about>

<sup>8</sup> [https://www.aihw.gov.au/reports/australias-health/health-of-prisoners#\\_Toc30748009](https://www.aihw.gov.au/reports/australias-health/health-of-prisoners#_Toc30748009)

<sup>9</sup> McCausland R, Baldry E, Johnson S & Cohen A. (2013). People with Mental Health Disorders and Cognitive Impairment in the Criminal Justice System: Cost-benefit Analysis of Early Support and Diversion, PwC & UNSW

<sup>10</sup> <https://adf.org.au/insights/prison-aod-use/>

<sup>11</sup> <https://www.aihw.gov.au/reports-data/population-groups/prisoners/overview>

<sup>12</sup> <https://dote.org.au/findings/state-chapters/>

<sup>13</sup> <https://www.aihw.gov.au/reports/australias-welfare/adult-prisoners>

<sup>14</sup> [https://www.aph.gov.au/Parliamentary\\_Business/Committees/House/Workforce\\_Australia\\_Employment\\_Services/WorkforceAustralia/Additional\\_Documents](https://www.aph.gov.au/Parliamentary_Business/Committees/House/Workforce_Australia_Employment_Services/WorkforceAustralia/Additional_Documents)

between 2003 and 2018.<sup>15</sup> The number of people in prison nationally has risen by **over 44 per cent** in the past decade, from 29,213 to 42,090 people.<sup>16</sup> Although there is at any one point more than 42,000 people in custody, the flow through data shows that there are 62,024 receptions over the course of a year, and 62,797 people discharged from custody each year.<sup>17</sup> This is critical information when we are thinking about the kinds of services that might be required to genuinely disrupt the cycle of incarceration. It is also important to note that 36% of all people in prison are there on remand.<sup>18</sup> This is significant because people on remand tend to experience all of the hardships of incarceration, but with very limited access to programs and supports. For people who have had employment, this is often lost when they are imprisoned on remand. For people who are disconnected from the workforce, the experience of imprisonment tends to exacerbate this situation.

There are currently 115 adult prisons in Australia.<sup>19</sup> There are plans in almost all jurisdictions to build new prisons, or to expand existing infrastructure. This is happening at a time when crime rates in most of the major categories are at an all time low. There is no causal relationship between imprisonment rates and crime. That is, crime reduction is not able to be explained by higher rates of incarceration but rather by a series of interrelated shifts in economic, cultural and social and justice policy<sup>20</sup>. A recent in-depth analysis of crime in Australia, shows that imprisonment has no significant impact on crime rates.<sup>21</sup>

The cost of adult incarceration in Australia is more than \$5.2 billion per annum.<sup>22</sup> The cost of keeping someone in prison each year is around \$120,450. Estimates of the cost of providing intensive, specialist community-based services (of the sort outlined in Appendix A) with proven ability to keep people out of prison range from \$8,000 to \$36,000 per year.<sup>23</sup> Residential treatment is more expensive, but still far cheaper and more effective in reducing recidivism than incarceration. **We are proposing in this submission, that increased investment in evidence based programs that focus on addressing employment alongside the social drivers of incarceration will have a significant impact in terms of reducing the high rates of incarceration in Australia and reducing recidivism.**

The Productivity Commission has noted that correctional services costs have risen by 59.6% since 2011-12.<sup>24</sup> The imprisonment rate in Australia has climbed in recent years with 201.0 people per 100,000 adults now incarcerated.<sup>25</sup> Since 2012, we have recorded a 62 per cent increase in the number of Aboriginal and Torres Strait Islander people in prison, rising from 7,757 to 12,599.<sup>26</sup> Aboriginal people are 15.8 times more likely to be in prison than non-Aboriginal

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<sup>15</sup> Melanie, J., et al, 2021, Australia's prison dilemma, Productivity Commission, <https://www.pc.gov.au/research/completed/prison-dilemma/prison-dilemma.pdf>

<sup>16</sup> Productivity Commission, Report on Government Services, Corrective Services Data (2022), Corrective Services Data Tables, Table 8A.4

<sup>17</sup> <https://www.abs.gov.au/statistics/people/crime-and-justice/corrective-services-australia/latest-release#prisoner-releases>

<sup>18</sup> <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/2022>

<sup>19</sup> <https://www.aihw.gov.au/reports/australias-welfare/adult-prisoners>

<sup>20</sup> Weatherburn, D & Rahman, S (2021) The Vanishing Criminal, Melbourne University Press, Australia

<sup>21</sup> Weatherburn, D, (2021) Imprisonment, reoffending and Australia's crime decline, Judicial Officers Bulletin, September 2021, Vol. 33, No. 8

<sup>22</sup> Melanie, J., et al, 2021, Australia's prison dilemma, Productivity Commission,

<sup>23</sup> See Sotiri, McCausland, Reeve, Phelan and Byrnes (forthcoming) 'They're there to support you and help you, they're not there to judge you' Breaking the cycle of incarceration, drug use and release: Evaluation of the Community Restorative Centres AOD and Reintegration Programs; NSW Health Report

<sup>24</sup> Productivity Commission, Report on Government Services 2022, Table 8A.2

<sup>25</sup> ABS, Corrective Services, Australia, (March Quarter 2021), Table 3

<sup>26</sup> Productivity Commission, Report on Government Services 2022, Table 8A.6

people in Australia.<sup>27</sup> The incarceration rate of women, and more specifically, First Nations women is growing faster than any other demographic within the Australian prison system.<sup>28 29 30</sup> For women, access to supports and employment opportunities is diminished even further as a consequence of the experience of incarceration. Many women are also having to manage the care of their children, as well as returning to relationships that have often been characterised by violence.<sup>31</sup>

