

CORRECTED VERSION

LAW REFORM COMMITTEE

Inquiry into alternative dispute resolution

Melbourne — 5 June 2008

Members

Mr C. Brooks

Mr R. Clark

Mr L. Donnellan

Mr M. Foley

Mrs J. Kronberg

Mr E. O'Donohue

Mr J. Scheffer

Chair: Mr J. Scheffer

Deputy Chair: Mr R. Clark

Staff

Executive Officer: Ms K. Riseley

Research Officers: Ms K. Buchanan and Ms S. Brent

Administration Officer: Ms H. Ross-Soden

Witnesses

Ms D. Spicer, Programs Manager, and

Mr A. Bolkas, Director, Communities of Restoration, Prison Fellowship Australia — Victoria.

The CHAIR — First of all, thank you both very much for coming. The first thing, which I expect you may know, is that this hearing is held under the provisions of the Parliamentary Committees Act, and that means that anything you say in the context of this hearing is part of parliamentary privilege, which means that no-one can take legal exception to anything you say; but if you say some of those things outside the confines of this hearing you will not be afforded that protection.

Hansard staff will be recording our discussion; you will be sent a transcript of that afterwards and you can make any slight changes to that, but obviously not to the substance of it, and we will use that evidence as part of our report.

Thank you very much for the material you have sent to us. We are very interested in hearing from you. I will hand it over to you and you can tell us about the work that you do and the things you think are important to our terms of reference, and then we will jump in with some questions that we have.

Ms SPICER — Thank you, firstly, for allowing us time to come and give evidence here today. Prison Fellowship is a worldwide interdenominational Christian organisation which exists to bring hope to inmates, ex-inmates and their families. Lives in Transition is a program offered by Prison Fellowship through Communities of Restoration. We deliver this holistic pre and post-release program with the aim to induce transitional change, a change of heart and mind leading then to a change of behaviour. Specifically the program has three components, the first being a 14-week full-time program where the men have to attend for five days per week. Secondly, we encourage course members to form a trust relationship with a mentor, so each participant is assigned a mentor. Thirdly, there is provision of a community support network, which includes organisations and church support, if they request that.

The purpose of the Lives in Transition program is to introduce participants to a value system that not only addresses offending behaviour but also works to provide some of the necessary intellectual tools, including alternative ways of thinking about their previous lifestyle, with the overriding aim to reduce many of the factors which lead to reoffending. We deliver specialised, in-depth, personal development sessions presented by selected volunteer instructors to equip each participant with a range of life skills that will enhance both their family and job opportunities upon their release as well.

The program's objectives are to reduce recidivism, engage the community and churches through volunteers and also to promote crime prevention. In the prerelease program there is a common thread that runs throughout every session. We run about 75 to 80 sessions for the men. Some of those topics that we address include victim awareness, preparing an exit plan, budgeting, parenting skills, coping skills, depression. We also include personal testimonies from ex-prisoners who actually come in and deliver a session telling the men about their personal journeys of what they faced, the challenges and successes of reintegration.

In addition, we build relational partnerships with community-based volunteers and organisations that deliver sessions and also provide post-release support — organisations such as Mensline Australia, beyondblue, WISE Employment, the intensive bridging support program, the Salvation Army and Toll. We have major organisations that are also working within the confines of our program to provide support. Kangan Batman TAFE also supplement the program. Two days a week the men attend TAFE courses of their choice and they then leave with certification in those courses in those subjects.

Inmates voluntarily apply for a program and they must meet several criteria before they are accepted into the course. The program is open to all mainstream prisoners only, regardless of their beliefs, who are willing to work within a Christian ethos and are committed to change — that is really the criteria that we ask for. Candidates ideally need to be approaching the last four to six months of their sentence, and they must also participate in all aspects of the program to be available to complete it.

In addition to LIT, Prison Fellowship also offers programs that specifically address the needs of their partners, spouses and children. We really are providing support for the entire family unit. The results to date have been most encouraging, with a marked decrease in reoffending by course graduates compared with overall prison population statistics. We also have Associate Professor Christopher Trotter from Monash University who is compiling data and providing professional evaluation of the course.

