

Committing to the Challenges

Corrections Victoria Disability Framework
2010–2012



DEPARTMENT
OF JUSTICE

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2010–2012

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Corrections Victoria Disability Framework
2010–2012 : Committing to the
Challenges

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Commissioner's Foreword

Over the last three years, Corrections Victoria has made great progress towards realising its goal of better meeting the needs of prisoners and offenders with a disability, thereby positively impacting on community safety. In order to achieve that goal, the first Disability Framework (2007–2009) was ambitious in its scope including all aspects of our work – service delivery, planning and policy, training, program development and infrastructure – as we strove to integrate the issue of disability into the way our every day business is conducted. There are strong indicators that there has been a shift in the cultural mindset - a recent example is the inclusion of disability-specific initiatives in all of the business plans of the various branches of Corrections Victoria for 2009–10.

Not only is there evidence of a cultural shift, there is also a range of significant achievements over the last three years, which attest to the broad positive impact of the 2007–2009 Disability Framework. Some of the highlights have been:

- development of the best practice Joint Treatment Program at Port Phillip Prison for prisoners with a cognitive impairment, which involves employment of multi-disciplinary staff, delivery of adapted offence-specific as well as life skills, and other innovative programs such as art therapy and Street Soccer, with key partners Disability Services, Department of Human Services and G4S Australia and New Zealand Pty Ltd.
- development and implementation of a protocol between Disability

Services, Department of Human Services, and Corrections Victoria, as the key government agencies to ensure continuity of services.

- provision of disability specific training to 450 frontline prisons and community corrections staff.
- development and ongoing support of the Disability Portfolio Holders network across Community Correctional Services and prisons to provide a local operational contact point for staff.
- development of accessible information for prisoners about the complaints process in Victoria's prisons.
- research conducted specific to the population of prisoners with a disability including male prisoners with an intellectual disability, investigating the issue of hearing impairment among Indigenous prisoners, and the prevalence of acquired brain injury among Victoria's male and female prison population.
- conducted a pilot of an adapted cognitive skills program in Community Correctional Services aimed at offenders with a cognitive impairment.
- initiated a pilot program in partnership with the Office of the Public Advocate, providing independent support to prisoners with an intellectual disability subject to internal disciplinary hearings.

The overall progress that we reported in our mid-term report card has been consolidated over the concluding

18 months of the 2007–09 Framework. I can proudly report that **90 per cent** of the 64 separate initiatives of that Framework have been completed. Many of the 2007–09 initiatives, including those listed above, form the foundation of a more targeted service system and will continue to be an important part of the 2010–12 Disability Framework.

There has also been external recognition of the services and staff involved in these disability-specific initiatives. Corrections Victoria and its partners, including Port Phillip Prison, Disability Services, Moreland Hall and The Big Issue won an Australian Institute of Criminology 2009 Australian Crime and Violence Prevention Award in the state and territory category, and an externally-judged CV Community Work Partnership Award in 2008.

But we cannot rest on our laurels – in fact, the work undertaken in the 2007–09 Framework has identified new challenges, particularly the evidence concerning the significant prevalence of acquired brain injury (ABI) in the Victorian prison system. This world-first research undertaken for Corrections Victoria by its research partners, *arbias* Ltd and La Trobe University identifies a large prisoner cohort with complex needs, who in many cases will need ongoing support post-release to maintain an offence-free lifestyle. Similarly, the increased numbers of prisoners with an intellectual disability entering prison reinforces the need for strong partnerships with key stakeholders such as Disability Services, Department of Human Services.

This year's regionalisation of the operations of the Department of Justice provides an opportunity to strengthen collaboration between government and community agencies at a local level. Both the governance of the new Disability Framework, and service initiatives have been framed with this in mind.

