

**TWES Consultation**

**Department of Employment and Workplace Relations**

**Re: Submission on Improving Prison Employment Services for First Nations Peoples**

To Whom It May Concern

WISE Employment presents the following submission for consideration in the Australian Government's 2023 consultation on improving prison employment services for First Nations peoples.

Kind Regards



Matthew Lambelle  
CEO – WISE Employment  
14/08/23

# **WISE** Employment

empowerment through employment

## **Response to the**

### ***Consultation into Prison Employment Services for First Nations Peoples***

### **WISE Employment Ltd | August 2023**

WISE Employment Ltd acknowledges the Traditional Custodians of Country throughout Australia and recognise their connection to land, waters, community and culture. We pay our respect to Elders past, present and emerging and extend that respect to all Aboriginal and Torres Strait Islander peoples.

# WISE Employment

## Response to the Consultation into Prison Employment Services for First Nations Peoples 2023

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## **WISE Employment: Committed to Transformative Ex-Offender Services**

WISE Employment is an Australian not-for-profit employment services provider established in 1992 to assist people with disability and from disadvantage into employment. For 30+ years, WISE has empowered job seekers to take control of their employment journey and find meaningful work.

WISE's vision is to inspire, transform and enable people to realise their potential, and strives to achieve diversity and inclusion across Australian workplaces every day.

WISE has a commitment and desire from all levels of our organisation for an Australia where First Nations people have equal and equitable opportunities, as outlined in our Reconciliation Action Plan.

Developing employment support models that work for Ex-Offenders is of paramount importance to WISE. In 2009, WISE was the first provider in Australia to operate Ex-Offender Specialist employment services through the Government's mainstream program. Currently WISE provides a specialist Ex-Offender Workforce Australia service in South-East Melbourne & Peninsula, including working with Pre-Release Prisoners.

WISE assists First Nations people in Port Augusta Prison to prepare for employment upon release via the Government's non-remote Time to Work Employment Services (TWES) (since 2018).

WISE also supports Ex-Offenders through its Workforce Australia generalist services in Western Australia, New South Wales, South Australia and Victoria and its high-performing Disability Employment Services in metropolitan and regional areas across Australia.

WISE subsidiary Caraniche, with 30 years' experience in psychological and behavioural health services, provides evidence-based clinical services to 12,000 prisoners each year in Victoria including individual counselling and drug education in specialised group treatment programs. Caraniche's team of psychologists, social workers and AOD clinicians work collaboratively with individual clients and their case managers creating tailored treatment plans based on each person's level of risk and treatment needs.

## **General comments**

In its submission WISE Employment has drawn information and views from its experience delivering ex-offender prison services, including from staff, First Nations participants and the expertise of partners.

WISE Employment also draws the attention of stakeholders to the reports and publications collaboratively developed by the University of NSW, Deakin University, ACT Corrective Services, WISE Employment, Break Thru People Solutions, Australian Community Support Organisation, NSW Corrective Services and Australasian Corrections Education Association Incorporated, in the study:

Baldry, E, Bright, D, Cale, J, Wodak, J, Day, A, Dowse, L, Giles, M, Hardcastle, L, Graffam, J, McGillivray, J, Newton, D & Rowe, S 2018, A future beyond the wall: improving post-release employment outcomes for people leaving prison: final report, University of New South Wales, Sydney, <http://doi.org/10.26190/5b4fd2de5cfb4>

## **Key Recommendations**

1. Any new prison-to-work program is First Nations-led from design to delivery to ongoing improvement.
2. A co-facilitated service delivery model involving collaboration of First Nations and non-Indigenous experts, ensuring genuine and equal partnerships.
3. Participants are supported for up to 12 months before release and 12 months post-release including after getting a job, working with other programs with which the prisoner is connected.
4. Services integrate well-aligned cultural knowledge, high-quality case management skills, and holistic and collaborative support.
5. If possible, participants stay with one Case Manager who has developed a strong rapport with them throughout servicing, from pre-release to in-work support.
6. Focus is given to improving coordination, flexibility and cultural sensitivity of systems and processes which connect the participant to employment support, including coordination between jurisdictions and service sectors.
7. Through partnerships with community employers, opportunities for people leaving prison to be placed directly into transitional work initiatives are explored.