During my first visit to the Port Phillip Prison early last year I was really overwhelmed with the humanity and the neediness of the people that I met there. As someone who has personally overcome years of drug and alcohol

addiction and the effects of sexual abuse, I know that it is by the grace of God that I have not had to see that side of the prison walls. I was struck by the motivation of the inmates to find a better way to live once they are released. I began to sense their frustration because they had no means by which to do that. Once they found out I was leading the program, over and over again I heard comments such as, 'I want to be a better parent, I just do not know how. Can you help me? Please teach me'; 'I want to change, but how? Show me how to do it'; 'I cannot keep coming back here'. Those kinds of comments echo in my mind and they motivate us as an organisation to develop programs with excellence to support these men.

Mr BOLKAS — The course that I am going to share with you is a module within the Lives in Transition program. I suggest that the criminal justice system is arguably adversarial and retributive in nature. It systematically alienates and polarises offenders and victims from each other and from the community. On the other hand, a restorative approach aims to repair the harm that is done and to restore those broken relationships or, at the very least, to bridge the gap that exists between these parties. Victim Awareness is the only restorative justice program of its kind in the Victorian prison system to my knowledge. It was first introduced at Barwon Prison in 2004, as part of Prison Fellowship Victoria's Lives in Transition program. It was relocated to Port Phillip Prison in 2007, where it currently operates.

Victim Awareness teaches offenders about the cycle of victimisation — that is, that victims of personal and social abuse often go on to victimise other people — and it is in their interests to try to break this cycle. Using systematic teaching, victims' recorded testimony and group discussion, offenders are sensitised to the fact that their victims are real people, and that for every victim of crime there is a ripple effect of associated victims, including the perpetrators themselves and their own families. The object of Victim Awareness is to raise offenders' awareness of both their behaviour and their victims', to become empathetic people who are more responsible for their actions and who are less likely to go on and harm others.

Victim Awareness is modelled on the Sycamore Tree Project. This is an initiative of Prison Fellowship International, which is an interdenominational Christian organisation with United Nations accreditation. The Sycamore Tree Project has now been run in 20 countries, including Australia: in Western Australia since 2007; and more recently, this year, in New South Wales. The most significant difference between Victim Awareness and the Sycamore Tree program is that the Sycamore Tree program actually brings crime victims into prison to meet with unrelated offenders. Trained facilitators guide the participants through a series of topics, leading to a time at which both victims and offenders can share and express how they feel and how they wish to move forward. In some cases offenders have even been reconciled with their actual victims. A number of studies have found that both crime victims and offenders who participate in the program have benefited. Last year I was privileged to participate in a Sycamore Tree program in New Zealand. It was facilitated by a woman who has over 100 convictions here in Australia and who was deported to New Zealand. Today she works full time for Prison Fellowship New Zealand training others and promoting this program across the country.

The experience of Sycamore Tree for me powerfully confirmed three things: first, that victims of crime are essential to the program's effectiveness — and that is the missing ingredient in Victim Awareness at the moment; second, that the experience is potentially healing and transformational for all participants; and third, that the Sycamore Tree program must be introduced into our jurisdiction. A former prisoner myself, I came across Sycamore Tree at a crossroads in my own life. Having been on a long and painful journey to find inner healing, I realised that somehow coming to terms with my own victims from 27 years before was an essential part of the process for me. When you have done time for a crime that hurts somebody, as I have, when you have experienced guilt and remorse, wanted to change, needed to change — that is when you know what is real and what works for you. I am convinced that the Sycamore Tree program does have the potential to restore lives, but we need help to achieve this. Thank you.

The CHAIR — Thank you both. I will start by talking very practically and very simply about the way the work that you do operates at Port Phillip Prison. I think you said a bit earlier that prisoners can only participate in the program in the last — did you say four to six months?

Ms SPICER — Four to six months.

