



# LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

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STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Jeremy Hanson MLA (Chair), Dr Marisa Paterson (Deputy Chair), Ms Jo Clay MLA

## Submission Cover Sheet

### Inquiry into Community Corrections

**Submission Number: 007**

**Date authorised for publication: 17 November 2021**

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Information regarding lack of reintegration pathways - Brendan Baker.  
**Date:** Friday, 15 October 2021 1:10:58 PM  
**Attachments:** [AMC- reintegration-centre.pdf](#)  
[Transitional Release 210321.pdf](#)

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Good afternoon,

I have recently been informed that your office is interested in information surrounding the under-utilisation of the transitional release centre. This information is available for yourself and the upcoming JACS committee enquiry. Over the past three years I have been attempting to engage with the facility at multiple levels to establish a genuine reintegration pathway and reduce recidivism however to date, it has been futile.

I have attached letters that I have sent to management and the minister regarding reintegration that I would like your office and the committee to consider. Unfortunately these letters have been ignored and no action has been taken to improve reintegration pathways.

With the centre having knowledge that reintegration reduces recidivism and crime rates yet not allowing detainees to engage in the transitional release centre, I am of the opinion that ACT Corrective Services is refusing to rehabilitate offenders.

I would welcome any discussion surrounding these matters.

Sincere regards,  
Brendan Baker.

Dear [REDACTED]

I really appreciate that your looking for feedback on the reintegration centre and I am grateful to be able to provide some incite. This is my first time in custody and I was sentenced to 13 years and eight months with a non parole period of seven years. I have been in prison for just under three years now and have watched a majority of the detainees be released only to shortly re-offend and return. As you can imagine, the reality of an inmates future is both alarming and depressing for anyone, let alone a person looking forward to a future beyond custody.

When I have discussed with my peers about their crimes and reasons for re-offending the general response is surrounding opportunity. Simple put, they needed money and had little knowledge or employable skills to achieve it so they committed crime to obtain it (theft, motor vehicle theft, robbery, burglary, drug trafficking, blackmail, extortion, fraud etc). The issue with recidivism in our prison is that an inmates lack of opportunity is not being addressed. In essence, we come to prison for crimes of opportunity and many doors close due to criminal records, deteriorating family supports and social stigmas. We then spend a vast majority of time non productively, have no increase in qualifications or employable skills and then are released with less prospects then we had prior to custody. I will acknowledge that substance abuse plays a part in the rate of recidivism however I know that boredom, being unemployed, lacking purpose and consequently having poor quality of life strongly contribute to the cycle of addiction. It is however not all doom and gloom. With the proposed reintegration centre, we do have a great opportunity to find the solution.

In addressing an individuals opportunity you must consider their qualifications, employable skill and employment history. As it stands, less than 15 inmates are addressing these factors by upskilling their qualifications through university degrees. Every other service provided in the prison for a detainee is not sufficient to get you a job within that industry. An example is working with the maintenance employment crew in the AMC. Yes, you will gain employable skill in construction but you will not have met the legal requirement (asbestos awareness, general induction white card etc.) to work in construction within the Australian Capital Territory and consequently you can not gain the opportunity of employment with that skill. Turning to the reintegration centre, the focus must be on investing time and funds where it will convert to success. A centre that focused on creating a pathway to reintegration through upskilling in qualifications, increasing employable skill and providing long term employment would undoubtedly increase employment opportunity and reduce recidivism providing many success stories for the AMC. The necessary requirements to achieve such a centre are:

- **Increasing the period of reintegration to up to three years prior to earliest release date**– The wise know that healing takes time. Time to relinquishing the shame and isolation of incarceration, remove antisocial behavioural patterns developed in prison and allow for inmates to iron out integration differences within a supportive and safe environment, prior to being released from custody.
- **Provide supported apprenticeship placements, Tafe study and university study** - In gaining a further education or skill, we are able to gain employment stability. Many of the detainees have been long term unemployed due to incarceration and require upskilling and qualifications in order to passionately pursue their chosen career. By having a chosen career pathway we are more likely to actually pursue a career rather than hop from job to job which inevitable leads to unemployment, under employment or employment uncertainty, all of which are key triggers of re-offending.
- **Support full time and long term employment through work release** – The benefits of work release are many. We can establish pro-social working relationships, learn to manage the responsibility of full time employment in a supportive environment and earn financial savings to re-establish our new lives upon release.
- **Provide support services to assist in our reintegration journey** – The guidance of support services through our reintegration period is paramount to our success. By implementing career, financial, relationships and AOD counselling and community therapies, we can develop the tools to support our reintegration journey in the key areas of stress in everyday life.