It is very clear, that imprisonment for adults in Australia is not working. It is not working to deter, rehabilitate or keep the community safer. **More than half (59.9%)** of the people in prison in Australia have been in prison before – an increasing trend.<sup>32</sup> In 2020-21, **45.2% of people released from prison in Australia returned to prison** within two years.<sup>33</sup>

## WHAT WORKS IN KEEPING PEOPLE OUT OF PRISON? THE ROLE OF EMPLOYMENT IN DESISTANCE FROM CRIME

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Our over-reliance on incarceration as a default response to both disadvantage and offending has resulted in a situation where too many people in the justice system are unnecessarily trapped in a cycle of harmful and costly incarceration. For the last two decades, desistance research has explored the factors that impact on someone's likelihood to stay out of prison. Desistance research focuses attention away from the standard criminological preoccupation with recidivism (why do some people go back to re-offending?) and looks instead at desistance from crime (why do some people *not* go back to reoffending?). Desistance researchers are much more interested in questions of how and why people make changes in their lives than in the question of why people re-offend.

Desistance research has tended towards large-scale, in-depth, longitudinal studies, tracking offending and desistance patterns over multiple years. Researchers in this field have argued that desistance from crime is a process, and requires research that unpacks this process over multiple years. Multiple longitudinal studies into desistance (most with study cohorts of over 200) have identified a range of factors that impact on the likelihood of desistance. Some of these are unable to be impacted by external programs or supports (for instance, age or maturation) but others point to the work that could or should be happening to assist people to desist. Key successful desistance indicators include: quality of social relationships, practical assistance, the formation of strong social bonds, **employment and other community engagement pathways, and the development of an identity outside of the criminal justice system.**<sup>34 35</sup> It is proposed in this submission that employment is a critical tool in desistance, but extraordinarily difficult to access for populations who are currently incarcerated.

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<sup>27</sup> ABS, Prisoners in Australia 2021, Table 20

<sup>28</sup> Australian Human Rights Commission, [2008 Social Justice Report](#) (Report No. 1/2009, 1 July 2009) 304.

<sup>29</sup> Australian Bureau of Statistics, [Estimates of Aboriginal and Torres Strait Islander Australians, June 2016](#) (Catalogue No. 3238.0.55.001, 31 August 2018).

<sup>30</sup> Elizabeth A. Sullivan et al, ['Aboriginal mothers in prison in Australia: a study of social, emotional and physical wellbeing'](#) (2019) 43(3) *Australian and New Zealand Journal of Public Health* 241, 241.

<sup>31</sup> Baldry E, Bright D, Cale J, Day A, Dowse L, Giles M, Hardcastle L, Graffam J, McGillivray J, Newton D, Rowe S, Wodak J (2018). *A Future Beyond the Wall: Improving Post-release Employment Outcomes for People Leaving Prison: Final Report*. Sydney: UNSW Sydney. <http://doi.org/10.26190/5b4fd2de5cfb4>

<sup>32</sup> ABS, Prisoners in Australia 2021, Table 15

<sup>33</sup> Productivity Commission, *Report on Government Services (2022)*, Table CA.4

<sup>34</sup> Rex, S (1999) Desistance from Offending, Experiences of Probation, in the *Howard Journal of Criminal Justice*, Vol 38. No. 4

<sup>35</sup> Farrall S and Calverley A (2006) *Understanding desistance from crime*, Crime and Justice Series Open University Press: London

While there is no single 'reform fix' to reduce incarceration, there are multiple proven, cost-effective interventions that can work together to make progress. Many of these are already catalogued in an abundance of government and non-government reports and reviews<sup>36</sup>. In addition, there are clear examples and case studies both Australian and internationally that point to approaches led by the community and health sectors which can make a profound difference in disrupting entrenched criminal justice system trajectories<sup>37</sup>. There is also a growing body of more formal research exploring the impact of various models of support<sup>38</sup>.

We recognise that some of the reforms required to reduce over-incarceration are well beyond the scope of this committee. However we view employment and access to employment as a critical part of the overall reform picture. We are keen to elevate the issues in terms of barriers to employment for people with criminal records, and people who have experienced incarceration. We want also emphasise the importance of accessible, specialist employment support to people with the experience of both incarceration and other forms of complex disadvantage. We argue here that the benefits of increasing employment opportunities is critical not just for those individuals who themselves face barriers to employment, but for the broader community in terms of the way that employment offers a pathway to desistance from crime, and therefore improved community safety for everybody.

## SPECIALIST EMPLOYMENT SERVICES FOR PEOPLE IN THE CRIMINAL JUSTICE SYSTEM IN AUSTRALIA: WHAT IS WORKING AND WHAT IS NEEDED?