The CHAIR — How does that actually work on the ground? How do you promote that in the prison? How do prisoners become aware of it? Who do they talk to first? How is all that transacted?

Ms SPICER — We have promotional material in the form of a flyer that goes out to each of the mainstream units there which provides all the information about the program and gives them the criteria as well. We also have a flyer that is put up in each of the units just to spark their interest. However, all of the applications have to go through the program department in the prison. They receive the applications, and then they give us a list of recommended applicants because they have access to their records.

The CHAIR — The prisoners see the material?

Ms SPICER — Yes.

The CHAIR — And on that basis they first put in some written indication that they would be interested?

Ms SPICER — That they are interested in getting into the program, yes.

The CHAIR — And you do not have any general contact with the prisoner group as a whole through any forums or anything general before they identify themselves individually?

Ms SPICER — Prison Fellowship has a group of volunteer visitors who attend the prison on a daily basis, so they are actively promoting the program as well as they go on their rounds and just have conversations with the prisoners. I have attended what is called the prison listener group. These are men who represent the leaders of the prisoners. We go there, introduce the program, explain to them what it is all about and then in turn they go back to the units and stir up some interest for us. We do formal interviewing. We have about 25 men after we go through their release dates and go through background checks and things like that. We interview 25 men and from that group we select 12.

The CHAIR — How do you do that? Do you do that in conjunction with the prison officials?

Ms SPICER — Yes, we do.

The CHAIR — How does that work?

Ms SPICER — We have a team from programs management; we have someone from TAFE who comes in; a representative from therapeutic services who also comes in, and myself and Arthur who sit representing Prison Fellowship. There are about five or six people on a team. Each one comes in, and then we each give a recommendation. All of those recommendations then go back to programs, and eventually programs gives us permission to select 12 members that can get into the course.

The CHAIR — How often do those intake exercises occur? Are they rolling?

Ms SPICER — No, it happens a few weeks prior to the start of a program.

The CHAIR — You were saying it goes for 14 weeks.

Ms SPICER — It goes for 14 weeks. Yes, two programs per year.

The CHAIR — How many apply, and 12 are accepted?

Ms SPICER — We can only take 12 because of the size of the room. That is really a limiting factor for us. I know if we had a room available that was bigger we would probably take more men into that room, but it really is a very small room so we are limited to only taking 12 into the course.

The CHAIR — And that means there are a whole lot who cannot participate?

Ms SPICER — Yes, lots.

The CHAIR — Okay. There is a big unmet demand.

Ms SPICER — Yes, there is. Almost on a daily basis we have men who come over to the classroom and say, 'I need to get into this course'. It is very disheartening to have to say, 'Sorry. You have to wait until September, otherwise you cannot get in'. There is nothing else like it happening.

The CHAIR — When you have selected your 12, what do you do next? Do you see each of them individually before the course starts, or do they jump straight in?

Ms SPICER — We have a launch, and all of the men are welcome to attend that launch. We also invite volunteers, including some of the presenters who will be a part of the course. It is a very informal setting where the men get to speak with us about what to expect. We give them a bit of an induction, if you will, to the program, what to expect. We provide them with materials, and then we usually start the next day. They are due to attend classes every day, five days a week. They are with me for three days a week, and two days a week they are at TAFE getting their certification.

The CHAIR — Before I pass over to the others, there is just something else I want to ask. You are obviously dealing with men here, but the activities of the wider organisation also deals with women in women's prisons — —

Ms SPICER — [inaudible] women's prisons, but we are in negotiation with them to start a program there as well.

Mr BOLKAS — Could I clarify two things?

The CHAIR — Yes, sure.

Mr BOLKAS — You asked who is eligible for the program. It is a pre-release post-release program. Therefore, you have to be getting close to the end of your sentence. However, we have had occasion at Barwon, and even here at Port Phillip Prison, where we have had long-termers approach us and plead with us, 'Can I do your course?', and we have said, 'It is pre-release. You have got 10 years to go'. However, with the permission of the prison authorities we have made exception on a number of occasions and allowed a long-termer who still has 6 to 10 years to go to do the course because doing the course will assist that person to deal with the time ahead in a positive way. There is a great need for the long-termers too, most of whom, regrettably, are neglected in the process because they have got so long to go.