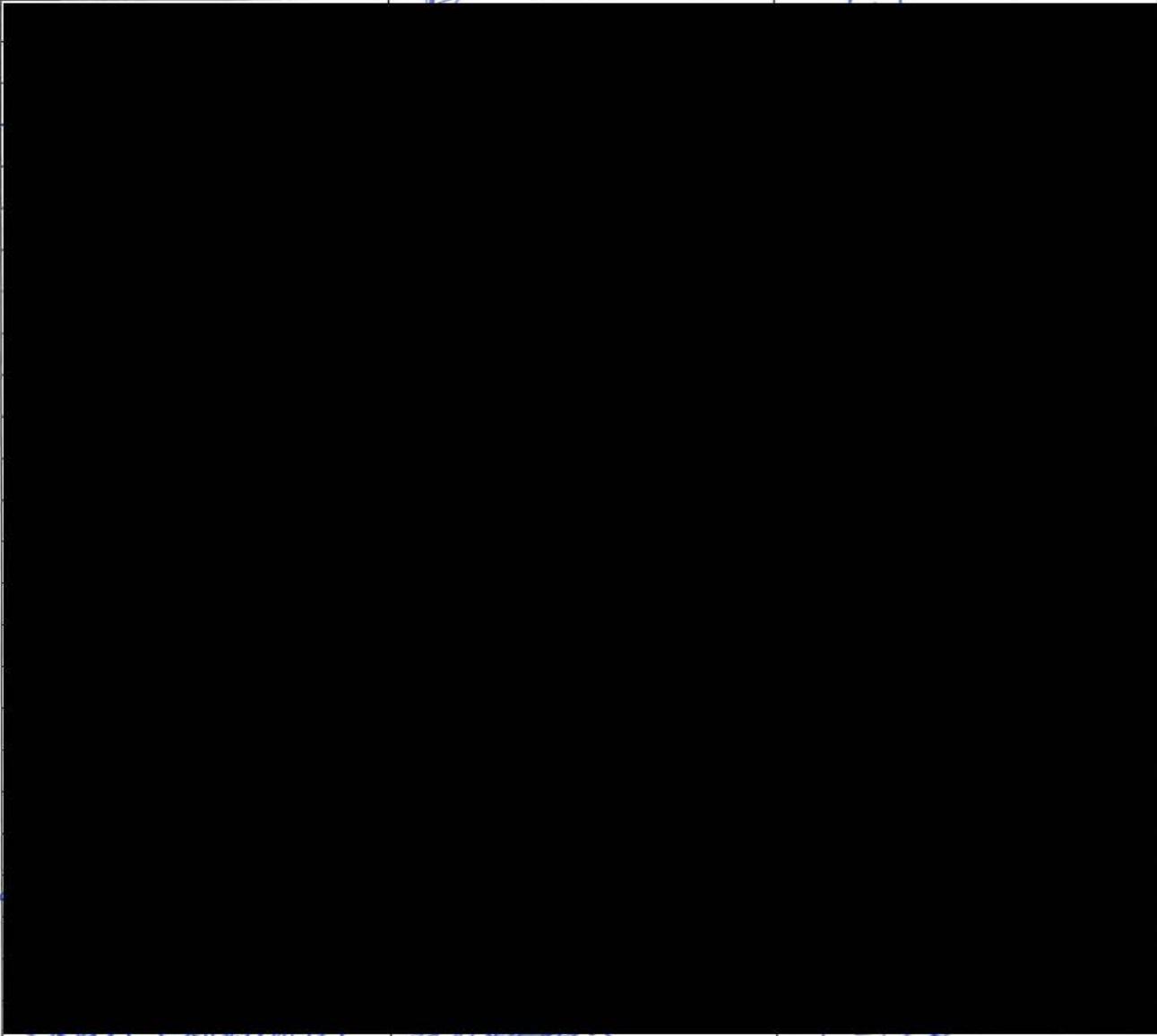
You, in fact we, have a great opportunity and responsibility to change the shape of this facility through the reintegration centre. By focusing on these four key pillars of successful reintegration we will be able to reduce the recidivism of our facility. By doing so, we can positively impact the lives of the human beings that experience our facility and the communities that we return too.

