

# Beyond Bars: Exploring Challenges and Solutions to the Problem of Short Custodial Stays in Regional South Australia

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## **Acknowledgement of Country**

The Centre for Social Impact at Flinders University acknowledges the Traditional Owners of the lands on which its campuses are located. These are the Traditional Lands of the Arrernte, Dagoman, First Nations of the South East, First Peoples of the River Murray and Mallee region, Jawoyn, Kurna, Larrakia, Ngadjuri, Ngarrindjeri, Ramindjeri, Warumungu, Wardaman and Yolngu people. We honour their Elders and Custodians past and present.

We would like to further acknowledge the Traditional Custodians of the Country in which this research was conducted, the Barnjarla People of Port Augusta and Port Lincoln. Recognising that culture and country are not bounded by geographical divisions, our acknowledgement and respect also expands to the Traditional Owners across mainland Australia.

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## **Also see two briefing papers**

Goodwin-Smith I et al. (2024). *Briefing note: Pre- and post-release supports for people experiencing short custodial stays in Port Augusta*. Centre for Social Impact, Flinders University.

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## **Disclaimer**

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## **Acronyms**

ADAC = Aboriginal Drug and Alcohol Council

ASGS-RA = Australian Statistical Geography Standards Remoteness Areas

AOD = Alcohol and Other Drugs

APY Lands = Anangu Pitjantjatjara Yankunytjatjara

CCCSA = Centacare Catholic Country South Australia

CSI = Centre for Social Impact

DCS = Department of Correctional Services

DFV = Domestic and Family Violence

FACS = Family and community services

FIFO = Fly in fly out

NAAJA = North Australian Aboriginal Justice Agency

PAP = Port Augusta Prison

PAR = Participatory Action Research

PLP = Port Lincoln Prison

RRR = Regional Rural and Remote

SAPOL = South Australian Police

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## Terminology

This report will reference common legal terms associated with the justice system in Australia and South Australia. The brief descriptions of these common terms given below will help readers who are not familiar with the meanings and processes associated with these terms to understand them. Further details can be found via the Legal Services Commission South Australia's online Law Handbook.

### Bail

When someone is arrested, they may be eligible and allowed to stay in the community while they wait for their matter to be finalised by a court, hence they are 'out on bail'. There are varying levels of bail supervision (home detention with electronic monitoring representing the strictest) and the police or courts need to approve a bail request. If approved for bail, an accused person will need to sign a bail agreement which outlines conditions they must comply with. There is often a long list of conditions, which might include things like reporting to a police station on a regular basis, complying with a curfew, staying at a particular address, avoiding use of alcohol or illicit drugs, or not associating with certain people. If someone 'breaches bail', it means they have broken their bail agreement (done something they agreed they would not do). Breaching bail may result in cancellation of bail, which means staying in prison while matters are being processed by the courts, and in some cases an additional charge for the offence of breaching bail (see below: offences against justice procedure).

### Parole

Parole is designed to allow for early release of sentenced people from prison on the condition that they agree to parole conditions and are supervised by a community corrections officer. Only sentences over 12 months are potentially eligible for parole, but not everyone eligible is approved for parole. The courts and/or the Parole Board of South Australia determine individual parole eligibility and conditions. If someone breaches parole conditions, they may be required to serve the remainder of their sentence in prison. In some instances, breached parole conditions will lead to an additional criminal charge.

### Remand

Someone imprisoned on remand means they have been refused bail and are being held in custody while waiting for matters to be finalised or heard by a court. Common reasons for bail refusals relate to seriousness of the offence; likelihood of absconding or re-offending; lack of access to appropriate accommodation; previous criminal history; and likelihood of interfering with police investigation (e.g. contacting witnesses, destroying evidence). Most people on remand in South Australia are detained at the Adelaide Remand Centre, however overcrowding and various correctional institutional processes mean that people on remand can be transferred to any prison across the state.

### Sentence

When someone has been found guilty of an offence, their punishment is decided by a court and detailed in their 'sentence'. For example, someone may be sentenced to time in prison, home-detention, or a community service order (where they are required to undertake unpaid, supervised, community work).

For the purposes of this research **short sentences** includes sentences of imprisonment for six months or less. In this report, the term **short stay** is used to encapsulate periods of imprisonment of six months or less whether under remand or short sentences.

### **A custodial episode or custodial stay**

A custodial episode or custodial stay is defined as a single period of stay in a correctional setting, irrespective of the length. The number of episodes or stays is the primary unit of analysis for this report as opposed to the number of people imprisoned, as many people cycle in and out on multiple occasions. Analysis of episodes thus more accurately captures the flows in and out of prison, as well as the demands on prisoners and services in the communities.

### **Offences against justice procedure**

This is a discrete category of offence that is defined as breaches of pre-existing orders such as breach of bail or failure to comply with an intervention order, good behaviour bond or parole conditions. This could include breaking curfew, failure to report to a police station on a particular day or testing positive to the use of illegal substances or alcohol.

### *Specific reasons for court discharge*

- **Off court** – When the court dismisses all charges, and the individual is free to go. As will be shown in our report, many people on short custodial stays are refused bail and held in prison waiting for their case to be heard in court but when they get to court, charges are discharged. In such instances the person tends to be released from court in their prison clothes and often without any way to get back to the prison to collect their belongings.
- **On licence** – When someone is discharged from court on a ‘Mental Impairment Supervision Licence.’ This means the person has been found not guilty by reason of mental impairment and the courts release them on licence with set conditions. Depending on the seriousness of the charge, a person found not guilty by reason of mental incompetence may receive a limiting term and a judicial officer can recommend that the limiting term be served in a forensic setting. There is however limited availability in South Australian forensic settings and many people are referred back to custody and ultimately prison.

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## Executive summary

The problem of short custodial stays has beset criminal justice systems for decades. Indeed, ‘since the 19th Century, courts have complained that short periods of detention offer too brief a time to work with and change an ‘offender’ and are more likely to provide schooling in crime than in law-abiding behaviour’ (Armstrong and Weaver 2013). In the UK, ‘over half of all custodial sentences are for up to six months, [and] over half of those on short sentences are reconvicted within one year and reconviction rates have been steadily rising over the last ten years’ (Johnston and Godfrey 2013). In the US, ‘[a] fifth (20%) of all persons released in 2018 [across 44 states] served less than six months in state prison’ (Kaeble 2021). In Canada, for 2017/18, a staggering 80% of custodial sentences given to men were of six months or less, while for women the corresponding figure was 85%’ (Public Safety Canada 2020).

There is longstanding international criticism of the efficacy of short stays in prison and the intended and unintended consequences of such. Australia is far from immune from the problems posed by short custodial stays. As of 30<sup>th</sup> June 2022, there were 25,624 sentenced prisoners in custody in Australia, of whom 3074 prisoners (11.9%) had an aggregate sentence length of six months or less (including ‘expected time to serve’) (Australian Bureau of Statistics 2023). Evidence from Australia’s largest jurisdiction (New South Wales) suggests around 40% of those on remand will be released on bail and that roughly 10% will have their charges dismissed (Galouzis and Corbin 2016). This suggests that there is a significant proportion of people in custody who do not need to be there, and a high burden of short custodial stays within Australian prisons. However, to date, there is limited analysis of the problem of short custodial stays in Australia generally, and even less focused specifically on this issue in regional communities.

In a national first and in partnership with Centacare Catholic Country SA, the Centre for Social Impact at Flinders University’s *Beyond Bars* project analyses the problem of short custodial stays in two regional communities that house prisons – Port Augusta and Port Lincoln. The focus on regional communities is deliberate and motivated by knowledge that firstly, two thirds of South Australia’s prisons are located in rural and remote communities. Secondly, regional communities often have unique challenges e.g. geographic isolation; limited access to health and social supports; path-dependent economies and associated job-insecurity (Cleary and Hogan, 2016); and smaller populations.

Through analysis of statistical and other data associated with incarceration episodes in South Australia and ‘ground-truthing’ through further qualitative enquiry, this project aimed to:

- Explore the scale and nature of the problem of short custodial stays in the two regional communities and similarities and differences between them.
- Identify challenges arising from short custodial stays in relation to local social services provision.
- Investigate and propose more effective approaches to improve policy and practice.

### Quantitative findings from administrative data – The extent and nature of the problem

- Analysis of custodial data showed that overwhelmingly, prison episodes in both Port Augusta Prison (PAP) and Port Lincoln Prison (PLP) involve short custodial stays: **80.2% of all custodial stays involved 6 months or less** and **56.5% involved 3 months or less**. Custodial data further showed the churn and chaos of short custodial stays.
- There is a very high frequency of release following short custodial stays: 67 episodes of release every month, 804 per year and 4030 over the five-year period (30 June 2018 to 31 July 2023).

- More specifically: **15 people are released from PAP every week** following short custodial stays or **60 people every month** following short custodial stays. Trends further show limited signs of reduction between 30 June 2018 and 31 July 2023. The incidence of release is lower in PLP: 7 people per month, but nevertheless the data indicates short custodial stays create a large burden on prisons, service providers and the communities to which people exit.
- Most people on short custodial stays are on remand – waiting determination of charges and many are released on bail in the community or off court with no further action.
- People on short custodial stays differ demographically in significant ways from those on long custodial stays. For example, they are **significantly more likely to identify as Aboriginal** and to involve offences against justice procedures (such as breach of bail) or assault (such as physical contact with another person that does not cause injury or involve use of a weapon).
- People on short custodial stays show a high rate of return to prison: **79.9% of people had more than one custodial stay** and 25.5% had ten or more custodial stays. More specifically, 44% of our sample of people experiencing a short-custodial stay in PAP or PLP returned to the same prison over the five-year period.
- Periods inside for a short custodial stay can amount to a substantial amount of time served by instalments: e.g. ‘Lee’ who served 517 days or 1.4 years in a five-year period spaced across 13 short custodial stays. Moreover, periods outside prison can be incredibly short: weeks or mere days.
- There were some differences between PAP and PLP – the scale of the issue is greater at PAP, and people on short custodial stays were more likely to identify as Aboriginal at PAP. This is most likely due to differences in the ways the two prisons operate; PAP is a reception prison whereas the majority of those arrested in the PLP area will most likely be housed at PLP for a short period before being transferred to a larger prison. Nevertheless, both sites show a consistent pattern of people cycling in and out.

### Qualitative findings from stakeholder roundtables

Stakeholders in Port Augusta and Port Lincoln were unanimous that short custodial stays, and the associated challenges they create for (re)integration, are a problem in their communities. Key challenges included:

- The fact that **prisons overlook the needs of people on short custodial stays**. Whilst those on longer sentences can access throughcare support, prisons in general do not have the infrastructure or resourcing to support the short custodial stay cohort.
- There is **inherent unpredictability associated with short custodial stays** (particularly remand), making timely and productive planning for release near impossible.
- The **large geographic areas** which people need to traverse in order to get ‘home’ (and the lack of transportation available for such travel).

- That **complexity of needs** of people on short custodial stays – particularly housing, education and employment supports, financial, alcohol and other drug, mental health, trauma, family and domestic violence – are often exacerbated by the system response to short custodial stays.
- Lack of **safe and secure housing options** for people leaving prison (which compounds the problem of being able to access services in timely and enduring fashion) or to commence their reintegration journeys.
- Lack of knowledge for people exiting prison about **available social and health services** and where and how to access them. This applies across the spectrum of requisite support services but is an acute problem when it applies to **immediate needs such as food, shelter, money, transport and health care**.
- Minimal **coordinated collaboration** between correctional services and the social and health service ecosystems.
- Lack of **culturally relevant services** with participants emphasising the need to consider the experiences and diversity of Aboriginal families and communities.
- The **shame and stigma** associated with having spent time in custody.
- Lack of **early intervention programs for young people and their families**.
- The **sheer scale of the flows** of short custodial stays and **inability of the health and social sectors** to meet the needs of those exiting prison particularly with the current levels of investment in regional communities.

## Recommendations

While the issue of short custodial stays poses a significant challenge, this research has brought to light ways to mitigate associated harms for the benefit of people exiting prison and the communities in which prisons are located. The three key recommendations are outlined below.

### 1. Outside the gate step-down transitional accommodation

The lack of **safe and secure housing options** for people leaving prison following short custodial stays was a key and immediate challenge raised by our stakeholders. Whether someone has a short period to wait for a bus from Port Augusta to Adelaide or a more complicated and lengthier (re)integration process to navigate, stakeholders highlighted the need for an outside the gate step-down transitional accommodation facility that could provide immediate access to a safe, secure ‘landing pad’ to aid reintegration journeys.

Integral features of a step-down transitional facility should include:

- Complete **separation from Correctional Services**. This was seen as critical to building trust as well as providing a safe space.
- **Immediate access** to ensure a safe transitional place to land post-release. This would be particularly relevant for those released with no warning.
- **Multiple accommodation options:**

- Temporary = short-term option for people waiting for transport to an established residence. Includes people who have been released off remand or off court.
  - Transitional = short to mid-term options for people who need additional support/services and negotiated accommodation arrangements. Could also include people who need to complete community orders.
  - Ongoing = longer term option for people who have multiple intersecting needs and would benefit from holistic, supported care.
  - On Country/Culturally connected options.
- A primary focus on **the contexts, lives, and identities that people will desist *into*** as opposed to the behaviours they need to desist from.

## 2. A social services and health hub

Many people on short custodial stays have complex and/or often multiple unmet needs. Our research highlighted the complexities people face when navigating service systems in regional communities and knowing what services are available and/or when, where, or how to access them. Stakeholders thus called for the introduction of a 'one stop approach' or social services and health hub.

A one-stop-approach would provide:

- A welcoming site and a bespoke (person-centred) **wrap around service model**.
- A **central location** for anyone to access **multiple and integrated services**.
- Access to **common (re)integration needs** such as housing, relocation and return to country, administrative supports with licenses/ID/Centrelink etc., drug and alcohol services, family and domestic violence supports, therapeutic and other supports, including family and relationship services and counselling, employment services, community connection and wayfinding services (see point 3).
- A '**no wrong door**' policy whereby clients are assisted in connecting with the most appropriate service for them, no matter what that service may be.
- A site that is open to and can **service the wider community**, in order to aid those exiting prison and to provide preventative services for other individuals and families who may be at risk of engagement with the correctional system.

The benefits of the hub would be multiple: increasing trust with people exiting prison, better addressing unmet needs of people on short custodial stays exiting prison, and helping services to provide a more coordinated, effective, and holistic response. Several service delivery models to achieve the aims of a one-stop-approach were discussed including fixed sites and mobile services. These are discussed in the body of the report.

## 3. Wayfinding champions — Reaching into prisons and connecting to community

Stakeholders highlighted a lack of connection between the correctional domains and health and social service community ecosystem and that people undergoing short custodial stays tend to be left with minimal supports or connections to support services. Stakeholders called for 'wayfinding champions' to bridge gaps in fragmented service provision through individualised, relationship-based practices. Wayfinding roles/programs need to be provided by a trusted outsider – and should be an extension of community-based services and not an arm of Correctional Services. This distinction is important because a key failing of prison-based 'reach-out' processes (e.g. throughcare programs) is the inability to continue support beyond prison walls into the community where many (re)integration challenges arise.

Key to success for a wayfinding role in this context would be:

- **Reaching into prison** and liaising across other agencies (community corrections, courts, police) while being firmly situated in the community. This would enable the early establishment of relationships and trust.
- **Interlinking** or acting as an outreach arm of other interventions, such as a hub, or existing services.
- Facilitating meaningful **connections to community**.
- A person-centred approach attentive to **reducing judgement, stigma, and shame**, which are often barriers to engaging with services.
- **Explaining and demystifying** government and non-government systems, requiring **extensive local knowledge** of existing services and access points.

We note that adopting any one of these proposals would be beneficial but adopting all three would provide an advantageous opportunity to curb the burden of releases associated with short custodial stays. Further, stakeholders noted structural changes that would be desirable to address this issue including: 1) increasing funding for health and social services in regional communities where prisons are located, 2) improving governance and coordination arrangements for stakeholders to problem solve and build a more integrated solution, 3) expanding early intervention initiatives particularly those with family approaches, 4) reducing over-policing and use of remand, 5) reducing stigma in the community and 6) centring culture and Aboriginal leadership.

## Introduction

There is longstanding international criticism of the efficacy of short stays in prison and the intended and unintended consequences of such (Johnston & Godfrey 2013). Although short sentences are often perceived as doing 'less damage', the small amount of literature surrounding the problem has shown otherwise (Armstrong and Weaver 2010; 2013; Cracknell 2018; Mills 2019). Australia is far from immune from the problems posed by short custodial stays. As at 30<sup>th</sup> June 2022, there were 25,624 sentenced prisoners in custody in Australia, of whom 3074 prisoners (11.9%) had an aggregate sentence length of six months or less (including 'expected time to serve') (ABS 2024). Evidence from Australia's largest jurisdiction (New South Wales) suggests around 40% of those on remand will be released on bail and that roughly 10% will have their charges dismissed (Galouzis and Corbin 2016). This suggests that there is a significant proportion of people in custody who do not need to be there, and a high burden of short custodial stays within Australian prisons. However, to date, there remains limited analysis of the problem of short custodial stays in Australia generally, and even less so that focuses specifically on the issue in regional communities.

There are currently nine prisons across SA with five of these located in regional communities. The five regional facilities are Cadell Training Centre; Mobilong Prison (Murray Bridge); Mount Gambier Prison; Port Augusta Prison; and Port Lincoln Prison. Port Augusta Prison is the largest of the five regional prisons and the only prison with specialist facilities for Aboriginal people<sup>1</sup>. All prisons, with the exception of Mount Gambier Prison are operated directly by the South Australian Government, through the Department for Correctional Services. Mount Gambier Prison is contractually operated for the South Australian Government by G4S.

