

AN INDIVIDUAL PLACEMENT AND SUPPORT (IPS) MODEL FOR THE CRIMINAL JUSTICE SYSTEM

Consultation Discussion Report 2022



WAAMH

Western Australian Association
for Mental Health



An Individual
Placement and Support (IPS)
Model for the Criminal
Justice System: *Consultation
Discussion Report 2022*

WA Justice Association

Final Report (16 November 2022)

An Individual Placement and Support (IPS) Model for the Criminal Justice System: Consultation Discussion Report 2022

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 Date: 16 November 2022
 Re: An Individual Placement and Support (IPS) Model for the Criminal Justice System: Consultation Discussion Report 2022

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- Fruit2Work
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- Reboot Australia

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Executive Summary

Employment is a key factor behind breaking cycles of recidivism. Employment has equally been shown to aid individuals' mental health recovery. Given the high prevalence of individuals experiencing mental health conditions within the criminal justice system, which often may continue after their release from prison, supporting these individuals into employment can have profound benefits on both an individual and a wider community scale.

The Individual Placement and Support (**IPS**) model is an evidence-based model of employment support for individuals with severe and persistent mental health conditions. The IPS model has been shown to significantly improve employment outcomes for individuals experiencing mental health conditions. Critically, however, there are no IPS programs within the Western Australian (**WA**) criminal justice system.

In 2021, the Western Australian Association for Mental Health (**WAAMH**) and WAJA partnered to produce the *Individual Placement and Support (IPS) Model for People with Mental Health Conditions in the Criminal Justice System: Final Report (2021 Report)*. That report explored two broad questions: **(1) Should IPS be implemented in the WA criminal justice system?**; and **(2) How can IPS be implemented in the WA criminal justice system?**

The 2021 Report affirmed the viability and necessity of a specialised IPS program tailored for individuals experiencing not only mental health conditions and difficulties obtaining employment, but also lived experience of the criminal justice system. The 2021 Report contained a thorough examination of the then-prevailing criminal justice, mental health, and employment landscape in WA, and recommended next steps for IPS within a criminal justice setting. In order to support WAAMH's efforts to design and implement a specialised IPS program in WA, a second project partnership between WAAMH and WAJA was entered into in 2022.

This report (**2022 Report**) is an extension of the previous 2021 Report and intends to build upon its findings and conclusions. By focussing on consultations with community providers of criminal justice, mental health, and/or employment services, this report explores: **(1) What can we learn from existing services?**; and **(2) What avenues are most suitable to integrate IPS into the WA criminal justice system?**

This report is divided into six sections:

- **Section 1 – Background:** Details the contextual information related to the intersection between criminal justice, mental health, and employment. This section also provides an overview of the IPS Model and its Core Practice Principles.



- **Section 2 – Methodology and Participation:** Details the methodology enacted in the consultation process, as well as an overview of the organisations consulted with during the drafting of this report.
- **Section 3 – Consultation Discussions: Implications for IPS:** Discusses the major themes uncovered during the consultation process and outlines the relevant practical recommendations arising from those consultations.
- **Section 4 – Conclusion:** Acknowledgement of project limitations, final remarks and conclusion of the report.
- **Section 5 – Pilot Design Recommendations:** Provides a complete summary of the recommendations for a specialised IPS pilot program in WA for individuals with lived experience of the criminal justice system.

The aim of this report is to identify and develop practical recommendations for the design, implementation, and review of a specialised IPS pilot program for individuals with lived experience of the WA criminal justice system.

Both this report and the 2021 Report are to be read together, but may also be read as separate works. The findings in both reports may be used by WAAMH to assist in their IPS implementation efforts, thereby contributing to improved mental health recovery and reduced rates of recidivism in the WA community.

Terminology

Individuals experiencing mental health conditions refers to individuals in need of or who are currently receiving mental health treatment.

Individuals with lived experience of the criminal justice system refers to both individuals who have been or are currently incarcerated in prison.

Individuals previously incarcerated refers only to individuals who have completed a period of incarceration and have since been released from prison, regardless of whether they have since reoffended.

Reintegration and re-entry refer to the process of individuals being released from incarceration in prison and adapting into the community.

We note that the terms 'reintegration' and 're-entry' hold the implied assumption that individuals were once integrated members of mainstream society prior to their conviction and sentencing. Use of these terms must be considered with caution. A large proportion of individuals with lived experience of the criminal justice system face multiple and complex forms of marginalisation and disadvantage. For many, life following incarceration is not that of 're'-integration back into the community.

Reintegration and re-entry programs/services refers to programs/services that aid individuals in the transition from the circumstances of their incarceration into the community.

Successful reintegration refers to individuals transitioning from prison to the community without subsequent recidivism.

Target client/cohort/group (of the Project) refers to individuals with lived experience of the criminal justice system, who are experiencing mental health conditions, and who are experiencing difficulties gaining employment.

1. Background

1.1 Criminal Justice, Mental Health and Employment

The criminal justice and mental health systems are integrally linked. The rate of individuals experiencing mental health conditions within the justice system is significantly higher than that of the general population.¹ Approximately 40% of all prison entrants have experienced a mental health condition in their lifetime, compared with 20% of the overall Australian population.²

This overrepresentation of mental health conditions within the criminal justice system is multifactorial. It typically involves a complex interaction of both individual and systemic determinants, such as a history of institutional care, prior victimisation, substance use, socio-economic marginalisation, and inadequacies within police and mental health systems.³ Amongst the many protective factors *preventing* individuals experiencing mental health conditions from encountering the criminal justice system, the ability to find and maintain employment is especially important.⁴

In terms of mental health, employment can form an essential part of an individual's holistic treatment and recovery. It provides greater financial independence, a sense of achievement, and offers a means of consistent social interaction.⁵ For those who have been incarcerated, employment provides opportunities to construct new, productive lifestyles and to break cycles which may have led to their contact with the criminal justice system.⁶ Further, reducing recidivism through employment can alleviate the economic pressures posed by WA prisons on the State Budget. In the 2021 financial year, the gross cost of adult corrective services amounted to \$1,006,521.⁷

Employment has important repercussions for social and economic wellbeing. Thus, improving employment opportunities for individuals with lived experience of mental health conditions *and* of the criminal justice system can increase chances of recovery and help to break cycles of recidivism.

¹ Australian Institute of Health and Welfare, *The Health of Australia's Prisoners* (2018) 27.

² Australian Institute of Health and Welfare, *The Health of Australia's Prisoners* (2022); Australian Bureau of Statistics, 'Health Conditions Prevalence' (Web Page, 2022) <<https://www.abs.gov.au/statistics/health/health-conditions-and-risks/health-conditions-prevalence/2020-21#mental-and-behavioural-conditions>>.

³ *Productivity Commission Inquiry Report into Mental Health* (Final Report, June 2020) Vol 3, 1019; Tony Butler et al, 'Co-occurring Mental Illness and Substance Use Disorder Among Australian Prisoners' (2011) 39(2) *Drug and Alcohol Review* 188, 189.