## **1. Closing the Gap and culturally competent services**

In relation to closing the gap and ensuring the culturally competent design and delivery of prison-to-work services, WISE supports the recommendations of the 'Evaluation of the Time to Work Employment Service' final report, 2021:

- A co-design process with Aboriginal and Torres Strait Islander stakeholders and experts from the outset.
- Exploration of opportunities for more Aboriginal and Torres Strait Islander stakeholders to lead the delivery of service.
- Advice and input from Aboriginal and Torres Strait Islander stakeholders and experts on the ongoing delivery and improvement of services at all levels.

### **What do WISE TWES program staff think?**

WISE TWES program staff said:

- Partnering with the Aboriginal Liaison Officer in the prison has been helpful including arranging for them to attend some of our meetings with participants for gender and cultural sensitivity, assisting with engagement.
- A challenge was connecting with cultural advice and mentoring for the range of backgrounds of prisoners as most are not from the Port Augusta area.

### **What do WISE First Nations staff think?**

WISE First Nations team member, Workforce Australia program:

- “...there isn’t anyone out there more equipped to understand First Nations experience than First Nations people. I strongly recommend that whatever program or servicing that comes from this consultation needs to be First Nations led.”
- “Shame can play a big role in whether or not First Nations people engage in prison to work programs. If they are feeling a sense of shame then they are unlikely to engage. Employees working on these programs should be aware of this and have an understanding of how shame is a barrier.”

### **Views on future services**

WISE would also like to see:

- Consideration of how services can be inclusive of the range of cultural backgrounds of First Nations prisoners and people leaving prison.
- A co-facilitated service delivery model involving collaboration of First Nations and non-Indigenous experts, ensuring genuine and equal partnerships.
- Where it is not possible to have Indigenous people delivering the program, workers to have connections with community, knowledge of First Nations cultures and histories, cultural competence and access to resources to continue to develop knowledge and best practice. This includes resources beyond online training e.g. avenues for connecting with local elders and communities, cultural advice and mentoring.
- Workers supporting participants in the program should be skilled in case management and in delivering strengths-based, trauma-informed and collaborative services, acknowledging participants are often dealing with complex needs and circumstances.
- Consideration of how a participant can be matched with a compatible worker/s for the duration of the services from pre-release to post-release and for an extended period post-employment, acknowledging the importance of trusting relationships for successful collaboration. It is also noted that compatibility of workers and participants can be influenced by a range of factors so models that are person-centred and incorporate flexibility may be more effective.
- Data and information available that will help stakeholders to develop and improve services, is accessible to a range of users, and is culturally appropriate and strengths-focused.

## **2. In-prison supports**

### **What do people with lived experience think?**

In-prison participant volunteers, WISE TWES, Port Augusta Prison, 2023 commented that they thought the program:

- Was great because they wanted to work and they could see this being the pathway to establish the networks to help them prior to and upon release.

Prisoners eligible for TWES, Port Augusta Prison, 2022, reasons given for not volunteering for TWES:

- Already working with other post-release support services.
- Cultural reasons.

Participant exited from TWES Port Augusta in 2018 due to release from prison:

- The participant had relocated to a regional South Australian town and the TWES Consultant met with the participant when he was visiting for another work program. The participant informed the TWES Consultant that due to his encouragement and belief in the participant, the participant had changed his mind set and secured employment in the mining industry and has since re-connected with his wife and daughter.

### **What do WISE First Nations staff think?**

WISE First Nations team member, Workforce Australia program:

- [in relation to factors that can lead to reoffending] “I think any prison to work program needs to ensure that prior to release, housing, access to food and financial advice and assistance is already being managed.”

### **WISE program experience**

In delivering in-prison employment supports to First Nations people, WISE has found effective strategies to include:

- Developing strong relationships with Corrections staff including Employment Officers, Aboriginal Liaison Officers, Case Managers, General Managers and Education Facilitators, resulting in sharing of important information for positive engagement, support and a smooth connection to systems and services prior to and after release.
- Arranging an Aboriginal Liaison Officer to be present in meetings with participants to assist with cultural sensitivities such as communication styles and gender compatibility to improve engagement (*TWES*).
- A 2021 review of WISE TWES found that most current participants were referred through Corrections staff rather than promotional sessions run at the prison or prisoner self-referral.
- Building positive rapport and providing encouragement and personalised assistance to participants through regular contact, with sensitivity to culture, family and community obligations and privacy.
- Flexibility of services to cater for security protocols and varying circumstances e.g. being able to use multiple modes (in-person, secure video-conferencing, phone) to directly register prisoners for employment services before they leave prison (*Workforce Australia specialist Ex-Offender service*).
- Early intervention to establish a respectful relationship with the participant to then help them navigate their obligations, upskill and reskill, utilise the Employment Fund, and connect them with suitable employers (*Workforce Australia specialist Ex-Offender service*).