Looking forward, I am excited to announce a plan of 20 new initiatives which we believe can have an immediate impact on offenders and prisoners lives, as well as a series of other projects that can inform better practice in time to come. Some of the highlights are:

- development of transitional accommodation and support options to assist the transition and integration of prisoners with a cognitive impairment into the community, including a partnership project with Disability Services for prisoners with a disability
- a new pilot ABI Correctional Service Model in the North West Region, for offenders and prisoners with an ABI
- adaptation and delivery of a drug and alcohol program to offenders on community-based orders with a cognitive impairment
- implementation of a central contact point for case management information on ABI offenders entering the prison system
- conducting research into the drug and alcohol needs of prisoners with an intellectual disability
- development and implementation of a long-term evaluation framework

to assess the impact of disability-specific correctional services on prisoners with a cognitive impairment

- development of a process for the better management of older prisoners, and their transition back into the community

As we did with the Corrections Victoria Disability Framework 2007–09, the current Framework will be lodged with the Australian Human Rights Commission. Moreover, the Victorian Charter of Human Rights and Responsibilities has been a significant source of information for the work of Corrections Victoria more broadly and the Disability Framework, specifically.

I commend the Disability Framework 2010–2012 to you, and look forward to continuing this work in partnership with you to better address the needs of prisoners and offenders with a disability.



ROBERT J HASTINGS APM
Commissioner
Corrections Victoria
December 2009

Introduction

The need for a system-wide, coordinated approach to offenders and prisoners with a disability remains. Over the life of the first Corrections Victoria Disability Framework 2007–09 there has been significant, demonstrable progress in addressing a range of identified barriers. Those barriers included a lack of appropriate offence-specific programs for prisoners with a cognitive impairment, and the limited understanding of the prevalence of hidden disabilities such as ABI and hearing impairment. The Corrections Victoria Disability Framework 2010–12 demonstrates a continuing organisational commitment to tackle the ongoing challenges which contribute to elevated recidivism among this specific group of offenders.

The Framework encompasses four strands that in combination deliver a cohesive three-year plan:

- research
- innovation
- coordination
- strategy

While these strands are not explicitly stated in the body of the Framework, they are inherent in an approach of investigation, development, implementation and review – in summary, continuous improvement underpinned by an evidence-base. The Framework also contains an emphasis on innovation, particularly important in a field of work that is emerging from its infancy. The strategy also takes account of implementation challenges identified.

Background

About Corrections Victoria

Corrections Victoria (CV), a business unit of the Department of Justice, is responsible for the direction, management and operation of Victoria's adult corrections system, which incorporates prisons and Community Correctional Services (CCS).

Corrections Victoria manages some 59 CCS locations across the state. It is also responsible for managing Victoria's 12 public prisons and overseeing the contracts relating to the management of the two privately operated prisons. The current prison population totals around 4,500 men and women, both sentenced and remanded. CCS supervises some 9,000 people on community-based dispositions at any one time.¹

Mission of Corrections Victoria

The mission of Corrections Victoria is:

“To deliver a safe and secure corrections system in which we actively engage offenders and the community to promote positive behavioural change”.

Within this overarching mission lies the particular challenge for Corrections Victoria in light of the distinct needs of prisoners and offenders with a disability: to ensure their safety and provide meaningful opportunities to address their offending behaviour. This approach is framed by a statement of principles developed for the 2007–09 Framework, which are attached in Appendix 1.

Disability Framework

What is the Disability Framework?

Victorian Government departments are required to develop Disability Action Plans and the Department of Justice (DOJ) has completed its departmental Disability Action Plan for 2009–11. Additionally, Corrections Victoria has again committed itself to address disadvantage related to offenders with a disability through the development of its own disability action plan, the Corrections Victoria Disability Framework 2010–12. As the Victorian Office for Disability states, “A disability action plan (DAP) is a proven, effective tool for organisations to plan and implement changes that remove barriers to access for people with a disability”².

The intent of the 2010–2012 Disability Framework is to enable access to the full range of available services and, where it is demonstrated as being necessary, support additional measures to pursue equal access. These purposes remain the same as in the 2007–09 Framework. The scope of the Framework continues to include all offenders under a community-based disposition, and both remanded and sentenced prisoners. The scope of the *DOJ Disability Action Plan 2009–2011* includes employees and visitors over and above ‘users’ of DOJ services.

Objectives

The Victorian *Disability Act 2006* identifies four outcome areas for disability action plans. Three of those

four outcomes, listed below, have been adopted in the *Corrections Victoria Disability Framework 2010–2012* (Outcome 2 concerns employment, which is included in the scope of the Department of Justice’s Disability Action Plan 2009–2011). Those broad outcomes are:

- Outcome 1. Reducing barriers to persons with a disability accessing goods, services and facilities
- Outcome 3. Promoting inclusion and participation in the community of persons with a disability
- Outcome 4. Achieving tangible changes in attitudes and practices which discriminate against people with a disability

The essence of these outcomes aligns to Corrections Victoria’s commitment to access to services and programs, inclusion, and cultural change.