Ms SPICER — Yes.

Mr BOLKAS — The focus is very much at the end of the sentence when you are on your way out of the prison, having been institutionalised, if we can put it that way, during the course of your sentence. The other thing is that our program is largely promoted by word of mouth by inmates, and to me that is the most significant way to be affirmed in what you do, because when an inmate says to another inmate, 'This is a good course', then they are more likely to support you and to participate in it. There is no compulsion for them to do any of this, they do it voluntarily, so it is very important.

Mr CLARK — I am just wondering what measures you are able to keep, and do keep, about the outcomes of the people who go through the course. I gather you have been going since 2003, so I assume you would have upwards of 100 people going through the course so far. Are you able to measure or benchmark how it is going? Do you follow their progress after they have been released? Are you able to measure recidivism rates or other indicators for them versus people who have not been through the course? If so, what sort of results are you getting?

Mr BOLKAS — As Diane stated, we are currently having our program evaluated independently. We have never been in a position to do that. One reason for that is that it costs money to have an independent evaluation. Our program is entirely free to the prison system. It takes up a lot of our resources, so doing an evaluation has always been a bit of a luxury.

The other thing is that we have tried, as far as we can, to monitor outcomes. That has been very, very difficult. One reason is that it was only in March this year that we actually appointed a transitional manager — that is, a person to support Diane, who runs the program in the prison, to do the post-release work. In 2006 I was the only one running this whole program, and that year I nearly went quietly mad. I said to my boss, 'I cannot do this next year if we do not get some help for me'. I guess what I am saying is that although we have been operating since 2002 it has been on the smell of an oily rag, it has not been done as well as we know it needs to be done, particularly the post-release phase. Doing things like monitoring and evaluating is something that we have not had the time to even think about.

When you have men coming out of prison who have got nowhere to live and you cannot place them, that is your main priority. We are addressing it, and certainly there is a lot of anecdotal evidence.

Can I just say this too for the record? I get a bit frustrated. I am supposed to be a criminologist; I have done postgraduate studies; I have been in jail; I have been in the system for 30 years. I know a little bit about what I am talking about and I get frustrated when I hear people talking about, 'What are your outcomes? Can you show us that these people do not reoffend?'. Quite frankly, I think that is a very simplistic understanding and expectation. Some of these people are so damaged that short of a miracle they are not going to get out with anyone's help and go straight. We measure success incrementally according to whether, in some cases, they stay out longer this time than the time before, perhaps the crime that they come back for is not as serious as the one before, and they have picked up some positive values, some motivation, some self-esteem that will help them further along the road the next time around. It is an incremental process, and for some people it can take a lifetime.

Mr FOLEY — I have a couple of questions. I think, Diane, you spoke about one of the preconditions being accepting the Christian ethos of the program, which obviously is a main motivator for the program.

Ms SPICER — Yes.

Mr FOLEY — Does that cause any issues in terms of people who want to participate? How does that work practically, given that I assume there would be some people, like the vast bulk of the community, who are Christian, not Christian, other religions? Does that cause an issue?

Ms SPICER — We believe that the restoration of a whole person includes mental, spiritual, emotional and physical health. When it comes to the spiritual side of our sessions, we will not impose Christianity as the choice, but we do stir up and ask the men, 'What do you believe? Why do you believe that?'. We have two Muslim men in this course that I am running right now, and I challenge all of them, 'What do you believe? Why do you believe that?', because we really understand that that spiritual side of the human being, regardless of what they have been brought up with, needs to be a very big part of their change process. We do not use any scripture verses or anything like that from a Christian point of view. We use Christian values and Christian morals, so we will talk about forgiveness in general terms so that it is not offensive in any way to any of the other religions. We do encourage each one, though, to practise whatever religion works for them, and we are very accepting of that.

