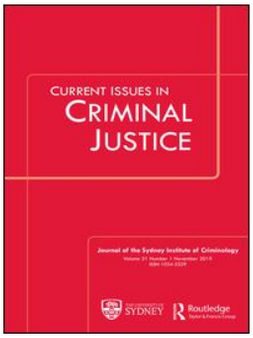

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Women in Transition: From Prison to...

Eileen Baldry*

Abstract

Over the past twenty years there has been significant development in theories and perspectives driving post-release (re-entry) approaches and work. On the whole, as with most other criminal justice theories and frameworks, these have been informed by the male experience of prison and release and have been imported to the Australian context largely from the United Kingdom and North America. These theoretical frames, like desistance, and approaches like throughcare and addressing criminogenic needs are then imposed upon women's transitional, post-release lives. These generalised approaches also, almost entirely, ignore the majority of women prisoners because they do not address very short sentence and remand prisoners; the large number of women with combined and multiple mental health and substance abuse disorders and cognitive disability; or the marginal space from which most come and to which most return. This article reflects critically on these imposed approaches in Australia and New South Wales (NSW) as they apply to women and brings suggestions from the ground up, using new work on the expressed needs and experiences of Aboriginal women prisoners, as well as other work on women being released from prison in Australia.

Introduction

The factors that assist women released from prison to remain out of prison, cease offending and increase their well-being in the community are poorly understood. This may be because policies and programs assisting women post-release are derived largely from research on men's criminal, prison and post-release needs and experiences that is then used to develop theoretical perspectives which drive policy and program creation. Although these approaches are sometimes adapted in gender sensitive ways to women post-release, they are nevertheless still founded in male-centric understandings. This article critiques some of the concepts of, and approaches to, women post-prison in contemporary Australia, such as desistance and throughcare, using recent studies with Aboriginal women prisoners and women with complex needs in the prison system in NSW; reflects upon the marginal, gendered nature of the social and physical space to which most women leaving prison go back; and continues the discussion begun by critical criminologists of how to not just imagine, but actually get to a better place.

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Gendered Penality

It is the case everywhere in the world that men, compared with women, represent by far the majority of prisoners. Globally, the female proportion of the prison population ranges from around 3% to 20% (ICPS 2010) with the mean approximately 6.5%. Even though this proportion has been increasing in many western countries, at its highest level, women prisoners are still a small minority of the entire prisoner population. In Australia women form 7% of the prison population (ABS 2009). As a minority group, women prisoners have been subjected to theory framing, management practices and programs posited as gender neutral or derived or borrowed directly from those for men. These have been critiqued by a number of criminologists (see works by Carlen 1983, 2008; Chesney-Lind 1991; Easteal 2001; Hannah-Moffat 2000, 2004) with most jurisdictions now making some attempts to build and run women centred prisons. For all this, the criminal justice system and its penal estate, for women, is still shaped by male informed knowledge and assumptions. For example Carlen (2008) perceptively used the concept of imaginary penalities to peel back the façade of innovative women centredness in a new Australian prison, arguing that many of the usual arrangements continued whilst the imagined new world of the women's prison remained largely in something like a parallel consciousness, with much of the vision being unattainable.

This male centredness is carried into the post-release realm. The term 'post-release' (also termed 're-entry' in the USA) refers to the period following release from prison, in which a person reconnects with the outside community, may have parole requirements, and usually needs support. The post-release period may extend for some months to over a year depending on the range of material, psychological, legal and social adjustments and needs that a person has. It includes 'transition', a shorter period of time just before, and for a month or two after, release. Most of the research on post-release has been done with men only and, where women have been included in the research, this has tended to be with longer-term prisoners, those who were convicted of more serious crimes and those on parole or in post-release programs. It is then generalised to, and imposed on all prisoners being released as if the findings are pertinent to all. This research, used to inform most transitional and post-release developments in Australia, has been carried out largely in North America and the United Kingdom focusing on criminogenic risks and problematic issues such as violent behaviour, accommodation, drug and alcohol use, and employment and programs addressing these matters (Borzycki 2005; Howells and Day 1999).

