

# scottish justice matters

## ENVIRONMENTAL CRIME AND JUSTICE

### ALSO

Albie Sachs and Andrew Coyle  
on prisoner voting

Interview with former Cabinet Secretary  
for Justice Kenny MacAskill MSP



ISSN 2052-7950



9 772052 795005

# RETURNING CITIZENS

Hannah Graham, Steve Graham and Jonathon Field on a quiet revolution in prisoner reintegration

**THIS ARTICLE** offers a brief overview of a desistance-oriented approach to supporting community reintegration in the state of Tasmania, Australia. While community service is typically discussed in terms of ‘payback’ as a form of punishment, it can be harnessed in creative ways to support prisoner reintegration and desistance processes. Compelling contributions from desistance scholars (see, for example, McNeill and Weaver, 2010; Schinkel, 2014) advance the recognition that people with offending histories benefit from multi-faceted supports over time to change their lives, living conditions and life chances. Through this lens, the remit of supporting reintegration extends from a traditional blinkered focus on securing essential items to aid survival post-release, to include pursuit of identity change, relationships and resources which enable sustained desistance and human flourishing.

As our respective work roles and ‘pracademic’ research have been integral to the genesis and oversight (Steve and Jonathon) and empirical analysis (Hannah and Steve) of the initiatives described here (see Graham S, 2012; Graham H and White, 2015; Graham H, forthcoming), we readily acknowledge our subjectivity as authors.

## **Prisoner Leave Permits and Reintegration: how it works**

Tasmania is almost equivalent in size to Scotland. However, its total population (around 500,000 people) and its prison population (around 500 people) are considerably smaller. Several forms of support and services are available to assist reintegration in Tasmania. Our focus here is limited to prisoner leave permits and community service activities.

The aims of the leave scheme (section 42 of the Tasmanian Corrections Act 1997) are:

- ❖ to promote pro-social behaviour
- ❖ to participate in restorative and reparative activities by giving back to the community and
- ❖ to reduce reoffending by actively reintegrating offenders into the community, including the promotion of positive social connections with families and significant others.

Different types of leave permits may be granted. For example, ‘rehabilitative and reintegrative leave’ may be used for education, training, a range of community service activities and ‘giving back’ projects (discussed later), creative activities (such as art classes and exhibitions), job interviews, work experience or to continue to work in paid employment. ‘Resocialisation leave’ is for prisoners to strengthen their relationships with their families, for example, home visits or attending a school event with their child. ‘Compassionate leave’ enables attendance of a funeral.

Issues of safety and duty of care are carefully balanced with consideration of rights and needs in determining a prisoner’s eligibility for leave, and the conditions imposed if granted. Firstly, leave permits are predominantly (but not exclusively) granted to minimum security rated prisoners (approximately 35-40 per cent of the Tasmanian prison population). Secondly, to be eligible, prisoners must be serving a sentence of greater than 6 months. Usually this leave occurs in the last 6-12 months of the sentence. Additionally, prisoners convicted of sexual offences must complete a tailored rehabilitation programme and be assessed as presenting a low risk of reoffending to be eligible.

Considerable time and effort is invested in assessing risk and considering the potential impact on different stakeholders. A confidential process of victim notification is undertaken in advance through the Department of Justice Victim Support Service. The majority of leave permits involve prisoners being supervised by a custodian, who is subject to security checks. Breaches of leave conditions are relatively infrequent.

Recent statistics suggest a quiet revolution. In the year 2013-2014, over 18,900 instances of leave permits were granted. This represents a formidable increase of 3,100 per cent from a total of only 589 instances of permits granted in 2009-2010 (Smith, 2014). In releasing these figures, the Tasmanian Attorney-General and Minister for Corrections described the scheme as a “great success”, acknowledging prisoners “are part of the community” (Smith, 2014). Local media responses were remarkable: front page headlines and opinion editorials cited local authorities and farmers praising prisoners for their hard work and skilled labour in helping others, and *calling for further increases* (Smith, 2014). The importance of this development lies in understanding how and why a significant number of the leave permits are being used.

## **Returning Citizens: ‘giving back’ projects**

In collaboration with community-based stakeholders, Tasmania Prison Service offers prisoners opportunities to take part in a range of community service activities and restorative ‘giving back’ projects. Some of these are undertaken entirely within prison facilities, and others use the rehabilitative and reintegrative leave permits for day release.