Although the immediate and ongoing needs of people upon release from prison have been well documented (Kinner et al. 2012; Maruna 2017; Schwartz et al. 2020; Sheehan and Trotter 2018; Willis 2008), as well as the challenges in accessing services to meet these needs (Abbott et al. 2017; Borzycki and Baldry 2003; Willis 2008), there has been little exploration of the additional barriers and/or opportunities that might influence service accessibility for people released into regional, rural and remote (RRR) cities and towns following short custodial stays. Given that two thirds of South Australian prisons are operated in regional South Australia, the research undertaken in the 'Beyond Bars' project is both timely and important.

Centacare Catholic Country South Australia (CCCSA) initiated the 'Beyond Bars' research project with the aim to more fully understand the service scaffolding that is required to strengthen local service provision to prisoners on release. A further aim was to understand the factors that impede or enhance access to service delivery to this cohort (including connections within and outside the Department of Correctional Services (DCS)) to better accommodate the unique needs of people (re)integrating into communities after short periods of imprisonment. A secondary aim of the study was to initiate multi-sector collaboration and generate recommendations for wider systemic reforms.

With these aims in mind, the research was designed to:

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<sup>1</sup> We recognise and respect the diversity across Aboriginal and Torres Strait Islander peoples, cultures and identities. The use of the term Aboriginal is not intended to diminish diversity and difference within and across communities and groups, but is an acknowledgement of the predominately preferred terminology across South Australia.

- Explore the scale and nature of the problem of short custodial stays in two regional communities and the similarities and differences between them.
- Identify challenges arising from short custodial stays in relation to local social and health service provision.
- Investigate and propose more effective approaches to improve policy and practice.

Whilst the scope of the project was limited to two regional prisons, Port Augusta Prison (PAP) and Port Lincoln Prison (PLP), the study is significant nationally for its triangulation of data on short custodial stays through statistical analysis, examination of other data associated with incarceration episodes in South Australia and the qualitative (re)integration evidence captured through incorporating social services provider perspectives. The social services sector has historically not been consulted in previous studies, but is highly relevant to criminal justice initiatives, especially those initiatives that are most relevant post-custody.

### Study Sites

The Catholic Diocese of Port Pirie (CDPP) operates across a footprint that incorporates three of the five regional prisons in South Australia (Cadell, Port Augusta and Port Lincoln), and provides pastoral care services in each. Centacare Catholic Country SA, which operates within the CDPP, provides extensive services in the communities of Port Augusta and Port Lincoln and is part of larger, social service provider networks in these communities. Linkages and access to relevant informants was also a key factor in the selection of these two communities, as was their location in being distant to metropolitan Adelaide, given the focus on 'regional prisons'. Recognising that the project was limited in scope, the funder and project team sought to maximise opportunities for data collection, and, importantly, to maximise potential for triangulation of data from both quantitative and qualitative sources. It is thus these two communities of Port Augusta and Port Lincoln upon which the research is focused.

#### Port Augusta overview

Port Augusta is located 310km by road north of Adelaide and is SA's fourth largest urban area (ABS 2021a). The coastal city is situated at the head of Spencer Gulf, within a landscape that is semi-arid, with an average rainfall of 222mm per year (BOM 2024). Port Augusta is not serviced by commercial aviation, and there is a single daily bus route from Adelaide, and onward to Eyre Peninsula and to communities to the north that lie along the Stuart Highway which connects Port Augusta and Darwin in the Northern Territory (Streamliner 2024). Under the Australian Statistical Geography Standards Remoteness Areas (ASGS-RA) Port Augusta is classified as 'outer regional'.

Port Augusta was historically a seaport for the export of agricultural products and an important railway service centre (Wadlada Outback Centre n.d). Until 2016, South Australia's last coal fired power stations were located at Port Augusta (Renew Economy 2016). More recently, the city and surrounds has seen a concentration of renewable energy production through wind and solar (Parkinson 2020). The city is also a service centre for a large part of the outback to the north and west and the services sector is the largest source of employment, accounting for more than 50% of jobs (ABSa 2021). Within this employment sector, health and social assistance provision accounts for approximately 16% of jobs (ABSa 2021). Port Augusta has long been considered the 'crossroads of Australia' due to its location as a junction for major historic and current road and rail links between Perth, Darwin, and Adelaide. It is also a significant thoroughfare as the main agricultural and service provider to mines and remote towns across northern SA, including the remote Aboriginal communities of Anangu Pitjantjatjara Yankunytjatjara (APY Lands). The Barngarla People are the recognised Native Title holders for Port Augusta.

Port Augusta has received significant media and government attention for sporadic, but ongoing, crime spikes. Punitive approaches, such as youth curfews and increased policing numbers, have historically been the response to rises in reported crime but more recently there has been a shift to multi-sector initiatives coordinated by the South Australian Police (SAPOL) and the Department of Human Services (Hall 2024; Ward 2023).

PAP is the largest regional prison in South Australia, and houses a maximum of 617 people across high, medium, and low security levels. There is a dedicated Aboriginal unit, Pakani Arang, which accommodates 36 men who have access to a garden and cultural activities.

[Port Lincoln overview](#)

Port Lincoln is a coastal city located on the lower Eyre Peninsula due west of Adelaide. It is serviced by multiple daily flights of approximately 40 minutes duration to and from Adelaide. However, due to its location at the base of Eyre Peninsula, it is eight hours by road to Port Lincoln from Adelaide. Under the ASGS-RA, Port Lincoln is classified as ‘remote’.

Port Lincoln hosts lucrative fishing industries which have led to the city being known for having the most millionaires per capita in Australia (Fyfe 2008). There is however significant disparity in the socio-economic status of the local population. The recognised Native Title holders are the Barngarla People. Other prominent Aboriginal groups around the Port Lincoln region include Nauo, Wirangu, and Mirning.

In 2023 there was a reported rise in assaults and theft across the Eyre Peninsula which led to proactive community initiatives that focused on young people (Milic 2023). In addition, over the last decade Port Lincoln has seen a rise in drug markets particularly the manufacturing and trafficking of methamphetamine (ABC 2016; Hall 2023).

PLP accommodates a maximum of 178 men on medium and low security levels in cottage style units. Historically, PLP was known to house sexual offenders, some of whom had become notorious through media attention. Despite the prison now having a broader mandate, there is a lingering perception that imprisonment at PLP is associated with sexual offences.

Table 1 outlines the demographic characteristics for Port Augusta and Port Lincoln. Both regional communities are similar in size, gender split and median weekly household income. Port Augusta has a higher Aboriginal population and unemployment rate, and Port Lincoln has an older age profile.

*Table 1: Demographic structure of Port Augusta and Port Lincoln, 2021*

Location	Population size	Aboriginal	Median weekly household income	Unemployed	Male	Median age
Port Augusta	13,829	20.4%	\$1,275	6.4%	51.7%	38
Port Lincoln	14,404	6.6%	\$1,243	4.5%	49.1%	41

Source: Australian Bureau of Statistics (2021a, 2021b).



## Literature review

The problem of short custodial stays has beset various criminal justice systems for decades. Indeed, '[s]ince the 19th Century, courts have complained that short periods of detention offer too brief a time to work with and change an 'offender' and are more likely to provide schooling in crime than in law-abiding behaviour' (Armstrong and Weaver 2013: 285). Similarly, Mills (2019: 1) convincingly argues that 'Short prison sentences: 1. Do not work, 2. Are fuelled by a use of prison for less serious/less harmful lawbreaking for which there are better responses in the community, [and] 3. Create chaos and churn in the prison estate'. This 'chaos and churn' arguably reached its zenith in late 19<sup>th</sup> Century London (in prisons such as Coldbath Fields, Pentonville and Wormwood Scrubs) where the annual number of admissions outstripped the daily number of prisoners by a factor of nine (Johnston and Godfrey 2013: 434). By contrast, total annual admissions today in the UK are slightly less than double the daily prisoner population (Prison Reform Trust 2019) — a trend that is reflected now in other countries. The problem of churning and, by default, the subsequent inability of professionals to plan purposefully and successfully for an individual's release — remains a significant challenge. This has in large part to do with prisons detaining high proportions of people for comparatively short periods (whether remanded or sentenced) and the fact that such people frequently cycle back through the custodial system following release.

Short custodial stays are common internationally. In the UK, Johnston and Godfrey (2013: 433) write that '[c]urrent evidence suggests that over half of all custodial sentences are for up to six months, with the majority of prisoners serving only a few weeks or months inside prison walls .... [More pointedly], [o]ver half of those on short sentences are reconvicted within one year and reconviction rates have been steadily rising over the last ten years...' (For annual data on the percentage of prisoners sentenced to six months or less, see also the Bromley Briefings of the UK Prison Reform Trust). In the US, 'A fifth (20%) of all persons released in 2018 [across 44 states] served less than six months in state prison before initial release, while two-fifths (42%) served less than one year' (US Department of Justice, 2021: 3). In Canada, for 2017/18, a staggering 80% of male custodial sentences were of six months or less, while for females the corresponding figure was 85% (Public Safety Canada 2020: 13). In Australia, as at 30 June 2022, there were 25,624 sentenced prisoners in custody of whom 4.5% (1171) had an aggregate sentence length of six months or less. However, when 'expected time to serve' is accounted for, the real number of short custodial stays almost triples with 3074 prisoners (11.9%) to serve six months or less (ABS 2023: Tables 11 and 12). On the same date, there were 14,864 prisoners on remand with two thirds (65.6%) having spent six months or less in custody (ABS 2023: Tables 13 and 32). Evidence from Australia's largest jurisdiction (New South Wales) suggests around 40% of those on remand will be released on bail and that roughly 10% will be acquitted or have their charges dismissed (Galouzis and Corbin 2016: 9). What happens to these people as they 'transition' from the custodial system to the community is of primary concern for this project.

The process of exiting prison — whether via bail agreements, through being released off court, or completing a short custodial sentence — is one we deal with extensively below. Chiefly, we are concerned with how systems respond (or not) with alacrity to the scale of the issue of short custodial stays and the inherent unpredictability surrounding the churn associated with short custodial stays. We deliberately use the term 'stay(s)' so as to include sentenced and remand populations. Whilst the bulk of published work focuses on short *sentences*, we maintain that both populations are in urgent need of more assured and effective pathways to community (re)integration.

There is some recognition that connections to post-prison services should happen well before prisoners exit prison (Abbott et al. 2018; COAG 2016). However, there is little evidence of how this occurs in

practice, nor evidence of a systematised approach to post-release supports originating in custody. Instead, there is a growing proportion of people who exit prison and experience the 'Oh sh\*t, I'm out!' dilemma (akin, in some senses to the stresses surrounding the 'F\*ck It!' phenomenon (see Halsey et al. 2016). This circumstance, being 'out' is one of mixed fortune. While most are relieved to be exiting prison many are also deeply troubled by 'next steps'. Such paralysis, or what has been termed the *pains of reentry* (Durnescu 2019), is especially poignant for those experiencing what is for them a sudden or 'surprise' release. The archetypal instance of this is the adjudication 'time served'. Specifically, '20% of all prison sentences imposed in Victoria in 2017 - 18 were time served prison sentences. ... Six years earlier, time served prison sentences were just 5% of all prison sentences'. More crucially, '96% of time served prison sentences were [of] less than six months' (Sentencing Advisory Council Fact Sheet). Such people typically have few if any supports in place to buffer the 'Oh sh\*t, I'm out!' conundrum and start their (re)integration journey on precarious footing.

The literature on short custodial stays (heavily pitched, as mentioned, toward short sentences) also draws attention to rates of return to custody. It is common to think that shorter periods in custody are not only less harmful to prisoners' mental and physical well-being, but also help to keep their life opportunities more or less intact, including connections to family, employers, housing and the like. However, evidence suggests this is far from the case. 'For example, recently released re-offending figures from the [UK] Ministry of Justice (2017) calculate the reconviction rate of short sentence offenders as 59%, which is the highest reconviction rate by sentence type within the adult criminal justice system (this stands in comparison to an average reconviction rate of 44% for those given custodial sentences longer than a year)' (Cracknell 2018: 304). In one of the few rigorous large-scale studies of time served and recidivism (involving 90,423 inmates in Florida), Mears and colleagues determined that 'from 1 to 12 months, greater time served is associated with an increased probability of recidivism, rising from 38% to a peak of 51% at one year' (Mears et al. 2016: 113). In other words, short sentences (short stays) are not necessarily commensurate with lower recidivism (or better community (re)integration) and may instead, lead to worse outcomes.

A closely related issue is that the total quantum of prison time associated with multiple 'short' custodial stays creates its own problems. The evidence shows that the higher number of prison episodes (irrespective of length) is strongly associated with short survival times (time to recidivism—whether to arrest, conviction or return to custody). For example, in their Florida study, Mears et al. (2016: 114) determined '[t]he group-specific base recidivism rates ... as follows: 0 commitments (38%), 1 prior commitment (48%), 2+ prior commitment[s] (58.3%)'. But equally important is the meaning attached to multiple prior prison episodes by the courts. This was reflected by Armstrong and Weaver's (2013: 301) interviewees who, as recipients of short custodial stays, believed that their 'histor[ies] of offending and prison sentences outweighed all other sentencing factors, including the progress a person had made since a prior prison sentence'. As one participant put it: 'It's like your past is always in front of you, no matter what you do to better your life, the past will always catch up with you' (Armstrong and Weaver 2013: 301). This raises the important issue of 'serial punishment' — that is, punishment which is systematically dealt out in the hope that specific deterrence will eventually be achieved. For many on short stays, their lulls in offending are not adequately recognised by authorities and instead are interpreted as opportunities to reoffend as opposed to 'making good' (Maruna 2001).

Short custodial stays then, would seem to be associated with several issues that are problematic whilst the person is in custody, and upon their (often multiple) attempts at (re)integration. For many, the reality is that short stays can create a situation where they become 'permanent temporary residents' in custody. Further, with limited access to programs whilst in custody, there is little support that might aid

desistance upon release. Upon release, individuals may well experience a rising crescendo of problems and challenges as they seek to navigate paths to (re)integration. The problem, one of national and international relevance, is connected to processes of the courts as well as policing, dovetails into issues of community safety, and plays out differently for particular cohorts (women, Aboriginal people, people at early or later stages of their 'criminal career', etc.). It is also a problem in terms of cost and inefficiency for state budgets. Nationally, in 2022-23, expenditure (net of revenue) on prisons was \$4.63 billion (Productivity Commission 2024). In South Australia this equates to an average expenditure, including capital costs, of \$330.30 per prisoner per day (Productivity Commission 2024). This costing does not include expenses associated with pathways through the justice sector – policing, courts, or community corrections. Nor does the average costing take into consideration the wider implications and direct/indirect costs of imprisonment for individuals, families, government departments (such as health and housing) or broader communities. It should also be noted that there is an additional administrative cost burden associated with short stays such as the fixed costs associated with intake and discharge processes, which occur more often with cycling, frequently incarcerated populations.

### Complexity of health and social needs for prisoners

There is a large body of research showing that prisoners are a profoundly marginalised group characterised by complex health and social needs (see AHRC 2022; AIC 2021; Schwartz et al. 2020; WHO 2022). Such health and social needs are associated to elevated rates of mental disorder, substance misuse and dependence, communicable and noncommunicable diseases, physical health conditions and intellectual disability (Kinner and Young 2018). Prisoner health disparities are typically set against a backdrop of entrenched social disadvantage including early school dropout, unemployment and homelessness or unstable housing (Kirwan et al. 2019; Pettit and Western 2004; Tucker et al. 2024;) as well as challenges of significant trauma histories and histories of victimisation (Day et al. 2018; McCausland and Baldry 2023). All such issues are further exacerbated amongst priority groups e.g. Aboriginal and Torres Strait Islander populations (ALRC 2018). Any duration of imprisonment brings with it significant disruptions to individual, family and community lives. Without options that address criminogenic and socioeconomic needs, people are left adrift and are at higher risk of reoffending (Willis 2008). The extent to which such complexities are addressed for people undergoing short custodial stays by prisons and the community health and social service ecosystems is a key focus of this report.

## Research Design Methodology and Ethics

Given the dearth of literature related to short custodial stays and specifically in the 'regional vs metropolitan' context, the researchers determined that this study would best be undertaken from an exploratory position. Exploratory research lends itself to working in the natural setting in which the questions were raised; in this instance, the idea of understanding re-entry journeys and current service provision and accessibility in the two study sites. Finding ways to 'unpack' this understanding of the issues associated with release from short custodial stays in both places was thus a critical consideration in determining how to design the study.

The methodological approach underpinning the qualitative component of the study was participatory in design. Participatory research approaches aim to be sensitive to context and cultural differences to ensure that voices of the 'researched' are heard (Fuller and Mellor 2008; Herlihy and Knapp 2003; Kindon et al. 2007). Participatory research is seen to be particularly useful in studies where place-based connections to one's environment and accounts of space and time are of central interest (Pain 2004). Participatory approaches that are context-specific and that can generate a rich and thick picture from the perspective of various actors to address the research questions posed are seen as helpful (McIntyre 2003). In relation to this study, such place-based and context-specific understandings were necessary, to understand the short custodial releases into each community. Operating in a participatory way enables the researcher to immerse themselves in the specifics of the data to discover themes, uncover patterns and then examine interrelationships across the breadth of the data (Johnson and Christensen 2004). Participatory approaches can also maximize the advantages of existing research relationships, and in the case of this study, existing relationships and access to key informants was important.

Participatory Action Research (PAR) is a specific form of participatory enquiry where social actors may be both the 'subjects of' the research as well as 'participant researchers' who integrate experience and 'real-world' knowledge into the research design and process (McTaggart 1997; Reason and Bradbury 2001). The PAR research process is aimed at identifying a problematic social situation or existing phenomenon, understanding it, and then taking some action to rectify the problem, or change the situation. In the case of PAR, the ownership of research projects is shared; the analysis of social issues occurs at the community level; and community-based and research projects typically adopt an orientation towards community action (Kemmis and McTaggart, 2007: 273). In this instance, one of the researchers, Dr Jen Cleary, CCCSA CEO, was both researcher and participant, bringing to bear deep knowledge and nuanced understanding of local systemic and historical contexts which informed each stage of the study.