Although it is instructive to look to other jurisdictions, findings from the USA must be used with great caution because the criminal law and criminal justice systems are significantly different from those in Australia. On the other hand, because many jurisdictions in Australia have so slavishly followed developments in the USA for the past two decades or so, Australian criminal justice approaches have come, more and more, to resemble those of the country with the highest incarceration rate in the world (ICPS 2010) and the highest rate of inequality in the OECD, noting that inequality is linked to, and a key indicator of higher crime and prison rates (Wilkinson and Pickett 2009). Thus much that has been introduced into the Australian penal realm does not necessarily fit the Australian context well.

The UK, the other nation from which Australia takes much of its criminal justice lead, has not gone well over the past two decades either, with generally lacklustre outcomes from the post-release approaches attempted there, continuing high recidivism and growing prison

rates for women (Justice Committee 2010). Results of two decades of these same post-release approaches in Canada appear to have resulted in similarly poor outcomes, with women's imprisonment and recidivism rising (Stone 2010). In other words, the re-entry approaches Australia has been emulating from these jurisdictions have not been resulting in lower imprisonment and recidivism rates or improved well-being for women. So there are serious problems in contemporary Australian post-release approaches in general and for women in particular.

A major flaw in post-release conceptualisation is its lack of connection with the reality of a large section of releasees' experience and context. This arises in part from: a traditional lack of interest in and understanding of the post-release needs of short term prisoners; a lack of attention to the rapidly changing make-up of the prisoner population and therefore of those being released; shortcomings in using throughcare as the overarching framework; and the growing dominance of 'evidence-based' and 'what works' approaches as exclusive drivers of criminal justice policy and practice.

Ignoring the Short Term Elephant in the Room

The profiling of prisoners tends to be based on census data—the demographics of the static prison population taken in a census on a particular day. Use of such data for planning post-release work and programs leads planners in Australia for instance, to believe that half the people leaving prison had served a sentence of over three years. For 2009, this was based on working out the median prison sentence for all those counted in the prison census taken on the 30th of June 2009 (ABS 2009:8). It may be the median of the static census population but it is certainly not the median for those who flow into and out of prison over time. This sort of data is misleading for those working with people being released, especially when considering women prisoners. Such census figures do not take into account the flow-through numbers—the numbers of prisoners who flow through the system over the period of a month, or 6 months or a year. This information is vital for any post-release policy and strategy because the flow numbers and demographics are radically different from the census or stock ones. Unfortunately there is no reliable national or state information on this. Services and agencies connected with post-release work need to see the number, needs and scope of the clientele with whom they are working. In 2001, FACS estimated the flow-through numbers to be around 44,000; this would be approximately 50,000 in 2010 (Baldry et al 2003).

In NSW, a conservative estimate of around 1,500 women per year flow through has been made informally by Corrections staff based on the number of unsentenced and sentenced receptions and releases over a year, but this is unverified. According to Corrective Services NSW (2009), 1,387 unsentenced and 909 sentenced women were received into custody over the financial year 2008-2009, a total of 2296, with 769 sentenced women being released over the same period. There is no information regarding the number of unsentenced women released without a further custodial period, but taking Thompson's figures (2001) of around half of those women in remand being released within, a month or two, without a further custodial period, perhaps around 693 of those unsentenced women may have been released in that period. This large turnover of women going in and out in less than twelve months, having spent short periods in custody, provides a quite different picture to the static census figure of 722 (Corrective Services NSW 2009). This way of viewing women's reception into and release from prison also turns on its head the idea that 30% of women in prison

(and therefore being released) are on remand because over a year the flow population of remand is higher than that of sentenced women.