⁴ Anne Fielder, *Cleaning up Our Acts: A Socio-legal Appraisal of Western Australia's Need for Additional Criminal Record Employment Discrimination Legislation* (LLM Thesis, Murdoch University, 2020) 25–6; Eileen Baldry et al, *A Future Beyond the Wall: Improving Post-release Employment Outcomes for People Leaving Prison* (UNSW, 2018) 13.

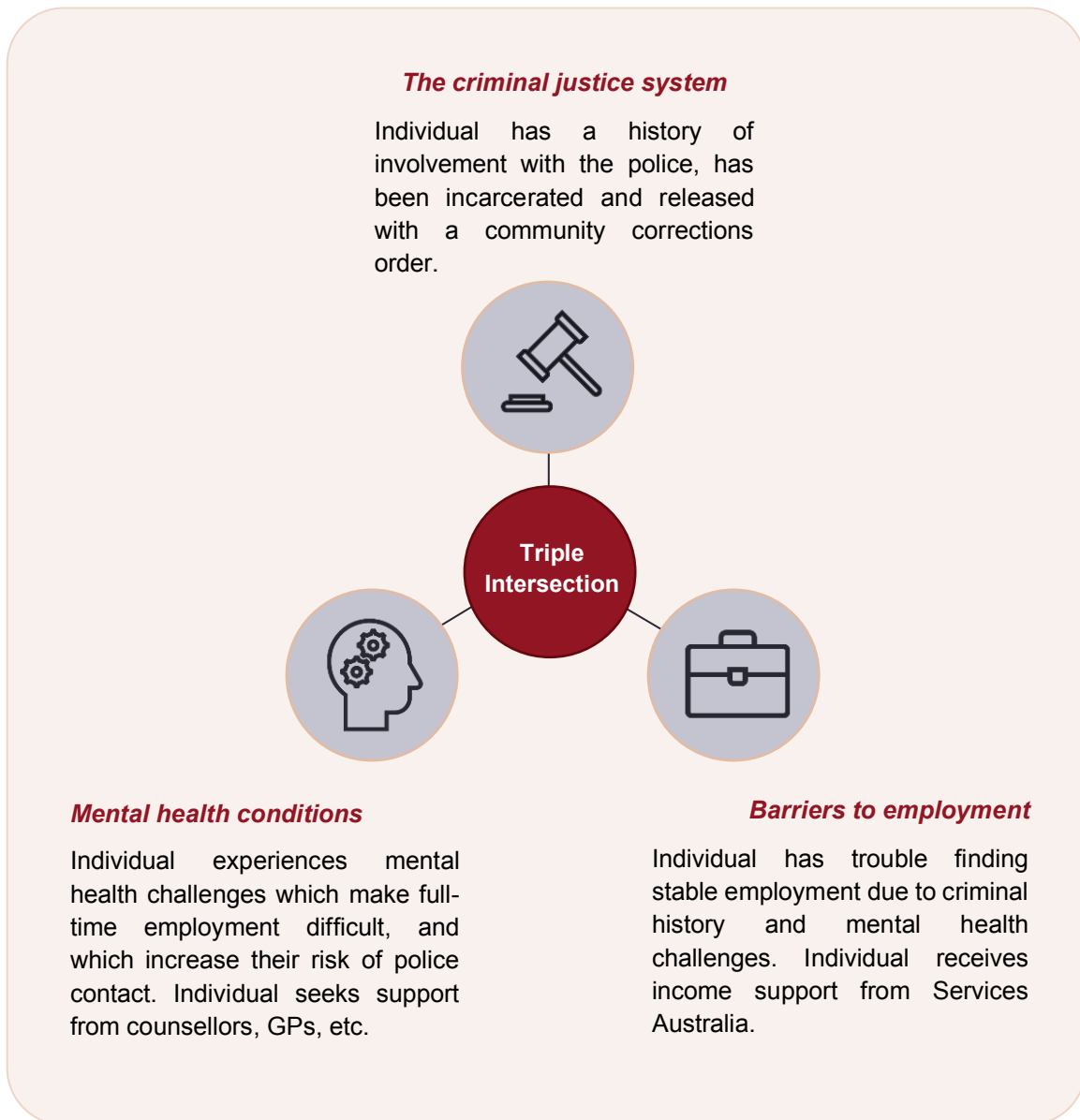
⁵ *Productivity Commission Inquiry Report into Mental Health* (Final Report, June 2020) Vol 2, 927.

⁶ Fielder (n 4) 25.

⁷ WA Government, *2022-2023 Budget Statements Budget Paper No 2 – Volume 2* (Report, 2022) 441.



Image 1: *Diagram representing the intersection between the criminal justice system, mental health, and employment.*



1.2 Current Limitations within Employment and Reintegrative Services

The complex triple-intersection of criminal justice, mental health, and employment is a broad topic. This section focusses on key limitations within employment and reintegrative services, and examines their impact upon individuals with lived experience of mental health conditions and of the criminal justice system.⁸

Mainstream employment services are limited in their ability to address the particular requirements of individuals with lived experience of mental health conditions and of the criminal justice system. Most Australians receiving the JobSeeker Payment or Disability Support Pension from Services Australia are required to participate in an employment program – either Workforce Australia or Disability Employment Services (DES).⁹ These programs are regulated by the federal Department of Employment and Workplace Relations (DEWR). Such programs are largely ineffective for individuals with lived experience of mental health conditions and of the criminal justice system for several reasons, including the overly prescriptive requirements imposed upon individuals,¹⁰ a lack of meaningful support owing to their high administrative burdens and caseloads,¹¹ and ineffective complaints mechanisms.¹² In particular, DES providers typically lack the specialisation required to address the needs of individuals with disabilities, including mental health conditions.¹³ Often, participants of these employment services complain of inappropriate job matching (either ill-suited or rushed job placements) by providers in order to reach DEWR-mandated targets.¹⁴

Within the criminal justice context, the Time to Work Employment Service (TWES) is a federal employment service for adult Aboriginal and Torres Strait Islander people in prison. As the only DEWR service of its kind, it is situated to boost employment opportunities for individuals post-release from prison, thereby contributing towards reduced recidivism. TWES is aimed at ensuring individuals can transition into employment after release by coordinating with a Workforce Australia or DES provider to develop employment plans prior to release. However, a 2021 evaluation of TWES found the ‘handover’ between TWES providers to an employment provider often failed to occur, meaning individuals were ‘lost in the system’ after release.¹⁵ Further, the evaluation found there was little

⁸ For a further discussion of limitations within the employment and criminal justice reintegration space, please see WAJA’s *Individual Placement and Support (IPS) Model for People with Mental Health Conditions in the Criminal Justice System* (Report, 2021).