A place-based perspective provided an additional framing to the study. Research is always situated physically in particular locations, but this project was interested in the implications of place on the contexts of (re)integration post short custodial stays. The project sought to investigate the commonalities as well as the differences between the cities of Port Augusta and Port Lincoln which service the prisons. Research on place-based initiatives has shown that complex social phenomena, contextualised in place and prioritising local voices, can encourage communities to devise solutions that are relevant and reflective of the local economic, policy, social and environmental realities (Tuck and McKenzie 2014).

The study was approved by the Flinders University Human Research Ethics Committee (6091) and the SA Department of Correctional Services.

## Data collection

### *Phase 1: SA DCS Data*

The purpose of the Department of Correctional Services (DCS) data was to gain insight into the place-specific context of ‘the problem’ – that is the scale and frequency of prison release involving short custodial stays; the key demographic and offence characteristics of those released on short-custodial stays; and the likelihood of those on short-custodial stays returning to the prison system. A further reason for this data was to consider how it might translate into current and potential future workloads for local service providers. At the time of writing, there were no published materials quantifying the flow of people entering and exiting on short custodial stays from specific prisons.

We obtained deidentified unit record data on all episodes of prison release over a five-year period – 1 July 2018 to 30 June 2023 – from Port Augusta Prison and Port Lincoln Prison. It is important to note this represents releases, not individuals, as many people cycle in and out on multiple occasions. Key data included:

- Admission date
- Discharge date
- Prison released from: PAP vs PLP
- Individual ID
- Offence type e.g. assaults, break and enter, homicide, deal or traffic drugs, driving offences
- Status in prison: sentenced vs remand
- Discharge reason e.g. on bail, off court, paroled, supervised probation, release sentenced service, deceased
- Number of prior imprisonments (ever)
- Gender
- Indigenous status

The unit record data was then used to analyse:

- The length of stay of all episodes of prison release (days).
- The total number and proportion of episodes of prison release following short as opposed to long custodial stays by prison.
- Number of remanded vs sentenced prisoners released from a) PAP and b) PLP who served six months or less.
- Trends in the number of episodes involving release following short custodial stays by month and year.
- Most common offences involving short custodial stays.
- Most common discharge reason e.g. bail vs off court.
- Proportion of short custodial stays involving Indigenous vs non-Indigenous people.
- Proportion of short custodial stays involving men vs women.
- Proportion of people on short vs long custodial stays that have been previously incarcerated and frequency of prior incarcerations.
- Number of individuals cycling in and out of PAP and PLP over the five-year period.

### *Phase 2: Examination of Other Data*

During pre-research meetings held in each community, the research team was provided with information about local resources, e.g. service directories, service brochures and information about

relevant projects pertinent to the study. In one instance, a report for a pilot program for women exiting prison was shared. In other instances, the research team was directed to websites and other online resources. These data, along with the DCS data, helped to inform questions and topics for discussion in Phase 3 of the research.

### *Phase 3: Stakeholder engagement and roundtables*

Pre-research meetings were held face-to-face with professional staff in Port Augusta and Port Lincoln over a number of months prior to the roundtable events. These 'off record' conversations covered broad topics relevant to stakeholders' specific circumstance along with discussions on sector challenges, local priorities and concerns, and hopes for the research. Several participants spoke of being disillusioned with 'Adelaide people' (researchers, government, and service providers not located in regional communities) coming to their towns to define problems and impose solutions that 'come from the city', perceived as not reflective of the realities, strengths, challenges and histories of the local community and social service ecosystem. This is similar to the cynicism and scepticism many Aboriginal communities hold towards 'outsider' researchers and government officials, who present as 'experts' but are seen as '...making generalisations and false diagnoses based on what is sometimes only a superficial understanding of local community dynamics, often with disastrous consequences for the community' (Porter 2017: 37). These meetings were an important platform for the research team to demonstrate commitment toward participants and their communities and expand the PAR approach. Similar to Finlay's (2009) description of relational research processes, the meetings were encounters in which participants became co-creators, developing the roundtable discussion themes while providing context that would frame data analysis. The aim was to integrate local experience and reflection into the research process, in order to produce knowledge that is directly useful to those engaged and working together on the research topic (Reason, 1994). Roundtable discussions on the challenges of re-entry and reintegration were prompted and informed by lived-experience data from research team members' previous research.

In-person roundtable events were held, one in Port Augusta and one in Port Lincoln, with a diverse group of key stakeholders. The roundtable events were conducted over approximately five hours, inclusive of breaks, and were structured around three sessions. The first session explored the preliminary findings from the DCS data, common reflections and challenges generated from earlier meetings and examination of other data and any missed challenges or concerns in relation to short custodial stays. Key topics included:

- A discussion on the extent that short custodial stays present a problem in the community and if they are, why and how.
- A second topic explored case studies and discussions around barriers and opportunities to reduce challenges and harms arising from short custodial stays.
- The final sessions were focused on a collective analysis of emerging themes and solutions and prioritising potential future initiatives.

The roundtables were conducted using a series of small groups and a mixed set of stakeholders at each table. This encouraged dialogue between agencies and was designed to catalyse new ways of thinking. Collective reflection was an important aspect and the iterative process of analysis brought participants together, enabling ownership of the problems and solutions. As McTaggart (1997:7) posits, '...trying to change things impacts on others, and their consent and help is needed; change is political and social life is manifold, not broken into bits that can be changed one at a time: Individuals cannot accomplish

change of much note by themselves, and they cannot change anything unless they change themselves at the same time’.

### *Participants*

Participants were from a variety of sectors, including the correctional sector; housing; social services; drug and alcohol support sector; local community service providers; Aboriginal Community Controlled Organisations; NGOs and relevant government departments. There were 28 attendees at Port Augusta and 13 at Port Lincoln.

### *Analysis and stakeholder feedback*

Qualitative data was thematically analysed. There can be a tension between including voices as they appear in the data and accounting for acculturation of hegemonic assumptions within the data. It is here that the interweaving of subject experience and learned experience acts as a corrective. As Mackenzie (2014: 98) puts it: ‘[We] work with the tensions involved in, on the one hand listening to [participants], valuing and respecting their perspectives, while simultaneously applying a critical analysis to tease out embodied social constructions’. It is important to resist foregrounding the researcher’s critical view in this manoeuvre, and to allow space for participatory critical analysis – analysis that looks for saturation and themes by triangulating multiple participant voices, and analysis that involves the iterative testing of findings in participatory and dialogical ways. This allows for an interplay of multiple perspectives, moderated to consciously account for the presence of vertical power imbalances.

At the end of the project, two briefing papers were presented and discussed with stakeholders in further face-to-face sessions within each community. The aim of the sessions was to ‘ground-truth’ and discuss findings, identify errors or omissions and provide an opportunity for each community to initiate a collective ‘next steps’ agenda. There were 16 attendees in Port Augusta and six in Port Lincoln. The reflections from these meetings were incorporated into the final report.

Data from all sources were triangulated to form a ‘rich picture’ (Patton, 1999) of the current situation of short stay releases into both the Port Augusta and Port Lincoln communities.

### *Strengths and limitations of the research approach*

The use of mixed methods in this study provides a context rich analysis of the scale of short custodial stays and the associated (re)integration challenges and opportunities unique to each town. Whilst this project had broad stakeholder engagement and input, this project did not include the voices of people who have experienced incarceration themselves. This was not possible due to the incompatible timeframes between the project, Flinders University and DCS ethics processes. There is, however, an opportunity to use the findings from this report and harness relationships established through the research process, to co-design future initiatives with people with lived experience.

Additionally, women’s experiences of short custodial stays and (re)integration are largely absent from this report. For example, only 4.5% of all short custodial stays or n=181 people involved women.<sup>2</sup> Participants primarily reflected upon the incarceration, (re)integration and service engagement experiences of men. This is likely due to PAP and PLP overwhelmingly consisting of male detainees. It is well understood that women’s experiences of incarceration and (re)integration are vastly different from

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<sup>2</sup> Women are rarely housed at either PAP or PLP and when they are it is generally for very short periods of time (over night or over a weekend) before being transferred to Adelaide Women’s Prison.

men's and as such warrant further exploration that takes an intersectional gendered lens and a critical gaze towards societal and structural explanations (Carlton and Segrave 2013).

Although there were Aboriginal participants present at the roundtable events, we cannot claim that the regional diversity of experiences and perspectives are represented in this report. For example, due to the place-based scope of the project, APY Land community and organisational stakeholders are notably absent. Additionally, many of the Aboriginal stakeholders who participated in the roundtable discussions were unable to attend the final feedback sessions. However, principles underpinning the recommendations elaborate on opportunities to strengthen and embed local Aboriginal leadership and decision making in future research and interventions in Port Augusta and Port Lincoln.



## Findings

### The extent and nature of the problem – Quantitative findings

Five years of custodial data was supplied by the DCS for PAP and PLP covering all custodial stays over that period. Herein we outline the frequency of short custodial stays, monthly trends over time, the demographic and offence characteristics of people receiving short-term stays and similarities and differences between PAP and PLP.

### The frequency of prison releases involving short custodial stays

Between 30 June 2018 and 31 July 2023 there was a total of 5027 episodes of prison release (irrespective of the length of stay) from PAP and PLP. It is important to note this represents episodes of prison release not individuals, as the data herein shows many people cycled in and out on multiple occasions.

As shown in Figure 1, most prison releases (n=4030) over the five-year period involved short custodial stays. Indeed, **80.2% of all custodial stays involved six months or less**. Therefore, only 19.8% involved stays of six months or more.

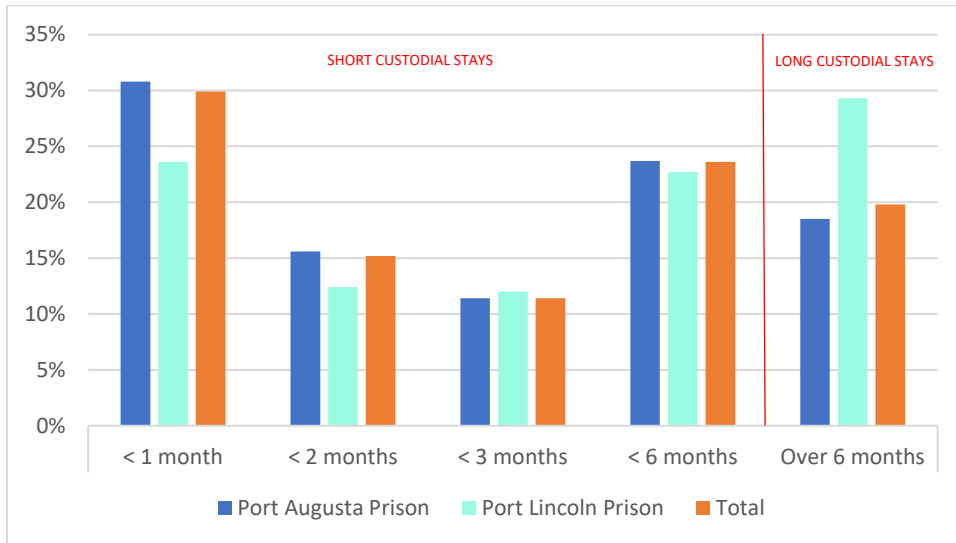
Figure 1: Proportion of short vs long custodial stays, by prison (July 2018-June 2023)



More specifically, the median length of stay at PAP and PLP was 72 days (2.4 months) (range of 0.2 to 6576 days), 56.5% custodial stays involved three months or less and 29.9% involved one month or less (see Figure 2). This shows that most short custodial stays were very short.

Comparing the two regional prisons shows the incidence and length of short custodial stays differed across the sites. Specifically, 81.5% of prison releases from PAP involved short custodial stays, compared with 70.7% at PLP ( $\chi^2(1,5027)=40.835, p<0.001$ ). Custodial stays were shorter at PAP, as evidenced by significantly more custodial stays involving one month or less: 30.8% at PAP versus 23.6% at PLP ( $\chi^2(4,5027)=46.733, p<0.001$ ). The DCS data indicate that short custodial stays dominated overwhelmingly at both regional prisons.

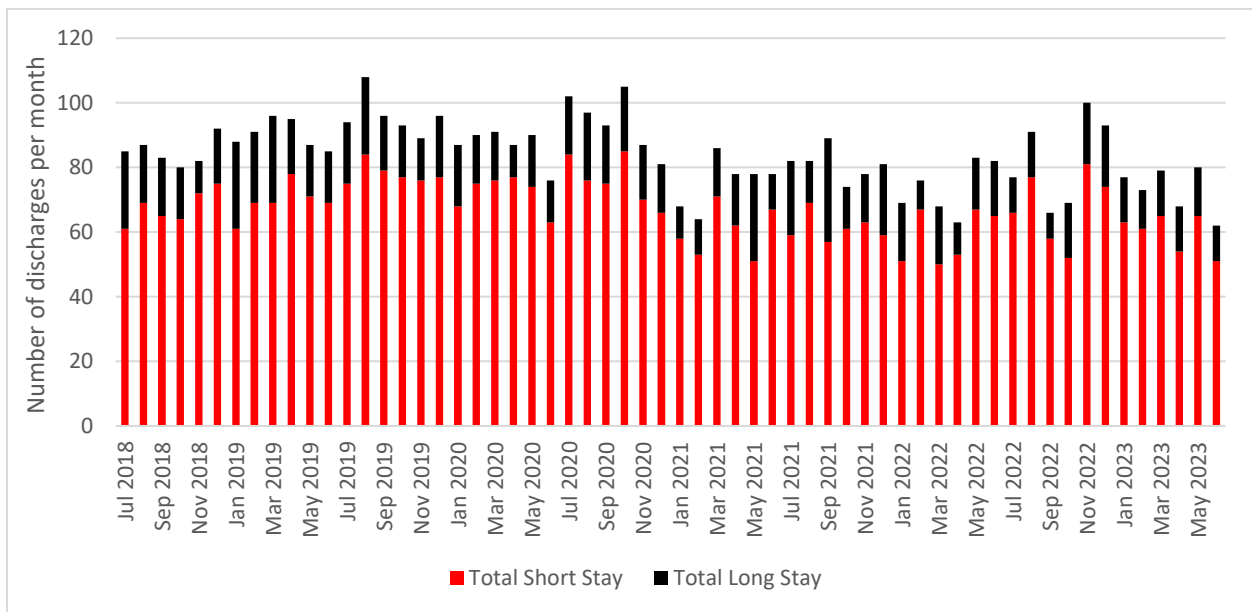
Figure 2: Length of custodial stay, by prison



### Number of monthly discharges and trends over time

There was an average of 67 discharges each month from PAP and PLP following short custodial stays, or 804 discharges per year. This compared with 16 discharges per month for long custodial stays—four-fold less than discharges for short custodial stays. Figure 3 depicts trends over the five-year period of 30 June 2018 to 31 July 2023 for both short and long custodial stays. This shows that the number of discharges for short custodial stays has remained stable over time, creating a large burden on prisons, service providers and the communities into which people exit.

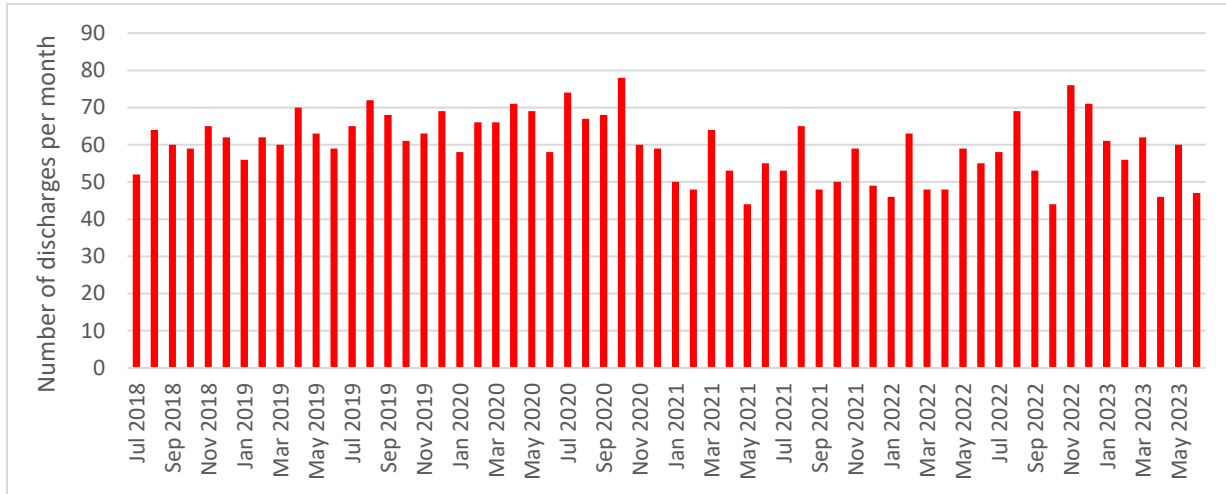
Figure 3: Number of monthly discharges across Port Augusta Prison and Port Lincoln Prison, for short vs long custodial stays (July 2018-June 2023)



The number of monthly discharges and trends over time differed in significant ways for the two prisons. Of note, there were very many discharges from PAP: n=3584 over 60 months. This means that on average 15 discharges occurred from PAP every week or 60 discharges every month involving short

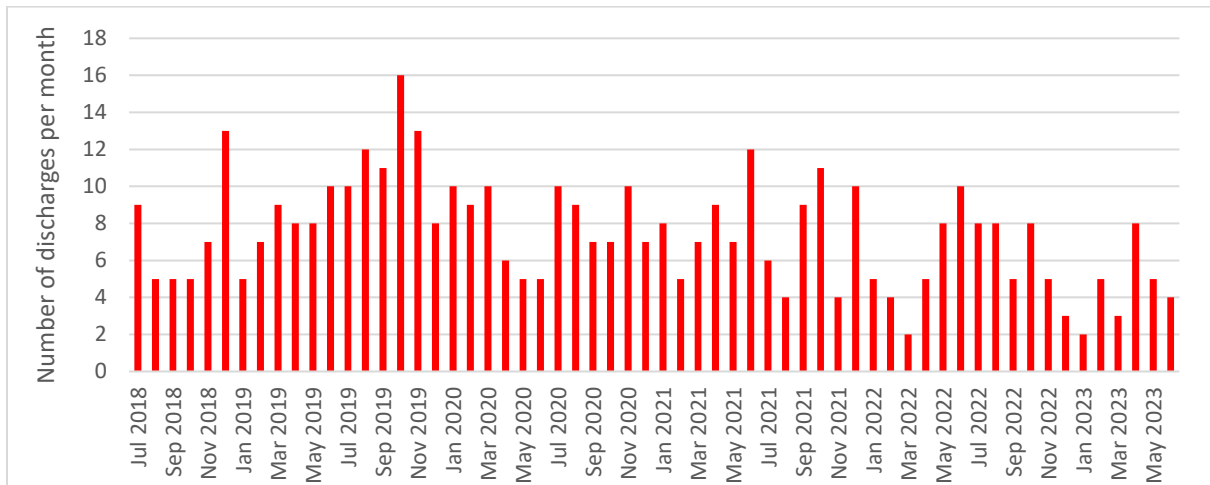
custodial stays (see Figure 4). Analysis of trends shows high stability in trends at PAP and limited signs of reduction over time. It further shows there were six months where 70-78 people were released following short custodial stays at PAP, with peak periods of release occurring in April 2019, August 2019, July 2020, October 2020, November 2022 and December 2022.