In order to operationalise these outcomes, the Victorian Office for Disability details four areas to form a comprehensive disability action plan. Corrections Victoria has added a fifth area – partnerships. The five substantive themes adopted by CV are:

- Programs and Services
- Access, and Policy and Guidelines
- Data and Research
- Workforce Capability
- Partnerships

What is disability?

Corrections Victoria continues to adopt the definition of ‘disability’ as articulated in the Commonwealth *Disability*

² http://www.officefordisability.vic.gov.au/disability_action_plans.htm

The Joint Treatment Program at Port Phillip Prison for prisoners with a cognitive impairment is based on a treatment community approach providing a learning environment in which prisoners have a voice and an opportunity to take responsibility and develop ways of acting and strategies that will help them live pro-socially in the real world.

*Discrimination Act 1992.*³ This definition includes:

- cognitive impairment, including intellectual disability and acquired brain injury
- mental illness
- sensory disability
- physical disability

Why have a Disability Framework?

A theme of the 'Corrections Victoria Strategic Priorities 2009–2010' document is addressing social disadvantage.

"We will seek opportunities to address the social disadvantage experienced by offenders and prisoners. We will design and deliver relevant and accessible programs that support individuals to meet the challenges of every-day life in a pro-social manner and adopt law-abiding lifestyles" (page 9).

The usual markers of social disadvantage – homelessness, unemployment, poor schooling, and lack of family and social networks, for example – are all too common among offenders with a disability. And they are often compounded by other factors specific to this group, such as a lack of social, communication and independent living skills. The challenge lies then in how offenders with a disability are assisted to address these issues.

By and large, offenders with a disability remain on the periphery of an already

marginalised population. There is strong evidence confirming the over-representation of people with a range of disabilities in the criminal justice systems in many Western jurisdictions. Research conducted by Corrections Victoria on the prevalence of ABI in Victorian prisons is consistent with those findings. Clearly, the disproportionate presence of offenders with a disability demands a systematic response.

Moreover, three drivers – community safety, rights and a targeted approach – underpinning the Framework remain essentially the same and need to be considered in the context of 'social disadvantage'. These are fundamental considerations which a correctional agency must take into account, in order to achieve the balance between individual needs and rights, and a responsibility to the community.

To reiterate the three key drivers:

- **Community safety:** Corrections Victoria is committed to enacting the Government's vision of a safer community. As almost all prisoners will eventually return to the community, and offenders on community-based orders live in the community, it is imperative to maximise the effectiveness of efforts to rehabilitate.
- **Compliance and rights:** The state, national and international obligations under which Victoria is governed underpin the broader social approach in Australia that enables people with a disability to

be active and contributing members of Australian society (see Appendix 2). Victoria was the first Australian state to enact formal protection of human rights by introducing the *Victorian Charter of Human Rights and Responsibilities Act 2006*, commencing in 2007. As a public authority under the Charter, CV is required to act compatibly with the human rights contained within the charter and to consider human rights in its decision making (from 1 January 2008). Specifically, Section 8, Clauses 3 and 4 of the Charter provides:

(3) Every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

(4) Measures taken for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination do not constitute discrimination.

Moreover, it is notable that the recent United Nations *Convention on the Rights of Persons with Disabilities* (2008), Article 13 'Access to Justice', makes specific reference to "persons with disabilities... and promoting training of... prison staff". The application of the approach to offenders with a disability means that Corrections Victoria is committed to the principle of equality of opportunity and non-

discrimination. This requires offenders with a disability to have the same rights of availability, access and quality of services as other offenders, and that the needs of offenders with a disability will be addressed based on equity and a non-discriminatory approach.

- **Targeted approach:** The need for specifically designed interventions is based on poor recidivism⁴ outcomes for offenders with disabilities in Victoria where previously a universal approach to correctional service delivery was standard practice.