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While there are some excellent employment and vocational and training programs and supports currently operating in Australia- often in partnership with state and territory Corrections departments, the issue of extraordinarily high unemployment levels remains a persistent feature of incarcerated populations around Australia. Although there are some programs that make a significant difference to the individuals who are able to access them, these employment support programs have not had an impact on a systemic scale. This is often because they under-resourced, funded in a piecemeal way, limited to work with small numbers of people, and despite their successes on a small scale, do not have the capacity to make a systemic difference in terms

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<sup>36</sup> For example, as detailed in <https://www.alrc.gov.au/publication/pathways-to-justice-inquiry-into-the-incarceration-rate-of-aboriginal-and-torres-strait-islander-peoples-alrc-report-133/2-context/social-determinants-of-incarceration/>

<sup>37</sup> See: WEAVE, *Creating Futures* (Evaluation report, April 2020); Women's Justice Network, *Adult Mentoring Program* (Evaluation report, 2016); Community Restorative Centre, *Alcohol and Other Drugs Transition Program* (Evaluation report, 2016); Sotiri, M (2016) *Churchill Fellowship report*; M Sotiri and S Russell, 'Pathways home: How can we deliver better outcomes for people who have been in prison?', *Housing Works*, Vol. 15, No. 3, 2018, 41; M Borzycki and E Baldry, 'Promoting integration: The provision of prisoner post-release services', *Trends and Issues in Crime and Criminal Justice*, Australian Institute of Criminology: Canberra, No. 2, 2003; J Gilbert and B Elley, 'Reducing recidivism: An evaluation of the pathway total reintegration programme', *New Zealand Sociology*, Vol. 30, No. 4, 2015, 15–37; B Angell, E Matthews, S Barrenger, A Watson and J Draine, 'Engagement processes in model programs for community re-entry from prison for people with serious mental illness', *International Journal of Law and Psychiatry*, Vol. 37, 2014, 490–500; B Hunter, A Lanza, M Lawlor, W Dyson and D Gordon, 'A strengths-based approach to prisoner re-entry: The fresh start prisoner re-entry program', *International Journal of Offender Therapy and Comparative Criminology*, Vol. 60, No. 11, 2016, 1298–314; D Padgett, L Gulcur and S Tsemberis, 'Housing first services for people who are homeless with co-occurring serious mental illness and substance abuse', *Research on Social Work Practice*, Vol. 16, No. 1, 2006, 74–83; S Kendall, S Redshaw, S Ward, S Wayland and E Sullivan, 'Systematic review of qualitative evaluations of re-entry programs addressing problematic drug and alcohol use and mental health disorders amongst people transitioning from prison to communities', *Health and Justice*, Vol. 6, No. 4, 2018; Sotiri, M (2020) *Building Pathways Out of the Justice System: Supporting Women and Reducing Recidivism*, in *Precedent Issue 161*, November/December 2020

<sup>38</sup> McNeill, F., Farrall, S., Lightowler, C., and Maruna, S. (2012) *Re-examining evidence-based practice in community corrections: beyond 'a confined view' of what works*. *Justice Research and Policy*, 14 (1) UNSW Sydney.

of reducing rates of incarceration. There is also a specialist skill set required for employment services that are focused on working with incarcerated populations, which requires a significant understanding of the multiple and intersecting disadvantage experienced by most people who end up in the criminal justice system. Imprisonment is one form of disadvantage in a whole series of different kinds of disadvantage, and all of these forms of disadvantage should be looked at together when examining what should or could happen for people when they are seeking employment.

**Recommendation 1:**

**The Australian Government should work with State and Territory Governments to significantly increase investment in education, training and employment services for people (including children and young people) in prison, with a focus on improving employment opportunities and outcomes for people leaving prison.**

### BEST PRACTICE IN REINTEGRATION AND EMPLOYMENT PROGRAMS

The successful reintegration programs around Australia that have been evaluated (and form the basis for the best practice principles overviewed in Appendix A) share a remarkably consistent service delivery model. It should be noted that there are multiple other small-scale programs using similar principles around Australia which are reporting anecdotally similar successes but have not yet undertaken evaluation. While much of the evaluation has focused more broadly on support services, the best-practice principles are easily applied to employment programs also.

The principles underpinning successful services have been noted across multiple academic research reports into 'what works'<sup>39</sup> as well as in evaluation. All of them acknowledge the importance of acknowledging the social drivers of over-incarceration, working holistically with people leaving prison, ensuring a flexible and person-centred approach to service delivery, and working with people long-term to address the significant challenges in 'staying out' of prison. The research recognises the centrality of relational casework, the importance of housing, and the necessity of long-term support.

Models that work are very much about 'meeting people where they are at' and recognising the enormous challenges faced by people at risk of, or in contact with, the justice system, including people leaving prison. Programs that work do not require people at risk of justice system involvement to fit into models that are appointment-based, or have limited flexibility. The successful programs also recognise the referral fatigue experienced by so many people and recognise the importance of non-siloed service provision; that is, services that are able to work with people around a range of issues (housing, mental health, drug and alcohol use etc.).

The programs and principles for good practice in post-release and diversion (long term, holistic, housing first, wrap-around, culturally safe, person centred, flexible) differ significantly in scope and approach to the 'Risk, Needs, Responsivity models' that many Corrections departments around

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<sup>39</sup> Melanie Schwartz, Sophie Russell, Eileen Baldry, David Brown, Chris Cunneen, Julie Stubbs, Obstacles to Effective Support of People Released from Prison: Wisdom from the Field (Rethinking Community Sanctions Project, UNSW, 2020). <https://apo.org.au/sites/default/files/resource-files/2020-02/apo-nid274951.pdf>; Kendall, S Redshaw, S Ward, S Wayland and E Sullivan, 'Systematic review of qualitative evaluations of re-entry programs addressing problematic drug and alcohol use and mental health disorders amongst people transitioning from prison to communities', Health and Justice, Vol. 6, No. 4, 2018



Australia have committed to for the last decade. This distinction is important when designing community-led programs.

Criminogenic approaches are primarily focused on addressing individual offending behaviour (for instance things like anger management and impulsivity) rather than addressing the social drivers of incarceration. The programs that have noted success in reducing recidivism, note the importance of looking outside of 'offending behaviour' when working with people at risk of justice system involvement. Successful programs work with people holistically around a whole range of issues, including housing, drug and alcohol treatment, employment, mental health and disability, and cultural and community connection alongside the formulation of a sense of identity and belonging outside of the justice system.