Figure 4: Number of discharges from Port Augusta Prison involving short-custodial stays, by month and year (July 2018-June 2023)



The scale of the issue is less in Port Lincoln with an average of seven discharges per month (range of 2 to 16 per month) or n= 446 discharges over 60 months (see Figure 5). Trends over time indicate that the number of discharges from PLP involving short-custodial stays increased during the first year of COVID-19 (to an average of ten discharges per month or n=134 total from March 2019 to March 2020) but has otherwise remained fairly constant (albeit with somewhat more variance from month to month than at PAP). As such both regional communities show evidence of a steady flow of people exiting following short custodial stays. This poses a challenge given they exit often without any planning for what types of services they may need or how they will access them (see qualitative analysis below).

Figure 5: Number of discharges from Port Lincoln Prison involving short-custodial stays, by month and year (July 2018-June 2023)



## Custodial responses and circumstances of release

Most discharges from PAP and PLP involving short custodial stays were for people on remand (79.4%) (see Table 2) i.e. people who have been charged with a criminal matter and refused bail. Consequently, they are waiting in custody for their matter to be heard in court and/or for sentence determination. This means that only 29.0% were released 'sentence served'. Instead, 13.0% were released 'off court' (defined as all charges dropped) and 45.8% were released on bail (where the defendant still needs to have their criminal matter finalised by the courts but they are allowed to stay in the community).<sup>3</sup> Compared with those on long stays, people on short custodial stays were significantly more likely to be released on bail ( $X^2(4,5027) = (2) = 1117.03, p < 0.001$ ).

Table 2: Custodial responses and discharge reasons for those on short versus long stays

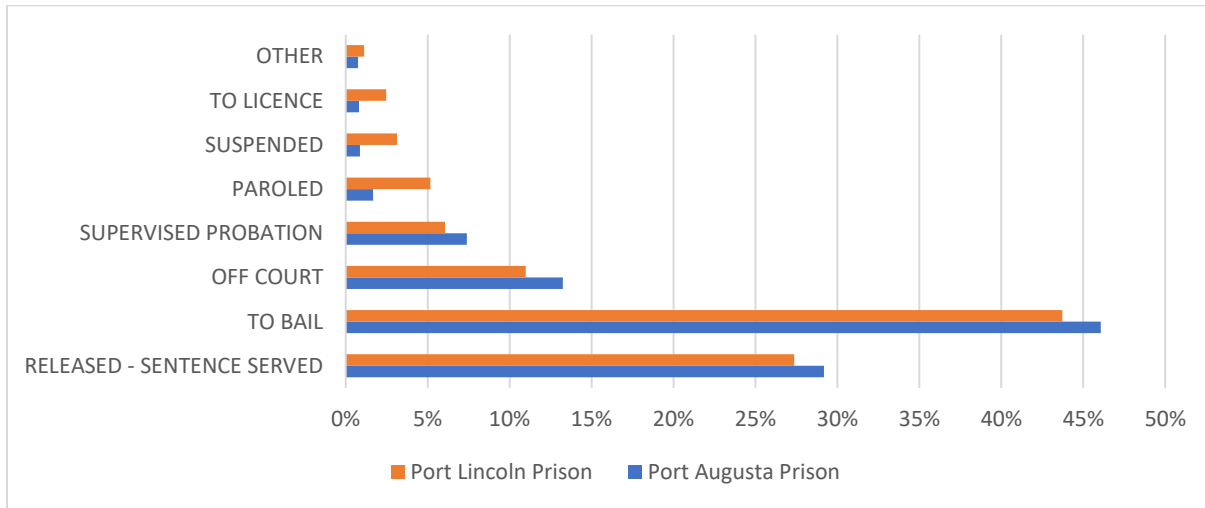
	Short stays (n=4030)	Long stays (n=997)	Total (5027)
Custodial status			
• Remand	79.4%	33.2%	70.2%
• Sentenced	20.6%	66.8%	29.8%
Discharge reasons			
• Sentence served	29.0%	38.7%	30.9%
• Bail	45.8%	16.5%	40.0%
• Released off court	13.0%	6.4%	11.7%
• Released on parole	2.1%	30.9%	7.8%
• Supervised probation	7.2%	4.6%	6.7%
• Suspended	1.1%	0.6%	1.0%
• Transfer to FACS <sup>4</sup> or health commission	0.0%	0.2%	0.1%
• Unsupervised probation	0.4%	0.1%	0.4%
• Other	1.4%	2.0%	1.4%

Figure 6 shows the discharge reasons by prison, and in this instance the patterns of discharge are very similar. For example, 43.7% and 46.1% of short custodial stays at PLP and PAP respectively involved release on bail. Moreover, 11.0% and 13.3% involved release off court at PLP and PAP respectively.

<sup>3</sup> There may be bail conditions attached e.g. comply with a curfew, not use drugs or alcohol or to stay at a particular address.

<sup>4</sup> Family and community services.

Figure 6: Custodial responses and discharge reasons for those on short stays, by prison



### The demographic and offence characteristics of those released

The demographics and offence characteristics of those exiting following short versus long term stays is outlined in Table 3. Across the two regional prisons those with short stays (six months or less) differed in some significant ways:

- More likely to be Indigenous (61.9% compared with 46.9% for long stays) ( $X^2(2,5027)=101.969$ ,  $p<0.001$ ).
- More likely to involve assaults and offences against justice procedures ( $X^2(21,5027)=379,372$ ,  $p<0.001$ ). For example, 49.8% of short custodial stays involved assault compared with 29.7% long custodial stays, and 23.4% of short custodial stays involved offences against justice procedures compared with 17.3% for long custodial stays.

There is some tentative evidence that detainees exiting after short-custodial stays had less serious criminal justice histories as demonstrated by the data being more likely to report only one custodial stay (i.e. the custodial stay just ended). This accounted for 20.1% (or n=812) prison episodes involving short custodial stays versus 12.6% (or n=126) prison episodes involving long stays. **That said, both short and long custodial stays reported a median of five imprisonments and a mean of seven imprisonments.** This leads us to conclude that people undergoing short custodial stays display a high rate of return to prison (equivalent to those held for multiple years inside). More specifically, across PAP and PLP **79.9% of people undergoing a short custodial stay had more than one custodial stay and 25.5% had ten or more custodial stays.**

Importantly, whilst we compared demographic and offence differences for short custodial stays across the two prison settings the profiles remained the same at PAP and PLP (see Appendix A). The one exception is that whilst short custodial stays at PAP were more likely to involve Indigenous people (63.8% vs 46.9% non-Indigenous), short custodial stays at PLP were more likely to involve non-Indigenous people (50.9% vs 46.9% Indigenous). Yet across all other indicators the profiles were identical with the vast majority involving men, offences of assaults and offences against justice procedures, and people with very high rates of return to prison.

Table 3: Demographics and offence characteristics of those on short vs long term custodial stays

Demographics	Short stays (n=4030)	Long stays (n=997)	Total (n=5027)
Gender			
• Men	95.5%	98.7%	96.1%
• Women	4.5%	1.3%	3.9%
Indigenous status			
• Indigenous	61.9%	46.9%	59.0%
• Non-Indigenous	35.1%	52.1%	38.5%
• Unknown	3.0%	1.0%	2.6%
Offence type			
• Assaults	49.8%	29.7%	45.8%
• Offences against justice procedures	23.4%	17.3%	22.2%
• Break and Enter	5.0%	12.8%	6.6%
• Other offences against good order	3.2%	4.0%	3.3%
• Fraud	3.3%	3.4%	3.3%
• License and registration offences	2.8%	3.3%	2.9%
• Deal or traffic drugs	1.9%	6.0%	2.7%
• Property damage	2.5%	2.6%	2.5%
• Sexual assault	1.4%	5.0%	2.1%
Number of lifetime imprisonments			
• Mean	7.0	7.66	7.14
• Median	5.0	5.0	5.0
• Range	1-65	1-51	1-66
Number of lifetime imprisonments aggregated			
• 1	20.1%	12.6%	18.7%
• 2	11.5%	11.8%	11.5%
• 3	9.3%	9.6%	9.4%
• 4-5	14.8%	16.8%	15.2%

• 6-7	10.4%	9.8%	10.3%
• 8-9	8.4%	9.5%	10.3%
• 10 or more	25.5%	29.9%	26.3%

Incidence of cycling in and out of the PAP and PLP system

Given we had unit record data we were able to analyse patterns of people cycling in and out of the prison system within the five-year period. Our aim in doing so was to explore how frequently people on short custodial stays returned within that time period, whether they returned to the same or a different prison, and the nature of cycling.

Analysis revealed a high level of cycling in and out of the PAP and PLP correctional system across the five-year period. Specifically, as shown in Figure 7 for Port Augusta, there were 1983 short custodial stays that involved a unique or first stay and a further 1601 stays that involved repeat stays. This means 44.7% prison episodes at PAP over the five-year period pertained to repeat stays. Moreover, Port Lincoln included 260 unique individuals who had undergone short custodial stays and 41.7% prison (n=186) episodes relating to repeat periods inside prison over this five-year period.

Figure 7: Number of short custodial stays involving a first vs repeat stay, by prison

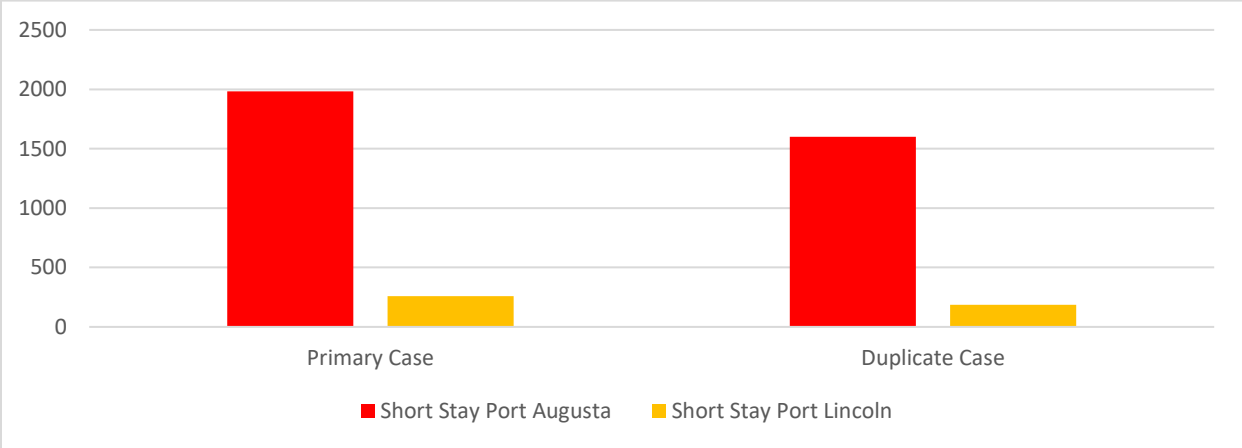
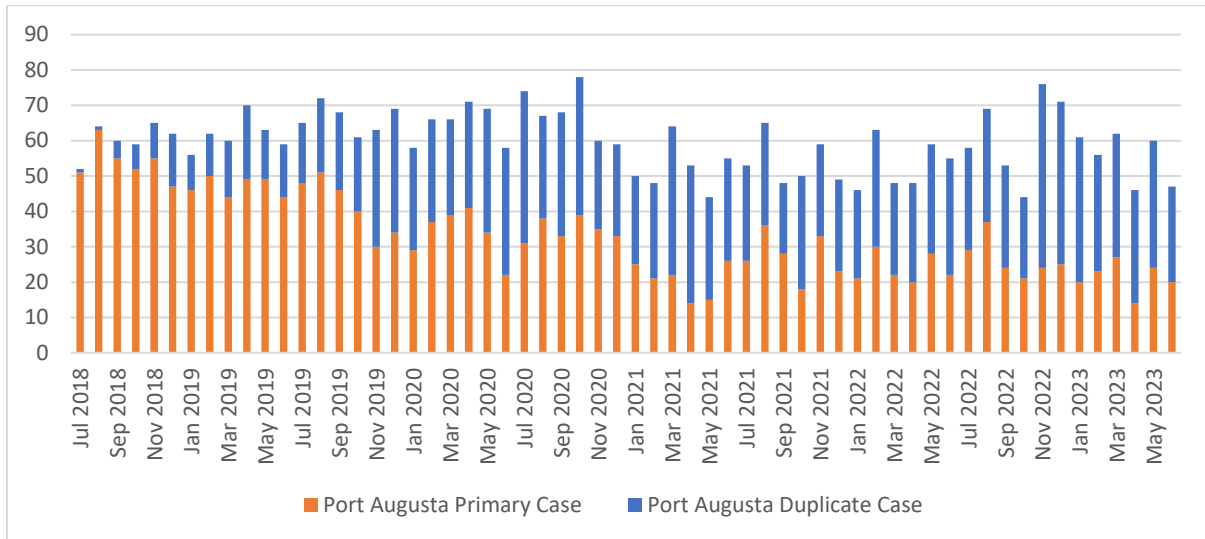


Figure 8 further shows the number of first vs repeat imprisonments involving short-custodial stays at PAP over time. The data demonstrate the high proportion of these short stays who are the same people. We note again that most of these stays involve people awaiting charge determination or sentencing.

Figure 8: Cycling of short custodial stays at Port Augusta Prison – first vs repeat imprisonments over time (July 2018-June 2023)



Finally, we examined the patterns of cycling geographically. This is important as there was some concern raised that the people entering PAP in particular may be displaced from Adelaide i.e. may not be ‘of the regional community’. Whilst we did not have place of residence in the data provided from DCS, we were able to see distinct patterns of cycling for short custodial stays and that:

- Most individuals cycled in and out of the same prison (particularly just PAP). This group thus can be deemed ‘geographically restricted’. We had evidence that people cycled up to 13 times in and out of the same prison over the five-year period.
- Some individuals cycled in and out of both PAP and PLP over the five-year period.
- One final group of individuals displayed stays within our target sites and also at other prisons e.g. PAP, other SA prisons, before returning to PAP again.

These results indicate that most of the cycling is to and from the regional prisons that are the focus of this research, but that there can also be spill over between and across PAP and PLP and to other prisons in the state. In the final section we analyse the trajectory and nature of cycling for three short custodial stay individuals with multiple incarcerations. Our focus here is to show the length of time in and out; the reasons for entry and exit; and the total amount of time spent in custody.

**Case study one:** The trajectory of ‘Lee’ – an Indigenous man who had 13 stays in PAP over the five-year period – is outlined in Table 4. Lee was relatively new to the prison system, having had only two prior imprisonments as of November 2019 but he cycled in and out of PAP for offences against justice procedures and assault. More specifically his first recorded encounter in our data was in November 2018 when he was remanded for an offence against justice procedures for eight days. He was released off court on 15 November 2018. But eight days later he was re-imprisoned for another 13 days for an offence against justice procedures. He was released on bail, then 12 days later he was re-imprisoned again and held for a more extended period – 55 days. Therein his cycle of short custodial stays and severity of offences ramped up. Lee ended up spending a total of 517 days in prison – albeit all served on remand, and all served in instalments with a maximum length of 97 days. It is further evident this



individual had multiple releases to the community – but often he had only three or four or eight days in the community before cycling back into the PAP prison system.