The inclusion of, or input from, offenders with a disability specifically has contributed to the assessment of program and service effectiveness. However, work will be undertaken on the best mechanisms for participant feedback on groups designed to address offending behaviour, to enhance this input. Moreover, there are other opportunities for prisoners with a cognitive impairment to have a 'voice' – they are encouraged to be involved in the weekly unit meetings of the Joint Treatment Program at Port Phillip Prison. Importantly a Joint Treatment Program representative prisoners' committee (named by the prisoners, the 'Marlborough Multiple Ideas Committee') meets weekly.

The Victorian Charter of Human Rights and Responsibilities Act 2006 informed the pilot program with the Office of the Public Advocate where prisoners with an intellectual disability are independently supported at internal Governor's disciplinary hearings.

⁴ Corrections Victoria Research Paper Series No 2 (September 2007) Intellectual Disability in the Victoria Prison System: Characteristics of prisoners with an intellectual disability released from prison in 2003–2006

Who are offenders with a disability?

At the end of 2009, Corrections Victoria has far better data and improved information specific to the Victorian jurisdiction about prisoners and offenders with a disability. The organisation knows more about prisoners with an intellectual disability, a population that has been well identified historically but about whom little research or analysis has been previously conducted. In addition, more specific information concerning this cohort is being gathered to inform current practice as well as to contribute to the longer-term evaluation of the efficacy of targeted interventions.

Research

While it remains the case that those offenders with, and without, disabilities have much in common, research conducted by Corrections Victoria has highlighted some significant differences. That such research has led to service innovations to address those differences, speaks to the need for ongoing and continuous inquiry. A notable example was the identification of higher rates of deferral of parole of prisoners with an intellectual disability (compared with non-disabled prisoners) due to a lack of post-release accommodation with appropriate support. The result is a focus on transitional accommodation and support options to assist transition and integration of prisoners with cognitive impairment into the community including a partnership project with Disability Services for prisoners with a disability.

What has also emerged from the research into intellectual disability and acquired brain injury is the presence of co-morbidities – mental health and substance abuse in addition to cognitive impairment. The complex profile confirms the need for a specialist response.

Research and improved data collection have also thrown light on challenges that may have been previously suspected but not rigorously explored, as well as new and emerging trends. Corrections Victoria initiated world-first research investigating the prevalence of acquired brain injury (ABI) in the Victorian prison system. The research conducted by our partners, *arbias* Ltd and La Trobe University, found very significant rates of ABI among male and female prisoners, albeit mostly mild in nature. The research methodology, utilising a three-stage assessment process, including a screening tool, clinical interview and neuro-psychological assessment, has provided Corrections Victoria with a sound evidence base about ABI as well as an extensive up-to-date profile of the drug and alcohol use of male and female prisoners.

Data

More routine collection and monitoring of data on prisoners with an intellectual disability has identified a trend of significantly increased numbers as well as pinpointing a group of prisoners with an intellectual disability who are 'lower functioning'. This group is more vulnerable and less amenable to addressing its offending, other than

through environmental management. The overall number peaked at 109 in June 2009, though this has plateaued at just under 100 in the second half of 2009, equating to 2.2 per cent of the total prison population. It is a significant increase compared to the proportion of the total prison population of 1.4 per cent to 1.8 per cent with an intellectual disability, which had been steady over a long period⁵. The size of the increase has created a capacity issue within the prison system, in addition to the challenges for both the correctional and disability service systems in developing appropriate release options for this relatively small but very challenging group. The increased numbers of offenders with a disability in the forensic disability arena as a whole is testing the capacity of Corrections Victoria and Disability Services, Department of Human Services. This highlights the fact that it is a 'whole of systems' problem, not solely a correctional issue.

Other Orders

Corrections Victoria has also identified significant numbers of people with a disability on Extended Supervision Orders (ESO) where the courts have determined the need for continued supervision of offenders convicted of serious sex offences. Corrections Victoria continues to examine what might underlie this trend as well as responding to the specific needs of this group, in conjunction with the Department of Human Services.

Older Prisoners

Similarly, the challenges of managing older prisoners and needs related to the ageing process, whether physical and/or cognitive in nature, requires consideration. There is also the emerging trend of offenders with a disability, who in addition to their primary disability, have issues associated with their ageing during their period of imprisonment or on community-based orders. This is an added complexity.