Why is this so important? Because the majority of people entering full-time imprisonment over time are serving sentences of less than 12 months or are on remand. From the perspective of persons being released from full-time imprisonment, the census data quoted earlier gives the impression that the majority of persons in prison are serving longer sentences than is the case. The flow through numbers, as approximated above, if they were available, would suggest different approaches—approaches that took seriously the number and effects of short-term sentences, and of remand, on incarcerated women. As persons serving shorter sentences or on remand (Sarre et al 2006) are more often those with mental health/dual or multiple diagnoses, borderline cognitive disability and multiple less serious offences, they tend to be those who cycle in and out with high recidivism and breaching rates (Borsycki 2005; Baldry et al 2006; Baldry et al 2008; Dowse et al 2009). Post-release needs for this majority are not the same as those for persons having served longer sentences. The fact is that by far the majority of women prisoners in Australia, a highly disproportionate number of who are Indigenous women, fall into this group (Baldry and McCausland 2009).

There is very little published research on this majority of women releasees who have served short sentences (less than 12 months) or those who have been released after time on remand. Baldry et al (2006) argued that a series of short sentences (which is the most common experience for women) is a form of serial institutionalisation that is even more disruptive to positive engagement with the community and maintains more chaotic living than a longer sentence. Spending weeks or a month or two in remand (another more common experience for women than men) is equal to spending the same amount of time under sentence. It is in fact worse because most remand time is spent in a maximum security setting with little access to programs or work. There is no published evidence of programs or support for people who are released after short sentences or a period on remand. In South Australia and NSW, jurisdictions that have a higher rate of remand (than Victoria for example), the final sentence is more likely to not be a further period of incarceration, suggesting being held on remand was necessary (Thompson 2001; Sarre et al 2006).

This blindness to the short-term-sentenced-women-releasee elephant in the post-release room, when challenged by women's lived reality of prison and release, has serious consequences for approaches to transition and post-release policy and programs currently used in Australia.

Throughcare: Gender Attuned?

Throughcare is the main policy vehicle for post-release work in Australia. It has been defined as the 'continuous, co-ordinated and integrated management of offenders' from the offender's first point of contact with correctional services 'to their successful reintegration into the community and completion of their legal order' (Clay 2002:41), so the post-release period is just one aspect of throughcare policy attention.

Internationally, throughcare as a policy approach has existed for years and is widely thought of as a 'best practice' in working with offenders to reduce recidivism and assist community integration (Borzycki 2005). The UK recognised the concept in relation to

working with prisoners in 1986, although the term had been used in years prior to that in a number of reports and discussions (McAllister et al 1992). Throughcare is also not 'new' in terms of many of the everyday work practices carried out by probation and parole officers over many decades (Stevens 2002:2). It must also be noted that the concept of continuity of care has long been used in the context of social work and mental health. In fact, the terms 'throughcare' and 'aftercare' were borrowed from the social welfare and public health sectors and applied to the process of supporting a prisoner from initial custody to post-release in the community (Victorian Department of Justice 2000).

Throughcare is acknowledged as policy in each of the seven Australian jurisdictions. Principles of throughcare can be summarised as:

- Assistance and support to offenders whilst in custody or under supervision in the community (Corrective Services NSW 2002).
- Whole of sentence planning and integrated case management: 'the individualised and planned management of offenders based upon assessed need, implementation of case plans and case reviews' (South Australian Department of Justice Correctional Services, 2004), aiming to provide uninterrupted service for offenders leaving the prison system.
- Provision of seamless service to avoid duplication and/or isolated work practices (Victorian Department of Justice 2000).
- Effective working partnerships and provision of consistent interventions across community and custody, which are proven to be effective in reducing recidivism (NSW Department of Corrective Services 2002; Stevens 2002).

Theoretically this is an excellent model. But there are significant breakdowns in implementation even for long-term prisoners, especially for women experiencing short episodes of incarceration. These problems include lack of inter-agency cooperation and information sharing, lack of appropriate housing, personal support, mental health, education and employment opportunities in the community and tension between compliance checking and helpful guidance (Baldry 2007).

When combined with the understanding of the flow, as opposed to the stock women's prison population, there are some obvious and immediate problems with throughcare as formulated. Whole of sentence planning is not applicable or possible for those on remand. Similarly, for women on short sentences, whole of sentence planning using this model is very difficult. These recognitions immediately bring into question the use of the current throughcare model for a large number of women leaving prison.