⁹ Australian Government Department of Employment and Workplace Relations, *Workforce Australia* (Web Page, 8 September 2022) <<https://www.dewr.gov.au/workforce-australia>>; Australian Government Department of Social Services *Disability Employment Services* (Web Page, 26 October 2022) <<https://www.dss.gov.au/our-responsibilities/disability-and-carers/programmes-services/disability-employment-services>>. Workforce Australia was previously known as jobactive. Despite the name change and few service changes, it remains highly similar to its predecessor.

¹⁰ Education and Employment References Committee, Parliament of Australia, *Inquiry into the appropriateness and effectiveness of the objectives, design, implementation and evaluation of jobactive* (Final Report, February 2019) 141 (“jobactive Inquiry Report”).

¹¹ *Ibid* 94.

¹² *Ibid* 164.

¹³ Productivity Commission Inquiry Report into Mental Health (Final Report, June 2020) Vol 3, 943.

¹⁴ *jobactive Inquiry Report* 173.

¹⁵ Social Ventures Australia Consulting, *Evaluation of the Time to Work Employment Service* (Final Report, 30 June 2021) 48.



knowledge of TWES among employment service providers, thereby limiting its effectiveness.¹⁶ Assuming there was successful linking of individuals with the employment services identified above, their noted issues and limitations effectively mean that individuals go straight into services that are inadequate to deal with their specific mental health and employment needs.

In terms of reintegrative services, there are several organisations within WA providing much needed assistance to individuals with lived experience of the criminal justice system. Such organisations can offer a range of services which may include employment support, mental health counselling and/or drug rehabilitation programs. These services each interrelate and impact one another. To meet the diverse needs of those with lived experience of the criminal justice system, many of these organisations work together through consortium arrangements, partnerships, and memoranda of understanding with each other or government agencies. However, critical service gaps still remain, as programs do not specifically target individuals falling within the pivotal triple-intersection of criminal justice, mental health, and employment.

1.3 What is IPS?

The IPS model is an evidence-based model of employment support for individuals with severe and persistent mental health conditions. It combines clinical mental health treatment and assistance to gain employment for such people experiencing difficulties finding and maintaining employment.¹⁷ Importantly, the IPS model is proven to be effective in delivering high employment rates for its participants.¹⁸

As the following sections of this report discuss, IPS has the potential to address gaps within WA's current employment and reintegration landscape for individuals experiencing mental health conditions with lived experience of the criminal justice system.

There is currently no specialised IPS program tailored for individuals with lived experience of the criminal justice system. In WA, IPS is primarily offered in headspace locations for young people experiencing mental health difficulties, as well as the Bentley Community Mental Health Service and Armadale Adult & Older Adult Mental Health Services.¹⁹ These examples of IPS programs embody

¹⁶ Ibid 46. This lack of knowledge of the TWES service indicates there must also be education about IPS amongst relevant service providers and government agencies, such as the Department of Employment and Workplace Relations, that enable these services. This issue must be considered for future IPS efforts. It is, however, outside the scope of this current report.

¹⁷ IPS Works, *Why Focus on Employment?* (Web Page) <<https://ipsworks.waamh.org.au/what-is-ips/why-focus-on-employment/>>; IPS Employment Centre, *What is IPS?* (Web Page) <<https://ipsworks.org/index.php/what-is-ips/>>.

¹⁸ Gary Bond, 'Evidence for the Effectiveness of Individual Placement and Support Model of Supported Employment', IPS Employment Centre (Web Page and PowerPoint Document, 1 August 2021) <<https://ipsworks.org/index.php/evidence-for-ips/>>.

¹⁹ The Department of Social Services also currently funds an IPS program at the Midland Head to Health centre and Youth Focus provides the IPS program in Midland, Geraldton, and Albany.



the 'traditional' model of IPS which is to provide employment supports for individuals with mental health conditions as part of their recovery.

A specialised, tailored IPS program for those with lived experience of the criminal justice system would help support these individuals by reducing the likelihood of their recidivism and consequently breaking their cycle of incarceration.

The traditional IPS model is underpinned by eight Core Practice Principles:²⁰



1. Competitive Employment

Participants obtain jobs in the open labour market and are paid the same wage as non-IPS participants performing the same work.



2. Attention to Participant Preferences

Participant preferences determine the type of job that is sought, and the nature of the support provided.



3. Integration

IPS employment specialists are embedded within mental health teams, enabling them to work together and share information and ideas to help participants improve their recovery.



4. Zero Exclusion

Everyone who is motivated to work is eligible to participate in IPS programs, regardless of their psychiatric diagnosis or symptoms, employment history, substance use or cognitive impairment.

²⁰ IPS Works, *Core Practice Principles* (Web Page) <<https://ipsworks.waamh.org.au/what-is-ips/core-practice-principles>>.



5. Personalised Benefits Counselling

Participants receive comprehensive, accurate, individualised information to make informed choices about how income support payments or other benefits may be affected by potential employment and earnings.



6. Rapid Job Search

Participants aim to begin the job search within 30 days of entering the program, instead of completing lengthy pre-employment assessments, training, or work experience.



7. Systematic Job Development

IPS employment specialists build relationships with employers over multiple face-to-face visits. They learn about the work environment and the employers' needs and assess whether job vacancies could be a good fit for IPS participants.



8. Time-unlimited Support

IPS specialists provide individualised support for as long as the participant wants it to ensure job placements are successful long-term. The goal is to help the participant become independent in employment.

IPS Fidelity Scales:

As an evidenced-based model of employment support, each independently-run IPS program is audited according to the *IPS Supported Employment Fidelity Scale (Scale)*. The Scale measures each program's adherence to the Core Practice Principles and attainment of key performance indicators.



Although IPS originated in the United States,²¹ it has been adapted for Australian and New Zealand service providers under the *Australian and New Zealand Fidelity (ANZ) Scale (ANZ Fidelity Scale)*.²²

The ANZ Fidelity Scale²³ comprises 25 items across three categories: staffing, organisation, and services. The items include factors such as caseload size, disclosure management, and agency focus on competitive employment.²⁴ Items are assessed on a five-point scale in which a score of one denotes 'no implementation' and five denotes 'full implementation.'²⁵ A total rating between 74-79 is considered 'fair fidelity', 100-114 'good fidelity', and 115-125 'exemplary fidelity'.²⁶ Programs achieving a higher fidelity score tend to record higher employment outcomes.²⁷

Options for IPS Models:

A Fully Integrated IPS Model

This model requires mental health organisations to create a dedicated IPS employment specialist role. The employment specialist becomes a member of the organisation's mental health or community support team, and their focus is on delivering employment support to individuals as guided by the Core Practice Principles.

An IPS Partnership Model

This model requires a mental health organisation to become IPS site ready. It can achieve this by partnering with an employment service provider, typically a DES provider. In such a partnership model, employment support, which previously did not exist within the mental health service organisation, becomes co-located with the employment support. The specialisations of both employment and mental health service providers are tied together to support the individual.

Traditionally, an IPS program is based within a mental health organisation. However, within a criminal justice setting, the potential locations to embed an IPS partnership can be extended to include reintegration service providers. Further discussions will follow in the body of this report.