Mr BOLKAS — And we are prepared to link them in, obviously, to their chaplains or their ministers or whatever they happen to be.

Ms SPICER — Definitely, to their churches, and get them support and provide whatever reading material; we provide bibles, korans, whatever they like.

Mr FOLEY — Issues of how the fellowship gets on with Corrections Victoria, relationships with the Parole Board, those kinds of practical motivators that might get prisoners towards the end of their term thinking about the practical side of getting out as soon as possible, I would imagine, together with, 'How do I cope?' — how does all of that work? Does the Parole Board look favourably upon participants in your program; is there any evidence of that sort of thing? What practical assistance does Corrections lend you in dealing with those kinds of issues? How do you also deal with the more institutionalised post-release programs or transitional programs — I forget the name of the new centre in West Melbourne — and those kinds of practical things? Do you link in administratively or practically with, if you like, the bureaucracy of the prison system, or are you kind of out to one side?

Ms SPICER — I will just speak briefly and then I will turn it over to Arthur. I have only been doing this for a year. But, look, from a personal standpoint as a volunteer coming from a volunteer organisation into Port Phillip Prison, I do receive support from Port Phillip Prison, but to be quite honest it is minimal. It is almost like, 'Okay, yes, run the program. Here you go; go run it'. Resource wise it is very, very limited. For us to just get a room is a big issue for them, because they are not set up to run programs, and we cannot use TAFE facilities because TAFE owns those facilities, so that is an issue for us. But the relationship is growing and building there. They do see the effectiveness of the program. They are hearing more and more from the prisoners about the effectiveness of the program, and so they have come to us now and have asked us to even expand and to run more courses and things like that. As far as the relationship with Corrections at the prison, yes, it is very healthy at the moment — the Parole Board as well.

Mr BOLKAS — Prison Fellowship has been operating in Victoria since 1981 or 1982, so we are obviously fairly firmly established. We have credibility, and significantly we mobilise volunteers from the community, and the important word there is ‘volunteers’. I have always maintained, if you want to effect prison reform, you have got to get the public involved, educate people, make it an inclusive thing. That is what we do, and that is effective.

The formal arrangement with the Parole Board is fairly negligible. I have actually spoken to — I think he is called the chairman — David Provan, and we agreed that we should meet one day. That has not happened yet because he is not a priority on my to-do list. But I need to see him because over the course of the last few years we have had occasions — one inmate was told he would get his release only if he completed LIT, which we were affirmed by; it was good to hear that they respect what we are doing. On another occasion they recommended that somebody do LIT. So it has happened, but it has been informal, not formal as such.

You mentioned the Judy Lazarus centre. When it opened we were approached, as we usually always are, and asked, ‘Can you assist in some way?’. We do not in effect work with the Judy Lazarus centre but, as I say, we are operating in a number of other prisons. As Diane intimated, there are two prisons that have asked us to replicate LIT. I might also add that the Malmsbury youth training centre has asked me to replicate LIT there. That is more preventive work and close to my heart, but there is only so much you can do. We are literally struggling just to run LIT at Port Phillip Prison, with our resources.

Mr FOLEY — On the terms of reference of this inquiry about the possibilities of restorative justice programs, to our knowledge I think you are about the only one doing this kind of work in the post-sentencing area in the system. How do you see the program that you are dealing with in terms of victims’ responses? How does that work practically? Again, working on the smell of an oily rag, I assume it is fairly anecdotal. How does that work practically, in getting in touch with victims, and how do you bring victims and offenders together? You have related your own experience to a degree, but how does that side of things work?

Mr BOLKAS — In terms of specific victims, Prison Fellowship International is very conscious that victims are part of any sort of prison work. ‘Victims’ is becoming an inclusive term now, within mission and vision statements. We here in Victoria have become more keenly aware that we need to look to ways to embrace and support victims. The closest that we come to victims is through the program that I run within Lives in Transition, called ‘Victim awareness’. As I indicated, we do not have actual victims come into the program. The reason for that is that when ‘Victim awareness’ was launched we were told, ‘You can’t have victims coming into prisons’. It was too sensitive politically, and that is understandable.