Without successful implementation, policies are merely statements of intent (Bridgman and Davis 2004; Gerston 2004). In other words, unless the appropriate government agencies have undertaken the process of converting throughcare into reality and matching this programmatic theory to the reality of the lives and contexts of women being released, then these policies have neither substance, nor significance (Gerston 2004:96). So it is essential to base approaches to women's transition and post-release programs and support on real life and real system information, not on data that does not provide a realistic picture of persons being released, and not on approaches developed on the basis of research on men in other countries leaving prison.

Current throughcare policy and practice for women falsely assumes there is time to develop a case plan in prison, that the date of release is known and that people leaving prison have spent longer in prison than is the case. It also assumes that there are far less people being released than there are, because it works off census data, and it ignores women being released directly from remand. So, on the whole, throughcare, where it is applied to women being released, is applied to those who have been in prison long enough to have a case plan developed; maybe to have completed a program; who have a definite release date; and who have a period of parole to ensure the throughcare plan can be followed. As demonstrated earlier, this is the minority of women being released from prisons in NSW and, as far as can be ascertained, in Australia and means that there is no reality based post-release support for these women. This is unhelpful as it suggests that women must fit the throughcare model rather than throughcare being developed to fit the reality of women's imprisonment and release. Simply put, the thoroughcare approach, as practised in Australia, does not address the needs of the majority of women being released.

Desistance

Desistance from offending, '[t]he change process involved in the rehabilitation of offenders' (McNeil 2006:45), has re-emerged as an important concept in post-release policy and program development. Sampson and Laub's (1993) theorising on desistance, which has informed most subsequent work in this area, arose out of work on pathways into crime and turning points out of crime, based on a longitudinal sample of men from youth to late adulthood. The authors concluded that, at various points in an individual's life, formal and informal social institutions help strengthen or weaken that individual's links with society. Those whose links are not formed, or are weakened or broken by various events are more likely to commit crime because they have not formed social bonds that lead to informal social control. It is argued that desistance from crime can be achieved by repairing and improving social links and various social bonds; for example marriage is associated with reducing re-offending. Desistance focuses on positive relations with others, the building of 'good lives' via various social interactions and supports, like marriage or children, driven by personal motivation to cease offending.

Maruna et al's (2004) work on desistance, following Sampson and Laub (1993), was also focused on the male offender's pathway, with his original Liverpool study based on male ex-prisoners' narratives. Gendreau et al's (1999) work on effects of prison on recidivism (lack of desistance) is premised on the male experience. Gilbert and Wilson's (2009) report on improving the post-release experience of Indigenous young adults, has no gender specific analysis and has no reference to young Indigenous women's experience, referring throughout to 'young people' or 'young adults'. Maguire and Raynor (2006) join the string of criminologists apologising that their research on post-release programs or desistance can be applied only to men because they were unable to include women's programs or voices in their study. Although, in a welcome development, most of this more recent work has extended desistance conceptualisation into the structural realm of the interaction between the individual and their social, institutional environment and context, it nevertheless remains framed by the original male individual experience.

Those who do focus on women and desistance post-release, do so largely in the framework already set by the foundational male normed studies and theorising. For example, Bui and Morash's (2010) study on the importance of network relationships for

post-release success was based on interviews with 20 women, all of who had served at least a one year sentence in prison and one year on parole. The findings supported the desistance approach—that network relationships and personal transformations are needed for women to desist from crime. Although helpful in that context, their research frame is not relevant to the majority of women released from prison in Australia, so it is unclear whether their findings carry any import here.

In tackling the problem of desistance thinking being largely around male offenders, Rumgay (2004) highlights a number of perspectives—opportunity, identity, scripts, self-efficacy and resilience—taken from other fields like rehabilitation, health and social work, that she argues may be relevant to the conceptualisation of women's desistance. She builds a theoretical case that these perspectives be considered in work with women in prison or being released. The question remains as to whether they are beneficial in the everyday world of post-release experience, as her work was theoretically, not empirically based.