Mental Illness

The demands on the service system to meet the mental health needs of prisoners remains strong. The whole-of-government Victorian *Mental Health Strategy 2009–2019* recognises this through the inclusion of several specific DOJ initiatives among its reform agenda. In addition, the Department of Justice is developing a whole-of-justice mental health strategy, anticipated to be released in the near future. The strategy includes mental illness and cognitive impairment (intellectual disability and acquired brain injury).

The incidence of co-occurring disabilities including mental illness is significant in the Victorian correctional system. This requires the lead justice agencies – Corrections Victoria and Justice Health – to work together to improve outcomes for offenders with co-occurring disorders.

⁵ Lambrick, F. (2002) Issues surrounding the risk assessment of sexual offenders with an intellectual disability. *Psychiatry, Psychology and Law*, 10(2), 353–358. p.356

Corrections Victoria contracted the University of Melbourne to conduct research examining the prevalence of hearing loss among male and female Indigenous prisoners. This was published in March 2009.



Justice Health is the business unit in the Department of Justice with prime responsibility for mental health issues in the Victorian correctional system. This unit was formed in 2007 to provide an integrated approach to the coordination and procurement of health services, including mental health, to police, courts, prisons and community corrections.

Continuum of Care

The principle of continuum of care is integral to the Disability Framework. There is a need for coordination and integration of government and non-government stakeholders – this is the basis of sound human service provision. This commitment has been evident with the funding of a new Disability Forensic Assessment and Treatment Service clinical position to co-facilitate offending behaviour programs in prisons by the Department of Human Services (DHS). It is even more imperative with this specific population, given the multiple doors in corrections, disability services, forensic disability, and generic welfare, through which offenders with a disability move. Corrections Victoria will contribute to the re-development of the Disability Services Division's Criminal Justice Group, which draws together government and non-government stakeholders on a regular basis, to further enhance collaboration.

Intervening at the earliest opportunity in someone's offending history, may result in breaking the offending cycle. Corrections Victoria have commenced meeting with Youth Justice Services to explore opportunities to work together

with young offenders with a disability. Corrections Victoria will also continue to focus on improved correctional front-end interventions through Community Correctional Services.

Diversity

As with the first Disability Framework, the inherent challenges of providing responses that take account of diversity, whether that be ethnicity, Indigenous status, gender, sexual orientation or transexualism, are recognised. Smaller numbers of women and those from a Culturally and Linguistically Diverse (CALD) background with a disability, will mean that individual responses are often the most effective, though clearly the extensive incidence of mental health issues among female offenders has required a broad systems response. The challenge of addressing the disability issues within a cultural context for Indigenous offenders remains and the main thrust of the response will be 'disability' training of mainstream Indigenous services staff.

How was the Disability Framework developed?

The Disability Framework Implementation Committee is chaired by the Corrections Commissioner, who has oversight of the Corrections Victoria Disability Framework.

The current membership of the Implementation Committee is:

- Commissioner, Corrections Victoria (Chair)
- Regional Director, Hume Region, Department of Justice

- Deputy Commissioner, Strategic and Financial Services, Corrections Victoria
- Manager, Diversity Issues Unit, Department of Justice
- General Manager, Program Development, Corrections Victoria
- General Manager, Barwon Prison
- Operations Manager, Loddon Prison
- General Manager, Policy and Legislation, Corrections Victoria
- Regional General Manager, CCS West Metro, Corrections Victoria
- General Manager, CCS Operations
- Senior Assistant Manager, Offender Management Services, Corrections Victoria
- Project Director, Built Environment and Business Sustainability (BEBS), Department of Justice

In seeking to build on the spirit of collaboration that was a hallmark of the previous Framework, input has been canvassed through a series of meetings with key external and internal stakeholders (see Appendix 3), which was fed into a draft Framework, in turn circulated for comment.

Objectives – achievements, ongoing initiatives and new plans

The 2010–2012 Framework provides continuity with, and builds upon, the 2007–2009 Framework.

With the achievements of the 2007–2009 Disability Framework listed below, the 2010–2012 Framework includes ongoing actions that are complemented by a range of new initiatives. These are listed under each of the Disability Framework's five objectives.

Objective 1: Consolidating existing programs and services, and addressing key service gaps

What are the achievements of the 2007–2009 Framework?