Table 4: Case study 1 of repeated short custodial stays at PAP – The 13 custodial stays of ‘Lee’

Admission date	Discharge date	Status	Discharge reason	Offence	No of imprisonments	Period inside (days)	Period outside prison (days)
7-Nov-18	15-Nov-18	Remand	OFF COURT	Offences against justice procedures	3	8.5	8
23-Nov-18	6-Dec-18	Remand	ON BAIL	Offences against justice procedures	4	13.4	12
18-Dec-18	11-Feb-19	Remand	ON BAIL	Offences against justice procedures	5	55.4	71
23-Apr-19	17-Jul-19	Remand	RELEASED - SENTENCE SERVED	Assault	6	85.6	292
4-May-20	3-Jul-20	Remand	RELEASED - SENTENCE SERVED	Assault	8	60.6	3
6-Jul-20	17-Jul-20	Remand	ON BAIL	Assault	9	11.9	4
21-Jul-20	3-Sep-20	Remand	RELEASED - SENTENCE SERVED	Assault	10	44.6	47
20-Oct-20	16-Dec-20	Remand	RELEASED - SENTENCE SERVED	Assault	11	57.7	51
5-Feb-21	17-Feb-21	Remand	RELEASED - SENTENCE SERVED	Other Offences Against Good Order	12	12.7	5
22-Feb-21	1-Apr-21	Remand	ON BAIL	Assault	13	38.6	63
3-Jun-21	8-Sep-21	Remand	RELEASED - SENTENCE SERVED	Assault	14	97.7	153
8-Feb-22	28-Feb-22	Remand	ON BAIL	Offences against justice procedures	15	20.6	67
06-May-22	13-May 2022	Remand	ON BAIL	Offences against justice procedures	16	7.7	

**Case study two:** ‘Ernie’ was another Indigenous man who had 12 stays in PAP over the five-year period (see Table 5). His first recorded encounter was in August 2018 when he was remanded for assault. This was his first period of imprisonment. He was held for 58 days then released off court (no charge to answer). Within seven days he was back inside on remand for offences against justice procedures. He was held for only nine days then released on bail and within four days he was back inside for offences against justice procedures before being released again off court (no charge to answer). At this point, his trajectory differed from the individual above (Lee), as he had several extended periods outside in the community of 198 and 319 days. But in April 2020 he was imprisoned for a short custodial stay of 86 days for license or registration offences. Thereafter he continued to cycle in and out throughout the rest of our period of analysis, including in one instance being outside in the community for only one day and in two others – being sentenced to serve two and three days in prison. Ernie ended up serving a total of 238 days in PAP across the five-year period, again all by periods of instalments.

Table 5: Case study 2 of repeated short custodial stays at PAP – The 12 custodial stays of ‘Ernie’

Admission date	Discharge date	Status	Discharge reason	Offence	No of imprisonments	Period inside (days)	Period outside (days)
13-Aug-18	10-Oct-18	Remand	OFF COURT	Assault	1	58.5	7
17-Oct-18	26-Oct-18	Remand	ON BAIL	Offences against justice procedures	2	9.5	4
30-Oct-18	14-Nov-18	Remand	OFF COURT	Offences against justice procedures	3	15.7	198
31-May-19	13-Jun-19	Remand	ON BAIL	Offences against justice procedures	4	13.9	319
27-Apr-20	22-Jul-20	Sentenced	RELEASED - SENTENCE SERVED	License or Registration Offences	5	86.4	161
30-Dec-20	6-Jan-21	Remand	ON BAIL	Assault	6	7.6	19
25-Jan-21	28-Jan-21	Sentenced	RELEASED - SENTENCE SERVED	Offences against justice procedures	7	3.4	1
29-Jan-21	31-Jan-21	Sentenced	RELEASED - SENTENCE SERVED	Offences against justice procedures	8	2.4	53
25-Mar-21	1-Apr-21	Sentenced	RELEASED - SENTENCE SERVED	Offences against justice procedures	9	7.7	14
15-Apr-21	22-Apr-21	Remand	ON BAIL	Assault	10	7.9	5
27-Apr-21	27-Apr-21	Sentenced	RELEASED - SENTENCE SERVED	Offences against justice procedures	11	0.9	279
31-Jan-22	24-Feb-22	Remand	RELEASED - SENTENCE SERVED	Offences against justice procedures	13	24.6	

**Case study three:** The final case study involved ‘Robert’ a non-Indigenous man who had four short custodial stays at PLP and three custodial stays at PAP (see Table 6). Robert was admitted to the PLP on 25 June 2018 for offences against justice procedures. At the time he had served four prior imprisonments. The custodial status for this first recorded stay was sentenced but he was only imprisoned for 16 days: making it a very short custodial sentence relative to the typical patterns at PAP and PLP.

Table 6: Case study 3 of repeated short custodial stays at PLP and PAP – The 7 custodial stays of ‘Robert’

Prison	Admission date	Discharge date	Status	Discharge reason	Offence	No of imprisonments	Period inside (days)	Period outside (days)
PLP	25-Jun-18	10-Jul-18	Sentenced	RELEASED – SENTENCE SERVED	Offences against justice procedures	5	16.4	53.6
PLP	3-Sep-18	03-Sep-18	Remand	RELEASED – SENTENCE SERVED	Offences against justice procedures	6	15.6	254.6
PLP	31-May-19	16-Jul-19	Remand	RELEASED – SENTENCE SERVED	Offences against justice procedures	8	46.7	133.3
PLP	27-Nov-19	13-Jan-20	Remand	ON BAIL	Break and Enter	9	47.7	7.3
PAP	21-Jan-20	05-Jul-20	Sentenced	ON BAIL	Receiving stolen goods	10	166.4	266.6
PAP	29-Mar-21	17-Nov-21	Sentenced	RELEASED – SENTENCE SERVED	Fraud	11	233.4	81.6
PAP	07-Feb-22	11-Oct-22	Sentenced	RELEASED – SENTENCE SERVED	Offences against justice procedures	12	246.4	

On 3 September 2018 Robert was imprisoned again for an offence against justice procedure – this time on remand. After 15 days he was released, sentenced served. He had a further offence for break and enter, then receiving stolen goods albeit he was imprisoned at the PAP. Interestingly, Robert had two further custodial stays at PAP each of which was just over six months duration. This trajectory thus shows an increase in offence severity and periods inside as well as imprisonment across two regional prisons. The total period inside for Robert over the five years was 772 days.

While the above case studies show just three of a multitude of trajectories, they nonetheless share some striking similarities. Two involve demographically similar offenders who had limited prior imprisonment experience upon their first sentence, with a rapid escalation of periods in and out particularly relating to offences against justice procedures and assaults. The final case study had more of a criminal justice history but following a series of short periods in prison showed an escalation of offence seriousness. Questions posed for both patterns are 1) what are the individual, familial and system costs of this repeated cycling of individuals for short custodial stays and 2) what were the points at which the cycling could have been prevented or reduced – *within* the correctional system, at the point of release and/or in the community.

#### Summary and similarities and differences between PAP and PLP

DCS data and flow rates demonstrate the ‘churn and chaos’ of short custodial stays in regional communities. Of note they show:

- That short custodial stays constitute the lion’s share of custodial stays: accounting for 4030 discharges or 70-80% of all prison discharges at PAP and PLP over the five-year period.
- The high number of people exiting every month post short custodial stays, and largely stable trends, creating an ongoing burden on prisons, service providers and prisoners.
- Short custodial stays predominantly involve offences against justice procedures and assaults.
- That most people on short custodial stays are on remand – i.e. while awaiting determination of their charges and many are released on bail in the community or off court – no further action.
- That there is a very high rate of return to prison for people on short custodial stays. More specifically that we have evidence of individuals who are prison naive undergoing up to 13 short custodial stays in PAP or PLP over a five-year period alone.
- That the period inside for short custodial stays can amount to substantial time served albeit by instalments e.g. 517 days or 1.4 years over a five-year period alone.
- That the periods outside in the community can be incredibly short: weeks or mere days.
- That people tend to be imprisoned and cycle in and out of the same prison system e.g. PAP but some cycle in and out of neighbouring prisons e.g. PLP or to prisons in other parts of the state.

The data also highlight differences across the two sites:

- Scale of the problem: The number of people imprisoned for short custodial stays is substantially higher at PAP: 4396 compared to 446 at PLP. As such 15 people are released from PAP every week or 60 people every month following short custodial stays instead of seven per month at PLP.
- Length of stay: The length of stay is shorter at PAP: 30.2% stays were one month or less, compared to 23.1% for Port Lincoln.
- Demographic profiles: People on short custodial stays in PAP were significantly more likely to identify as Indigenous but people were more likely to be non-Indigenous at PLP.

This analysis shows that short-custodial stays pose significant and ongoing challenges for both PAP and PLP.

### Qualitative findings

In this section we explore the key findings from the two stakeholder roundtables held in Port Augusta and Port Lincoln. These meetings explored the nature and extent of the problem of short custodial stays and what might be done to address associated challenges of re-entry and (re)integration.

Stakeholders in Port Augusta and Port Lincoln were unanimous that short custodial stays are a problem in their communities and that such stays are associated with multiple challenges for prisons, service providers, communities and prisoners – including for the end goal of building successful (re)integration. Key challenges included:

- Concern that **prisons overlook the needs of those on short custodial stays**.
- There is **inherent unpredictability associated with short custodial stays** (particularly remand), making timely and productive planning for release near impossible.
- The **large geographic areas** which people need to traverse to return 'home' (and the lack of transportation available for such travel).
- The **complexity of needs** of people on short custodial stays – particularly housing, education and employment supports, financial, alcohol and other drug, mental health, trauma, and family and domestic violence – which are often exacerbated by the system response to short custodial stays.
- Lack of knowledge for people exiting prison about **available social and health services** and where and how to access them – given the community into which they are being released may not be their home community. This applies across the spectrum of requisite support services but is an acute problem for **immediate needs such as food, shelter, money, transport and health care**.
- Lack of **safe and secure housing options** for people leaving prison (which compounds the problem of being able to access services in timely and enduring fashion and prevents reintegration journeys).
- Minimal **coordinated collaboration** between correctional services and the social and health service ecosystems.
- Lack of **culturally relevant services** with participants emphasising the need to consider the experiences and diversity of Aboriginal families and communities.
- The **shame and stigma** associated with having spent time in custody.
- **Cycles of domestic and family violence** associated with the use of alcohol and other drugs and lack of predictable work opportunities e.g. seasonal fishing work and other FIFO work which become the major driver of people cycling in and out of prison.
- Lack of **early intervention programs for young people and their families**.
- The **sheer scale of the flows** of short custodial stays and the **inability of the health and social sectors** to meet all health and social needs particularly given current funding levels.

We discuss these issues in the following section.

### Challenges with the prison system

The first key set of issues raised pertained to the prison system itself. This includes that due to policy and resourcing issues prisons are geared to focus on the needs of prisoners undergoing long-term stays – not people on short custodial stays. There is also an inherent unpredictability associated with short custodial stays and high rate of unplanned releases. Finally, there are difficulties for people ‘getting home’ in regional communities once they are released.

#### *Prisons overlook the needs of those on short custodial stays*

From the perspective of correctional staff and social services directly engaged with the criminal justice system, an overarching challenge to the management of short custodial stays is that prisons are geared toward long custodial stays. In theory, those on longer sentences can plan for a known release date and access (re)integration and throughcare supports such as drug treatment, behavioural change courses, employment opportunities, and so on.<sup>5</sup> Correctional staff however, reflected on the impossible task of being able to meaningfully engage and support people who were quickly rotating through the system. As one participant explained, there are many men they don’t even get to meet.

The challenge is that prisons are structured such that their focus is on the needs of prisoners undergoing long-term stays. Those on remand are ineligible for prison programs and supports, and many people on short sentences will also not get access to rehabilitative programs due to time constraints (basic assessments, which take three months, are only provided to people serving six months or more). This is in part a resourcing issue, as correctional staff explained that the prisons do not have the capacity to adequately assist with the reintegration needs of those on short custodial stays. For context, Port Augusta has collectively ten staff members responsible for the assessments, referrals and programming of rehabilitation and reintegration of all 616 detainees. But this is also about which needs are prioritised in the prison system. The consequence is that support for people in prison generally overlooks the needs of those on short custodial stays.

#### *Inherent unpredictability associated with short custodial stays*

There is an inherent unpredictability associated with short custodial stays – in terms of what date people will be released from custody. Short custodial stays create ‘churn and chaos’ (Mills 2019) in the prison estate, which lead to an inability of professionals (let alone prisoners’ families) to plan purposefully and successfully for someone’s release. The ‘surprise’ element of both detainment and release for those who experience short custodial stays were seen as compounding the negative consequences of incarceration, particularly in relation to remand. In Port Lincoln the group highlighted the flow-on effects of being suddenly arrested and detained:

‘No-one’s going to turn their power off, debts still accumulating, foods going bad.’

‘Parenting, domestic, and financial responsibilities falls on the other person [a partner]. It puts strain on already volatile relationships.’

Participants recounted stories of children being left home unattended when a parent had been arrested while doing a grocery shop, of cars being impounded, and rental housing being lost while people have been on remand. Reflective of current research (Cracknell 2022), imprisonment for short periods was

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<sup>5</sup> We say in theory as the capacity to meet the needs of long-term prisoners is also stretched.

seen as disproportionate punishment considering the ongoing pain of the experience and disruption to peoples' lives.

The prison system's limited capacity to engage with people on short custodial stays and the subsequent lack of release planning, meant that basic and immediate needs such as transport from prison, appropriate clothing, money, means to contact friends and family, accommodation, and food were not being met. Participants recounted the kinds of hopeless positions they had seen people released into;

'I've seen [a man] released barefoot with [their] belongings in a garbage bag.' (Port Augusta)

'A man released at 4pm. He was happy to be out but was released with "a little plastic bag". He finds the local homeless group in the parklands, gets into drinking, gets assaulted and ends up in hospital. '(Port Augusta)

While most are relieved to be exiting prison many are also deeply troubled by 'next steps', where to go, how to get there, who to contact, when to contact them, and so on. Such paralysis, or what has been termed the *pains of reentry* (Durnescu 2019), as demonstrated by these narratives, are especially pointed for those experiencing un-planned release. As testified by participants, people typically have few if any supports in place to buffer the "Oh sh\*t, I'm out!" conundrum. Walking out of custody (or court) in one's prison greens, is not an uncommon scenario across the state and is fertile ground for derailing people's attempts at (re)joining society 'on the right foot' or for inducing recidivism (Halsey and Deegan 2015). The notion of 'getting home' provides an example of the ramifications of un-planned release, as well as contextualising the experience of re-entry as connected to place.

#### *Challenges of people exiting and getting 'home'*

Stakeholders recounted scenarios of men being released in the morning and having to wait aimlessly until 10pm for a bus or worse having to wait days for the next bus service with no accommodation option. In Port Augusta and Port Lincoln, where vast distances between towns and services are a defining feature of regionality, the lack of transport infrastructure was identified as an immediate challenge for people exiting prison after short custodial stays. Unlike in urban settings where public and private options are more readily available, transport from the prison gates was categorised as a necessity, as both Port Augusta and Port Lincoln prisons are considerable distances from town centres. Participants explained that limited transport availability in regional areas resulted in people being stranded and this in turn was directly linked to re-engagement with the criminal justice system, for example breaching bail conditions for not being in the correct location.

Concerns about people being from elsewhere were more pronounced in Port Augusta. The town has historically been a primary service centre for surrounding areas, notably Anangu Pitjantjatjara Yankunytjatjara (APY Lands) and has ongoing challenges working with the seasonal influx of visitors from the APY Lands. Stakeholders explained that people's unique circumstances coincide with a lack of transport (and lack of housing) and can lead to people getting 'stuck' in the town. It was explained that people exiting prison may need to remain in town for medical appointments, negotiating return with their home community, using the opportunity to catch up with friends/family, or awaiting upcoming sorry business. Participants emphasised the need to consider the extenuating circumstances of individuals and families and cautioned against 'cut and paste' responses.

#### *Complexity of needs of people undergoing short custodial stays*

As outlined on page 19 there is a large body of research that indicates that prisoners have complex health and social needs. Stakeholders were unanimous that this is also evident for those undergoing short custodial stays. The complexity of needs creates numerous challenges for regional communities and service sectors and for establishing effective re-entry pathways. This is particularly relevant as

stakeholders note short custodial stays often exacerbate challenges in responding to these needs e.g. by people having to give up their accommodation or disrupt drug treatment. There is also a significant lack of knowledge for people undergoing short custodial stays about what services are available or how to access them upon their release. This point is pertinent where the community into which people are being released may not be their home community and navigating the unfamiliar place adds to the challenges of the prison-exit journey.

### *Housing*

It is unsurprising that housing was cited as the highest priority for people exiting prison in both Port Lincoln and Port Augusta considering the growing evidence of the cyclical relationship between homelessness and imprisonment (see AIHW 2019; AHURI 2004; ALRC 2017; Baldry and McCausland 2009; Law Council of Australia 2018; Mills et al. 2021; Stubbs 2010). The Australian Institute of Health and Welfare (2019) reported that 33% of all people in Australian prisons were homeless in the month leading up to imprisonment, and of those '28% were in short-term or emergency accommodation, and 5% were in unconventional housing or sleeping rough'. Worse, 54% expected to be homeless when released from prison (AIHW 2019).

Housing in general was described as being 'in crisis', with stakeholders explaining that systemic issues in conjunction with limited availability of accommodation options in regional areas, were impacting access to secure housing for *all people* in need. Participants commented that even families supposedly sitting at the 'top of the list', were waiting for SA Housing Authority (SAHA) accommodation anywhere from 1-5 years, and hence 'men's [post-prison] housing gets low priority'. Short custodial stays, specifically the unknown timeframes surrounding remand, posed a particular threat to the security of housing. For example, it was explained that SAHA can hold an unoccupied tenancy for three months, but an extension of that 'hold' can't be negotiated if there is no timeframe (prison release date) to negotiate with. It is therefore not hard to imagine how an accumulation of short stays would erode an individual's capacity to maintain their home.

Having a safe and secure home was understood as integral to (re)integration as expressed by a Port Augusta stakeholder; 'He's homeless! No matter what supports he's got, he's got nowhere to live'. Another participant expanded on how housing can impact on the quality and consistency of service delivery, explaining that it's hard to maintain interpersonal connections and create a stable continuity of care when people don't have a regular address. Moreover, participants highlighted that it was often difficult to remain in contact with people who had no fixed address but who may have initially engaged with services, as often these same people did not have phones, or if they did, they may not always have phone credit. One participant recalled a client referring to prison as 'a second home' and believed that prisons have indeed become 'default homes' for men<sup>6</sup> in crises and in lieu of secure housing options. This reflects research that argues prisons have become capture points for men and women who have fallen through the gaps of fragmented service delivery structures, particularly those who experience insecure housing and/or mental health and/or substance use conditions (Baldry and McCausland 2009).