Too many people at risk of incarceration are not able to access the kinds of support that they require at the time that they most need it. This is especially critical for people at the point of release from prison, and for people who are keen to participate in diversionary options at the point of court or police interaction. There is significant research noting that for many people who are 'caught' in the cycle of justice system involvement, it is in fact much easier to return to prison than it is to survive in the community. There are multiple reasons for this. Most people leave prison with no meaningful community-based supports, nowhere safe to live, minimal financial stability, and limited employment opportunities. Although, as noted above, there are some highly effective specialist services that work to support people with connecting to community, they are chronically under-resourced.

In addition to specialist services, there are of course mainstream welfare, homelessness and other support services that should theoretically be available for people leaving prison. However, there are multiple barriers to accessing mainstream welfare services for people leaving prison. This is absolutely the case with employment programs also. There are many reasons for this, including a lack of specialist knowledge, a lack of resources, and a lack of structural capacity for already stretched organisations to take on the complexity and time resources of working with incarcerated populations. Most mainstream welfare and employment services will not do 'in-reach' into prisons. Many services (including many homeless, AOD and DV services) will not take people straight from prison. Many services will not take people with a criminal record, and many will not take people who have any history of violence.

In addition, multiplicity and complexity of need means many people from prison are excluded from support. For instance, many people are not able to access drug and alcohol services if they have a complex mental health condition. Many people are not able to access mental health services if they have an ongoing drug and alcohol problem. There are almost no residential services that will take people who are in active addiction, and for many the group and literacy requirements of many rehabilitation services means that they are very challenging to access. For Aboriginal and Torres Strait Islander people, the absence of Aboriginal and Torres Strait Islander-led culturally safe services acts as another barrier to accessing the necessary support.

There is a need for multiple specialist employment services throughout Australia that can cross geographic boundaries, recognising the fact that many people incarcerated are not incarcerated anywhere near their intended place of residence in the community. There is a need for services that are resourced and able to incorporate the critical element of pre-release engagement and in-reach into the correctional centres. Workers must be able to visit clients and begin the process of engagement prior to release in order to sustain connection during the extremely chaotic post-release period. There is a need for services that are long-term – building sustainable pathways outside of the criminal justice system takes time, particularly for people who have survived trauma

and have spent their lives being managed in such settings. Services must have the capacity to be intensive, and primarily outreach. This often means picking someone up from prison on the day of release and working intensively over the first high-risk three months, and then slowly and flexibly tapering support down over 12 months or more, ensuring support is provided for as long as the person requires it. Services must also have housing front and centre of their service delivery design.

The key principles for good practice are outlined further in Appendix A of this submission

**Recommendation 2: Future Workforce Australia funded employment programs and NGO funded programs, should adopt the core best practice principles in reintegration outlined in Appendix A of this submission, including pre-release engagement, throughcare and continuity of service provision inside and outside of prison.**

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## POST-RELEASE SUPPORT ALONGSIDE EMPLOYMENT SUPPORT

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For people leaving the prison system intensive support on release can make a transformative difference in breaking the cycle of incarceration and in opening up the possibility of future employment. In the existing service system, only a very small percentage of the 62,000 people leaving prison each year have access to the evidence based intensive support services capable of breaking the entrenched cycles of disadvantage and imprisonment for many which are a precondition to future employment.

There are many community based organisations around Australia which are providing supports to people in prison and to their families however when it comes to people leaving prison there are only a relatively small number of organisations which are providing intensive support programs to people coming out of prison. The Justice Reform Initiative is aware of the good work of most of the organisations and see them all as critical future partners in breaking the cycle of incarceration and opening up future opportunities for people to gain employment once they have addressed the underlying issues which contributed to their incarceration in the first place.

A recent evaluation of the Community Restorative Centre<sup>40</sup> in NSW (a provider of post-release support for people leaving custody in NSW) found extraordinary results in terms of the reduction of recidivism. This UNSW/CRC evaluation, undertaken over two years, explored outcomes for 483 CRC clients who participated in intensive, case-work, post-release and diversionary programs between 2014 and 2017. An interrupted time series analysis examined criminal justice system trajectories over ten years (including post-participation in programs), and found that for participants:

- The number of new custody episodes fell by 62.6% following CRC support
- the number of days in custody fell by 65.8% following CRC support.
- The number of proven offences fell by 62.1% following CRC support.

The report also undertook a comparison analysis with clients from the MHDCD linked administrative dataset at UNSW, comparing their outcomes to CRC clients. This analysis found engagement in CRC programs dramatically reduced contact with the justice system when

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<sup>40</sup> <https://www.crcnsw.org.au/wp-content/uploads/2021/11/CRC-AOD-Evaluation-final-report-1Dec21.pdf>

compared to a similar group who did not receive support. The research also showed savings to the criminal justice system of up to \$16 million over three years for an intake of 275 new clients (not including institutional and community savings).

The level of support provided by this service model which focuses intensive support on multiple areas of need (including alcohol and other drug dependency and treatment, mental health support, literacy programs, building family and community relationships and addressing the insecurity of housing, and works with people to combat the stigma of having been incarcerated is a critical part in the process of supporting someone transition into employment. These are the things which we need to invest in to get people job ready. It requires a specialist and intense focus which is not really what the employment services industry has yet shown the capacity to achieve. Investment across Australia in scaling up these services will, on the evidence, dramatically cut the offending rate and significantly increase the prospects of these long term and often intergenerationally unemployed people finding employment.