### **Views on future services**

In any future development of prison-to-work services, WISE would also like to see:

- Better coordination between state/territory and Commonwealth in-prison employment, education and training programs to develop strategies tailored to each participant. There should be a focus on collaboration between jurisdictions and seamless service delivery for participants.
- Consideration of a more holistic service that integrates strategies for the range of challenges the prisoner may face when released e.g. AOD, family, housing, mental health, low skills, and also connects with continued supports for these after release.

- Thorough cross-jurisdictional and cross-sector collaboration, practical and engaging capacity-building of prisoners to build their confidence and motivation to achieve employment upon release e.g. hands-on activities, peer presentations, meeting employers and providers, and skill-building.
- More flexible, culturally sensitive and accessible Government systems and procedures so that prisoners can be set up for income and employment support before release in an efficient manner, and that they feel confident about their employment pathway upon release (amongst their many other essential needs). An example noted was that TWES staff complete the JSCI manually because electronic devices cannot be brought into the prison, but often Services Australia staff re-do the JSCI at the time of the ESA resulting in double handling and wasted time for all parties (TWES).
- Consideration of a longer period of engagement and expanded support to First Nations prisoners up to 12 months before release through monthly contact, working with other programs with which the prisoner is connected. This would improve relationships with prisoners and Correctional Services staff. WISE staff have observed that TWES is currently seen as a lower priority in the prison. Prisoners also often ask for assistance with needs outside the program's remit like housing and banking. It would further help with accommodating restrictions inherent in the prison environment e.g. 5 days' notice to meet participants inside the prison, limited times available to meet, short meeting duration of 20-30 minutes and lockdowns (TWES).
- Development of better systems to support people on remand, establishing a connection that can be continued post-release. Staff have observed in Victoria that people on remand often fall through the cracks because support services are notified late of their imminent release which prevents relationships being set up and developed.

### 3. Post-release supports

#### What do people with lived experience think?

First Nations Ex-Offender, *Workforce Australia specialist Ex-Offender service*, South-East Melbourne & Peninsula, 2023, after referral to Caraniche drug counselling and a one-month reintegration program with Australian Forensic Treatment Rehabilitation (AFTE), he was employed in an Indigenous Affairs Coordinator role in the AFTE program, and said that:

- Participating in the program and then getting employment has made a huge positive impact on his life. He didn't realise that the help and support from WISE and the [AFTE] program could change his life in such a positive way and he couldn't be happier.

First Nations participant recently released from long incarceration, *Workforce Australia specialist Ex-Offender service*, South-East Melbourne & Peninsula, 2023, given flexibility due to adjusting to living in the community, helped with basic employment skills and Forklift training, was employed full-time within 6 weeks of commencing with WISE:

- Said he was very pleased with the result of a one-on-one work clothing and personal care session with WISE partner service, Ready Set.

First Nations Ex-Offender, *Workforce Australia specialist Ex-Offender service*, South-East Melbourne & Peninsula, 2022, full-time activity tested, not meeting mutual obligations due to completing court-



ordered community work, anger management and drug counselling four days a week, and addressing medical conditions but Centrelink was requesting more information from doctors, his Community Corrections Officer vouching for his positive efforts. The participant said:

- It's overwhelming and he has not had the time to do job searches.

### **WISE program experience**

In delivering post-release employment supports to First Nations people, WISE has found effective strategies to include:

- Employing First Nations staff.
- Building positive rapport, trust and safe environments to increase the participant's confidence and motivation to consistently engage with services.
- Working closely with local support services e.g. counselling, accommodation, youth, rehabilitation, training and specialised employment, to ensure appropriate assistance and to incorporate tailored actions, goals and interventions in the participant's employment pathway. This includes meeting participants at community venues e.g. their residential rehabilitation facility and co-location of services (*Darwin NT employment programs*).
- Collaborating with reintegration services providing case management to individuals post-release to understand, plan and develop tailored strategies (*Workforce Australia specialist Ex-Offender service*).
- Collaborating with Probation & Parole Officers to develop strategies which align with court orders (*NT Correctional Services program*).
- Using strengths-based approaches to raise ex-offenders' self-awareness of their worth and motivation including identifying their skills, knowledge and attributes.
- Personnel with expertise in disability support who can help identify and address disabilities and medical conditions impacting employment.
- Referral to qualified in-house and external partner allied health services for support (*Workforce Australia specialist Ex-Offender service*).
- Addressing transport barriers e.g. public transport, driver's licence, shared transport, payment plans for traffic fines.