We really appreciate the opportunity to contribute to the reduction of recidivism. I welcome any further discussions on the matter.

Sincere regards,  
Brendan Leigh Baker.

In support of the outlined suggestions:

Name:	Signature:	Date: / /
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Mr Mick Gentleman  
GPO Box 1020  
Canberra, ACT 2601

20<sup>th</sup> March 2021

Dear Mr Gentleman,

The rate of recidivism of the Alexander Maconochie Centre is a threat to community safety that requires immediate attention. The detrimental affects of crime are costly and long lasting. Crime inflicts harm to members of the community, creates civil distress and places economic burdens on the tax payer. As difficult as these sufferings are to bare, they are often repeated within the ACT community due to the Alexander Maconochie Centre having a 75% rate of return to custody, the highest rate within Australia. In recent years, it has been identified by multiple state governments that transitional release and reintegration is the foundation to reduce crime and consequently reduce recidivism within Canberra. Despite these findings, the Alexander Maconochie Centre continues to operate against the centres designed purpose and the interest of the community. The Alexander Maconochie Centre has the ability to reduce crime and recidivism through the transitional release centre however is refusing to do so.

In 2018, The Queensland Productivity Commission investigated the Queensland rates of imprisonment and recidivism. The purpose of the investigation was to identify the underlying causes of criminal offending, imprisonment and recidivism as well as better understand how to improve the justice system and community safety. The investigation revealed that a key driver to criminal activity is socio-economic disadvantage whilst on the contrary, economic opportunity was a key influence on reducing crime rates. The Queensland Productivity Commission (2018), argues that the primary issues affecting high rates of recidivism include a loss of skill, support networks, financial assets and difficulty finding employment upon release. More importantly, the investigation made recommendations to reduce crime and recidivism by implementing programs that focus upon successful reintegration of the offender back into the community. In Canberra, this program is formally known as the transitional release centre. In 2019, the ACT Inspector of Correctional Services conducted the Healthy Prison Review into the Alexander Maconochie Centre. A key area of the review focused upon the pillar of rehabilitation and preparation for release. The findings revealed that “*The Transitional Release Centre (TRC) is not operating at full capacity, which raises concerns about the viability of the planned, much larger AMC Reintegration Centre*” (ACT Inspector of Correctional Services 2019, 21). In this pillar, the ACT Inspector of Correctional Services rated the facility as not performing sufficiently and recommended that remedial action is required. In 2020, the Alexander Maconochie Centre did take action on the subject of transitional release and rehabilitation however it was adverse to the recommendations of the 2019 Healthy Prison Review. The Corrections Management (Transitional Release) Policy 2010 Notifiable instrument NI2010-576 was revised and eligibility criteria was tightened. This action further restricts the utilisation of the transitional release centre which, in turn, is adverse to reducing crime and recidivism within the community. Instead of increasing the time period that a detainee could engage in transitional release, the new Corrections Management (Transitional Release Program) Policy 2020 Notifiable instrument NI2020-746 revoked a clause that allowed the superintendent of the prison to consider applications from well behaved detainees that fell outside of current period of eligibility, which had already proven to be ineffective.

At the date of writing this letter the prison has a 467 bed capacity and there are currently two detainees in the transitional release centre. That is less than 1% detainee utilisation of the transitional release centre. It is important to note that whilst at first the transitional release centre may appear as a service for the detainee, in reality, it is actually a service for the community. Statistically speaking, of the over 400 detainees in custody, 75% or over 300 will re-offend within two years (ACT Inspector of Correctional Services 2019). That is over 300 offenders, often committing multiple offences that may include crimes such as theft, trafficking, assault, burglary, robbery, sexual assault and murder. Additionally, it is well established that long term imprisonment causes adaptations to the core of the individual that are maladaptive to reintegration including hyper-vigilance, estrangement, denial of intimacy, withdrawal, self-isolation, the suppression of emotion, avoidance of communication and distrust of the world (Hulley, Crewe and Wright 2016; Liem and Kunst 2013; Grounds 2005; Haney 2003). It is with such detrimental, yet untreated, psychological effects that detainees are being released into the community. Despite the overwhelming evidence presented by the government that reintegration programs reduce crime within the community, the Alexander Maconochie Centre negligently refuses to perform the primary role of correcting criminal behaviour. This is a breach of the duty of care owed by the Alexander Maconochie Centre to provide community safety and it requires immediate attention.