**Recommendation 3: Consideration should be given to funding existing proven providers of successful reintegration and post-release on support programs to also deliver further employment related services in addition to the work they currently undertake.**

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### THE ADDITIONAL CHALLENGES OF RUNNING EMPLOYMENT PROGRAMS IN PRISON ENVIRONMENTS

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Conventional or non-specialist employment programs are often limited in terms of their ability to support people coming from prison because they are not set up to deal with the complexity and range of issues faced by incarcerated populations, including the considerable challenges faced by people post-release (in addition to unemployment).

There are however also challenges with the culture and environment of most prison environments when it comes to the provision of 'in-prison' programs. Under current Corrective Services practices Australia wide, with limited exceptions, the model and culture of programs and engagement, is not based on addressing underlying issues and preparing people for leaving prison and taking up employment opportunities. There is an overwhelming focus on the security of the institution; relationships between correctional staff and incarcerated people remain adversarial and often fraught and most people who have been to prison report regular de-humanising practices, humiliations and punishments that extend well beyond loss of liberty.

With limited exceptions, prisons remain traumatic environments, where incarcerated people experience not only a disconnection from their lives on the outside (including any employment, education or training they might have been involved with) but also an absence of agency and control, a punishing environment, and extraordinary levels of boredom. People are locked up in their cells for prolonged periods. Mental health issues, alcohol and other drug issues, disability issues and other complexities are mostly not effectively dealt with, and in fact are often exacerbated by the prison environment. When people do access good, meaningful vocational, educational or employment programs, this tends often be 'a matter of luck' rather than something that exists systemically for everybody who is incarcerated (and is interested in the opportunity). There is a limited focus in many prisons on preparing people for life after release, and this particularly applies to employment. For people on remand, and people serving very short sentences, all of these issues are compounded, as there is even less access to programs and supports when someone is unsentenced.

It is worth noting here, that custodial officers should not be the people responsible for delivering employment programs in Australian prisons at this point in time. Instead there is much merit in the in-reach of experienced external experienced providers to deliver employment programs within the prison environment, as well as the more extensive engagement of non-Government organisations, already working in prisons or capable able to undertake such work. This is in keeping with the case presented in this submission that employability cannot be seen in isolation but rather as part of a complex web of disadvantage which impacts on the majority of the prison population.

There is a great deal to learn from comparable countries about how in Australia we might reorient our failed approach to incarceration to one that genuinely seeks to support people in leaving prison in a better place than where they were at prior to when they entered. There are of course different ways to manage prison environments. There is, for instance, compelling evidence coming out of Norway about the way the operation of the Norwegian prison system improves employability and reduces recidivism.<sup>41</sup> Recent research out of Norway found:

- “For (those who had been unemployed), imprisonment causes a 34-percentage point increase in participation in job training programs and a 40-percentage point increase in employment rates (within five years).
- The likelihood of reoffending within five years is cut in half (by 46 percentage points), and the average number of criminal charges falls by 22 percentage points.”

The researchers concluded, that “it is possible for well-designed prisons and reintegration policies to reduce recidivism and allow for successful re-entry into the labour market”. They contrast the “positive rehabilitative effects of Norway’s prison system, which stand in contrast to the negative employment and criminogenic effects found for prisons in the United States.”<sup>42</sup>

**Recommendation 4: All Corrective Service Ministers and Departmental heads of Corrective Services (with the support and engagement of the Commonwealth) should have employment, training and education on the agenda for future national meetings to centre the importance of employment for people who have been to prison and to help drive much needed reforms in this area. This should include exposure to ‘worlds best practice’ international programs which have proven success in reducing recidivism and improving engagement with employment.**

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#### PUBLIC GOVERNMENT PUBLIC TENDERING PROCESSES

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The Australian Government has an Indigenous Procurement Policy, and the Victorian Government has a Social Procurement Framework<sup>43</sup> which now requires government contractors to meet a number of benchmarks including the employment of “disadvantaged Victorians” and this includes people leaving prison. We believe that this program has merit and that, although the

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<sup>41</sup> [https://www.nber.org/system/files/working\\_papers/w22648/w22648.pdf](https://www.nber.org/system/files/working_papers/w22648/w22648.pdf)

<sup>42</sup> [https://www.nber.org/system/files/working\\_papers/w22648/w22648.pdf](https://www.nber.org/system/files/working_papers/w22648/w22648.pdf)

<sup>43</sup> <https://www.buyingfor.vic.gov.au/social-procurement-victorian-government-approach>

impact may not be huge it would be of value if the Commonwealth and all other State and Territory Governments adopted similar policies which also targeted people coming out of prison a specific group of people to be placed in employment. Support should be given by the Commonwealth and State and Territory Governments to utilise the public tendering processes of the Governments to encourage the employment of people coming out of prison in line with the approach already adopted by the Government of Victoria.<sup>44</sup>

## CHANGING PUBLIC ATTITUDES TOWARDS PEOPLE LEAVING PRISON AND TACKLING THE STIGMA OF INCARCERATION

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There is a role for political leadership in sending a message to the wider community about the value and importance of employing people coming out of prison. People leaving prison carry both the stigma of incarceration, as well as the barrier of a criminal record, both of which stand in the way to post-release employment.