However, a number of years have elapsed. We have had some discussions with correctional authorities and they seem to be more receptive now to the idea. What was put to me was, ‘You need to garner support from other groups in the community who can support a submission’. That is basically where I am at at the moment. What I am looking to do is establish relationships with victims groups. I think it is next week that I am meeting with the president of the fairly recently established Victorian Association for Restorative Justice, Peter Condliffe. There is a man who is strategically positioned to possibly help us to promote this program, my dream being that — hopefully next year — we will be able to run a fully fledged Sycamore Tree Program, where victims of crime come into the course, and we replicate that program, as they are doing around the world in various countries, not just in Port Phillip Prison but around the state. It is very, very powerful.

Mr BROOKS — I was going to ask if you could talk a bit more about that Sycamore Tree Project?

Mr BOLKAS — What specific area? What would you like to know?

Mr BROOKS — Just a broader outline of what the project involves and what is the basis of it.

Mr BOLKAS — You have a trained facilitator who interviews inmates who are eligible to do the course. You bring six to eight inmates together with six to eight victims of crime, but they are unrelated victims and offenders. Over eight 2 to 3-hour sessions these parties come together and they are put through a program that is structured. It incorporates workshop activity and the opportunity to share feelings and sentiments. It is biblically based, in the sense that many of the precepts that undergird the course are about restoring people, in terms of confession, repentance, forgiveness and restitution — a whole range of things like that.

My experience in New Zealand was really incredible — I knew that it had a lot of potential — to have men who have done some pretty heavy things sitting in a chair in front of you opening up and openly weeping for things they have done. They have never had the opportunity to really confront another human being. It may have been in the privacy of their cell where they have expressed feelings and emotions, but never publicly. Just that opportunity alone I thought was really transforming. One of the men in the course that I attended actually approached the facilitator afterwards and said, ‘I committed this-and-this crime. Is there any way that you could approach my victim and see if we can meet, because I’d like to apologise?’.

That is the general thrust of the course, if you like. As I say, it has trained facilitators. Great care is taken in terms of the victims themselves. There is debriefing and follow-up — all that sort of stuff. We ensure as far as we can that the people who are coming in are not in a situation where they are vulnerable to the point that the experience could damage them. They are people who are healed sufficiently, if you like, to be able to cope. I do not know if that answers your question.

Mr BROOKS — It does.

The CHAIR — You talked before about the power of the restorative justice processes. You will be aware that in Victoria under the Youth Justice Group Conferencing Program young people at the pre-sentence stage are involved in a restorative justice process?

Mr BOLKAS — Yes.

The CHAIR — Do you see people who have been involved in that process go through your program?

Mr BOLKAS — Who have been through the juvenile program?

The CHAIR — Yes, who then come through the system again and you see them through your program. Has that happened?

Ms SPICER — There is no direct link. They do not go from that program into ours.

The CHAIR — No, I understand that, but they may go through that process and end up doing another crime, end up in prison and then come through to you.

Ms SPICER — Sure, it is possible.

The CHAIR — But has that been the thing?

Mr BOLKAS — Not to our knowledge.

Mr FOLEY — Would you know, anyway?

Mr BOLKAS — Unless they told us, there is no way of knowing.

Ms SPICER — It might come up in one of our sessions. Especially in the week that we do the ‘Victim awareness’, it might come up as, ‘I’ve already done that’, or something like that, but other than that, no.

The CHAIR — Just moving along on restorative justice, do you think there are offences which are not appropriate for a restorative justice process?

Mr BOLKAS — It is a good question. Obviously there are some cases where it is not possible. If you have killed someone, you cannot be reconciled to your victim, but then there are the victims associated with that person, the families. But on overseas restorative processes, Jackie Katounis, the woman who I was referring to, told me of instances where she has dealt with the associated victims of a murder and had a group conferencing situation between the offender, who had a life sentence, and the victim’s family. Sexual offences are very, very difficult ones, and I would tend not to go there.