The planned reintegration centre is pitched to be approximately 88 beds with an emphasis on transitional release and successful detainee reintegration. However, it calls for great concern that the government has committed millions of dollars of tax payers money into producing a large scale version of the transitional release centre that is currently insufficiently used. Alongside the development of the reintegration centre, an additional priority must be the utilisation of the current transitional release centre. I have been working towards a transitional release application for approximately two years and recently submitted an application which is outlined in Appendix 1. A large element of the application is to gain employment and fulfil the requirement to engage in an 80 day work experience placement to complete a Bachelor of Applied Science with Curtin University. Once completed, I will continue studying a Masters of Project Management however this can not be commenced until the Bachelor degree work experience placement is entirely completed. Of the six eligibility criteria requirements, the application was refused on a single ground due to the time period of eligibility. This is just one example of how the operation of the prison is both inhibiting the education and consequently the rehabilitation of an offender. Unfortunately the dysfunctional operation of the transitional release centre travels far deeper than this example. The lack of a clear and supported pathway to reintegrate into the community is reflected within the chaotic behaviour of the prison. Disengagement, contraband, assaults, riots, drug use, consequent overdoses, multiple deaths and in recent times fires are all fuelled by the nonchalant attitude towards rehabilitation. In order to increase the utilisation of the transitional release centre, the period of eligibility must be increased to three years prior the completion of the non parole period or exceptional applications must be considered that fall outside the guidelines of the current policy. In addition, the facility management must promote the sufficient use of the transitional release centre. By doing so, there will be greater incentive for inmates to achieve rehabilitation and the opportunity to address reintegration complexities in a supported environment.

This frustration has been expressed frequently throughout the past three years of this lived experience. Through the forms of engaging with detainees, detainee delegates, case workers, correctional staff, official visitors and senior management, I am now left seeking ministerial intervention. I hope that together we could address this issue prior to

engaging further avenues of complaint. This matter directly impacts the community, courts, police, politicians and detainees that all desire a reduction in crime and recidivism. Yet, as it stands, the primary inhibiting factor to rehabilitation is the management of the rehabilitation centre itself.

I look forward to hearing from you.

Sincere regards,

Brendan Leigh Baker.

## References

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Productivity Commission.

## Appendix 1 – Transitional Release Application

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The transitional release plan is to promote personal community reintegration, strengthen family ties, increase my education and gain work experience within the community. In this application, I will demonstrate my suitability for the transitional release centre, highlight the completion of my case plan and outline my engagement in custody. Following, I will provide a brief narrative to demonstrate my plans to develop each component through the transitional release centre. The transitional release centre has suitability requirements for an application to be accepted. These requirements include:

- Maintaining a minimum 1 or 2 security classification.
- Standard or enhanced level under the incentives and earned privileges policy.
- No positive urinalysis test results in the prior six months.
- No administrative penalties or disciplinary breaches in the prior six months.
- No immigration hold, notice or intention to cancel visa.
- All criminal legal matters finalised.

In response to these suitability requirements my application includes the following:

- Maintained a minimum 1 classification for approximately one and a half years and have just been reclassified as a minimum closed classification.
- Achieved the enhanced level of incentives and earned privileges.
- No positive urinalysis the entire time in custody (approx 3 years).
- No disciplinary breach in over eight months.
- No immigration hold, notice or intention to cancel visa.
- All criminal legal matters are finalised.