Homelessness, whether temporary or longer-term, was discussed as both a precursor and outcome of incarceration. Participants lamented the lack of emergency accommodation options in their communities and noted instances in which having 'somewhere to stay' could have prevented bail breaches and return to custody. Australian and international research illuminates this causal

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<sup>6</sup> Participants discussed that it is a similar situation for women, accommodation options are mostly emergency DFV shelters.



relationship. An AHURI (2004;.1) study found '[t]he strongest likelihood of ex-prisoners being re-incarcerated was found to occur if they moved house often (more than twice in a three-month period) in the immediate post-release period'. International research has shown that the risk of homelessness after release is higher for people incarcerated for less than six months compared with those incarcerated for longer periods (Nilsson et al. 2023). Insecure housing keeps you in prison while being in prison creates housing precarity. For specialist homelessness services, the fastest growing client category over the past decade has been ex-prisoners, with an increase of 67% over the eight years 2011–12 to 2018–19 (Martin et al. 2021). Particularly relevant in smaller communities, such as the two study sites, is the added challenge of breaching release conditions by associating with particular people. In some circumstances, where homelessness is an issue, it is sometimes inevitable that people forbidden to associate by release conditions will end up in the same place at the same time, e.g. parklands.

### *Alcohol and other drugs*

Alcohol and other substance use was another key discussion topic that was integrally linked with the challenge of short custodial stays. In this instance stakeholders recounted how alcohol and other drug use exacerbate offending or re-offending pre- and post- short custodial stays; how there is a lack of 'off-ramps'—i.e. a lack of alcohol and other drug treatment in prisons and in the community; and how the very nature of short-custodial stays exacerbates issues of drug and alcohol dependency and harm.

Stakeholders recounted how alcohol and other drug use is often a mask for trauma or longstanding disadvantage or fuelled by regional-specific issues such as lack of job stability, boredom, and the recent growth of cheap and pure illicit drug markets within regional Australia. In Port Lincoln, the booming ice (crystal methamphetamine) market was of particular concern as it was described as 'creating chaos' but has also become depended upon to support the FIFO (fly-in, fly-out) lifestyle of the local fishing industry. Participants explained that men would spend long periods out on boats, and many were suspected to rely on alcohol and notably ice to keep working for long hours of strenuous physical labour. Upon return, men would have to re-condition themselves to family routines while withdrawing from a period of heavy substance use but also being at high risk of violence to their partners and other family members. Participants explained that fishing work is so notorious for substance use, that some crew advertisements explicitly state 'no drugs on this boat'. Service providers perceived the seasonal fishing work as a contributing factor in cycles of domestic violence and incarceration and something that exacerbates the cycling in and out on short custodial stays.

Stakeholders criticised the low level and/or perceived absence of AOD and mental health services in their cities, and regional areas generally (see also Hughes et al. 2021). This was argued to have obvious implications for preventative initiatives across a wide range of intersecting social issues. There are well acknowledged challenges of unmet demand for drug and alcohol treatment. Indeed, Ritter et al. (2019) estimated only 26.8% to 56.4% of AOD treatment demand is met in Australia. But such challenges are exacerbated in regional communities due to reduced service availability, tight eligibility criteria and restricted hours of access (Hughes et al. 2021) that can conflict with other demands on those exiting prisons e.g. need to report to a police station if released on remand. Participants were particularly frustrated with referral and eligibility processes that don't account for the bidirectional relationship between substance use and mental health which leaves many clients having no appropriate supports.

A further and final challenge raised was how short-custodial stays exacerbate drug and alcohol dependence and harms. While a period in prison can provide a useful time to stabilise drug and alcohol dependency and to receive help, the services are seldom available to those on short custodial stays.



What's more, going into prison whilst dependent, and being released after short periods in the absence of adequate supports, can lead to withdrawal and directly increase risks of overdose (fatal or non-fatal) upon release. Indeed, alcohol and other drug overdose is the leading cause of death for people recently released from prison (Borschmann et al. 2024). As we heard, once released from prison it is much easier and faster to find a dealer than it is to locate a place to sleep. Through all such ways, drug and alcohol is directly tied to, and exacerbated by, the problem of short custodial stays in regional communities. It further reinforces why there needs to be greater investment in AOD services in regional communities and better transitional planning and assistance to AOD supports for people exiting prisons, alongside other health and social needs.

### *Family and domestic violence*

Although the scope of this report cannot do justice to the complexities of domestic violence and family violence (DFV) nor the knowledge and expertise of those who attended the roundtables, it is important to highlight that participants noted an interconnection between DFV, often in conjunction with AOD, and multiple periods of short custodial stays. Common scenarios included cyclical patterns; 'short stay in prison, intervention order breached, back into prison' and '...violence, charge [held in custody], drop charges, relocate, come together again, violence, [it] keeps going'. It is noteworthy that Port Lincoln participants perceived time in custody as a 'touchpoint' in cycles of DFV in which imprisonment itself poses a risk factor for future DFV. Although imprisonment of a perpetrator of family violence can provide a period of respite for partners and family, periods in custody have not clearly proven to be rehabilitative nor adequately prevent future DFV offending (ALRC 2010; Blokland 2016; Bond and Jefferies 2014; Stansfield et al. 2020; Trevena and Weatherburn 2015). Instead, participants reflected that time in prison created additional economic and social strains on already marginalised families. Stakeholder narratives mirrored research that argues that the expansion of criminal justice responses to DFV widens the net to capture vulnerable people, – significantly Aboriginal men and women – rather than offer protection (Bartels 2020).

### *Intergenerational incarceration*

In Port Augusta and Port Lincoln intergenerational incarceration was described as both a cause and consequence of underlying, unaddressed trauma and socioeconomic disadvantage. Participants explained that for some, incarceration becomes a desired, normalised, and inevitable destination, 'a goal, not a deterrent' as young men 'want to be like dad' or want respite from homelessness and unmet mental health needs. Participants also discussed how multiple periods of incarceration exacerbate and add strains onto 'families already stressed'. The loss of a loved one to imprisonment was described as having significant implications for household income, care duties, housing stability, cultural obligations, and social and familial cohesion. Indeed, research has shown that the 'referred pains of imprisonment' directly and indirectly extend to families, creating conditions that entrench socioeconomic marginalisation associated with offending (Halsey and Deegan 2015; Lanskey et al. 2018).

For Aboriginal families and communities, periods of imprisonment compound transgenerational trauma and grief caused by past and present punitive policies and systemic barriers (e.g. stolen wages, stolen generations) (Atkinson 2007). Stakeholders emphasised the lack of family-based approaches and therapeutic options for addressing the underlying causes and consequences of incarceration, particularly grief, trauma, and victimisation. These align with well recognised throughcare priorities for Aboriginal communities across Australia (Aboriginal and Torres Strait Islander Women's Task Force on Violence 1999; Tubex et al. 2020a). Even among the long-term prisoner population, addressing unresolved intergenerational trauma, grief and loss is a monumentally difficult task. Getting to grips

with such issues for those spending six months or less in custody is nigh on impossible and only serves to fuel the likelihood of further custodial time (see Halsey and de Vel-Palumbo 2020). For Aboriginal prisoners, the depth and breadth of trauma is often of a different and more pronounced kind and requires culturally driven solutions that straddle prison and community settings (Atkinson 2002).

#### *Lack of knowledge about available services for people exiting prison*

A key further challenge identified by stakeholders is that despite the complexity of needs of people on short custodial stays there is a lack of knowledge for people exiting about available services and where and how to access them. This applies across the spectrum of requisite support services but is an acute problem as it applies to immediate needs such as food, shelter, money, transport and health care. This challenge creates a self-evident barrier for people on short custodial stays about where to go and when and how to get the help they need.

Stakeholders noted the lack of knowledge in understanding what services were available in a community. A further difficulty for clients is being cognisant of the latest rules around eligibility, hours of access, referral pathways and arguably most importantly wait lists and system capacity. Stakeholders told stories of people being bounced around from service to service as they are repeatedly told they are not eligible or have the wrong form or there are no spaces available. As one noted 'going from service to service becomes a full-time job'. Stakeholders noted that some of these challenges are made more difficult by low literacy rates, low digital literacy and cognitive impairment of some prisoners, but that in the main these challenges are wrapped up in system issues of silos and underfunding of services (see discussion below), and the lack of a centralised source of knowledge about the service ecosystem and the lack of a centralised point of access for clients.

Port Augusta and Port Lincoln not being the 'home' community of many people being released, was a concern for local service providers. Stakeholders worried that upon release people would lack the socioeconomic resources and local knowledge to support (re)integration. Nuanced local knowledge, such as which banks will accept prison ID as a valid form of identification, and which do not, along with more generalised knowledge on how and where to access health and social service supports, were examples that demonstrated the acute problem for people released from short stays, where little has been planned in terms of immediate and basic needs. An unknown service system landscape adds an additional dimension to the challenges and stressors of (re)integration.

#### *System issues*

Multiple system issues were raised by the stakeholders particularly siloing, lack of coordination between correctional and social service ecosystems, insufficient funding of health and social services and lack of culturally appropriate services, which stymied the capacity to support people exiting prisons following short custodial stays and to effectively commence their reintegration journeys.

#### *Minimal collaboration between correctional services and the social service ecosystems*

Another major challenge discussed by stakeholders was the disconnect between justice sectors (police, courts, prisons, community corrections), as well as the disconnect between prisons and the systems and services that could provide (re)integrative supports. Both correctional staff and social service providers discussed the difficulties in aligning correctional processes and prison reach-in and throughcare service delivery.

The inability of prisons to work with other sectors and systems has long been criticised (Kinner and Young 2018) and has been a defining feature that undermines prison-based throughcare programs across Australia (Abbott et al. 2017). Indeed, prisons were described by social services as ‘running on its own timetable, not for the benefits of prisoners’. Participants were frustrated with the processes for accessing people in prison, and described how inconsistent in-reach service delivery impacted their ability to build trusting relationships and connect people to community-based services prior release. A few examples were:

- A new appointment booking system which requires individual practitioner logins (and personal details) rather than a single service administrator login. This was seen as creating an additional step for overstretched staff and does not align with how services manage and book appointments.
- The impact of staff shortages and prison lockdowns which suspend professional visits, often without warning, and affecting appointments that have time pressures such as legal aid. This situation also creates bottlenecks in service delivery where waitlists for some services may already be significant. A missed appointment due to lockdowns means that someone else who could have had the appointment has also missed out. This is particularly frustrating for service providers and creates a further reluctance to ‘waste time’ on trying to access the prison system.
- Management of tele appointments, which were regularly cancelled or unattended, meaning a client (unknowingly) would be moved to the bottom of a waitlist. For many services, it was estimated that people could be on a waitlist from four to six weeks, meaning services become essentially unavailable for those with short windows for release planning.
- The lack of notification of detainee transfers and ‘surprise releases’ and subsequent inability to provide continuing care beyond the prison.
- Prison health (managed by SA Prison Health Service) does not appear to have a consistent process for referring beyond the prison nor ensuring continued access to medication post release. Service providers spoke of previous detainees having difficulties accessing diagnosis and assessments conducted in prison. This has implications for eligibility to access community-based programs.

Stakeholder comments reflected the concept of prisons as ‘total institutions’ (Ellis 2021) where bureaucratic processes of compliance dictate daily practices and inadvertently close-off detainees from external services. Stakeholder examples also speak of the inherent unpredictability within prisons, which, despite all the bureaucratic mechanisms of control, is heightened in instances of remand and those given short notice of release. In the context of short custodial stays, however, there is no rehabilitative or social work activities or pre-planning for external services to concretely and consistently link and coordinate with.

On the other hand, prison and community corrections staff felt that the broader social service ecosystem also had processes and practices that created barriers for pre-release planning. Participants expressed difficulties with referring to external services, explaining that the processes created additional workloads and required information they, and people in prison themselves, often did not have access to. For example, ‘How are they going to apply for housing with no phone number? No phone?’/ ‘They don’t know their Medicare number’. Prison staff from across both sites commented that the work involved in finding service information and then navigating multiple engagement and referral processes was unmanageable and outside the scope of their regular duties.

In addition to the wayfinding work associated with pre-release planning and external service provider engagement, prison staff suspected that stigma was restricting service provider responsiveness and willingness to assist people exiting prison. Prison staff noted that local service providers had withdrawn from providing in-reach services and those in prison were being automatically labelled 'potentially risky' or 'too hard'. This was seen as an underlying reason for being 'bumped around' between services when trying to set-up post release appointments, the opposite of the 'no wrong door' policy many social service providers profess to adopt. These criticisms are demonstrative of a lack of communication and understanding and cross sector collaboration which was not necessarily unique to correctional and the social and health services, but one that was a huge challenge to meeting the needs of people on short-custodial stays. Again, the 'siloeing' of services within systems that are different creates access barriers for those seeking support and those who might provide it.

#### *Siloing within the health and social service ecosystem*

Like many areas of public policy, stakeholders also noted challenges of siloeing within the health and social service ecosystem. Indeed, there were service providers who attended the roundtable events but had never met each other before, nor knew that certain programs/services were available (e.g. that Centrelink has specific services, staff, and appointments which people exiting prison can access). This disconnect has significant implications for those exiting prison with multiple intersecting needs, or as one Port Lincoln stakeholder observed 'We don't even know what each other does, how is someone from elsewhere meant to know'.

Port Lincoln participants reflected on previous successful collaborative initiatives and highlighted a core feature being formalised arrangements underpinned by government coordination. Participants explained that government agencies can generate commitment, shared accountability, can resource coordination, and establish funding platforms that encourage collaboration rather than competition and siloeed service delivery. When considering the various systems within which different sectors operate, it is important to note that governments at both state and federal level fund various health and social services and supports. These services may be provided by a variety of agencies. These could include for example, locally based providers who might be either for-profit or not-for-profit; non-locally based providers who fly-in, fly-out or drive-in, drive-out. Other service providers might have staff based locally, but decision-makers are not. In still other instances, services in rural and remote (RRR) communities might only be accessible via telehealth or other online platforms. In some cases, governments are also providers of some services e.g. Centrelink; SA Housing Authority; Services SA; with the same variety of delivery mechanisms and operating models. Within the health and social services sector, there is thus a plethora of operating models and service modalities that is complex and difficult to navigate. Prisons and associated services, e.g. community corrections, fall firmly within the purview of state government and there is little to no out-sourcing to third party agencies. This too creates a silo that is accessible to those working within it, but more difficult to access for those who do not. Exiting prisoners with multiple and/or complex needs might need to access multiple service providers to obtain what they need.

#### *The scale of the flows and inability of the health and social sectors to meet needs*

All stakeholders who attended the roundtable events knew short custodial stays were a challenge, but DCS data revealed the scale of the issue. Port Augusta stakeholders were concerned at the prospect of 20 people being released a week and questioned how the churn and chaos that *flows between* the prison and local community might impact the capacity of services to adequately support people exiting from short custodial stays. This is a poignant point for health and social services in RRR areas. These services have historically been under-funded and at a disadvantage due to regionality, such as stretched

services, high turnover of professional staff, funding that does not reflect additional costs associated with travel requirements to deliver services (e.g. travel expenses), and so on. The regional challenges become more pronounced in the context of short custodial stays where neither immediate needs nor planning for ongoing care could be effectively established e.g. someone being released on a Friday, but where an agency only having emergency food or financial relief available Tuesday and Thursday because of funding or staffing shortfalls or because multiple agencies have been funded for the same service. In these instances, agencies collaborate to try to ensure that between them, a service is available every day. Of course, those who need to access the service do not necessarily know which agencies provide emergency relief or on which days. Those who are exiting custody into a community they do not know find such navigation is near impossible. Services are funded on the basis of projected need. It is unclear whether such projections are based upon the local population, or whether any additional needs that might arise in those communities that house a prison have been considered in the funding allocation.

An inter-related dimension to this conversation was that the types of intensive, wrap around case management required to effectively support re-entry and (re)integration processes, is frequently beyond the core business of social and health service providers. An observation from the feedback sessions in Port Augusta was that post-prison transitions, when no further correctional conditions are in place, fall outside the scope of any specific service or sector. Consequently, there is no designated entity with the capacity or responsibility to address these transitional needs. Participants however were motivated to step into this void. For example, we heard of numerous people who go above and beyond to provide services to people outside their allocated work hours and program capacity. But this is not funded or supported. As argued by Kinner and Young (2018) this reinforces how the constant cycling is exacerbating already stretched services in the community. It may also increase risks of burnout in the service sector workforce. Stakeholders thus raised the point that there needs to be either new investment in social sectors to support this need or a reallocation of resources from prisons to the community sector. One idea raised was for human services funding in those communities in which a prison was located to be specifically targeted at supporting people being released.

#### *Aboriginal leadership and centring culture*

Participants from Port Augusta and Port Lincoln gave extensive examples of inappropriately designed services which impacted knowledge, access and effectiveness for Aboriginal community members. Some leading examples included government digital platforms which do not take into consideration digital literacy capabilities or English as a second language, and the lack of family focused approaches across all sectors. Participants also critiqued the lack of culturally informed and safe approaches that underpinned mainstream service delivery. An apt example was the lack of consideration for the impacts and implications of grief and loss. One participant explained how a previous client was in a 'perpetual cycle of grief' and yet upon release from prison, needed to manage an accumulation of debt, re-engage with family responsibilities and negotiate bail conditions. The service provider lamented that the man 'reached [a] tipping point' and breached curfew, explaining it was 'unrealistic what [was] expected of him [all the paperwork and appointments]. He needed time with family'. The significance of grief and loss, interwoven into experiences of imprisonment and (re)integration as it is, should be of central importance as research has shown imprisonment itself has become another cause of trauma and loss with intergenerational ramifications (Atkinson 2002; Halsey and De Vel-Palumbo 2020).

Leading recommendations from both sites included the need for programs, services, and approaches to centre around culture and the need to account for diversity and difference across Aboriginal individual, family and community experiences, which was particularly emphasised for men from APY Lands; 'He's a bushfella. There are obligations on him. He needs a specialised person to help him'. These

recommendations reflect research from across sectors and there is expansive evidence that outcomes for Aboriginal communities across health and justice are significantly improved when interventions are developed and provided by or with Aboriginal communities and organisations decision-making powers (ALRC 2018; Australian Human Rights Commission 2002; Panaretto et al. 2014). This does not mean that Aboriginal organisations and communities are left to face historic systemic challenges independently. It means facilitating self-determination and leadership, building capacity, strengthening community assets, and investing in partnership with shared resources and decision-making responsibilities. Essentially, Aboriginal organisations and community should have 'a seat at *all* tables'.

