

NO BARS



Supporting drug and alcohol services to work with criminal justice clients

This booklet provides a snapshot of some of the issues experienced by people in contact with the criminal justice system.

For further information about the criminal justice system, prisoners, ex-prisoners, working with criminal justice clients, resources and latest research findings go to the no bars website.

www.nobars.org.au

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About Us

Community Restorative Centre (CRC) www.crcnsw.org.au



changing lives
reducing crime

The Community Restorative Centre is a NSW community organisation dedicated to supporting people affected by the criminal justice system, particularly prisoners, ex-prisoners, and their families and friends. Our staff offer personal and practical assistance such as counselling, accommodation, a subsidised transport service, a court support service, outreach to prisons, and information, advice and referrals. We address issues that can put people at risk of crime, such as drug and alcohol dependence, homelessness, unemployment, and social exclusion. We assist those who are experiencing hardship and work with their families and communities, giving them support to develop their skills and build stable, independent lives.

Network of Alcohol and other Drug Agencies (NADA) www.nada.org.au



NADA
network of alcohol & other drugs agencies

NADA is the peak organisation for the non government drug and alcohol sector in NSW, and is primarily funded through NSW Health. NADA has over 100 members providing drug and alcohol health promotion, early intervention, treatment, and after-care programs. These organisations are diverse in their philosophy and approach to drug and alcohol service delivery and structure. NADA's goal is to support non government drug and alcohol agencies in NSW to reduce the alcohol and drug related harm to individuals, families and the community. The NADA program consists of sector representation and advocacy, workforce development, information/data management, governance and management support and a range of capacity development initiatives. NADA is governed by a Board of Directors primarily elected from the NADA membership and holds accreditation with the Australian Council on Health Care Standards (ACHS) until 2014.

A Snap Shot of Prisoners in NSW

There are currently over 10,000 people in prison on any one day in NSW, with up to 30,000 people cycling through the NSW prison system each year. Nearly half of these people will be back in prison within two years. Drug and alcohol use is often a contributory factor for those in the cycle of offending and imprisonment.

How Many People are in NSW Prisons?

On the 30 June 2009⁽¹⁾

- 11,160 people were in custody in NSW.
- 92.3% were male and 7.7% were female.
- 21.3% of the full-time prison population were Aboriginal.
- 75% of prisoners were Australian born.
- 67.2% of prisoners had experienced previous adult imprisonment.

Prisoners and Substance Use

Drug and alcohol issues are prevalent in the NSW prison population. While most offences were not, strictly speaking, 'drug related' by definition, a large proportion of prisoners were either intoxicated at the time of their offence or had a history of problematic substance use. In the 2009 Inmate Health Survey⁽²⁾:

- 64% of men and 50% of women were intoxicated at the time of their offence, with the most common substance used being alcohol (63%) followed by cannabis (19%).
- 86% of men and 78% of women used illicit drugs at some time in their life.
- 42% of men and 54% of women regularly used illicit drugs in the 12 months prior to entering custody.
- 40% of men and 52% of women had injected drugs at some time in their life.
- 62% of men and 38% of women used alcohol in a hazardous or harmful way in the 12 months prior to entering custody.
- 11% of offences committed by prisoners were drug offences, including 20% of women and 9% of men.

(1) Corben, S. (2010) *NSW Inmate Census 2009: Summary of Characteristics*, Sydney: Corrective Services NSW.

(2) Indig, D. et.al. (2010) *2009 NSW Inmate Health Survey: Key Findings Report*. Sydney: Justice Health.

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Limited Access to Prison Programs

- People with drug and alcohol issues may experience a lack of access to programs while in prison.
- The majority of prisoners serve less than two years (28.7%) or are on remand (i.e awaiting trial or sentencing) with no fixed date of release (23.4%)⁽³⁾.
- Prisoners on remand are rarely able to access drug or alcohol programs due to the uncertainty surrounding their length of incarceration.
- Prisoners serving a sentence of six months or less are rarely able to access drug and alcohol programs. They are categorised as low priority for programs due their short sentence length.
- Access to drug and alcohol programs may also be limited due to operational constraints such as high demand for program spaces, limited number of correctional centres where programs are run, and the security classification of prisoners.



(3) Corben, S. (2010) *NSW Inmate Census 2009: Summary of Characteristics*, Sydney: Corrective Services NSW.

Challenges on Release – Getting Out and Getting Treatment

High Risk Time

- The first 72 hours after release are a critical period for people at risk of overdose.
- The first two weeks are critical for relapse into drug and alcohol misuse and reoffending.
- The first three months after release pose a particularly high risk for reoffending.

The most critical factor affecting a person's ability to address their drug and/or alcohol issues is access to treatment. Clients of the criminal justice system have the same rights as everyone else to timely and equitable access to treatment.