Since being in custody I have completed my case plan requirements by completing the following interventions:

- Drug Harm Minimisation. - Directions
- ADAPT Drug & Alcohol (4 of 4 sessions) – Directions
- AMC Chaplaincy Services (May 2018 – February 2021)
- Relationship Counselling (6 of 6 sessions) – CPSS
- Stress Less (6 of 6 sessions) – ACT Corrections
- Drug and Alcohol Counselling (10 of 10 Sessions) – Directions
- Anger Management Program (6 of 6 sessions) – ACT Corrections
- Introduction to Recovery – Programs and Interventions – ACT Corrections
- Keeping Myself Well– Programs and Interventions – ACT Corrections
- Goal Setting – Programs and Interventions – ACT Corrections
- Conflict Resolution – Programs and Interventions – ACT Corrections
- Working Together – Programs and Interventions – ACT Corrections
- Leadership – Programs and Interventions – ACT Corrections
- Self Esteem – Programs and Interventions – ACT Corrections
- Therapeutic Community (4 months) – Karalika

In addition to my case plan I have completed the following interventions upon my own initiative:

#### Certificate 1 in Access To Vocational Pathways:

- FSKDIG01 – Use digital technology for basic tasks.
- FSKLRG04 – Use basic strategies for work – related learning.
- FSKNUM03 – Use whole numbers and money up to one thousand for work.
- FSKNUM04 – Locate, compare and use highly familiar measurements for work.
- FSKOCM02 – Engage in basic spoken exchanges at work.
- FSKRDG04 – Read & respond to basic workplace information.
- FSKWTG03 – Write basic workplace information.
- FSKWTG01 – Write personal details on basic workplace forms.
- FSKWTG02 – Write basic workplace information.
- FSKRDG03 – Read & respond to basic workplace instructions.
- Certificate 1 in Skills for Vocational Pathways.
- FSKDIG02 – Use digital technology for simple workplace tasks.
- FSKLRG08 – Use simple strategies for work-related learning.
- FSKNUM08 – Identify and use whole numbers and simple fractions, decimals and percentages for work.
- FSKNUM09 – Identify, measure and estimate familiar quantities for work.
- FSKOCM03 – Participate in simple spoken interactions at work.
- FSKRDG07 – Read and respond to simple workplace information.
- FSKWTG06 – Write simple workplace information

#### Certificate 2 in Skills For Work and Vocational Pathways:

- FSKDIG03 – Use digital technology for routine workplace tasks.
- FSKLRG09 – Use strategies to respond to routine workplace learning.
- FSKLRG11 – Use routine strategies for work related learning.
- FSKNUM14 – Calculating with whole numbers and familiar fractions, decimals and percentage for work.
- FSKNUM15 – Estimate, measure and calculate with routine metric measurements for work.
- FSKOCO07 – Interact effectively with others at work.
- FSKRDG10 – Read and respond to routine workplace information.
- FSKWTG09 – Write routine workplace texts.

#### Vocational Electives:

- SITXFSA001- Use hygienic practices for food safety.
- SITHFAB005 – Prepare and serve espresso coffee.
- BSBWOR204 – Use Business Technology.
- TLID – Shift Material Using Manual Handling Methods.
- CPPCCO3003 – Clean using safe work practices.
- CPPWMT3044A – Identify wastes and hazards.
- CPCCWHS1001 – Construction (white card).
- TLIP2024 - Conduct financial transactions.
- RIISAM203D – Use Hand and Power Tools

- AMC Basic Barber Training – Cert 2 in salon assistant.
- AMC Blood Borne Virus Awareness.

#### Religious Study:

- Crossroads Bible Study Lesson 1 – 12
- Crossroads Survey of the Bible Lesson 1 – 14
- Hope Channel-Light Of The World Study Lesson 1 – 8

#### University of Southern Queensland - Tertiary Preparation Course:

- TPP7181 – Mathematics Tertiary Preparation - Average = 74.04%
- TPP7123 – Communicating at University B - Average = 72.33%
- TPP7122 – Study Management - Average = 89.19%

#### Curtin University Bachelor of Construction Management:

- CME103 – Introduction to Construction Management Mark: 73% - Distinction
- CME104 – Structures Mark: 84% – High Distinction
- APC 100 – Academic Communications Mark: 68% – Credit
- CME101 – Low Rise Construction Mark: 81% – High Distinction
- CME107 – Site Management Mark: 83% – High Distinction
- CME109 – Safety Management Mark: 79% – Distinction
- CME105 – Introduction to Measurement of Construction Works Mark: 72% – Distinction
- CME106 – High Rise Construction Mark: 77% – Distinction
- CME203 – Specialised Construction Techniques – Awaiting results
- CME208 – Cost Planning – Awaiting results