Some aspects of Rumgay's theoretical model can be seen in Brown and Ross's (2010) exploration of the outcomes of post-release mentoring in Victoria on women offenders, in particular on desistance. Their work raises many of the same questions and problems with desistance noted in this article but homes in on the potential of mentoring to build women's social capital, thus speaking, in an oblique way, to some of the perspectives posited by Rumgay. Brown and Ross note though that those women who took up mentoring, stayed with it and indicated it had assisted in their desisting from offending, were a minority of those originally expressing interest, were not those with long histories of offending and imprisonment (i.e. not recidivists), were not those who had problematic drug and alcohol use and were more likely to be older and first time offenders. It did though show good outcomes for some, and can be read as potentially assisting in developing more positive social capital, identity and self-scripts. Nevertheless, the women in the mentoring study do not represent the majority of women leaving prison, suggesting this form of mentoring may have limited applicability.

Desistance with…?

Other concerns, noted earlier, regarding the applicability of desistance theory to women, are raised by Massoglia and Uggen (2007), Vesey and Hamilton (2007) and Petrovic and Thompson (2009). These authors point to the shortcomings of focusing on the factors found to be beneficial for men. Take for example Farrall's summary:

> ... the desistance literature has pointed to a range of factors associated with the ending of active involvement in offending. Most of these factors are related to acquiring 'something' (most commonly employment, a life partner or a family) which the desister values in some way and which initiates a re-evaluation of his or her own life ... (Farrall, 2002:11)

These key factors may have little connection with many women's post-release lives and needs. They do not necessarily speak to women's significantly different experience of and attitudes to many of the social bonds and informal social controls fundamental to the desistance model, in particular the centrality of the marriage or equivalent relationship. Women may not be oriented strongly to the acquisition of 'something' in the way men appear to be.

Various studies of women prisoners, and those being released from prison in Australia, indicate that the majority do not have a current male partner (Lawrie 2003; Salomone 2003; Baldry et al 2006; Anti-Discrimination Commission Queensland 2006; Brown and Ross 2010). But if a woman does have a male partner, it is often not a beneficial bond and many women prisoners interviewed say they do not want to return to those relationships (Lawrie 2003; Baldry et al 2006; Baldry 2009) or have already tried to sever the relationship (Brown and Ross 2010). But this severing of relationships, recognised as necessary to escape offending influences and violence, often leaves women lonely and isolated because most have very few other relationships that provide support. This isolation was one of the factors suggesting a mentoring relationship may be beneficial (Brown and Ross 2010). The majority of women in prison have experienced sexual and physical abuse and many have post-traumatic stress disorder (Butler and Milner 2003), often due to the relationship with an abusive male partner, a fundamentally and significantly different experience compared with their male prisoner counterparts (Forsythe and Adams 2009).

Employment may also have a significantly different place in women's post-release lives. For example, Spark and Harris (2005) argue from their interviews with women in Victorian prisons that the almost singular focus on employment as the outcome and motivation for education for prisoners is very wide of the mark as far as women are concerned and 'that prisoner education for women ought to be conceptualised in relation to a range of factors and not merely conceived of as a path to employment.' (Spark and Harris (2005):144). As employment, like marriage or intimate partnering, is seen as a strong factor in achieving desistance, yet again there may be a poor fit with the stated reality of women's needs and lives.

Liminal, Marginal Space and Desistance

As noted, desistance theory provides explanations for and understandings about the processes and circumstances that assist the individual's motivation and actions to stop offending. This way of approaching women's post-release experience is not necessarily useful for Indigenous Australian women and women with mental and cognitive disability, as it assumes that they are offending in the conventional understanding of that term, can choose to stop it, and that their motivation and changes in cognitive orientation are understood. What in the way of individual desistance is expected from these women, many of who have been cycling in and out of remand, being imprisoned for breaching parole or community orders, failing to pay fines and for public order offences since they were young?