²¹ WAJA, *Individual Placement and Support (IPS) Model for People with Mental Health Conditions in the Criminal Justice System* (Report, 2021) 18 ("WAJA 2021 Report").

²² Geoff Waghorn and Miranda Lintott, *Supported Employment Fidelity Scale Australia and New Zealand Version 2.0* (2011). For another discussion of the ANZ Fidelity Scale, see the *WAJA 2021 Report* pg 17-18.

²³ The Fidelity Scale is a scientifically validated tool. It is the translation of the eight Core Practice Principles of IPS into 25 items to which an IPS service can be rated and audited against.

²⁴ *Ibid.*

²⁵ Deborah Becker et al, *Supported Employment Fidelity Review Manual* (Rockville Institute, 4th ed, 2019) 3.

²⁶ *Ibid* 155.

²⁷ *Ibid* 3.



1.4 Key Lessons from the 2021 Report

In 2021, WAAMH and WAJA partnered to explore the viability of an IPS program within the WA criminal justice system. That Project partnership produced the 2021 Report which explored two broad questions: **(1) Should IPS be implemented in the WA criminal justice system?**; and **(2) How can IPS be implemented in the WA criminal justice system?**

In regard to the first question, the 2021 Report's findings on the various gaps and limitations within reintegrative, mental health, and employment services in WA indicated that an IPS program should be implemented in the WA criminal justice system. However, as a student-led organisation, WAJA's projects are limited to a 12-week period. As such, the crucial question of *how* an IPS program can be implemented within the WA criminal justice system could not be answered to a satisfactory degree.

Accordingly, this report builds upon the findings of the 2021 Report and is guided by its recommended next steps – as summarised below:

(a) Community Engagement and Co-design

Community engagement and co-design is crucial to inform the design of an IPS pilot within the WA criminal justice system.²⁸ In order to successfully operate within this space, a targeted IPS program must be appropriately informed by strong understandings of an individuals' lived experiences post-release. The lived experiences of Aboriginal and Torres Strait Islander peoples are particularly important due to the disproportionate overrepresentation of this community within the WA criminal justice system. A successful IPS program must be underpinned by principles of co-design with community service providers and individuals with lived experience of the criminal justice system to ensure its effectiveness.

(b) Employer Involvement

A necessary precondition for employment is a willing employer seeking to hire an individual. The 2021 Report identified the need to engage with employers to ensure that a criminal justice focused IPS program can practically meet the needs of the current employment market. Furthermore, assisting employers to navigate the unique challenges faced by employees with lived experience of the criminal justice system will be necessary to promote long-term success of the individual in the workplace and the IPS program as a whole.

²⁸ WAJA 2021 Report 75.

(c) Navigating the Criminal Justice System

The 2021 Report also identified that a strong understanding of challenges within the criminal justice system setting is necessary to the success of a specialised IPS program. There must be understanding of the challenges that individuals (and organisations, if applicable) face prior to sentencing, whilst in prison, and post-release. For example, this will involve an understanding of court processes, any in-prison training and employment programs, and the different reintegrative organisations available post-release. A successfully tailored IPS model will have to account for, and work in tandem with, the particular requirements of WA's criminal justice landscape.

1.5 Conclusion

Employment can significantly improve mental health and justice outcomes. A specialised IPS model is needed to enhance the support available for individuals at the triple-intersection of justice, mental health, and employment in WA. Such a program will create a protective factor to improve individuals' mental health recovery and chances of reintegration post-release from prison.

As demonstrated in the 2021 Report, the criminal justice context brings an additional level of complexity. Whilst the IPS model has been shown to significantly improve the employment outcomes of individuals experiencing severe and persistent mental health conditions, it has yet to be trialled within WA's criminal justice system context. **This report aims to provide further guidance as to how IPS can be successfully implemented in this challenging context.**

2. Methodology and Participation

2.1 Research Design

This report aims to build upon the findings of the 2021 Report. Consequently, it is recommended that this report and the 2021 Report are read together. WAAMH may use the findings of both reports to assist with the development of an IPS pilot program within the WA criminal justice system.

To inform this report's recommendations, targeted consultations were held with two distinct but related consultant groups:

1. Relevant service providers and one professional working in the reintegration, mental health and/or employment space, to identify the practical challenges faced by individuals receiving their services. Consultations served the dual purpose of identifying organisational opportunities to integrate IPS programs within existing provider services and networks.
2. Individuals with lived experience of the criminal justice system and mental health conditions to enrich the practical perspectives gained from consulting with service providers.

Findings from all consultations were analysed for common themes and used to develop feasible recommendations for IPS program implementation within the WA criminal justice landscape.

2.2 Consultations

(a) Service Providers

Consultations were held with the following service providers:

- AccordWest
- Fruit2Work
- Men's Outreach Service Aboriginal Corporation
- Mental Health Commission
- Outcare
- Palmerston Association
- Reboot Australia

Additionally, two service providers elected to remain anonymous, herein referred to respectively as 'Confidential Consultee A' and 'Confidential Consultee B'. Employees from Mental Health Commission and Palmerston Association elected to remain anonymous; where they are quoted, they are referred to as Anonymous (**Anon.**). Ms Felicity Zempilas, a magistrate, participated in consultations in a personal capacity.



For a portfolio outlining the experience and expertise of these consultees, see the Appendix of this report.

Contacts for consultations were initially sourced by WAJA's Advocacy Portfolio who contacted potential IPS stakeholders based on insights from the 2021 Report. The WAJA Project Team then invited these contacts for an engagement in consultation for the preparation of this report.

(b) Lived Experience

A total of two lived experience consultations were conducted with individuals with experience of the criminal justice system, mental health challenges, or both. Individual accounts will be anonymously referred to as 'Lived Experience Individual A' and 'Lived Experience Individual B'.

2.3 Consultation Procedure

Prior to each consultation, consultees were provided with three documents intended to maximise WAJA's transparency regarding the conduct of research. These are identified below:

- 1. IPS Works Information Sheet** – Provided a brief summary of the IPS principles and purpose (available in the Appendix of this report);
- 2. WAJA Project Brief** – Outlined WAJA's background and partnership with WAAMH, the purpose of the consults, how data obtained from the consultation would be used and for what purpose; and
- 3. Consultation Questions List** – Set out the exact questions to be asked by the Project Team during the consults.

Consultations were conducted with each organisation in an approximately one-hour session via video conference. Consent to use information and data obtained by the Project Team during those sessions was requested and approved by all organisations, allowing for a transcript to be recorded. Transcriptions were then analysed by the Project Team for common themes to examine participants' perceptions of existing services and the viability of IPS in the WA criminal justice system.

Lived Experience

Following a lived experience workshop facilitated by WAAMH, invitations were sent out to individuals with lived experience of the criminal justice system and mental health conditions. These consultations sought to gain the insight from individuals to inform the report's recommendations, and to adhere to the values of co-design and active learning from individuals with lived experience. The individuals involved have been de-identified and any transcripts taken with those individuals have not been included as part of this report's appendices.