Community service activities and ‘giving back’ projects include: a prison community garden, sustainability activities and organic food distribution network; environmental restoration and construction of stone bridges in restored creek areas; helping local authorities and farmers with recovery efforts in bushfire-affected areas; training assistance animals for people with disabilities and the ‘Pups on Parole’ animal foster

care project re-socialising unwanted dogs for placement in new homes; building outdoor adventure learning facilities for Scout groups; and volunteering as accredited community sports umpires at public cricket and football games. 'Hand Made With Pride' involves female prisoners designing and sewing bespoke pieces for premature babies in neonatal intensive care, women with breast cancer, and homeless people. Several of these activities and projects include accredited education and training to further develop participants' human capital and post-release employment prospects.

Giving back in community is different from community payback: it is not imposed and is not a part of a sentence. Prisoners *voluntarily choose* to participate, taking on active roles to shape a 'giving back' project as their own, as a source of passion and pride. As these are reintegrative initiatives, not correctional industries, Tasmania Prison Service does not procure fiscal remuneration or material benefits (such as food from the prison community gardens) from them.

Giving back through community service and the leave permits scheme have been intentionally co-designed to help foster developmental processes of desistance (see Graham, 2012). For example, they increase the amount and qualities of the relationships available to prisoners, adding to the social networks of people they would otherwise see through traditional prison visits. Community service activities present opportunities for generative giving in meaningful and socially valued roles, reciprocally widening the repertoire of life-giving experiences available to prisoners. Ostensibly, we see their value as spanning four aspects of social capital, enabling people in prison to actively make a difference *in* community, *for* community, *with* community, and *as* community.

Our research indicates that participants value reciprocity and respect (including self-respect) as transformative elements:

**Correctional officer:** I have to say these guys love to put their hand up to help. They work really hard [...] A lot of these inmates change in the process, they are more settled and forward thinking. At the end of all of this, they feel really good. Their giving has good outcomes.

**Prisoner:** Yeah, the giving back works both ways. The giving is in two directions. We all put in and we all get something out of it. (Graham and White, 2015: 58)

Social justice is another integral quality; for example, Tasmanian prisoners co-design and co-produce cold climate portable swag bedding for homeless people and grow organic food for children and families experiencing food insecurity. This is patently different from essentialist passive welfare recipient caricatures of prisoners and ex-prisoners as merely the sum of their most basic needs. In the context of these initiatives, people in prison are positioned as skilled helpers and makers. The ethos underpinning this approach emphasises moral and social rehabilitation to reconcile and reduce the differences between returning citizens and their communities. Community service, and the trusted position of being granted leave permits, may be used as part of a parole application.

Crime is an event, not a person. Opportunities for belonging and becoming something other than a 'criminal' or 'offender' need to start long before liberation day. The 18,900 instances of Tasmanian prisoner leave permits in 12 months



'Hand Made With Pride' involves female prisoners designing and sewing bespoke pieces for premature babies in neonatal intensive care, women with breast cancer, and homeless people

demonstrate how penal risk management arrangements can be used sensibly to allow for more productive and meaningful uses of prisoners' time, offering graduated transitions in returning home. Developing community around common ground yields fertile opportunities for change and working towards different futures: importantly, in this approach, people leaving prison are not the only lives that are being changed.

**Hannah Graham** is a Research Fellow in Criminology at the University of Stirling, and a member of the Scottish Centre for Crime and Justice Research (SCCJR). She previously lectured in Criminology and Sociology at the University of Tasmania, Australia.

**Steve Graham** is a Reintegration and Transition Consultant in the Department of Justice Tasmania Prison Service, Australia. He also produces the non-profit reintegration resources website [www.reintegrateinfo.com](http://www.reintegrateinfo.com)

**Jonathon Field** is a Manager in the Sentence Management, Support and Reintegration unit in the Department of Justice Tasmania Prison Service, Australia.

Graham H and White R (2015) *Innovative Justice*. Routledge.

Graham H (forthcoming) *Rehabilitation Work: Supporting Desistance and Recovery*. Routledge.

Graham S (2012) *Paying It Back: Do Community Service Activities Promote Desistance in Prisoners?* Masters thesis, School of Social Sciences, University of Tasmania.

McNeill F and Weaver B (2010) *Changing Lives? Desistance Research and Offender Management [Report No. 3/2010]* SCCJR.

Schinkel M (2014) *Being Imprisoned: Punishment, Adaptation and Desistance*. Palgrave Macmillan.

Smith M (2014) 'Councils and Farmers in Push to Let Prisoners Out to Work' *The Mercury*, 21.9.2014. <http://bit.ly/1Aabwup>