Work emerging from a mental health disorder and cognitive disability study in the criminal justice system (Baldry et al 2008, 2010; Dowse et al 2009)—in which lifecourse pathways into, around and out of the criminal justice system in NSW are being mapped for over 2,700 people—suggests a different conceptualisation of the majority of women's circumstances. As over half the women in prison in NSW have mental health disorders and/or cognitive disability, together with alcohol or other drug use problems (Butler and Alnutt 2003), the experience of women with these disabilities and disorders is of high relevance to this discussion. An analysis of pathways women in the study (N=313), have taken into and through the criminal justice system, points to the majority of women having

lived in a liminal[1], marginalised community/criminal justice space, many from childhood, in which they do not participate in the mainstream community. This space is liminal in that it is neither in the broader community nor fully in the criminal justice system—it is betwixt and between, and somewhat fluid in nature (Turner 1969). Rather than this liminal space being temporary, as in most conceptions (i.e. an in between space through which one moves to get to a different social space, like a rite of passage, see van Gennep 1960), it can be long lasting. Rather than a threshold into a new space it continues as an ambiguous space. It is marginal in that it is right on the edge of mainstream community and society's consciousness and barely worthy of attention, with the exception of forays to deal with delinquency and offending. It is both social and physical space.

As girls, most of these women grew up in or moved into this liminal space early on, with the space being defined by multi-dimensional experiences of: highly disadvantaged parents, who themselves may have been enmeshed in the criminal justice system; unstable housing; very poor schooling with truanting and expulsions; abuse; early contact with police; and out of home care. As women, many have continued in this liminal space, experiencing homelessness, domestic and sexual violence, financial problems and debt, racial and other discrimination, and early parenthood. This space may also include institutional child protection services, police, juvenile justice, prison, community corrections, hospitals and rehabilitation units. It also engenders abuse and homelessness or poor housing. This is the space almost all of the Aboriginal women in the study have experienced and correlates with Lawrie's (2003) findings. It has been created and is driven institutionally and by policies that set up a cascade of exclusions early in life, for poor, abused and disadvantaged girls and young women who have 'failed' to meet the 'middle class' norms of education, behaviour and social acceptance; norms that are not embedded in this liminal and marginal space.

It is not clear how desistance fits this space. Ceasing offending, for most of the women focused on in this article, is not the fundamental problem—moving to a better space is. In fact this marginal space itself is an offence against the girls and women in it. The process of desistance in these circumstances needs to be reconceptualised not only, or not even primarily, as an individual woman's responsibility but, rather, as a shared responsibility: one of a state and social agency process of desisting from collaborating in creating such spaces; of those same agencies providing opportunities for positive spaces for women (and their children); and girls and women being enabled to take those opportunities.

Such positive spaces should be in keeping with the women's priorities post-release. Members of the Women in Prison Advocacy Network (WIPAN online) in NSW, who have themselves been in prison, argue for women's needs and experience to be the realistic basis for the development of programs and policy. Some Australian studies noted earlier and below, in which women have been interviewed either in prison or after release, provide a somewhat different understanding of the importance of, attitudes to and need for the processes and factors current throughcare and desistance thinking embody. Women's views, that are singularly important perspectives on desistance and throughcare, are yet to be properly acknowledged in this Article. These are discussed below.

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[1] 'Liminality' (a threshold state) has been theorised across disciplines in psychoanalysis and spirituality (for example in Jungian psychology), anthropology (for example by van Gennep and Turner) and performance (for example by Schechner). Here I draw on but briefly extend Turner's ideas.

Aboriginal Women's Views

In an analysis of the needs of Aboriginal women with dependent children leaving prison, Aboriginal women in prison, parole officers and various agencies working with them were interviewed regarding the women's experiences previously upon release, and what they needed and wanted post-release in the future (Baldry et al 2008; Baldry and McCausland 2009; Baldry 2009). Analysis of these interviews and a mapping of available relevant services revealed a severe disjuncture between the throughcare arrangements for this group of women and the reality of their lives, context and needs. The women in the study were frustrated that they were often not consulted or listened to regarding their future directions or, if they were consulted, nothing much resulted.

The women in the study's concern was overwhelming for their children, how they were doing, how they missed them, how they worried for their safety and how they did not want their children to take the same path they had (Baldry et al 2008:27-28). They were clear that any post-release planning and programming would need to have their children at the centre for it to have meaning for them. For example, long term housing would be a process of working towards how to get housing for them and their children (Baldry et al 2008:29); drug and alcohol rehabilitation would be focused on getting their lives 'together' so that they could be with their children (Baldry et al 2008:31). So the women did not lack the motivation to change their lives—seeing their children and eventually regaining custody of, or at least regular time with their children were highly motivating prospects. The question for them was how to act on that motivation in their marginal circumstances and context.