- Created the Disability Pathways Unit to lead operational initiatives across prisons and Community Correctional Services.
- Established the Joint Treatment Program at Port Phillip Prison, based on a treatment community approach.
- Commenced the Loddon Prison Disability Program, spearheaded by two specialist disability staff.
- Fitted out a prisoner transport vehicle to meet the needs of prisoners with a physical disability.
- Co-convened the national Australian Community Support Organisation (ACSO) Forensic Disability Conference in 2007 and 2009 with ACSO.
- Delivered the first adapted offence-specific program in the community for offenders on community-based orders with a cognitive impairment.

What will we continue to do over the next three years?

- Continue to present the annual CV lecture on United Nations International Day of People with Disability, which commenced in 2007.
- Support the disability portfolio positions in CCS locations and prisons.
- Consolidate the Joint Treatment Program at Port Phillip Prison and expand the Disability Program at Loddon Prison, in collaboration with G4S Australia and New Zealand Pty Ltd and the Disability Forensic Assessment and Treatment Service, DHS.
- Continue to contribute to upcoming ACSO Forensic Disability Conferences.

What are the new initiatives over the next three years?

- Develop transitional accommodation and support options to assist transition and integration of prisoners with cognitive impairment into the community, including a partnership project with Disability Services for prisoners with a disability.
- Pilot the ABI Correctional Service Model in the North West Region, for offenders and prisoners with an ABI.
- Develop and deliver appropriate rehabilitation programs designed to address recidivism for offenders with a cognitive impairment on community-based orders.

- Scope a systematic response to offenders with personality disorders, led by the Corrections Victoria's Clinical Services Branch.
- Establish a process for the better management of older prisoners with associated impairments, and their transition back into the community.

Objective 2: Responsive and inclusive policy and guidelines

What are the achievements of the 2007–2009 Framework?

- Reviewed and updated Corrections Victoria's policies and practices to better meet the needs of offenders with a disability.
- Included a response to disability in 2009–2010 business plans of all CV business units.
- Developed and distributed an Easy English approach to prisoner complaints mechanisms to ensure equitable access for offenders with a disability.
- Finalised an operations manual for the Joint Treatment Program at Port Phillip Prison.

What will we continue to do over the next three years?

- Complete and evaluate the Governor's Disciplinary Hearings pilot, in partnership with the Office of the Public Advocate, where an independent support officer assists prisoners with an intellectual disability to better understand these hearings.
- Continue the access appraisals of all DOJ owned and rented

facilities, including prisons and CCS, highlighting high-order access issues.

- Review and, where necessary, implement improvements to all emergency evacuation procedures to ensure the safety of prisoners with a disability.
- Include awareness and where appropriate, implementation of the Disability Framework in senior managers' performance plans.

What are the new initiatives over the next three years?

- Promote the use of Easy English in the written materials provided to prisoners and offenders including those with a disability.
- Consolidate a prison operations manual for Disability Pathways inclusive of Port Phillip (PPP) and Loddon Prisons.
- Develop and distribute promotional material about the Disability Framework to better inform CV staff.

Objective 3: Comprehensive data and research

What are the achievements of the 2007–2009 Framework?

- Completed a pilot and full study to establish the prevalence of ABI among prisoners and validated an ABI screening tool for the Victorian correctional system.
- Completed and published the Corrections Victoria Research Series Paper No 2 'Characteristics of prisoners with an Intellectual Disability 2003–2006'.

- Piloted the ARMIDILO, a broad risk assessment and management instrument designed specifically for offenders with a cognitive impairment in partnership with RMIT University, University of Waikato and the Office of the Senior Practitioner.

What will we continue to do over the next three years?

- Further interrogate the data collected in the ABI prevalence study in partnership with *arbias* Ltd and La Trobe University.
- Monitor the overall numbers and profile of prisoners with an intellectual disability.

What are the new initiatives over the next three years?

- Develop and implement a long-term evaluation framework of the Joint Treatment Program and other initiatives of the Disability Framework, which directly address re-offending.
- Undertake research into the drug and alcohol needs and treatment of prisoners with an intellectual disability, in partnership with Deakin University.
- Facilitate La Trobe University's research into the effectiveness of the Street Soccer program for prisoners with a cognitive impairment at Port Phillip Prison.
- Explore opportunities and conduct research as required with various partners, including the Office of the Public Advocate, ACSO and *arbias* Ltd.