Access to Drug and Alcohol Services

- With access to drug and alcohol services, ex-prisoners have a much better chance of leading a healthy, productive, crime free life.
- For many ex-prisoners, accessing drug and alcohol services is one of the major problems they face immediately following their release.
- Without addressing drug and alcohol issues in these early months, it's close to impossible to re-establish ties with the community, find work, gain access to children and receive treatment. Any rehabilitative work achieved in custody will be undone.
- The most critical factor affecting a person's ability to address their drug and/or alcohol issues is access to treatment. Drug and alcohol misuse is a health issue and as such needs to be treated within a specialist health service.

Getting Into Treatment – Practical Challenges On Release

Whether being released from court or being released from custody after a short or long period, people often have a number of immediate, practical challenges to address. The practical challenges of having the right identification, accommodation, transport and money can quickly divert individuals from accessing the services they need.

Travel - Getting from Prison to Rehab

- The majority of NSW correctional centres are in regional areas with minimal and infrequent transport options.
- While Corrective Services NSW issue prisoners being released a ticket for travel by public transport to the place of arrest, travel options may be limited in regional areas.
- Often the place of arrest is a location where individuals will have associations they are trying to cut ties with and may not want to risk rekindling those connections.

Limited Finances

- On release, ex-prisoners will be given any funds left in their prison bank account.
- If they have been in prison for 14 days or more individuals are eligible to receive a one week advance payment from Centrelink. This is known as a crisis payment and leaves only one week of payment available to cover the following fortnight.
- In the first week following release, people often need to organise basic essentials such as food, clothing, toiletries, travel costs, accommodation and furniture.

Lack of Identification

- Often individuals are released from custody with no identification (ID) other than their prison MIN (Master Index Number) and Discharge Certificate.
- It can be challenging to gain enough ID points to open bank accounts or even to access some drug and alcohol services.
- Navigating the system in order to regain documents of identification and then being able to pay for them can be difficult.

Prisoner Health

People in NSW prisons have complex needs in relation to their physical and mental health. In addition to mental health, intellectual disability and high instances of Hepatitis C, inmates often suffer from a range of chronic health issues. This is related to lower levels of access to health care, high levels of physical illness and disability, the long term effects from injuries, (eg. head injuries) and high levels of risk taking behaviour. Chronic conditions include poor eyesight, back problems, asthma, oral health problems, high blood pressure, arthritis, ulcers, epilepsy, cancers, diabetes, deafness, and liver/kidney disease⁽⁵⁾. The prison environment can often provide an opportunity for people to address some of their health needs that may have remained unaddressed in the community.

Mental Health

Psychiatric disorders identified in the Australian prison population are substantially higher than in the general community. In 2006, the 12-month prevalence of any psychiatric illness in the last year was 80% in prisoners and 31% in the community⁽⁶⁾.

Intellectual Disability

People with an intellectual disability are over-represented in the criminal justice system and are more likely to be arrested, questioned and detained for minor public order offences. They are also more likely to receive harsher penalties, have less access to sentencing options, and may experience disadvantage when interviewed by police or when in court because they may not understand what is happening and what is being said. They are often highly vulnerable in prisons because of their disability and have higher rates of reoffending than the general prison population⁽⁷⁾.

Hepatitis C

Incarceration in itself is a risk factor in contracting Hepatitis C. While a decline is recognised in Hepatitis C status of NSW prisoners between 2001 and 2009, there is a prevalence of Hepatitis C six times higher in the Australian prison population than in the community⁽⁸⁾.

(5) Indig, D. et.al. (2010) *2009 NSW Inmate Health Survey: Key Findings Report*. Sydney: Justice Health.

(6) Butler, T. et. Al. (2006) 'Mental disorders in Australian prisoners: a comparison with a community sample', *Australian and New Zealand Journal of Psychiatry* 2006; 40:272–276.

(7) NSW Ombudsman (2008) *Supporting people with an intellectual disability in the criminal justice system: Progress report*, Sydney.

(8) Ministerial Advisory Committee on AIDS, Sexual Health and Hepatitis (MACASHH), Hepatitis C Subcommittee, (2008), *Hepatitis C Prevention, Treatment and Care: Guidelines for Australian Custodial Settings*, MACASHH.

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Working with Criminal Justice Clients

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Seize the moment. This is your teachable moment. It may be the only time this person steps inside a treatment service. No matter what the motivation you have a golden opportunity to positively assist this person.

**Astrid Birgden, Director of the Compulsory Drug Treatment Program
Corrective Services NSW**

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There are a range of considerations that need to be made in working with criminal justice clients that will support best practice service delivery. Your service already has expertise in helping people dealing with drug and/or alcohol and other related issues. Ex-prisoners are essentially no different to other clients – they have a similar range of issues and need a chance to sort themselves out.

Similarities Outweigh the Differences

It's important to understand that the risk factors for drug and alcohol relapse are the same as the risk factors for reoffending. It's the number of factors needing to be addressed, not what they are, that creates the high level of risk of relapse or reoffending.

Many Drug and Alcohol Clients will Commit an Offence

The majority of people who use alcohol and other drugs have committed, or will commit, an offence related to their use, but will not be caught.