#### *Lack of good data on health and social needs of people undergoing short custodial stays*

Another aspect impacting the ability of services to address the immediate and ongoing needs of those exiting prison after short stays is clarity around the scale of the flow between prison and community, the size and nature of needs and the contexts of individuals and families. Many stakeholders noted how useful it was to obtain and see the analysed DCS data. The data provided the first comprehensive insight into size of flows, the trends, the profiles and circumstances and similarities and difference for both regional communities and is vital for service delivery and planning. The data also raised the question of difference between communities housing a prison and those that do not. Health and social service providers at the roundtables said that they had not considered the ramifications of regular and consistent prisoner release into their communities as part of their service mix, nor raised it necessarily with funding bodies. It is interesting to note that these were new ideas for many service providers. A 'localist' or place-based approach to service provision has long been a policy goal for RRR communities (see for example, 'Stronger Places Stronger People'<sup>7</sup> and Hogan et al. 2015 for discussion), yet in those two communities where there is a prison present, the impact of prison release had not necessarily been considered. Whilst speculative, it is interesting to also note that many of the NGOs involved in the provision of services in each community, did not have their genesis in those communities. Rather, these organisations have grown out of other regional communities (where no prisons are present) and expanded into the two study communities; or they may be nationally based NGOs with service arms in each community. From a place-based perspective then, systems and processes e.g. intake processes, may have been developed in the genesis communities (where there is no prison) or be nationally generic. This would possibly account in part for prisoner release not necessarily being on the radar of these organisations.

There remain other data needs in servicing people following short custodial stays. An integral piece of information that would inform fit-for-purpose responses, is knowing *where people want to go* immediately after release. Currently, DCS data does not sufficiently capture people's home community. Instead, the place of arrest is most often listed in lieu of a 'last known address'. This can be problematic as prison policy is generally to ensure passage to place of arrest rather than a place of (the client's) choice. Equally important is data on the health and social needs of the people on short custodial stays and services they want and need and any bespoke needs. Ideally data would be available in real time, but data on needs over the last 12 to 24 months would be highly advantageous.

#### *Lack of early intervention and up-stream prevention and criminal justice reforms*

A final theme that dominated conversations at both roundtable events was about upstream prevention, criminal justice reforms and public education. Here the focus was firstly on prevention and early

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<sup>7</sup><https://www.apsc.gov.au/initiatives-and-programs/workforce-information/research-analysis-and-publications/state-service/state-service-report-2023/aps-future/place-based-approaches> (accessed 9th June 2024).

intervention in the community to prevent imprisonment and crisis that may lead to offending, in the first instance. Secondly, there were discussions about criminal justice reforms particularly on reducing policing and over-policing and better use of remand policies to reduce inflows and repeated cycling of people to the prison system for often minor offences. Thirdly, participants spoke about increasing public education to better support reintegration in the community.

#### *Prevention and early intervention*

Stakeholders noted the need for prevention and early intervention as a core part of any discussion about short custodial stays. They considered that it is better to be preventing criminal activity before it escalates to the point of people being imprisoned but that there is often limited or patchy investment in such areas. For example, stakeholders observed that some criminal activity can be seen as directly or indirectly linked to boredom and the lack of positive, prosocial outlets in regional communities. Stakeholders from Port Lincoln mentioned more sporting outlets e.g. boxing clubs would be useful, as well as in home mentoring programs for young families. Many stakeholders pointed to positive examples that had operated in their communities but also noted that funding for this had been removed or reduced in recent times, which diminishes capacity to prevent crime and break cycles of reoffending.

#### *Policing and over-policing*

Policing was a frequent topic at the roundtables. Policing was recognised by stakeholders as a front-end factor that drives incarceration (Caruana et al. 2021). Police were described as ‘quick to arrest’ and escalate situations (such as deeming any confrontation as ‘resisting arrest’), which has implications for noncustodial alternatives (e.g. bail and diversion). Stakeholders noted the challenge of policing and over-policing was particularly evident for Aboriginal people in Port Augusta.

Local context played a significant role in policing practice and perceptions of police. Port Lincoln stakeholders suggested that mandatory police placements in rural and remote locales resulted in a high turnover of new, young recruits who were perceived to be more ‘heavy-handed’. The practice of situating police in communities where they have no connection to historic and cultural contexts was criticised for creating reactionary, rather than preventative, policing. This reflects comments by the South Australian Advisory Commission in the Incarceration Rates of Aboriginal Peoples (2022) that police officers’ lack of cultural knowledge impacts their ability to effectively de-escalate situations.

Despite recommendations and reforms that advocate imprisonment as a last resort (RCIADC 1991; South Australian Advisory Commission in the Incarceration Rates of Aboriginal Peoples 2022), and evidence showing the health, justice, social and economic benefits that can accrue from alternatives to arrest (e.g. Hughes et al. 2019; Milstead 2012; Shanahan et al. 2017), there are several factors that influence police reliance on arrest. These include a lack of diversion options (e.g. sobering up units and AOD programs), lack of justice reinvestment or Aboriginal specific justice mechanisms, policies, and legislation (e.g. administration breaches deemed as new offences and automatic return to prison), and populist ‘tough on crime’ expectations. Any intervention seeking to curb cycles of incarceration will need to engage local police to work towards a more holistic, nuanced, and culturally informed understanding of community safety and wellbeing.

#### *Criminal justice reforms to remand*

Stakeholders noted the need for systemic reforms, particularly regarding the use of remand. DCS data has demonstrated the very high rates of people on remand who are in PAP and PLP for short custodial stays: 79.4% or n=4030 people of those exiting over the five-year period, and that many people are



released on bail or off court (no charge to answer). Stakeholders thus argued that many people on short custodial stays should not be dealt with through prison. This was seen as particularly relevant for offences against procedures.

Research has shown that Australia's unsentenced prisoner population has risen to unprecedented levels, and South Australia has the second highest rate of remand in the country, behind the ACT (ABS 2024). Bartels and colleagues (2018) have demonstrated that the rise in remand is linked to legislative and operational changes on bail laws across Australia. These changes include 1) expansions in the presumption against bail, 2) expansions in the categories of offences for which bail should only be granted in exceptional circumstances and 3) expansions to the range of conditions a court can impose. Stakeholders thus called for a more judicious use of remand powers. Other research shows that common barriers to the provision of bail include a lack of suitable housing, lack of guardians, lack of access to courts to have a bail hearing heard e.g. if an offence occurs on a Friday afternoon and defendants who have criminal priors or previous non-compliance (King et al. 2008; Klauzner and Yeong 2021). Here we note that there can be alternative options to aid better use of remand. One example is the Port Adelaide bail accommodation and support program<sup>8</sup> that provides temporary housing and 24/7 staffing; enabling people to meet court-imposed conditions whilst staying out of prison. Another innovation comes from Victoria which introduced bail justices, police officers that have the power to grant bail and to do so on a 24/7 basis, instead of limiting bail decisions only to courts operating Monday to Friday (King et al. 2008). The bail justices have led to significantly lower rates of remand than in states like South Australia where such options do not exist (King et al. 2008; Prisoners in Australia 2023; 2024).

Stakeholders called for more constrained use of remand and for better use of remand conditions. Here they noted that better use of remand conditions could reduce inflows or re-entry flows for short custodial stays and better support reintegration efforts. This is important given the DCS data show high rates of people cycling in and out for short custodial stays for breaches of remand whilst stakeholders noted the conditions set can often be difficult to meet, for example reporting every day to a police station.

Stakeholders in both Port Augusta and Port Lincoln discussed the contradiction of being incarcerated on remand while legally innocent and spoke of the perverse injustice at the lack of recompense for the cascading consequences and disruption to life associated with incarceration (Pelvin 2017). The perceived injustice of a system that is supposed to uphold justice can severely damage its legitimacy, which has associated consequences of increasingly offending behaviour, reducing willingness of offenders to cooperate with police, reducing community trust and/or fuelling public backlash e.g. Black Lives Matters riots (Tyler and Huo 2002; Hughes et al. (in press)).

### *Shame and stigma*

Reflective of current research (Sutherland et al. 2023), shame and stigma were identified as substantial barriers to people's willingness and ability to access services post prison. Stigma associated with having spent time in custody was described as an additional layer on top of the shame at having to acknowledge and seek support with underlying problems be that gambling, AOD, DFV or mental health. Stigma was portrayed as particularly oppressive in regional towns where there is less anonymity and news travels fast; 'everyone knows what I've done'. The issue of community stigma was particularly pronounced in Port Lincoln where imprisonment in PLP has historically been associated with sexual

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<sup>8</sup> <https://www.corrections.sa.gov.au/about/our-projects/BASP>



offences. A Port Lincoln participant recounted a client's experience of losing employment while held on remand (released with charges dropped), being told by his employer that it wouldn't look good for the company to have workers who have been in PLP. Local news and social media were criticised for perpetuating negative stereotypes and provoking stigma, even going so far as to publish (sometimes incorrectly) names and photos in articles ('Know Who Your Port Lincoln Criminals Are'; '10 Port Lincoln criminals who have appeared in court so far', The Advertiser).

Stigmatising state punishment (i.e. prisons) can result in the permanent labelling of someone as a criminal, and as Maruna (2011) explains, the '[p]essimistic assumption of "irreversibility" becomes internalised and reflected back by the wider community through dehumanizing rituals that extend beyond the correction sphere'. Stakeholders described the internalisation of shame as a 'trigger' that turned people away from service provision and towards drugs and alcohol as a way to self-medicate in lieu of professional support. There was also concern that Aboriginal men in particular, encountered stigma from local service providers that not only created systemic barriers, but acted as an additional shaming processes. Participants recounted client experiences of being denied services through a never-ending process of referral, with the men being labelled as 'dangerous' or too 'risky' and hence ineligible for support.

Shame and stigma spreads, with participants commenting that families feel tainted by the stigmatisation of loved ones in prison (see Condry and Minson 2021; DeShay 2021), and the 'shame of talking about it [imprisonment]' causes them to withdraw from support services. It is worth considering how the 'shadow of the prison' (Codd 2013) not only impacts on individual and family experiences, but what role stigma plays in creating community identity and public perceptions of safety. The high numbers of people cycling through PAP's doors and into the community would not go unnoticed in a small community and many workers shared the sentiment that Port Augusta 'Doesn't feel as safe as it used to'.

The Port Augusta group also emphasised the cultural dimensions of shame for Aboriginal people and how this shapes (re)integration journeys. Release was described as both a welcome and highly stressful time for Aboriginal men who are often having to balance cultural responsibilities and western expectations, while also navigating the limitations of rural and remote services to assist with (re)integration (e.g. no transport or housing). Stakeholders explained that imprisonment, and/or getting stuck in town, could mean 'missing sorry business/funeral's [which] causes family issues', and so many Aboriginal men prioritise cultural obligations over correctional regulations. As one participant framed it '[h]e might see [rearrest for a bail breach] as the lesser of two evils'. Connection to culture, Country, and families was regularly cited as the foundation for successful (re)integration but as one participant commented, cultural obligations are often 'perceived as risk factors', and as another warned:

We do not have the skills, as non-initiated people, to intervene in this scenario. Am I supposed to tell this man not to feel shame? I have no business to do that. I cannot see how this process will be effective unless this man is driving it alongside another initiated man. To think otherwise is totally naïve. (Port Augusta)

Mainstream services and correctional institutions (particularly in the context of conditional release) were seen as setting people up to fail by not centring cultural priorities.

### *Community education*

A final point raised by stakeholders was community education. Port Lincoln and Port Augusta stakeholders noted there are many myths and longstanding misconceptions about prisons and prisoners. These myths and misconceptions can hinder (re)integration opportunities as well as lessen the capacity for more effective responses to people undergoing short custodial stays. There is a particular need, therefore, to re-educate the community about those on short custodial stays given that the lion's share of people entering and exiting prisons are doing so without having their day in court and/or having been proven guilty. There is a role here for a new type of messaging about who ends up in custody and the problems they face. This messaging should occur in workplaces, schools, sporting clubs, community organisations (e.g. service clubs) as a means for creating new reservoirs of goodwill to those who find themselves, often for short but damaging time-periods, on the wrong side of the law. Written information (e.g. leaflets) about such people and their challenges will be relevant, but other mediums need to come to the fore (community forums, artwork, perhaps, even, a local play or theatre production about the problem).

## Recommendations

This report has shown that 1) short-custodial stays now constitute the majority of all custodial stays in Port Augusta and Port Lincoln prisons (over 80% stays) and that they are not going to reduce without sustained and concerted attention; and 2) that short custodial stays are causing significant challenges for prisons, health and social service providers and the regional communities to which people exit. We now turn our attention to documenting possible solutions generated through roundtable discussions. These discussions showed many viable ways to reduce the problem and harms experienced. In this section of the report, we outline the underlying principles for responses, then posit three main recommendations to mitigate the challenges of short custodial stays.

### Underpinning principles

Both groups of stakeholders devised almost identical solutions. There were nuances that reflected the relative scales and nature of the problem of short custodial stays, and difference reflective of place and community, but intervention models were similar as well as underlying principles relating to Aboriginal leadership and program delivery approaches.

Any successful intervention to tackle short custodial stays will need to prioritise Aboriginal leadership through Aboriginal controlled, co-governance or partnership arrangements. Port Augusta and Port Lincoln stakeholders, reflecting research with Aboriginal communities from across Australia (Abbott et al. 2017; Tubex et al. 2020a; Tubex et al. 2020b), portrayed Aboriginal people's experiences of imprisonment and release as nuanced and different and therefore requiring tailored (re)integration approaches. A national review of (re)integration initiatives for Aboriginal and Torres Strait Islander people highlighted the central place of self-determination; the need for holistic programs with long term views and a social justice framing; involvement of families and communities; interagency coordination; and linking between prison and community-based services (Abbott et al. 2017). These concepts can be seen reflected in participant recommendations.

Stakeholders recognised many limitations to current service provider practices that undermine effectiveness and utilisation. Some examples were:

- 'A lot of services are deficit based [and] communication between services are just risk management.'
- Emergency services that are not actually immediately accessible (notably food relief).
- 'Need client-based referrals. Based on their needs, their preferences.' 'Wrap services around them, not try to fit them to a program.'

Upon reflection, participants suggested the changes identified below would need to be made for services to be better equipped to provide both in-reach and (re)integrative care.

- Service centred > Person centred
- Siloed service delivery > Coordinated multi-sector care (and that funding conditions would need to reflect this requirement)
- Crisis response > Prevention

Additionally, stakeholders agreed that programs and services will need to be flexible, multi-sectoral, family-oriented, and holistically focused. With these principles in mind, stakeholders identified three key opportunities to mitigate the problem of short custodial stays:

- Step-down transitional accommodation

- ‘One stop shop’—A social services and health hub
- Wayfinding—Reaching into prisons and connecting to community

We discuss each of these below.

### Recommendation 1: Step-down transitional accommodation

No matter an individual’s circumstances, many people exiting prison require immediate access to a safe, secure, and supportive ‘landing pad’ (as one participant aptly referred to transitional accommodation). Whether someone has a couple of days to wait for a bus from Port Augusta to other locations or they have a more complicated and lengthier (re)integration process to navigate (such as community correction orders), a physical place, that not only provides strength-based support but generates hope and connection to community, was seen as having considerable potential to make a difference in (re)integration journeys.

Integral features of a step-down facility should include:

- **Complete separation from Correctional Services.** The contradictory nature of prison institutions, as to offer both punishment and rehabilitation is an ongoing debate (Garland 2001), and stakeholders questioned the ability of prisons and all arms of the correctional system (community corrections, police) to effectively support transitions into community settings. The separation from correctional administration and oversight was seen as critical to building trust as well as providing a safe space to live.
- Current models for post-prison transitional accommodation primarily service those who have ongoing correctional conditions and we were told the ‘small amount of beds fill quickly’. There is a significant gap in **accommodation for people who exit prison with no further connection to the criminal justice system.** The voluntary nature of assisted accommodation is an important component, as desistance literature has shown personal agency, resilience and internal identity and self-narrative changes are important aspects of desistance processes (Farrall and Maruna 2004; Healy 2010).
- **Immediate access** to ensure a safe transitional place to be in, post release. This would be particularly relevant for those released with no pre-planning and critical to curtail the ‘Oh sh\*t I’m out’ moments.
- **Multiple accommodation options.** Multiple accommodation options are important to respond to the numerous circumstances people choose or in which they find themselves left adrift in Port Augusta and Port Lincoln. Stakeholders spoke of those who never intend to stay but are left to linger as they wait for transport, but there are also people who may want or need to stay temporarily to spend time with (or away from) family, seek health and social service appointments not available at home, or to negotiate returning to community and family (keeping in mind DFV).
  - Temporary = short-term option for people waiting for transport to an established residence. Includes people who have been released off remand.
  - Transitional = short to mid-term options for people who need additional support/services and negotiated accommodation arrangements. Could also include people who need to complete community orders.
  - Ongoing = longer term option for people who have multiple intersecting needs and would benefit from holistic, supported care.

- On Country/Culturally connected options.
- A **seamless integration with a one stop social service hub** (see point 2).
- A primary focus on **the contexts, lives, and identities that people will desist *into*** as opposed to the behaviours they need to desist from. People’s change process needs somewhere to go. This means connecting (would-be) desisters to contexts which support prosocial behaviour, and which validate and reinforce non-offender identities and roles. Employment is the archetypal example of a context where the master status ‘offender’ can slowly or more quickly be replaced with the master status of ‘welder’, ‘heavy vehicle operator’, ‘retail worker’, etc. (Nugent and Schinkel 2016). But a new master status (how others think of or label someone) can equally be derived through becoming a good father or mother, or student, or volunteer, and so forth. This is a collective process and cannot be achieved alone (McNeill 2016; Nugent and Schinkel 2016).