- Implement flags on E-Justice (the electronic prisoner and offender information system) highlighting confirmed disabilities of prisoners and offenders.

Objective 4: Improve workforce capability

What are the achievements of the 2007–2009 Framework?

- Provided ongoing training for custodial staff in specialist units for prisoners with a cognitive impairment.
- Facilitated attendance of prison and CCS staff to attend the 2009 ACSO Forensic Disability Conference, in addition to sponsoring the conference.
- Provided introductory disability training to newly-recruited Community Corrections Officers.

What will we continue to do over the next three years?

- Continue the disability specific training for frontline prison and Community Corrections staff.
- Develop a training package for prisoners undertaking the role of mentors supporting prisoners with a disability.
- Offer student placements to foster an expanded specialist forensic disability workforce.
- Contribute to the development of disability training to non-custodial prison staff.

What are the new initiatives over the next three years?

- Train CV Indigenous Services staff on disability issues.
- Deliver an ABI training calendar to frontline correctional staff provided by ABI specialist service providers.
- Provide disability training to Adult Parole Board members and staff.
- Provide training on strategies for the management of older prisoners, and impairments associated with the ageing process.

Objective 5: Consolidate partnerships across the Forensic Disability continuum

What are the achievements of the 2007–2009 Framework?

- Completed the 'Protocol between Corrections Victoria, Department of Justice and Disability Services, Department of Human Services 2008', defining the respective roles in the provision of services to offenders with an intellectual disability.
- Regular engagement with the Disability Advisory Council of Victoria on the needs of offenders with a disability.
- Developed a tripartite reference group of Port Phillip Prison, Disability Forensic Treatment and Assessment Service, DHS and Corrections Victoria, to guide the further development of the Joint Treatment Program at Port Phillip Prison for prisoners with a cognitive impairment.

What will we continue to do over the next three years?

- Engage regularly with advocacy organisations such as the Office of the Public Advocate (OPA), and peak service organisations such as the Victorian Coalition of ABI Service Providers (VCASP) to ensure external accountability and responsiveness.

What are the new initiatives over the next three years?

- Facilitate regular Senior Executive Management meetings between Corrections Victoria and Disability Services.
- Explore the development of a regional initiative concerning prisoners with a disability in the Grampians Region led by the Regional Directors of the Departments of Justice and Human Services and the Assistant Commissioner, Offender Management Services, Corrections Victoria.
- The implementation of a central contact point for case management information on ABI clients entering the prison system.

Conclusion

The mission of Corrections Victoria is to deliver a safe and secure corrections system in which we actively engage offenders and the community to promote positive behavioural change. In doing so, Corrections Victoria makes an important contribution to the safety of the Victorian community.

In order to meet this obligation, Corrections Victoria has recognised the ongoing requirement to provide targeted responses to several of its sub-populations. Its work with offenders with a disability is evidence of this understanding, as are its specific strategies for female and Indigenous offenders.

The demands associated with offenders with a disability will be a feature of the Victorian correctional system for the foreseeable future, notwithstanding the achievements of the 2007–2009 Disability Framework. In this knowledge, Corrections Victoria commits itself to the development of the third Disability Framework, commencing in 2013.

Appendix 1:

Statement of Principles

The Corrections Victoria Disability Framework has adopted a Statement of Principles⁶ to underpin the provision, management, development and planning of services, programs and policy to prisoners and offenders with a disability.

Corrections Victoria is committed to the four principles outlined below.

Providing equitable access to services

- All prisoners and offenders with a disability have the same rights as non-disabled prisoners and offenders to access and participate in services and programs that are appropriate to their needs. Every attempt will be made to reduce the barriers that prevent participation in services and programs.
- Where it is demonstrated as necessary, additional measures will be supported to ensure all persons have access to services and programs.

Supporting improved access to justice

- All staff will receive the necessary leadership, training, support and preparation to work effectively and appropriately with prisoners and offenders with a disability.
- Staff will be made aware of the legislative and procedural provisions that protect the rights of prisoners

and offenders with a disability who have an impaired capacity for decision-making.

- The provision of effective correctional practice in relation to prisoners and offenders with a disability will be based on research and best practice to ensure quality outcomes and best value from the resources available.