### **Views on future services**

In any future development of prison-to-work services, WISE would also like to see:

- Consideration of how post-release employment support can be better coordinated with other support services with which the individual is engaged.
- Increased flexibility, cultural sensitivity and simplicity in Government systems and procedures to enable post-release employment support to be delivered in an accessible and efficient way. An example noted by WISE staff is that the current DES Direct Registration form is very long, taking up time that could be better used to build a relationship and provide immediate support to First Nations Ex-Offender participants with disability. Another example is the mismatch between work-readiness and mutual obligations, e.g. exemptions from job seeking when the person is job-ready which breaks the support connection or failure to give exemptions to people with intensive Corrections commitments or severe non-vocational barriers.
- Exploration of opportunities for people leaving prison to be placed directly into transitional work initiatives to build routine, self-confidence and employability e.g. previously in Port

Augusta, upon release people who were accommodated in Government-managed transitional housing attached to the prison were required to complete work (such as grounds maintenance of public assets) for local government as a condition of living there.

- Better coordination and connection between Non-Remote and Remote specialised and mainstream employment programs assisting First Nations Ex-Offenders, as many people return to communities away from the prison where they were incarcerated. This would assist with ensuring engagement and support of people leaving prison and sharing of important information between services and stakeholders (TWES).
- WISE believes participants should be connected with the program for at least 12 months post-release. After transitioning from prison, many people move around for the first few months creating challenges for connection with service providers in one location.

## **4. Helping employers with hiring**

### **What do employers think?**

*WISE employer partner, Alice Springs, NT* specifically offering employment to recently released Ex-Offenders including First Nations people:

- Highlighted a success factor of their formal partnership with WISE of providing ongoing support collaboratively throughout the duration of the individual's employment.

*WISE employer partner, Darwin, NT*, due to a strong belief in supporting the local community, the employer is committed to providing opportunities to candidates who have previously struggled to find suitable employment including Ex-Offenders and through Pre-release programs:

- Expressed understanding of varying employment backgrounds, a willingness to train those without experience and a drive to increase their Indigenous workforce.

### **WISE program experience**

In helping employers to hire First Nations people who are or have previously been incarcerated, WISE has found effective strategies to include:

- Developing formal partnerships with Indigenous-owned businesses and other employers who have a specific interest in giving Ex-Offenders a second chance, increasing their Indigenous workforce (e.g. in a RAP process), and supporting local communities, to place participants into culturally safe and supportive work environments.
- Partnering with employers with multiple vacancies open to Ex-Offenders so that new workers can support each other and have increased confidence to join and stay at the workplace.
- With the participant's consent, providing information to increase a potential employer's confidence to hire them e.g. verification of positive behaviour and participation, stabilised health, references from key workers, and work or volunteer experience while in prison (*Workforce Australia specialist Ex-Offender service*).
- Regular round table discussions with the employer and employee to check progress and address any issues.
- Intensive and frequent in-work support to both the participant and employer for 12 months post-employment.

- Ensuring access to psychological, disability and other specialist services after they have started employment to help the participant manage barriers that may put their job at risk.
- Educating and supporting employers to understand the strengths and needs of individuals who are or have been incarcerated including cultural awareness and providing flexibility for varying circumstances. This may include allowing for an adjustment period when the person starts employment which can be supported by wage subsidies, incremental hours, mentoring and other mechanisms.

### **Views on future services**

In any future development of prison-to-work services, WISE would also like to see:

- Improved resources to enable more in-depth support of participants and employers during the employment transition phase for at least 12 months post-employment to ensure improved outcomes for clients, and employers.
- Proactive identification of employers across regions who can offer a culturally appropriate and supportive work environment to First Nations people leaving prison, including understanding of their employment needs and where required assistance with preparation.
- Simplified administrative processes such as a targeted wage subsidy system, for employers and providers to more easily access such support.
- Consideration of how the program could contribute to addressing discrimination, stigma and exclusion by employers towards First Nations Ex-Offenders.