2.4 Questions Rationale

The rationales behind the different questions asked in consultations with service providers and individuals are asked below.

General Questions

These questions provided a diagnostic assessment of the organisation's capacity and experiences in the relevant space. By beginning the consultation with a series of questions reflecting on both the successes and challenges of working in the employment support and mental health space, common themes were identified and expanded upon.

IPS-Specific Questions

These questions were designed to determine the consultee's degree of understanding of the Core Practice Principles and gauge the alignment of these Core Practice Principles within an existing provider's service delivery model. It also aimed to identify potential successes and challenges relating to the future implementation of an IPS program within the WA criminal justice system and broader social sector.

Lived Experience

Questions were addressed to individuals with experience of the criminal justice system. These questions were designed during the lived experience workshop with WAAMH and intended to gain a deeper understanding of various individual experiences relating to criminal justice, mental health, and employment. Follow-up questions based on the consultees' responses were also asked during consultations to allow consultees to share information to the extent to which they felt comfortable. The aim of these consultations, and this report, was to produce practical recommendations for an IPS program to better assist individuals within this cohort.

General Questions

- 1 Please briefly describe your/your organisation's work and experiences in the mental health, criminal justice and/or employment spaces generally.
- 2 In your experience, what successes or limitations have you observed in your organisation, or in similar organisations, when delivering positive outcomes for participants?
- 3 If you provide employment services, what would you like to improve on in your current service delivery? Otherwise, what do you think could be improved upon in the delivery of employment services in WA generally?
- 4 It is known that limited access to mental health treatment for individuals released from prison is a major barrier to recovery and reducing recidivism. Do you have any thoughts on how access to treatment post-prison could be improved?
- 5 There are multiple barriers for individuals who have been incarcerated to gain employment—which of these do you think are the most significant in WA? From your work, do have any thoughts on how these barriers could be overcome or lessened?
- 6 What specific challenges would face an employment service program for clients experiencing mental health conditions and criminal justice history?
- 7 At what stage or area of the criminal justice system would it be most productive to introduce employment support for individuals? Are there practical barriers to providing support at these stages/areas?
- 8 What have been some of the fallbacks you've seen within programs in your sector?

IPS-Specific Questions

- 1 Do you have any thoughts on how an IPS program could be implemented into your existing service model?
- 2 If you had to isolate key features of the IPS model that you feel are the most important and/or relevant and/or adaptable to your current programs or general cause, which would they be?
- 3 If your organisation were to take on a specialised employee for employment assistance, what do you imagine as the scope of their role? What attributes/training/experience would you require from them?
- 4 Do you foresee any barriers to the implementation of IPS within an organisation like yours?
- 5 What external resources and/or support would you envision needing if delivering a program like IPS within your service?
- 6 What is something you consider is important for any service provider engaging with previously incarcerated individuals to understand?

Lived Experience Questions

- 1 Please introduce yourself.
- 2 While in prison, what support systems did you find worked well?
- 3 Was employment a priority for you after leaving prison, or were there other things that took precedence? What were the barriers to employment you would've wanted to have help with?
- 4 When would you have wanted that support to start?
- 5 What are you doing now?

3. Consultation Discussions: Implications for IPS

Discussed below are the common themes and key points identified within all consultations. Practical recommendations for a specialised IPS program for individuals with lived experience of the criminal justice system have been produced in response to insights shared in consultations. Unless otherwise noted, these recommendations are directed at any individual or organisation seeking to implement such a program, with some recommendations specifically targeting WAAMH.

3.1 Understanding Diverse Experiences

Individuals with lived experience of the criminal justice system do not share the same experiences. They represent a diverse cohort of people, each with varying life experiences, backgrounds, and values. As the IPS model enshrines an individualised approach to employment support, the unique and personal experiences associated with the criminal justice system must also be paramount. Importantly, developing trust and understanding between individuals with lived experience of the criminal justice system, and vice versa with IPS specialists, is critical to the success of IPS in this context.

(a) Lived Experience

An IPS program for the criminal justice system must be informed by the lived experiences of individuals within this space. There can be no substitute for those with such lived experience guiding and participating in the development of this tailored IPS program in WA. This will involve the understanding that the criminal justice system is not only a source of trauma, but also a setting which exacerbates an individual's trauma history. Navigating the trauma of individuals with lived experience of the criminal justice system is, therefore, nuanced and delicate, reflecting the various challenges faced by individuals within the intersection of criminal justice, mental health and employment.

IPS service providers should be aware of the barriers faced by individuals with lived experience of the criminal justice system which go unnoticed by those without it. These barriers can have the effect of reinforcing an individual's past behaviours, making it difficult to begin afresh and further entrenching individuals within the criminal justice system. Through consultation with individuals with lived experience of the criminal justice system, the persistent labelling of 'ex-offender' was found to be a significant barrier to reintegration. For example, one consultee discussed their difficulties of obtaining insurance due to standardised questions within applications inquiring 'have you been convicted of a criminal offence in the past 5 years?'. The individual expressed frustration at being repeatedly denied access to insurance, as industry standard screening processes bar participants with criminal convictions. This acted as a constant reminder of the individual's incarceration. As discussed within the 2021 Report, individuals with lived criminal justice experience are often neither 'included' in the community, nor are they completely 'excluded' from the criminal justice system after release from prison. Therefore, understanding individuals' personal experiences of the criminal justice system is crucial to the success of a tailored IPS program.

Consideration of the experiences of family members, partners and friends of individuals who have been incarcerated is also important. The support network surrounding an individual, regardless of its extent, should not be forgotten within an IPS program. Consultation with an individual with familial lived experience of the criminal justice system identified:

The word that comes closest [to describing the experience of having a loved one incarcerated] is anguish, heart-breaking. [But] very rarely does the impact on families ever get considered or measured. And of course, that has massive repercussions on our health and in AOD and in mental health systems.

Lived Experience Individual B

The IPS Core Practice Principle of Time-unlimited Support²⁹ is well-suited to account for the lived experiences of family members, partners, and friends as it ideally involves IPS specialists developing systems to ensure job placements are successful long-term. As part of this process, there must be appropriate inclusion of the experiences and thoughts of the individuals' support network.

Strengths-based Approach

Consultations also shed light on how a strengths-based approach is necessary for individuals with lived experience of the criminal justice system to successfully engage in employment. A strengths-based approach for employment focusses on individuals' strengths and motivations, rather than how they appear on a job application. Consultation with Outcare, a reintegration service provider, specifically identified IPS as being well suited to assisting this cohort if there is adequate understanding of the individuals' lived experience:

Men who often haven't worked in a certain amount of time, they feel it's daunting thing to get back into work and going to see someone like our employment officer [...] is quite scary and they might feel like they don't know their skills and they are still trying to discover that. So, I think having strengths-based approach and just some empathy and listening to the person and what they need and what they want can go such a long way.

