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Prisoners, Centrelink and Homelessness

ACSO is a community support organisation which assists some of the most highly disadvantaged members of our community, in particular those with complex presenting issues or offending history. Over the past 3 decades we have supported several hundred thousand clients with issues of offending, substance use, mental health and homelessness to transition into the community. In providing this response ACSO has conducted a number of focus groups with our transitional services staff to gain an insight into their experiences with Centrelink over the past 3 years.

Government agencies have policies and programs in place, which are designed to address the inherent barriers faced by incarcerated persons accessing social security benefits upon release. Generally these are applied to the benefit of those they are designed to help. However, there are inevitably cases where people can fall through the gaps, or discretion is applied to the detriment of the client.

The Board recommends that the Commonwealth work with State and Territory governments to provide all prison leavers with a Centrelink assessment before they leave prison, to ensure they have access to income support and referral to appropriate services. There should be no exit from prison into homelessness (Australian Social Inclusion Board, 2011, 56).

From our experience we believe there are specific aspects of Centrelink and prison interaction that could be enhanced which may reduce the number of prisoners being released into vulnerability to homelessness. These key recommendations include:

1. Allowing un-sentenced prisoners access to the TAP program to facilitate ID and other pre-release issues prior to release;
2. Allowing new claim phone calls to be made from prison, for those who have not had an opportunity to have an interview with a Centrelink worker whilst in custody, reducing the wait time on release day;
3. Streamlining the wait process for people who are highly vulnerable;
4. Increasing knowledge of both prison and Centrelink staff of the options available to prisoners on return to the community and the requirements necessary to expedite the process; especially with a view to ensure a more consistent response where discretion is applicable;
5. Creation of a simpler system for prisoners with complex needs including mental illness.

Transition from incarceration to community

It is widely recognised that people exiting prison constitute some of the most disadvantaged members of the community. For example, in relation to mental illness, the Department of Justice reports that it is 3-5 times more prevalent in prisons than in the community, with the prevalence of schizophrenia being almost ten times greater in the prison populations than in the community (cited in Department of Human Services, 2009, 52). Prisoners also often have poor health, low educational attainment, poor employment history (Baldry 2004; Baldy, Dowse & Clarence, 2010;

Graffam, Shinkfield & Hardcastle, 2008) an elevated rate of homelessness (Australian Institute of Criminology, 2008) as well as the so called “deleterious effect of incarceration” including social and family network breakdown, and the stigma associated with an offending history.

There are over 5,500 discharges from Victorian prisons annually (Department of Justice, 2010), either on parole or straight release. A growing number of the prison population are un-sentenced (17% men, 22% women), and prisoners on remand are often released straight from court cells. It is demonstrated that the period immediately post-release is generally the most difficult and consequently there are a multitude of transitional programs run by correctional services and the community sector. However, these programs exist in a system that can be fragmented and where structural change has occurred, this information has not always become common knowledge. For example, the experience of prisoners’ access to Centrelink payments and the interventions that have been established to decrease the chance of prisoners being released into financial crisis and homelessness.

The policies and structure are in place.....

The majority of Australian prisoners have access to Centrelink Prison Liaison Officers (PLO) who visit prisons at regular intervals and will make time to talk to people approaching release. In 2009/2010, Centrelink PLOs interviewed 40 percent of prisoners due for release at 121 correctional facilities (Commonwealth of Australia, 2010, 128). Prisoners are able to make an advanced notification of an ‘intention to claim’ up to three weeks prior to their release and where they are meet the conservative eligibility criteria, they are able to organise an advance payment and crisis payment in preparation for their release day. Prisoners have the option, having notified Centrelink of their intention to claim, and having a Centrelink Customer Reference Number, to have their crisis and advance payment paid to them via an Electronic Benefits Transfer (EBT) card, paid directly upon release, or to a bank account, if they have access to one.

Where these things do not happen prior to release an individual can attend a Centrelink office to lodge a claim. If the person has insufficient points of identification an alternative proof of identification (POI) process can be undertaken whereby a form 'Questions for Persons with Insufficient POI' can be filled out and verified by the individual or the Centrelink worker and Identity Review Period (IRP) process can be offered at the discretion of the Centrelink officer. If “only minor reservations remain about a person's POI, a payment for two pay periods can be authorised while the remaining POI requirements are being satisfied” (Department of Families, Housing, Community Services and Indigenous Affairs, 2011), allowing the individual time to provide suitable identification. These processes are commendable, and acknowledge the crisis response needed for people who are exiting incarceration. However, the ‘devil is in the detail’, and there are circumstances where these processes are not adhered to, or do not apply, and these have contributed to an adverse outcome for clients.

In reality this means in order to sign on to Centrelink in advance, you must have less than three weeks until release. We have found that for highly complex prisoners eligible for parole, where their estimated release date is uncertain, there may be little

opportunity to see a Centrelink PLO between notification of granting of parole and the actual release day. There can also be circular barriers to obtaining the correct documentation. For example, in order to make a claim someone needs to have a bank account and ID. In order to get a bank account they need ID and proof of address. For prisoners who have no home to be released to, they can often need funds in order to secure an address (required for 'proof of address'). In some instances a prisoner's release papers, if coupled with sufficient ID will satisfy a bank, in some instances this will not be accepted. In instances where a client has no ID, a bank will accept a letter from Centrelink, but the client may be told by Centrelink that they need ID. Bewildered? So are the clients. This process is challenging, and would be near impossible to navigate without a support worker. With lack of ID an issue for many disadvantaged people accessing income support (up to 5% of Centrelink clients), Centrelink undertook a project to increase the awareness amongst its staff of alternative POI procedures, and the availability of the Identity Review Period (IRP) to 'at risk' individuals. Twelve months after this training there was still confusion amongst Centrelink staff reported (Australian National Audit Office, 2008, 64 & 62), with no assurance measures in place to ensure "that at risk customers are not being disadvantaged by inconsistent treatment between CSAs and CSCs." (Ibid, 62).