Many come from a Disadvantaged Background

Criminal justice clients on the whole, according to research both in Australia and overseas, are highly disadvantaged. The vast majority have problems with drug and alcohol use.

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Increasing Access to Treatment

The most critical factor affecting a person's ability to address their drug and/or alcohol issues is access to treatment. Drug and alcohol misuse is a health issue and as such needs to be treated within a specialist health service. Clients of the criminal justice system have the same rights as everyone else to timely and equitable access to treatment.

“It makes it, like, hard for some people to enter a [treatment] program when they're basing it on your criminal record. It doesn't matter where you are you get violent people – you can go to the pub and meet violent people – so I don't think they should be like scared of people just because they've been in jail. Lots of people have a drug problem. **Former CRC client**”

**For further information on the following topics, go to
www.nobars.org.au**

About the Criminal Justice System – Police, Courts, Alternatives to Prison, Prisons, Community Offender Management.

About Criminal Justice Clients – Prisoner Health in NSW, Prisoners in Australia, Prisoners in NSW, Indigenous Prisoners in NSW, Culturally and Linguistically Diverse Prisoners, Women Prisoners in NSW, Families of Prisoners in NSW.

Working With Criminal Justice Clients – Use of a Criminal Record, Client Motivation, The Prison / Rehab Culture Clash, Reflecting on your Service Practice.

Resources – No Bars Training Options, CRC Training and Publications, Useful Contacts, Research and Publications, Glossary of Terms and Prison Slang.

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Services for Prisoners, Ex-Prisoners and their Families:

Community Restorative Centre (CRC)

Information, advice and support for prisoners, ex-prisoners and their families.
Ph: (02) 9288 8700

Prisoners' Aid Association NSW

Advice, finding property, financial assistance and re-establishing ID. Ph: (02) 9281 7582

Criminal Justice Support Network

Support for people with an intellectual disability who are in contact with the criminal justice system.
Ph: (02) 9318 0144 (24hr service)

Kairos Prison Ministry

Support to women who have a loved one in custody through Kairos Outside.
Ph: (02) 9683 6096

SHINE for Kids

Support for children with a carer in prison.
Ph: (02) 9714 3000

WISE Employment

Assistance in gaining and maintaining employment for ex-prisoners with a disability.
Ph: 1800 685 105

Research and Publications

There is a vast range of research regarding criminal justice issues in Australia. You can access relevant research and publications from:

Australian Institute of Criminology (AIC), Australian Government www.aic.gov.au

The Australian Institute of Criminology is Australia's national research and knowledge centre on crime and justice. The AIC have a range of publications on Australian criminal justice issues.

Australian National Council on Drugs (ANCD) www.ancd.org.au

The ANCD is the principal advisory body to federal government on drug policy and plays a critical role in ensuring the voice of the community is heard in relation to drug related policies and strategies. The ANCD publish a series of research papers relevant to drug and alcohol in NSW.

Australian Prisons Project (APP)

www.app.unsw.edu.au

The APP website hosts a range of relevant research in the area of Australian criminal justice issues by theme and jurisdiction as well as including a comprehensive list of external links.

Crime and Justice Research (CJR) Network www.cjrn.unsw.edu.au

The CJR Network hosts a list of research in criminal justice issues currently underway and newly published.

Justice Health - Centre for Health Research in Criminal Justice (CHRCJ)

www.justicehealth.nsw.gov.au/research

The CHRCJ aims to research prisoner health issues and health matters connected with the criminal justice system. Key research includes the NSW Inmate Health Surveys.

The NSW Bureau of Crime Statistics and Research (BOCSAR)

www.bocsar.nsw.gov.au

BOCSAR is the official source of NSW crime statistics and conducts research into crime and criminal justice and evaluates initiatives designed to reduce crime and reoffending. A range of research is available via BOCSAR.

For more information visit www.nobars.org.au

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Many people with drug and alcohol issues come in contact with the criminal justice system. NO BARS is an education and resource project to help drug and alcohol services in their work with ex-prisoners and others involved in the criminal justice system.

NO BARS supports drug and alcohol services by:

- Providing the No Bars website – www.nobars.org.au – a one-stop shop for services about working with criminal justice clients and the criminal justice system.
- Answering common questions about criminal justice clients.
- Explaining the criminal justice system.
- Offering free training to NADA member services on working with criminal justice clients.
- Publicising the social disadvantage experienced by most criminal justice clients with drug and alcohol issues.

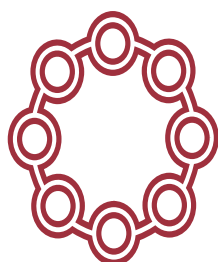
Visit: www.nobars.org.au

NO BARS is a partnership project of
the Network of Alcohol and other Drug Agencies (NADA)
and the Community Restorative Centre (CRC)

www.nobars.org.au



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NADA

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*The No Bars project is funded by NSW Health
under the Illicit Drug Diversion Initiative.*