The CHAIR — Why are they difficult?

Mr BOLKAS — They are difficult because of the nature of the offence. Particularly if we are talking a rape. I cannot begin to imagine what that would do to a woman and whether she would ever want to see the face of the perpetrator. On the other hand, it is possible that she would.

Ms SPICER — As a victim of sexual abuse as a child, it was really important for me to make that connection for my healing. I know I would not be sitting here today had that not happened, because that was a real turning point in my life to be able to actually receive forgiveness and to give forgiveness to that man. I never saw him again — I do not know where he is or anything like that — but had I had a program to guide me through that, with someone who had experience or had the knowledge, such as at Sycamore Tree, I think it would have been much easier. It is never easy, but it would have been easier. I did have counsel from a pastor who took me through that process, but I believe — and I have since worked with many women who have gone through sexual abuse and the effects of that — there are some who I have very strongly counselled not to go down that road, just because of the nature and the extent. But they had to find their own way of dealing with that and healing. There are others I have helped to make contact, whether personally or through a letter or phone calls. My personal view is that it is a very big part of the healing process for a human being.

The CHAIR — So you would not rule out any offence per se for the restorative justice process?

Ms SPICER — I would not. I think it has to be looked at on an individual basis and judged that way, rather than saying, ‘Sexual abuse, no; murder, yes’ and categorising that.

Mr BOLKAS — As we have indicated, obviously some offences are more difficult and more complex.

Ms SPICER — On an individual basis.

Mr BOLKAS — I have known of instances in situations of murder where parties have been reconciled in terms of the families and the offenders.

Mr CLARK — I want to come back to the issue of results. I can understand your frustration — you are too busy doing it to measure what you are doing — but I notice from the material you have given us that there are some international studies of Sycamore Tree project results, so we can have a look at those.

Mr BOLKAS — Yes; there is some stuff there.

Mr CLARK — I also notice that your Lives in Transition is closely modelled on the Transition of Prisoners program in the States, and you make some brief reference to what that has been achieving. Can you tell us a bit more about that, or is there some extra stuff you can give us about the results that Transition of Prisoners has been achieving?

Mr BOLKAS — The TOP program does not exist any longer. I visited the TOP program in 2000 and spent some time there with the program coordinators et cetera. It was an offshoot of Prison Fellowship, and it worked specifically with African American offenders, and all of the staff were African Americans, so they had a very specific mission and purpose. I do not remember statistically what research reflects in terms of its outcomes and success. There are a number of evaluations. That would be called a faith-based program. In the United States there are a number of faith-based programs, as there are in a number of other countries. There is one in New Zealand at the prison I visited, where I did Sycamore Tree. That was part of the faith-based unit. It is a different model to ours. It is overtly Christian, and I have read reports where people have made claims of 5 per cent recidivism and 30 per cent recidivism compared to the national average of 60 per cent or 50 per cent, so the claims largely are that, if you do a program like this with the support that you get and you are transformed as a person across those four areas of life, then the chances are that you are going to get out and you are going to make it. To some extent it depends on how you interpret statistics, I guess — there are always debates about that — so I cannot speak authoritatively, I suppose, about whether those outcomes are credible. But I know from my experience that somebody coming out of an institution, particularly if they have been there for a long time — —

I will recount what Fr John Brosnan once said — he did 30 years at Pentridge. You need somewhere decent to live, you need a job and you need a friend, and the most difficult of all is the friend. I firmly believe that if somebody coming out of prison has those three elements to their life, there is a lot more chance that they will succeed in the community than if they do not. It is that simple. I do not know what else to say.

The CHAIR — That is fine. I have a couple more things that I would like to follow up. We are out of time, but it has been a valuable session. On the issue of training the Prison Fellowship program providers, could you talk a little bit more about that — about what kind of training the providers get?