#### Rehabilitation:

- The Salvation Army Positive Lifestyle Program Lesson 1 – 8
- Hope Channel- Relationships and Parenting Lesson 1 – 8

#### Programs completed:

- Hepatitis Education – Hepatitis ACT
- AMC Peer Mentoring Program – ACT Corrections
- TC Counselling – Karalika
- Financial Counselling - Care Financial

#### Employment:

- Barbering
- Dixies. / Kitchen Duties.
- Education Tutor – \*Trusted Employment\*
- Volunteer Education Tutor

- Activities Worker \*Trusted Employment\*
- Peer Mentor – Therapeutic Community \*Trusted Employment\*

An outline of the components my reintegration plan will be briefly described below:

Community reintegration – Pro social relationships and community engagement are the cornerstone to successful reintegration. The shame and guilt associated with coming to prison naturally isolates an individual but long term imprisonment has a unique way of ensuring that isolation lingers. Since coming into custody for the first time, I have lost contact with my partner, my close friends, support people, community groups, employment networks and life mentors. The unfortunate reality for any long term inmate, is that our closest relationships are now predominantly formed with people on the inside of the fence. Moving forward, I know that I need focus on re-establishing pro social relationships within the Canberra community once again. A key influential relationship I have begun to develop is with the members of the Capital Edge Leading Church. They have inspired the development of my faith and motivate me for a life beyond prison. If I am granted the opportunity, a large portion of my reintegration will be connecting within that community group through their Sunday church services. Prior to prison, I was also a member of the voluntary Rural Fire Fighter Service of the Hall Brigade. If I am granted the opportunity, I wish to slowly reintegrate into that community group by attending their Thursday training sessions from the transitional release centre.

Family ties – Family ties provide support and a sense of purpose. I have been lucky to have consistent support from my family throughout this period however I know that they wear a heavy burden without me. In the year prior to coming to prison my grandfather past away. Since, my grandmother has struggled to maintain the house without help and has sold it to relocate the Canberra this month. Once she becomes settled here I would appreciate the opportunity to be able to visit her through weekend leave to help her overcome grief and support her with the house work on Saturday once a fortnight. Additionally, my younger brother is having his first child and I would love the opportunity to be apart of his child's life and support him with the challenges of parenthood.

Education – Since coming into custody I have commenced a Bachelor of Construction Management with Curtin University in order to increase my career prospects and reduce my chance at recidivism. Throughout the six month preparation program and the proceeding first year and a half of study, I have maintained a distinction average. These results have been derived from my motivation for change. A large element of the degree requires practical knowledge or study resources which are both limited within the facility. Additionally, in order to complete the degree, there is a required work placement within a construction firm to demonstrate my acquired knowledge. If I am granted the opportunity through the transitional release centre, I will be able to locate and complete my work placement, gain practical knowledge in my field and complete my tertiary degree all of which promote successful reintegration.

Work experience – Long term employment, job security and financial stability are key factors to successful reintegration. Unfortunately I lost two shop front businesses, a block of land, money and two cars coming into custody. If I leave without transitional reintegration, then I am starting life outside prison gates with only the clothes on my back. Additionally, I have a pre-existing \$30,000 personal loan with ANZ bank and a higher education debt that I have taken in hope for a brighter future. If I was granted the opportunity, I wish to establish myself within a career well before I

leave prison. I could then regain confidence, business acumen, industry knowledge and financial security prior to leaving custody. I would be able to save money to afford everyday necessities like accommodation, transport, furniture, clothing and food upon release. Additionally, I would be able to settle some of my outstanding financial burdens which would alleviate some inhibiting stresses of successful reintegration. In considering my application I ask that you identify my progress in completing well above the case plan requirements and understand that my initiative is derived from a genuine desire for change. I also ask that you consider the unfortunate rate of recidivism prevalent within our prison and acknowledge that we must consider extended reintegration as viable opportunity to improve those rates.

Thank you for considering my application.

Sincere regards,

Brendan Leigh Baker.