Laura F, Outcare

²⁹ The IPS Core Practice Principle of Time-unlimited Support refers to IPS specialists providing individualised support for as long as the participant wants it to ensure job placements are successful long-term. Individuals are supported to become as independent as possible, whilst ensuring individualised support is provided when needed.

Appreciation of lived experience is clearly necessary. Coupled with a strengths-based approach, utilisation of the knowledge from individuals' lived experiences of the criminal justice can position this tailored IPS program for success. Notably, a confidential consultee observed:

Lived experience is such an important component, but it's unrealistic that we would say all people, all job service providers, must have lived experience. So, my question back to that would be how do you ensure that the voice of lived experiences is enshrined into services without that person specifically having lived experience themselves. Do you have a lived experience advisory committee?

Confidential Consultee A

Therefore, to appropriately service individuals with lived experience of the criminal justice system, the IPS program itself must be informed and guided by those with this lived experience.

Ultimately, as an IPS program is yet to be trialled within an Australian criminal justice system context, its design must be informed by listening to individuals with lived experience of the criminal justice system. An individualised, strengths-based approach is standard to the delivery of services for mental health treatment, thus must also be paramount for this IPS program in the criminal justice system.

Recommendations

1. Continually engage in education workshops or trainings to understand issues and challenges faced by individuals and their family members with lived experience of the WA criminal justice system, as well as to refresh understandings of the systemic issues within the WA criminal justice system. This will enable IPS to deliver timely and relevant support to participants.
2. Conduct lived experience workshops or table discussions with individuals and family members with experience of the WA criminal justice system to inform the design and implementation of IPS.
3. Create a criminal justice system lived experience advisory committee to monitor the design and/or integration and/or fidelity review of the IPS program. The committee should reflect a diverse range of individuals with lived experience.
4. Network and collaborate with advocates within the criminal justice area to promote greater engagement with this area and to develop strong ties to the community.



(b) Cultural Awareness

The 2021 Report recommended involvement and consideration of Aboriginal and Torres Strait Islander people within the design of an IPS program for the criminal justice system. The rate of incarceration of Aboriginal and Torres Strait Islander people in WA is significantly higher than that of the rest of Australia. Aboriginal and Torres Strait Islander people make up approximately 40% of the adult prison population, despite corresponding to just 3.3% of the Australian adult population.³⁰ The disproportionate overrepresentation indicates any IPS program in the WA criminal justice system must be informed by Aboriginal communities to ensure its cultural appropriateness for this cohort.

The IPS program will need to be aware and responsive to Aboriginal and Torres Strait Islander people's cultural needs and experiences to deliver adequate servicing. As identified in a consultation with Men's Outreach Service Aboriginal Corporation (**MOSAC**), cultural awareness cannot be understated:

We [MOSAC] were going down into the prisons [in the Kimberley] and speaking to all the Kimberley fellas, of which there are many, too many in the prisons there [...] Suddenly, these blokes who are just sitting there, not talking to anybody, but now they're feeling happy, they're opened up because they're seeing someone they related to not just by the same colour of their skin, but who also can talk lingo.

Peter M, MOSAC

This consultation highlights the disconnect between the Indigenous community and many of the programs within the criminal justice system. This is an unfortunate symptom of the systemic racism prevalent within the criminal justice system that hinders positive and meaningful connections between those delivering services and those receiving it.

Cultural awareness is a key element for rapport and trust-building. The ability to develop this quality will be a fundamental component for IPS specialists without relevant lived experience. For Aboriginal and Torres Strait Islander people, rapport and trust were identified in the consultation with MOSAC as a keystone for client engagement with a program like IPS:

Well, one thing is actually gaining the trust of that person. We [MOSAC] work on that aspect. This isn't going to cure everything, but by trust or creating trust between Aboriginal staff going

³⁰ Australian Bureau of Statistics, *Corrective Services Australia* (Web Page, 15 September 2022) <<https://www.abs.gov.au/statistics/people/crime-and-justice/corrective-services-australia/latest-release?fbclid=IwAR0SQJMEJJOknq0Llr-CwuAe0lydx2uuxPK8iV0S-HKT4XrnrTWBpzfmdiU#key-statistics>>.



to talk to Aboriginal men we try, at least, to reduce the barrier that it might be if it was a non-Aboriginal person talking.

Peter M, MOSAC

Although non-Indigenous IPS specialists may encounter some barriers to initially building a relationship to which an Aboriginal and/or Torres Strait Islander client can relate, gaining trust is a significant factor which may help remedy this. Therefore, it is particularly important that IPS specialists spend quality time building rapport with the client. The success of this relationship is reliant on the specialist being culturally informed.

Consultation with Reboot Australia affirmed the importance of having Aboriginal and Torres Strait Islander employment mentors within their organisation to guide its work:

Being able to provide cultural support through every element of what we do and [maintaining] that awareness throughout every element of what we do was a really big key for us to be able to create impact for a minority group that is overrepresented. [...] We need to have the right people in the room to be able to help us create that impact.

Jobe M, Reboot Australia

Therefore, the trust-building process between Aboriginal and Torres Strait Islander clients and the service providers not only involves the relationship between clients and staff, but also between clients and the program itself. As such, the IPS program must be informed by Aboriginal and Torres Strait Islander people. As discussed in the 2021 Report, adopting a co-design approach would allow an IPS program for the criminal justice system to appropriately engage with the specific needs of Aboriginal and Torres Strait Islander people.

In regard to fidelity, the ANZ Fidelity Scale may need to be adjusted to accurately measure success in different communities, which will avoid homogenising the experience of successful employment.

Recommendations

1. Co-design the specialised criminal justice-specific IPS model, specifically the ANZ Fidelity Scale, alongside Aboriginal and Torres Strait Islander people. This will facilitate a deeper understanding on how employment success can be measured, to avoid homogenising the experiences of Aboriginal and Torres Strait Islander peoples.



2. Engage in yarning circles³¹ as a way of sharing ideas and discussing issues with Aboriginal and Torres Strait Islander people and communities to identify the best methods of employment assistance for individuals who identify as Aboriginal and/or Torres Strait Islander.
3. Where possible, ensure the presence of a cultural worker to help Aboriginal and Torres Strait Islander people navigate language and cultural barriers. An example of this in practice is seen through the Nindilingarri health service in Fitzroy Crossing whereby individuals cannot see a doctor or health worker without a cultural worker present to support the individual.
4. Ensure IPS specialists and ancillary IPS staff, if any, engage in regular Aboriginal-led cultural awareness training.

(c) Peer Support Workers

Several consultees emphasised that the presence of a peer support worker will provide individuals within this cohort with appropriate assistance into employment. As discussed above, it is not necessary for IPS specialists themselves to have lived experience of the criminal justice system. Nor are peer support workers required to have lived experience. However, a peer support worker with lived experience could provide valuable and sustained support alongside an IPS specialist for individuals post-incarceration.