In the wider community and in sections of the media it has been an almost unchallenged professed belief that building more and more prisons is national objective but without any serious attempt to understand let alone address the underlying issues which got people into trouble with the criminal justice system in the first place. Parliamentarians on all sides of politics have contributed to the “law and order” rhetoric which has led Australia down the path of becoming an incarceration nation following the USA policy approach. However even in the USA the tide is turning and incarceration numbers are going down often with the support of both Republicans and Democrats in numerous states. Even public figures have used language which seeks to shift the public narrative. To give a stark example of that, we note the presidential statement of Donald Trump at the White House on 30<sup>th</sup> March 2018<sup>45</sup>

*“Affording those who have been held accountable for their crimes an opportunity to become contributing members of society is a critical element of criminal justice that can reduce our crime rates and prison populations, decrease burdens to the American taxpayer, and make America safer. According to the Bureau of Justice Statistics, each year, approximately 650,000 individuals complete prison sentences and re-join society. Unfortunately, two-thirds of these individuals are re-arrested within 3 years of their release. We must do more -- and use all the tools at our disposal -- to break this vicious cycle of crime and diminish the rate of recidivism. For the millions of American citizens with criminal records, the keys to successful re-entry are becoming employable and securing employment. Beyond the income earned from a steady paycheck, gainful employment teaches responsibility and commitment and affirms human dignity. As a Nation, we are stronger when more individuals have stable jobs that allow them to provide for both themselves and their loved ones. I am committed to advancing reform efforts to prevent crime, improve re-entry, and reduce recidivism. I expressed this commitment in my 2018 State of the Union Address and reinforced it by signing an Executive Order to reinvigorate the “Federal Interagency Council on Crime Prevention and Improving Re-entry.” In the spirit of these efforts, I call on Federal, State, and local prison systems to implement evidence-based programs that will*

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<sup>44</sup> <https://www.forbes.com.au/covers/leadership/how-hard-conversations-with-the-private-sector-are-giving-ex-prisoners-a-second-chance/>

<sup>45</sup> <https://trumpwhitehouse.archives.gov/presidential-actions/president-donald-j-trump-proclaims-april-2018-second-chance-month/>

*provide prisoners with the skills and preparation they need to succeed in society. This includes programs focused on mentorship and treatment for drug dependence and mental health issues, in addition to job training. This month, we celebrate those who have exited the prison system and successfully re-entered society. We encourage expanded opportunities for those who have worked to overcome bad decisions earlier in life and emphasize our belief in second chances for all who are willing to work hard to turn their lives around.”*

We note this primarily because of the stark contrast this provides to the situation in Australia in terms of the political landscape and the employment landscape. In Australia, very little attention is given publicly to this issue, and very few political leaders have adopted the over-incarceration of so many Australians as a cause they are prepared to give voice to. President Donald Trump in this speech (and many others!) calls on the employers of America to give people coming out of prison in America, a second chance. The Justice Reform Initiative believes that it is time that people in Australian public life on both sides of politics start to focus on these issues as well.

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### EDUCATION AND SUPPORT (POLICE CHECKS AND EMPLOYING PEOPLE WITH LIVED EXPERIENCE OF INCARCERATION)

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The Australian Red Cross (also a partner organisation of the Justice Reform Initiative) has developed a website with tools to support employers in recruiting, managing and supporting an inclusive workforce with people with lived experience of the justice system.<sup>46</sup>

This site clarifies some fundamentals about the use and application of police checks in employment.<sup>47</sup> The site provides information that is practical and supportive. For instance, being advised that an applicant for employment has had a prison experience does not mean that they should be automatically excluded from employment. The decision for employers is a matter of balancing the risk if any posed to a business or a not for profit including service delivery, staff and reputation with the risk of excluding and creating unnecessary barriers to engaging people with lived experience of the justice system. We see there being enormous valuable in this form of public education campaign as well. We suggest that, alongside Government funded public education campaigns that elevate the importance of employers being given a second chance, that more broadly there is value in Workforce Australia also supporting public education campaigns in the community sector that advocate for the responsible use of police checks, and note that offences arising in a police check should not automatically result in a bar to employment.

**Recommendation 5: A high profile public campaign should be launched to increase employment prospects for people leaving prison. This campaign should focus on both prospective employer education as well as general community education about the need for a second chance for people who have spent time in prison. It should address the stigma of past incarceration, the importance of employment in rebuilding lives in the community, and the success of ‘employment first’ reintegration programs internationally.**

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<sup>46</sup> <https://www.redcross.org.au/globalassets/cms/justice/connecting-talent-shortages-to-those-who-can-work.pdf>

<sup>47</sup> <https://www.redcross.org.au/inclusiveemployment/>

**Recommendation 6: Support for employers recruiting and managing people with lived experience of the criminal justice system is required (particularly with regard to conducting and considering police checks prior to hiring) and Workforce Australia should encourage the provision of such support services by contracted providers and remunerate them accordingly.**

## CONCLUSION

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We would welcome the opportunity to further brief the committee, alongside our colleagues with lived experience of the criminal justice system and the challenges of seeking employment after release. There are opportunities to build pathways *out* of the justice system and employment and support pathways into the community. There is the need to significantly scale up the availability and scope of community led in-reach employment programs into prisons, increase the quality and availability of post-release support that should operate alongside these programs, and ensure that the significance of employment is recognised when it comes to supporting people in desistance from crime and re-offending. There is a further need for a public education campaign to combat stigma, encourage the employers of Australia to give people a second chance, and employ people who have been to prison, and provide support and encouragement for employers to do so.