Naturally, the physical and/or interpersonal presentation of the individual can influence a person's experience of Centrelink. A person recently released from incarceration, is already struggling to adjust socially, mentally and physically, and therefore is more likely to present negatively, which can influence the outcome which allows for discretion of Centrelink staff. A releasee's lack of ability to navigate the system can result in a highly stressful and damaging interaction on their first day out of prison, and in some instances leading to a person having no access to money and accommodation on their release. ACSO has had experiences of clients being at Centrelink for up to six hours on their day of release, as they otherwise may not have any money for up to two days.

"When I picked him up he was positive, reflective, hoping to get it right this time and optimistic about the future. Three hours into it he was crushed. There was a spark in him that we never saw again." ACSO Support Worker.

Case Study

Rob was a prisoner with significant history of mental illness including paranoid schizophrenia, a history of poly-substance use, poor treatment compliance, and suspected acquired brain injury. To everybody's surprise, he was granted 12 months' parole.

Rob's mother was notified the following day, that he was being released to her address despite written notification to his Corrections Officer that this should never occur due to his past history of abusive behaviour. She contacted ACSO in distress, seeking support, as Rob had been a client of ACSO in the past. Our staff promised to collect him, take him to Centrelink and to her home, when he was released the following business day.

Given the last time Rob was released, he had no Centrelink support organised, he had participated in the Transitional Assistance Program (TAP), in order to have things arranged prior to his release. However, he was unexpectedly given parole and released within two business days, therefore was again released without ID, Centrelink registration, EBT or a crisis or advanced payment not having seen a Centrelink PLO. The impact of this was cumulative with the fact that he was also released without medication, or a referral to a community mental health service, and he had also misplaced his prison release papers.

Rob was advised by Centrelink that he was unable to make a claim due to insufficient identification, and no release papers, and he increasingly became agitated, causing staff to be reluctant to engage with him. The worker was called, and told that staff did not believe he was just released, as “we get people from jail in here all the time, they always have ID”. The worker explained that for prisoners with significant mental health issues, it was not uncommon that they get released without these things in place, and an unwelcomed suggestion that the “alternative POI” process could be used. The Office of the State Trustees who had an administrative order for Rob were also unable to provide any forms of ID. The worker eventually located a copy of Rob’s Birth Certificate, and this along with the 'Questions for Persons with Insufficient POI' form was taken to be sufficient ID to process his claim. However due to Rob’s administration order, Centrelink were unable to pay him directly, and would have to pay the State Trustees. Rob didn’t have a bank account so he would have to attend the State Trustees to collect the money when it was to become available.

After a lengthy period, it was negotiated that a payment of \$100 in an EBT card would be given by Centrelink, with the rest to be paid to the State Trustees until Rob had a bank account. By this time Rob was agitated and clearly over the process, at one point telling his worker “here we go again”. Rob refused a lift home and did not engage with the worker. The worker reflected that “here was a man who relied heavily on the system to compensate for his disadvantage but he was depending on a system that was undependable.” Within a week he was chaotic, missing appointments and behaving erratically, such that it took two weeks for a bank account to be arranged and he had to pick up \$20 daily instalments from the State Trustees. This process frustrated him to the point where he made a threat “might as well steal my mum’s TV and hock it” which he ended up doing. He consequently lost his housing, and after an hour in crisis accommodation, he returned to sleeping rough. Un-medicated, his paranoia returned and he refused to engage with his support worker or remain in treatment. Within five weeks of being released Rob was back in prison due to breaching his parole conditions.

Rob’s experiences are all the more frustrating because they were identical to the last time he was released from prison; a situation that was documented and included formal notification to his Corrections Officer.

.....but the safety net needs to be tightened.

This article does not wish to suggest that these are the experiences of all people leaving prison, or Rob’s re-incarceration was a result of Centrelink. In many cases we find prisoners released into our programs have completed a TAP program, and

this includes the process of Centrelink payments. However for a smaller percentage of prisoners with a serious mental illness or other complex needs, situations like these are cumulative and can leave a vulnerable person even more vulnerable to homelessness, poverty and offending. More than just changing structure, attitudes to people who experience mental illness, homelessness or who are leaving prison need to change, as Rob's worker said,

“these are institutions set up to meet the needs of people like Rob, who cannot survive without them, but they too often fail him because they don't understand his needs fully.”

Acknowledging that how policies are delivered is a key to dependable support for vulnerable people, the Social Inclusion Board's report *Breaking Cycles of Disadvantage* recommends reform around government service delivery suggesting that service providers consider; 'the way you treat people matters' - it is not enough to focus on what support is provided, it matters how it is provided; 'continuity of support is essential' - episodic care based around discrete crisis with a withdrawal of services in between is an inefficient and ineffective way to address entrenched disadvantage; and 'a focus on addressing structural barriers must be maintained' - a holistic response to disadvantage that reduces the structural barriers that contribute to one disadvantage snowballing into others (Australian Social Inclusion Board, 2011, 51).

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