Consultations addressed how a peer support worker can provide individuals with a sense of shared identity, connection, acceptance, and empowerment:

Peer support in prison was helpful. But that level of support came from their individual practice, it wasn't systematised. [...] There needs to be standardised expectation and delivery of dignified care or dignified human exchange in prison. [...] Friends don't understand this stuff and often give well-intended advice [...] which is often useless and often just compounds your feeling of helplessness and hopelessness and stigma.

Lived Experience Individual B

³¹ Yarning circles are a type of cultural conversation through which stories and information can be gathered, and relationships built. Yarning circles create a culturally safe research environment in which Aboriginal and Torres Strait Islander peoples can talk comfortably about their thoughts and experiences. For more information, see Melissa Walker et al, "Yarning" as a Method for Community-Based Health Research With Indigenous Women: The Indigenous Women's Wellness Research Program' (2014) 35(10) *Health Care for Women International* 1216.

The peer worker provides a source of hope, a blueprint for recovery to some extent. And because there's no power difference, or there's not meant to be any power difference, it's a very different type of support [from] a psychiatrist.

Laura F, Outcare

Peer support was a common topic amongst the consultations. It was identified as providing a means of hope within individuals by alleviating power imbalances and some of the critical needs an individual is facing.³² As discussed by Fruit2Work, peer support can be a protective factor regarding mental health difficulties:

If you're in desperate, and you are waiting three to four weeks for an appointment, that's very scary. [...] They're [peer support workers] not professionals by any means, but they can make a difference. They can be the stepping stone when the person needs help straight away. In three weeks' time that hole [waiting list for an appointment] is looking deeper and blacker than ever before. So, that gap needs to be filled and needs to be filled fast.

Simon F, Fruit2Work

Hence, the IPS principles of Time-unlimited Supports and Integration may require extension or flexibility to include peer support for individuals at the intersection of justice, mental health, and employment difficulties. Ultimately, as the traditional IPS model envisages, all servicing must be individualised and person-centred. Many consultations addressed the importance of person-centred support:

It comes back to that whole thing around individualisation – what's meaningful to individuals and their situation, their interests. This space is not a one-size-fits-all.

Danielle L, Mental Health Commission

I just want to make sure it's a key point – the ability to relate to a mentor. So, it's the lived experience and also the cultural as well. It's all rapport. It's being able to connect, it's all understanding that someone is in your court and they want you to succeed wholeheartedly

Jobe M, Reboot Australia

³² Consultation with Chris H, Outcare (Jessica Huynh, Olivia Trimboli, Natalya Mulvey, Leila Pinilla, 23 August 2022).

Accordingly, an IPS program is well-suited for individuals with lived experience of the criminal justice system if it is guided by the experiences of this cohort to recognise the importance of providing hope for employment, reintegration, and recovery.

Recommendations

1. The IPS principles of Time-unlimited Support and Integrated Services should extend to include peer support for individuals in order to inspire hope, empowerment, and a sense of connection between the participant and person assisting them to gain employment.
2. The IPS model should be guided by values or ideas of peer support work to ensure participants feel understood and can relate to others about their criminal justice experience.
3. Depending on budget constraints, pair an IPS specialist with a justice peer support worker to enhance the support offered to individuals. Otherwise, if the individual is linked with a justice service provider, IPS specialists must communicate and collaborate with the justice service provider to enhance the support offered to individuals, thereby increasing the chances of successful employment.

3.2 Individual-level Considerations

(a) Hierarchy of Needs

The IPS program needs to recognise that employment is not the foremost priority for a lot of people leaving prison. Consequently, only those who have expressed a desire to work should be engaged in the program. Indeed, it was emphasised in the consultations with service providers and individuals that an individual leaving prison has many competing needs. Difficulty finding employment often co-occurs with homelessness, lack of financial support, poor literacy, difficulty accessing medication, and a general chaotic lifestyle. Several service providers referenced Maslow's hierarchy of needs³³ to put this into perspective, explaining how, for many previously incarcerated people, finding secure accommodation or clothes to wear are higher on the priority list than applying for jobs.

If you cannot find housing, everything is a bit obsolete. How are you going to get an interview if you can't have a shower, how are you going to go to a mental health appointment if you don't know where your next meal is going to come from? So, it's really hard because it's hard and simple at the same time – because it's hard to solve, but so simple because it's just the model of the hierarchy of needs. Once you get all your first basic needs ready, then you can start looking at other stuff.

Confidential Consultee A

Thus, whether employment is appropriate or beneficial for an individual with lived experience of the criminal justice system depends on their hierarchy of needs. Consultation with Outcare similarly identified the differing levels of needs impact employment prospects:

[At Outcare there is] an enormous range in where people are at in their lives. So, for example, at one extreme end we might have someone who's just started on the program, who's living under the Narrows Bridge [in Kwinana], hasn't seen their mental health treatment provider for years, is psychotic, arrested regularly, living off scraps, estranged from their family – an employment program for them, forget it, there's not much at this point... And then we would have someone at the opposite end of that spectrum who's just come onto the program, who finished Year 12, maybe went to TAFE, maybe went to uni, for whatever reason there's an

³³ Maslow's hierarchy of needs is a psychological theory about what drives human behaviour. The hierarchy represents five key human needs that people must meet in order to achieve wellbeing and personal fulfillment. These are: (1) physiological needs (e.g., food, water, shelter); (2) safety needs (e.g., a stable source of income, good physical health); (3) love and belonging needs (e.g., positive friendships, acceptance from loved ones); (4) esteem needs (e.g., self-worth, independence); and (5) self-actualisation (i.e., reaching one's full potential). Source: Medical News Today, 'Maslow's hierarchy of needs: Uses and criticisms' (Web Page, 28 July 2022) <<https://www.medicalnewstoday.com/articles/maslows-hierarchy-of-needs>>.

offence that's happened and they might just need a little bit of input from us to recalibrate and reset. But they're at a very different stage in Maslow's hierarchy.

Chris H, Outcare

Several consultees described these competing needs as a “*kind of chicken and egg*” scenario. There is a need for secure housing, food, and clothes in order to gain employment. However, many individuals cannot afford those things without first being employed. Consultations identified insecure housing as a core factor within this complex dilemma:

We talk about the person having mental health issues or being in ex-offender. But if he's sleeping in a doorway, or in an alley way, how are they going to get employment? And vice versa, right? So, if you haven't got employment, how are you going to get housing? So, the true main contributing factors why people keep going back to prison is they cannot get a job, and they cannot get a roof over their head [...] So, housing is a huge blocker for people coming out of the system.

Simon F, Fruit2Work

The financial challenges associated with insecure housing significantly contribute to the risks of re-incarceration, thereby exacerbating an entrenched cycle of recidivism. These financial challenges are often closely bound to mental health challenges. For instance, an employee of Palmerston described how individuals leaving prison are often given a diagnosis and prescribed medication, however, they cannot afford to purchase this medication or visit a doctor for ongoing treatment.³⁴ If they can afford it, they might not know where to go to access it.

For example, we had someone with ADHD come out. They have been informed of this diagnosis, they have no treatment, they don't know where to go to it, they more than likely can't afford it because we know it's a specialised area [...] they've been released with the diagnosis, but then they don't know what to do with it, basically.