## **APPENDIX A: GOOD PRACTICE PRINCIPLES IN SERVICE DELIVERY FOR DIVERSIONARY AND POST-RELEASE SUPPORT: HOW TO BUILD A SERVICE THAT WORKS TO REDUCE RECIDIVISM**

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### **REINTEGRATION FRAMED OUTSIDE OF THE LENS OF REHABILITATION.**

There is a need to create and facilitate pathways for people leaving prison that focus on addressing systemic barriers to reintegration and creating a strong sense of identity outside of the justice system. This means explicitly addressing barriers to reintegration including discrimination, poverty, and homelessness. For Aboriginal and Torres Strait Islander populations, identity is often related to culture, family, and community. 'Non-prison' identities might also be accessed in the form of employment, volunteering, and educational opportunities. The critical point here is that reintegration should not just be framed in terms of addressing offending, but rather about building a life outside of the prison environment<sup>48</sup>.

Service delivery must include a significant advocacy component that addresses structural barriers for individuals (such as access to housing, employment, education, health, and social security benefits), and advocates systemically for change when it is required (for instance, in the case of discriminatory employment practices). Systemic advocacy sees workers walking alongside people leaving custody and challenging the multiple forms of perpetual punishment experienced by people with criminal records and those who have experienced imprisonment<sup>49</sup>.

### **PRE-RELEASE ENGAGEMENT FOR PEOPLE IN CUSTODY**

Meeting and working with people prior to release, where possible, is extraordinarily useful when it comes to building the engagement necessary to sustain the casework relationship, building trust between the person in prison and the community organisation on the outside, and practically planning for re-entry into the community with complex needs populations<sup>50</sup>.

### **HOLISTIC, RELATIONAL, INTENSIVE AND LONG-TERM CASEWORK MODELS**

People should not be excluded from services on the basis of complexity, or on the basis of criminal records or past offending behaviour. That is, services should be resourced to work with people with multiple and complex support needs. People with long histories of trauma, combined with the 'referral fatigue' often experienced by this group, require long-term support to build engagement and trust. Long-term support also allows people the opportunity to develop the skills required to navigate frequently hostile or unwieldy service systems. Services that work with people around their

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<sup>48</sup> See Sotiri, McCausland, Reeve, Phelan and Byrnes (forthcoming) 'They're there to support you and help you, they're not there to judge you' Breaking the cycle of incarceration, drug use and release: Evaluation of the Community Restorative Centres AOD and Reintegration Programs; NSW Health Report ee Sotiri et al (2021), 'They're there to suWEAVE, Creating Futures (Evaluation report, April 2020); Women's Justice Network, Adult Mentoring Program (Evaluation report, 2016); Community Restorative Centre, Alcohol and Other Drugs Transition Program (Evaluation report, 2016); Sotiri, M (2016) Churchill Fellowship Report;

<sup>49</sup> M Sotiri and S Russell, 'Pathways home: How can we deliver better outcomes for people who have been in prison?', Housing Works, Vol. 15, No. 3, 2018, 41; Sotiri (2016) Churchill Fellowship Report

<sup>50</sup> M Borzycki and E Baldry, 'Promoting integration: The provision of prisoner post-release services', Trends and Issues in Crime and Criminal Justice, Australian Institute of Criminology: Canberra, No. 2, 2003; J Gilbert and B Elley, 'Reducing recidivism: An evaluation of the pathway total reintegration programme', New Zealand Sociology, Vol. 30, No. 4, 2015, 15–37; B Angell, E Matthews, S Barrenger, A Watson and J Draine, 'Engagement processes in model programs for community re-entry from prison for people with serious mental illness', International Journal of Law and Psychiatry, Vol. 37, 2014, 490–500.



various support needs, rather than simply referring on, are also critical in terms of building engagement, trust and providing meaningful support. Although there is the need for specialist services (for instance specialist mental health support), the role of the case worker is to genuinely support this engagement (not just make a referral). This might mean, for example, assisting people support with getting to appointments (at least initially), and where appropriate attending appointments to support the development of the connection<sup>51</sup>.

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### COMMUNITY-BASED AND COMMUNITY-LED OUTREACH

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Services that work with people with histories of involvement in the criminal justice system need to operate outside of the criminal justice system and within the communities in which people are living. Services should be outreach in focus - that is, workers should travel to where clients are 'at' rather than relying on appointment-based systems (at least initially).<sup>52</sup>

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### FIRST NATIONS LED

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For First Nations children, the most effective early intervention responses are those that are culturally appropriate, designed and delivered by local First Nations communities and organisations and which foster a genuine sense of community ownership and accountability.<sup>62</sup> Many First Nations People have intergenerational and/or personal experience of mainstream services working against them.<sup>63</sup> Engaging with First Nations communities ensures that programs are more effectively targeted to local priorities and needs, and are aligned with local systems and circumstances.<sup>64</sup> Community involvement and local decision making should occur at each stage of the process, including at the feedback stage to ensure that the feedback methods used align with First Nations communication and knowledge.

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### HOUSING FIRST APPROACHES

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Support must be practical, and people need somewhere safe and secure to live. Regardless of the 'focus' of the service provider, the majority of people leaving prison or at risk of justice system involvement require assistance with housing, and this should not be something that is 'referred out'. People require a solid base from which they can make the changes required to stay out of prison.<sup>53</sup>

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<sup>51</sup> Gilbert and Elley, 15–37; Angell et al, 490–500; B Hunter, A Lanza, M Lawlor, W Dyson and D Gordon, 'A strengths-based approach to prisoner re-entry: The fresh start prisoner re-entry program', *International Journal of Offender Therapy and Comparative Criminology*, Vol. 60, No. 11, 2016, 1298–314.