### *Recommendation 1: Step-down transitional accommodation*

No matter an individual’s circumstances, many people exiting prison from short custodial stays require immediate access to a safe, secure, and supportive ‘landing pad’.

Integral features of a step-down accommodation facility should include:

- Complete separation from Correctional Services.
- Immediate access to ensure a safe transitional place to land post release.
- Multiple accommodation options, including on Country and cultural options.
- A seamless integration with a one stop social service hub and integrated services.
- A primary focus on the contexts, lives, and identities that people will desist *into*.

### *Recommendation 2: One stop shop – A social services and health hub*

Many people on short custodial stays often have multiple unmet needs. Our research highlighted the complexities people face when navigating service systems, with very few prisoners and/or even service providers knowing what services are available and/or when, where, or how to access them. Participants described the need for, as one person framed it ‘a super hub where all services are located and work together’. Stakeholders discussed the potential for interagency collaboration, in the form of a ‘hub model’, to offer true holistic and preventative interventions rather than reactionary ‘band aid fixes’. Formalised collaboration arrangements were also seen as a potential solution to the shared challenges of rural and remote service delivery including agency at the local level for the pooling of resources such as staff and funding, which would create flexibility. Such a move, supported by funding models that enable it, would remove competition for funding between organisations that are working towards common goals. This model would require robust governance arrangements that would allow local organisations to determine the types of programs, modes of delivery, and funding arrangements that suit the local contexts. Such a shift would create service modalities that would reflect the reality of place-based service delivery.

There are several notable justice initiatives across Australia that comprise a range of hub models and approaches. The long-standing Neighbourhood Justice Centre (NJC) in Melbourne, Victoria, situates courts, justice agencies, and community organisations within the one building and aims to build community capacity and resilience to address local crime and harm. Evaluations of the NJC have highlighted the initiatives unique features; its empathetic core created through therapeutic approaches

and spatial justice, and impressive outcomes in terms of reduced recidivism and significant economic savings (Halsey and de Vel-Palumbo 2018).

The Maranguka Justice Reinvestment program in Bourke, New South Wales, exemplifies an Aboriginal-led, multi-sectoral, government and non-government collaborative initiative. The program redirects funding from crisis responses and detention into prevention of upstream causes of crime (KPMG 2018). An evaluation of the Maranguka project found that \$3.1 million in savings were made in a one-year period, with significant reductions in incidents of violence and related crimes in the area (Ferguson and Lovric 2019). The justice reinvestment framing of the Maranguka project is an additional, yet interlinked approach worth considering. Port Lincoln participants believed the next steps for any initiative should include serious discussions about redirecting funding to up-stream, community-based support services, but importantly, the hubs proposed and called for by the stakeholders in our communities were not justice hubs. Instead, they called for a new social service and health hub that would operate outside the criminal justice system so as to better aid reintegration journeys. Here we note as one such example the Newtown Neighbourhood Centre hub model.<sup>9</sup>

Stakeholders described the essential elements of a one-stop-shop as consisting of:

- A **welcoming site** and a **bespoke** (person-centred) **wrap around service model**. Port Lincoln stakeholders emphasised the importance of a ‘neutral space’ rather than the co-location of services within one organisation’s venue. This physical coming together of services and programs for clients is reflective of the service delivery model participants agreed were necessary to respond to peoples intersecting needs. Participants across sectors lamented the loss of empathy and time to create personal connections with clients, in lieu of worker and client compliance and reporting priorities which has led to transactional rather than interpersonal engagements. One participant suggested a reframing of support as creating a ‘care plan’ that would also enable individual autonomy and capacity for decision making.
- **Multiple and integrated services** were similarly seen as essential to servicing people exiting prison. As identified in the *Pathways to Homelessness Strategy* (Martin et al. 2023), an integrated approach (integrated intake, assessment, case management and referral) is essential for wrap-around service provision. Integrated services across sectors, facilitated by co-location, would complement, and further enable connectedness within and across hub-and-spoke models that have demonstrated efficiency across rural and remote areas (Mackenzie et al. 2017). Stakeholders, however, identified government accountability and support via funding, coordination, and aligned policies and procedures as key to enabling collaboration of this kind.
- **A central location** is also important to reduce accessibility challenges in regional contexts. Currently, in Port Augusta, services are dotted around a relatively small geographical area but as explained by some participants, clients can become frustrated and quickly disengage when they are referred between services and are required to walk back and forth across town, re-tell their stories when they are in positions of vulnerability and distress. This kind of experience is known to be humiliating and impact people’s willingness to continue with or consider future service engagement (Dew et al. 2013; Ware 2013;). In contrast, services are spread across a large

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<sup>9</sup> Here we note that some of the authors of this report (Hughes, Halsey, Goodwin-Smith and Deegan) have been examining health and social service hubs in different states and territories. Some provide permanent physical co-located services e.g. the Neighbourhood Justice Centre whilst others provide a pop-up hub. For example, the Newtown Neighbourhood Centre provides a pop-up hub with access to 12-13 services every week including accommodation services, emergency aid, meal and food services, financial aid, legal support, domestic violence support, mental health services, disability supports, as well as general community information.

geographical area in Port Lincoln. Having to attend multiple appointments across different organisations was cited as a burden for clients that don't have access to private vehicles and where public transport is limited. A central location would mean one destination, one in-take process, and ideally foster integrated care.

- Access to **common (re)integration needs** such as housing, relocation and return to Country, administrative supports with licenses/ID/Centrelink etc., drug and alcohol, DFV, therapeutic and social supports, employment services, community connection and wayfinding services (see point 3). Stakeholders also suggested the inclusion of practical supports such as healthy relationships, men's groups, and life skills courses ('how to sessions' for domestic tasks such as cooking), to better equip people to manage life in the community. These types of programs can be overlooked by the correctional sphere because they are not seen as directly linked to reducing offending behaviour.
- A **hub that is open to and can service the wider community**. Making the service open to all may have the dual purpose of aiding those exiting prison whilst also providing preventative services for individuals and families and reducing future inflows into the prison. A hub that services the wider community could also help to reduce shame and stigma surrounding those in the criminal justice system. We note here how the Newtown Neighbourhood Centre hub model has adopted a similar approach—with free coffee and tea and cake for anyone passing by which has been shown to provide a soft and welcoming entry point, and a way to connect to the services.
- A **no wrong door policy**. As noted above, many clients have experienced the challenges of going from service to service because one is shut or because they don't fit eligibility criteria (usually imposed as a condition of funding) or they have used the wrong referral pathways or because of insufficient appointments being able to be offered. Core to the hub is the need for a 'no wrong door' policy so that everyone is welcomed and supported and that any access issues are navigated, mitigated and dealt with by the hub staff.
- An **assisted desistance** approach whereby the shared narrative at all service touch points focusses on the contexts, lives, and identities that people will desist into. In the context of juvenile and criminal justice, a desistance framework engages and promotes the personal strengths of clients as well as relevant social supports to achieve a reduction in the severity and frequency of offending, and preferably, its cessation. The concept of desistance challenges the risk-oriented models underpinning service delivery across some sectors, and instead engages with people's hopes and strengths, akin to recovery-oriented practice in alcohol and other drug, mental health and more recently, homelessness scenarios. Assisted desistance denotes the actions and relationships most likely to support desistance from crime within a given context. These relationships could and most often do revolve around family, employment, peers, sporting clubs, neighbourhoods, and, importantly, services/service providers. Research has shown the positive impacts of assisted desistance (de Vel-Palumbo et al. 2023; ; King 2013; Villeneuve et al. 2020) and suggests there would be great benefit if *all* actors (inmates, staff, family and friends beyond the gate, service providers, etc.) are aligned to a desistance framework (strength-based) rather than a recidivism/risk averse framework (deficit-based).

Collaborative social services can play a crucial assisting desistance role through the creation of community connections and cohesive service linking. However, the authors note the challenges associated with such intent. Stakeholders talked about the realities of multiple funding sources and the requirements inherent within each. Some agencies are grappling with up to 40-50 different streams of funding, each of which represents a 'program' rather than a client outcome. Each of these discrete funding amounts comes with its own contract, its own set of 'deliverables and requirements', and requires an individual acquittal process, sometimes quarterly and sometimes half-yearly. NGOs rarely

have funds of their own that are not tied to a 'program'. Therefore, the reality of collaboration between agencies that would place clients at the centre, is constantly hampered by funding separations. A place-based funding model, (see for example, Logan Together<sup>10</sup>) based upon collective impact would be required to achieve a state where clients were central within the model.

Several service delivery models and configurations of 'hubs' were discussed. One such model adopts a fixed service centre such as the Neighbourhood Justice Model, where services are co-located in a physical space. Stakeholders also posited another model that could involve a fixed site plus a 'hop-on hop-off' bus to expand access and referral points as well as provide transport. For example, a hop-on hop-off bus could be used to collect exiting prisoners and drive them to town, accommodation, and a centrally located service hub. The benefits of hubs would be multiple: increasing trust with people exiting prison, better addressing unmet needs of people on short custodial stays exiting prison, and helping services to provide a more coordinated, effective, and holistic response.

### *Recommendation 2: One stop shop – A social services and health hub*

Many people on short custodial stays have complex and often unmet needs. Our research highlighted the complexities people face when navigating service systems, with very few prisoners and/or even service providers knowing what services are available and/or when, where, or how to access them.

A one-stop-shop funded under a place-based collective impact model would provide:

- A welcoming site and a bespoke (person centred) wrap around service model.
- Multiple and integrated services.
- A central location.
- Access to common (re)integration needs.
- Service the whole of community.
- A no wrong door policy.
- An assisted desistance approach.

### *Recommendation 3: Wayfinding – Reaching into prisons and connecting to community*

Stakeholders highlighted a lack of connection between the correctional ecosystem and health and social service community ecosystem and that people undergoing short custodial stays tend to be left on their own. Stakeholders thus called for wayfinding champions to bridge gaps in fragmented service provision through individualised, relationship-based practices (Paul Ramsey Foundation 2022). In the context of (re)integration, wayfinding roles/programs will need to be provided by a trusted outsider as an extension of community-based services and not an arm of Correctional Services. This distinction is important because a key failing of prison-based 'reach-out' processes (e.g. throughcare programs) is the inability to continue support beyond prison walls, in the community where many (re)integration challenges arise (Day et al. 2019).

<sup>10</sup> <https://www.logantogether.org.au/>



For Port Lincoln, a wayfinding role, referred to as a 'reintegration coordinator', was a priority solution with the potential to disrupt cycles of short stays in custody and associated reoffending (predominantly DFV). It is important to note that prison staff led conversations around this initiative, recognising their limited ability to assist people navigate social and health systems beyond the prison.

It is recommended that a wayfinding initiative should use multiple touchpoints (e.g. courts, police stations, prisons) to engage people at various stages within the criminal justice system. This broadens the scope of the initiative to provide opportunities for diversion from custody and reduces reliance (and burden) on prisons as primary points of connection.

Key to successful wayfinding initiatives would be:

- **Reaching into prison** and liaising across other agencies (community corrections, courts, police) while being firmly situated in the community. A wayfinding role in this context is neither a traditional social service delivery role (solely connected to a single program) nor a correctional professional but needs to have knowledge and access that sits across both.
- **Interlinking** or acting as an outreach arm of other interventions, such as a hub or existing services. Participants believed that wayfinding roles that utilised preexisting community assets and networks could have further reach and 'hit the ground running' so to speak. A significant concern however was the lack of essential programs in the two communities, particularly AOD and therapeutic behavioural change programs targeted at men.
- Being **responsive to the unpredictability** inherent in release from short custodial stays. Being responsive will also require a reconsideration of traditional 9-5 work times. A Port Augusta participant reflected on the limitations of the Community Constables role which was described as 'responsive but only work 9-5'. A common problem with client engagement and service delivery is the expectation that clients (and their crisis situations) fit to hours-of-service provision, rather than services offer support at the times they are most needed. The adoption of a '24/7' outreach approach, which may be as simple as having a reassuring voice at the other end of the phone, can be a powerful de-escalation and preventative resource (Halsey and Mizzi 2022). However, once again, this would need to be properly resourced, as one challenge preventing service providers from already providing out-of-hours supports is that they are currently not funded for the additional costs for salary and wages that anything outside business hours would require.
- Facilitating meaningful **connections to community**. Research from across Europe, US, Canada, NZ, and Australia has found that interpersonal relationships and social connections, underpinned by coordinated supports, provide integral formal and informal access to housing, employment, financial assistance and pro-social networks, for men and women exiting prison (see Armstrong and Durnescu 2016; Weaver 2015). Linking previously incarcerated people with community networks should be considered an integral aim of any (re)integration program, as one participant commented 'it's all about relationships'. As Borzycki (2005) explained, the collateral consequences of imprisonment extend beyond individuals and their families and diminish the socio-economic capitals of the whole community.
- A person-centred approach attentive to **reducing judgement, stigma, and shame**, which are often barriers to engaging with services. Research into peer mentors in the context of (re)integration programs, in which staff are formerly incarcerated people, has shown that strength-based and generative activities allow stigmatised people (both the mentor and mentee) to reconcile their image and labels as 'wrong doers', while also facilitating a peers desistance process (Kirkwood 2001; LeBel et al. 2015; Nixon 2020).

- **Explaining and demystifying** government and non-government systems. Stakeholders discussed the need for someone to physically and symbolically ‘walk alongside’ and guide people as they transition from custody into community. Again, lived experience peer mentoring programs have shown that when faced with the lengthy and at times convoluted processes, that have no clear start or end, being supported by someone who knows the *how to* and also the frustration and angst this process can cause, can help deescalate feelings of helplessness (LeBel et al. 2015)

Ultimately, wayfinding would help to establish effective pathways to community (re)integration. There is great opportunity to interlink with current wayfinding models such as those run by Aboriginal Drug and Alcohol Council (ADAC), and to learn from national examples such as Northern Australian Aboriginal Justice Agency’s (NAAJA) Throughcare program for families. There is also an opportunity to draw from the successes and learnings from the Community Connections program,<sup>11</sup> which works with participants to determine their own supports and helps connect them to community, social networks, and services.

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*Recommendation 3: Wayfinding – Reaching into prisons and connecting to community*

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Wayfinding roles work to bridge gaps in fragmented service provision through individualised, relationship-based practices. Key to success for a wayfinding role in this context would be:

- Reaching into prison and liaising across other agencies while being firmly situated in the community.
- Interlinking or acting as an outreach arm of other interventions, such as a hub, or existing services.
- Being responsive to release from short custodial stays.
- Facilitating meaningful connections to community.
- A person-centred approach attentive to reducing judgement, stigma, and shame.
- Explaining and demystifying government and non-government systems.

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<sup>11</sup> The Community Connections program, funded by DHS and delivered by local Program Partners, runs across South Australia. The program works with participants to determine their own supports and goals and helps connect them to community, social networks, and services. <https://dhs.sa.gov.au/how-we-help/community-connections/about-community-connections>

## Final reflections and conclusion

We note that adopting any one of these proposals would be beneficial but adopting and aligning all three would make a more sustained difference in curbing the burdens associated with short custodial stays. Further, stakeholders noted structural changes that would be desirable including: 1) increasing and reshaping funding for health and social services in regional communities, 2) improving governance and coordination arrangements through structural adjustment of funding models for stakeholders to problem solve and build more integrated solutions, 3) expanding prevention and early intervention, 4) reducing over-policing and use of remand, 5) reducing stigma in the community and 6) centring culture and Aboriginal leadership.

This research has shown that short-custodial stays now constitute the overwhelming share of all custodial stays in Port Augusta and Port Lincoln prisons (>over 80% stays) and that they are not going to reduce without sustained and concerted attention. The research also highlights that short-custodial stays are causing significant challenges for prisons, health and social service providers and the regional communities to which people exit.

Finally, the authors thank participants for their insights. Stakeholders have shown that there are viable ways to reduce the problem of short custodial stays and associated harms. In particular we encourage the adoption and implementation of step-down transitional accommodation, a health and social services hub, and a wayfinding program.

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## Appendix A: Demographics and offence characteristics: short custodial stays at PAP vs PLP

Demographics	Port Augusta Prison (n=3584)	Port Lincoln Prison (n=446)	Total (n=4030)
Gender			
• Men	95.2%	97.5%	95.5%
• Women	4.8%	2.5%	4.5%
Indigenous status			
• Indigenous	63.8%	46.9%	61.9%
• Non-Indigenous	33.1%	50.9%	35.1%
• Unknown	3.0%	2.2%	3.00%
Offence type			
• Assaults	50.5%	44.2%	49.8%
• Offences against justice procedures	22.9%	27.8%	23.4%
• Break and Enter	5.1%	4.9%	5.0%
• Other offences against good order	3.0%	4.3%	3.2%
• Fraud	3.4%	2.7%	3.3%
• License and registration offences	2.6%	4.5%	2.8%
• Property damage	2.7%	1.6%	2.5%
• Deal or traffic drugs	1.8%	2.5%	1.9%
• Sexual assault	1.3%	1.8%	1.4%
• Receiving stolen goods	1.2%	1.1%	1.2%
• Other theft	1.2%	0.7%	1.1%
• Unlawful possession of a weapon	1.1%	0.9%	1.1%
• Other offences against the person	1.0%	0.9%	1.0%
• Driving offences	0.9%	0.9%	0.9%
• Other	1.3%	1.2%	1.4%
Number of lifetime imprisonments			
• Mean	7.05	6.67	7.01
• Median	5	4	5
• Range	1 to 66	1 to 52	1 to 66

Number of lifetime imprisonments aggregated			
• 1	20.1%	20.9%	20.1%
• 2	11.2%	13.7%	11.5%
• 3	9.3%	9.2%	9.3%
• 4-5	14.8%	15.0%	14.8%
• 6-7	10.3%	10.5%	10.4%
• 8-9	8.4%	7.9%	8.4%
• 10 or more	25.9%	22.8%	25.5%