Ms SPICER — Most of the volunteers who come in to deliver a session for us as part of the Lives in Transition program are professionals, so we do have professional counsellors who come in. In that context they have got the experience and they come in. As I said, it ranges from the professional to the ex-inmate. I usually sit with them or meet with the person who is going to be coming into the program and have a chat. To the professional it would be, ‘What would you like to present?’; to the ex-inmate I would say, ‘This is what you will present’. It varies quite widely; however, there is no formal training where we get all of the presenters together. We have almost 50 presenters who come in on a volunteer basis, and each one is speaking from their own expertise. Each one is trained in their own way. I do try to set up the sessions so that one who will be coming in and talking about goal setting will be coming in at the beginning of the course and then follow up with other people in that way. There is no formal training that Prison Fellowship gives to presenters, but there is a trust. There are some who have been delivering courses since its inception, and there are others who are very new to it. With the ones who are new, I sit with them and we discuss what has to happen.

The CHAIR — Is that a good way of doing what you would like to do in an ideal world, or is that what you do because you are so stretched? Are there other things that you have thought of that you would like to develop it into?

Ms SPICER — Because of the volunteer nature, some come in and offer one session and some do up to five or six sessions. With providing training, I am not sure that we would be able to get into the training for each individual session because they are so varied; however, we do have regular gatherings — two a year — where all of the presenters are invited to come together so that we can give them a bit of support, give them some encouragement, thank them for what they are doing and then also speak about some issues that might have come up. In an ideal world it would be great to provide training.

Mr BOLKAS — The mentoring, the post-release phase, is the more critical phase in one sense, because the offender is in the community and the mentor assigned to that person is in a more vulnerable position, so we have a much greater duty of care. We are mindful of that. We have employed a transitional manager, who comes from a professional background in that sort of area — mentoring et cetera. He is also an ex-prisoner to boot, so he is bringing a wealth of experience and professionalism into our program. We have been mindful that we have needed to address the mentoring issue, to train our mentors better, to support them et cetera, so that is one of the things that is current, and we are beginning to address it. We also appreciate we have got a long way to go and there is a lot to do.

Mr BROOKS — Going back to the issue that was raised earlier on, you touched on a comment by the parole board or something around people’s participation. I am wondering what your view is in relation to whether people’s participation in these sorts of restorative programs inside the system should be taken into account in terms of their management — i.e., parole?

Ms SPICER — A quick comment would be that I have had several instances where men have had to decline joining our program because it was required by their parole that they do a drug and alcohol or cognitive skills course which only lasts for eight days or something, and that is it. They go there for eight days, and then there is no further support. They have had to take that on because it is a condition of their parole rather than coming to us and getting the full support that they really require when they leave. That is something that I would strive towards, getting that recognition for parole and having our course as a recognised course so that they have a choice; if they want to do drug and alcohol they can, but at least we were part of the mix as a choice of programs to do before release.

Mr BOLKAS — On the other hand you do not want to make it mandatory because the minute you make it mandatory and you say, ‘You have to do this course’ then in your typical prisoner there is a natural resistance because it is another instance of ‘Them telling me what to do and how to do it’, how high to jump. There is a resistance to that, whereas our course, being voluntary, has a completely different outlook and effect on the inmates. They do it because they want to do it.

One question we often get asked it is, ‘Will this help me with my parole?’. Some of them come with mixed motives, and some of them come because they want to get it over you and get ahead and get out, but by and large the guys who come into our program are clear that this program will not necessarily get them parole, but what we are prepared to do — and we have done it on quite a few occasions — is to write a letter of reference and tell people they have done the course and how we have found them in terms of their response to the program. If that helps, it helps. That is about the extent of it.

The CHAIR — Okay. We are out of time. On behalf of the members of the committee and the secretariat, thank you very much for coming today. I especially thank you for being so generous with your own personal experiences that you have shared with us. It is now on the record and part of the evidence that we will be able to draw on in preparing this report to Parliament. It is much appreciated. You will be sent a copy of the transcript that you can look at. I am sure you will be happy for Kerryn and Kate to give you a call about any matters that need further follow up. Thank you very much; it is much appreciated.

Ms SPICER — Thank you.

Mr BOLKAS — We appreciate your time too.

Witnesses withdrew.