<sup>52</sup> D Padgett, L Gulcur and S Tsemberis, 'Housing first services for people who are homeless with co-occurring serious mental illness and substance abuse', *Research on Social Work Practice*, Vol. 16, No. 1, 2006, 74–83; S Kendall, S Redshaw, S Ward, S Wayland and E Sullivan, 'Systematic review of qualitative evaluations of re-entry programs addressing problematic drug and alcohol use and mental health disorders amongst people transitioning from prison to communities', *Health and Justice*, Vol. 6, No. 4, 2018.

<sup>62</sup> D Padgett, L Gulcur and S Tsemberis. 2006, n 61; S Kendall et al, 2018, n 56; [Programs in NSW](#), Report 2/56. September 2018. 9; Kristen Davis and Daryl Higgins. 2014. '[Law and justice: prevention and early intervention programs for Indigenous youth](#)'. Australian Institute of Health and Welfare and Australian Institute of Family Studies. Resource Sheet No 34. July 2014. 10.

<sup>63</sup> Law Council of Australia. 2019. '[Minimum Age of Criminal Responsibility](#)'. Policy Statement, 17 December 2019. 5.

<sup>64</sup> Kristen Davis and Daryl Higgins 2014, n 62.

<sup>53</sup> Padgett, L Gulcur and S Tsemberis, 'Housing first services for people who are homeless with co-occurring serious mental illness and substance abuse', *Research on Social Work Practice*, Vol. 16, No. 1, 2006, 74–83; Sotiri and S Russell, 'Pathways home: How can we deliver better outcomes for people who have been in prison?', *Housing Works*, Vol. 15, No. 3, 2018, 41; Johnson, G., Parkinson, S. and Parsell, C. (2012) Policy shift or program drift? Implementing Housing First in Australia, AHURI Final Report No. 184, Australian Housing and Urban Research Institute Limited, Melbourne,

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GENUINE COLLABORATION WITH PEOPLE WITH LIVED EXPERIENCE OF  
INCARCERATION AT ALL LEVELS OF PROGRAM DELIVERY

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The expertise of people who have themselves been to prison is critical in both the design and delivery of community-based reintegration services.<sup>54</sup>

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<sup>54</sup> Doyle, C, Gardner K, Wells, K (2021) The Importance of Incorporating Lived Experience in Efforts to Reduce Australia's Incarceration Rates, in *International Journal for Crime, Justice and Social Democracy*, Vol. 10, No. 2; Sotiri, M (2020) Building Pathways Out of the Justice System: Supporting Women and Reducing Recidivism, in *Precedent* Issue 161, November/December 2020.

## APPENDIX B

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### CO-PATRONS IN CHIEF

We are honoured to have two distinguished Australians take on the role of Co-Patrons in Chief of the Justice Reform Initiative.

- **The Honourable Sir William Deane AC KBE**, former High Court Justice and Governor-General of Australia
- **The Honourable Dame Quentin Bryce AD CVO**, former Governor-General of Australia

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### NATIONAL PATRONS

*In alphabetical order:*

- **The Honourable Dr Peter Baume AC DistFRSN**, former Senator for NSW (1974-1991), Former Minister for Aboriginal Affairs, Education, and Health, former Professor of Community Medicine at the University of New South Wales (1991-2000), Former Chancellor of the ANU (1994-20006), Former Commissioner of the Australian Law Reform Commission, Former Deputy Chair of the Australian National Council on AIDS and Foundation Chair of the Australian Sports Anti-Doping Authority, Life Governor of the Kirby Institute, and Hall of Fame recipient of Disability Australia.
- **The Honourable Justice Virginia Bell AC**. Former Justice of the High Court of Australia.
- **The Most Reverend Timothy Costelloe SDB**. Archbishop of Perth, President of the Australian Catholic Bishops Conference.
- **The Honourable Elizabeth Evatt AC**, former Chief Justice of the Family Court of Australia
- **The Honourable Mary Gaudron QC**, former Justice of the High Court of Australia
- **Kate Grenville AO**, Author. Kate has published fifteen books, including the celebrated *The Secret River*. Kate has won the Orange Prize and Commonwealth Writers' Prize, with her books published worldwide and translated into many languages. Three have been adapted into feature films.
- **Anne Hollonds**, Australia's National Children's Commissioner. Formerly Director of Australian Institute of Family Studies an independent statutory authority responsible for conducting research and providing advice on child and family wellbeing.
- **Dr Jackie Huggins AM FAHA**. Former Co-Chair of Reconciliation Australia.
- **The Honourable Michael Kirby AC CMG**, former Justice of the High Court of Australia.
- **Professor the Honourable Michael Lavarch AO**. Former Attorney-General of Australia.
- **Prof Patrick McGorry AO MD, PHD, FRCP, FRANZCP, FAA, FASSA, FAHMS**, former Australian of the Year
- **Arthur Moses SC**, immediate Past President, Law Council of Australia
- **Mick Palmer AO APM**, former Commissioner, Australian Federal Police
- **Professor Stephen Robson**, President of the Australian Medical Association
- **Lieutenant General The Honourable Dr John Sanderson, AC**. Former Governor of Western Australia, former Chief of the Australian Army, former Force Commander of the United Nations in Cambodia.
- **Councillor Linda Scott**. President of the Australian Local Government Association, Sydney City Councillor and former Deputy Lord Mayor of the City of Sydney.
- **Diane Smith-Gander AO**. National Chair of Committee for Economic Development of Australia (CEDA) and past president of Chief Executive Women.
- **Ben Quilty**, Artist. Former winner Archibald Prize, Doug Moran National Portrait Prize, Brett Whitely Travelling Art Scholarship and National Artists' Self Portrait Prize
- **Pat Turner AM**, former CEO Aboriginal and Torres Strait Islander Commission