Protecting and promoting diversity

- In valuing difference, the diversity (race, culture, ethnicity, nationality, health, sexuality and gender) of prisoners and offenders with a disability is recognised and respected. The development and implementation of best practice initiatives will encourage and support this diversity.
- Equality of opportunity for prisoners and offenders with a disability will be actively promoted, and unlawful discrimination will not be tolerated.

Strengthening our partnerships

- Close partnerships with the disability, mental health and broader health and community systems are integral to providing better outcomes for prisoners and offenders with a disability in addressing re-offending and enhancing community safety. Such partnerships will help achieve consistency of responses and integrated service systems.

⁶ In developing these principles, the contribution of the following sources is duly acknowledged: *Goals, values and principles*, Rikosseuraamusvirasto (Finnish Prison and Probation Service); *Statement of purpose and Prison service orders*, Her Majesty's Prison Service, United Kingdom; *Mission of the Correctional Service of Canada*, Correctional Service of Canada; *State disability plan 2002–2012*, Department of Human Services, Victoria.

Appendix 2:

Legislative and Policy Context

The Corrections Victoria Disability Framework has been developed in the context of a hierarchy of standards, policy, guidelines and legal parameters. There is a range of relevant international instruments to which Australia is a signatory.

International legal instruments

- Universal Declaration of Human Rights (1948)
- International Covenant on Civil and Political Rights (1966)
- International Covenant on Economic, Social and Cultural Rights (1966)
- United Nations Declaration on the Rights of Mentally Retarded Persons (1971)
- United Nations Declaration on the Rights of Disabled Persons (1975)
- Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment (1988)
- Standard Rules on the Equalisation of Opportunities for Persons with Disabilities (1993)
- United Nations Convention on the Rights of Persons with Disabilities (2008)
- Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (2009)

National and state legislation

- *Disability Discrimination Act 1992* (Cwlth.)
- *Corrections Act 1986* (Vic.)
- *Human Rights and Equal Opportunity Commission Act 1986* (Cwlth.)
- *Equal Opportunity Act 1995* (Vic.)

- *Disability Act 2006* (Vic.)
- *Mental Health Act 1986* (Vic.)
- *Guardianship and Administration Act 1986* (Vic.)
- *Charter of Human Rights and Responsibilities Act 2006* (Vic.)

Correctional standards

- United Nations Standard Minimal Rules for the Treatment of Prisoners (1977)
- Standard Guidelines for Corrections in Australia (2004)
- Correctional Management Standards – Community Correctional Services CCS (2007)
- Correctional Management Standards for Women Serving Community Correctional Orders 2009
- Correctional Management Standards (Victoria) for Men’s and Women’s Prisons (2009)
- Corrections Victoria Health Care Standards (2005).

Corrections Victoria developed the Disability Framework after taking into account the Victorian Government’s social policy agenda, as outlined in the following policy statements:

- *Growing Victoria together: a vision for Victoria to 2010 and beyond*
- *A Fairer Victoria 2005*
- Attorney General’s Justice Statements 1 and 2
- Victorian State Disability Plan 2002–2012
- Department of Justice Disability Action Plan 2009–2011
- Victorian Mental Health Reform Strategy 2009–2019

Appendix 3:

External Consultation Meetings

- Office of the Public Advocate
- Court Integrated Services Program, Department of Justice
- Victorian Equal Opportunity and Human Rights Commission
- Victorian Coalition of ABI Service Providers (VCASP)
- Vision Australia
- Australian Community Support Organisation (ACSO)
- Justice Health, Department of Justice
- Disability Forensic Assessment and Treatment Service, Department of Human Services
- Disability Services Division, Department of Human Services
- Office of Disability, Department of Planning and Community Development
- Adult Parole Board of Victoria
- *arbias* Ltd
- Port Phillip Prison, G4S Australia and New Zealand Pty Ltd

Acronyms

ABI	Acquired Brain Injury
ACSO	Australian Community Support Organisation
AHRC	Australian Human Rights Commission
CCS	Community Correctional Services
CV	Corrections Victoria
DAP	Disability Action Plan
DHS	Department of Human Services
DOJ	Department of Justice
ESO	Extended Supervision Orders
JTP	Joint Treatment Program
OPA	Office of the Public Advocate
PPP	Port Phillip Prison
RMIT	Royal Melbourne Institute of Technology
VCASP	Victorian Coalition of ABI Service Providers
YJS	Youth Justice Services

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