The way the women in the study talked about stopping offending was in terms of finding viable pathways out of the circumstances they were in prior to imprisonment and to which they invariably have to return (Baldry et al 2008:27-33)—that liminal, marginal space described above. They said that they had been and were entrenched in chaotic, disadvantaged and usually violent spaces and quickly felt 'hopeless' on release when they were back in the same circumstance. They talked of 'wanting and needing help' that was genuine and respectful, before and 'immediately' upon release, to avoid this hopelessness and to be directly involved in decisions about their transition and post-release arrangements. Few had experienced programs in the past that had been relevant or particularly helpful because none had assisted them to move from and deal with their physical and relational circumstances.

These women said culture was vital to their well-being and they wished for 'cultural spaces' and 'healing' (Baldry et al 2008:32) with other Indigenous women they trust. Similar views are reported in Canadian Aboriginal offender work (Bracken et al 2009:61) with the 'reacquisition of cultural traditions' seen 'as one way to overcome structural constraints'.

Further analysis of the data from this project reveals that few of the women had had planning for their prior releases and most had no arrangements for safe housing upon release from their current imprisonment. As most Aboriginal women in prison in NSW are either on remand or serving sentences of less than 12 months, throughcare planning was said to be, by parole officers and the women themselves, almost non-existent due to the short incarceration periods, apart from those on court based parole orders that ensured they at least had a parole officer to report to. But parole officers interviewed also despaired at the lack of post-release options available.

Realistic, Women-Focused Post-Release

Explorations of the real circumstances of women leaving prison in Australia—most of whom live with complex needs, who are Aboriginal women and women being released from remand and from short sentences—challenge throughcare arrangements and desistance thinking. Not only are these approaches still, at their core, based on the male experience but also they do not, in their current state, address the reality of the majority of women prison releasees' lives.

Indications from listening to women on this matter are that approaches must recognise and meet women where they are, in their current and real circumstances and contexts, and work in partnership with them. It is transparently clear that capacity for women on the prison treadmill to change behaviour begins with a safe and supported place, no matter whether a woman has been in prison for ten years or a month. Many women say this means a place away from previous negative relationships and one that fosters caring relationships; a place from which to rebuild relationships with their children; a place from which to begin to address entrenched matters such as intergenerational trauma and post traumatic stress and other mental health problems, alcohol and other drug issues; reclaim and build positive relationships; deal with debts and longstanding legal issues; and address educational and income disadvantages. That is a different place from the liminal, marginal space in which they had lived most, or all of their lives.

A variety of supported housing with a range of accommodation types is required to begin to build such safe spaces and there is no reason why the combination and integration of agency support needed to address this cannot be achieved. Post-release approaches could be reviewed and revised to address this reality rather than women told they must first fit the criteria: having been in prison longer than a year; being on parole; being drug free; or having done the right cognitive program. For example, a transitional worker from a community support service could meet, not just with longer term women prisoners as happens in some prisons now, but with every woman, whether on remand, a short sentence or a long sentence, as soon as practicable after reception. For those on remand and short sentences, all that may be possible at that point may be a basic case plan, with priority issues at the top of the list, and with a link to the service and transitional worker after release. This would give a point of support for structural and individual needs such as housing, connection to children, re-establishment of benefits, rehabilitation programs and debt counselling, rather than expecting a woman with complex needs released from remand to be able to flow seamlessly into the community. As Brown (2008:60) comments, 'offending cannot be de-contextualised and all responsibility for it sheeted home to individual deficits'. Of course this would require more resources to be directed into community agencies.

Although this analysis argues unequivocally for essential changes and resource additions to current post-release approaches for women, it indicates something far more profound as well. Most of the women discussed in this article may well not end up in prison at all, if a more socially just, equitable approach, that did not create these liminal, marginal spaces, was taken in our society.

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