Anon., Palmerston Association

The paradoxical dilemma between employment and financial needs is an issue that an IPS program can potentially mitigate as it will deliver employment support alongside other housing or clinical services an individual receives. During consultations, the need for financial training to be delivered in conjunction with employment support was identified.³⁵ As discussed further in Section 3.2(c) below, individuals with lived experience of the criminal justice system have differing perceptions of

³⁴ Consultation with Anonymous at Palmerston Association (Jessica Huynh and Olivia Trimboli, 6 September 2022).

³⁵ Consultation with Anonymous at Palmerston Association (Jessica Huynh and Olivia Trimboli, 6 September 2022).

'employment'; for some, criminal activity constitutes a legitimate source of income. Thus, it is critical that participants of an employment program, like IPS, receive education on financial management.

Recommendations

1. IPS specialists must communicate and collaborate with housing service providers, clinical services, or other key providers that the individual is linked with to enhance the support offered to individuals, thereby increasing the chances of successful employment.
2. The IPS Core Practice Principle of Benefits Counselling³⁶ should extend to include financial management training and financial counselling for individuals who request this assistance.

Another challenge identified in consultations was literacy:

I think particularly in START Court we saw a lot of offenders with literacy issues. So that was a major obstacle to them accessing appropriate treatment, filling in forms, reading instructions. And even making a note of and keeping appointments and remembering those appointments, and I think that flows into organizational difficulties, chaotic lives, often lack of stable accommodation.

Ms Zempilas

The offences themselves aren't necessarily the only barrier to employment that we're considering. They're usually, to be honest, just a small part of the picture [...] When we're talking about a typical START Court client, often their education, formal education stopped in Year Nine, sometimes earlier, so literacy can be more of a problem than the offending background.

Chris H, Outcare

³⁶ The IPS Core Practice Principle of Benefits Counselling refer to participants receiving comprehensive, accurate, individualised information to make informed choices about how income support payments from Centrelink or other benefits may be affected by potential employment and earnings.

The IPS model is firmly focussed upon employment and mental health support. However, the Core Practice Principles of Attention to Participant Preferences,³⁷ and Time-unlimited Supports³⁸ may need to extend in scope to accommodate for individuals experiencing literacy difficulties. As identified in the 2021 Report,³⁹ the WA Department of Justice’s Education and Vocational Training Unit facilitates literacy and numeracy courses within adult prisons. However, literacy and numeracy skills are assessed only upon entry and not release, meaning it is impossible to determine the success of these courses in prisons.

Recommendation

1. Facilitate and encourage participants to engage in literacy and numeracy courses as required.

There is an emerging research base on the notion of ‘employment as recovery’ and the importance of employment for promoting reintegration into society is widely recognised. General Manager/Chance Creator of Fruit2Work – a Social Enterprise that offers transitional employment opportunities for people who have been impacted by the justice system – explains the potential for employment to promote recovery:

What I see every day is people suffering a lot of mental health issues, a lot of anxiety, a lot of depression. And what I noticed is within the first three weeks of work those levels start to drop. Within three months of work, those levels drop even more. And within six months of work, a lot of those levels are at a minimum or non-existent.

Simon F, Fruit2Work

However, the notion of ‘employment as recovery’ will not work for everyone. One reason for this is that as many employment services have their funding tied to employment outcomes, holistic support is neglected and issues such as housing and mental health are pushed aside in favour of ‘ticking boxes’ of employment. A consultee identified:

³⁷ The IPS Core Practice Principle of Attention to Participant Preferences refers to job search efforts and employment support based on the participant’s preferences. Personal job interests and preferences are to be listened to lead to long-term employment outcomes and greater job satisfaction.

³⁸ The IPS Core Practice Principle of Time-unlimited Support refers to IPS specialists providing individualised support for as long as the participant wants it to ensure job placements are successful long-term. Individuals are supported to become as independent as possible, whilst ensuring individualised support is provided when needed.

³⁹ WAJA 2021 Report 26.



[Employment service's] funding is completely tied to whether that individual has employment or not, which means that everything else [other accommodation or clinical support] is obsolete in terms of their KPIs, in terms of how they work, in terms of what they're delivering, which obviously then gets impacted onto the client.

Confidential Consultee A

An IPS program can remedy this by working within an organisation that has a pre-existing case-coordinator or case worker. IPS specialists should liaise with the case worker to ensure the participant is being supported to secure housing, access mental health support, and so on, whilst they focus on finding the participant meaningful employment to promote their recovery. However, discussions with consultees indicated that it might be necessary for IPS specialists to follow up with the individual's needs which are inextricably linked to attaining employment. For example, a person cannot attend a job interview if they do not have money to fill up their car with fuel.

[The employment provider should help with] just basic things like phone credit, some fuel vouchers and a little bit of money just to get them to get them to work. So, employment providers need to follow up with what the individual needs [...] But unfortunately a lot of times with the employment providers, all they're interested in is ticking a box to get to the next candidate because everybody is under the pump.

Simon F, Fruit2Work

Therefore, the success of an IPS program for individuals with lived experience of the criminal justice system must take into reasonable consideration Maslow's hierarchy of needs for each individual on a case-by-case basis.

Recommendation

1. Integrate IPS into services that have an existing case worker or other clinical support. The IPS specialist works alongside the case worker, focusing on job searching while the case worker supports the client to meet their basic needs.

(b) Motivation

The traditional IPS model recognises that motivation to find work is the best predictor of successful transition into employment. Individuals will only be referred to the IPS program when, in the course of their mental health or other clinical service, they have identified employment as one of their goals. However, motivation is not a constant. Once they have started receiving IPS support, an individual's



motivation may fluctuate. The IPS specialist and peer support worker (if engaged), will play an important role in sustaining the individual's motivation to continue their job search to secure employment.

A common thread throughout the consultations was that employment programs must expect differing levels of motivation among individuals with lived experience of the criminal justice system. Individuals leaving prison may experience unique motivational challenges. For instance, one consultee with experience working within prisons noted:

[Gaining employment post-release from prison] is about job readiness [...] a lot of these guys will have spent X number of months, years, not having to work. Not having any kind of real structure or routine to their day, being able to go to the gym twice a day, play basketball with their friends and have money sent in [...] So, the motivation to work is not great.

Anon., Palmerston Association

It is also important to note that motivation is personal – an experience which causes one person to lack motivation may be another person's reason to find work.

Several consultees indicated that some people with lived experience might require some external encouragement before opting-in for an employment program like IPS. One consultee with experience working within prisons noted that individuals might be more likely to identify a motivation to join an IPS program if they can see its benefits, and witness their peers succeeding:

[...] A lot of guys are motivated by other people's success, so they might not want to put themselves out there for the shame of failing or not looking cool around other people.

Anon., Palmerston Association

This indicates a need to communicate the benefits of IPS within prisons, for instance by sharing 'IPS success stories' of previously incarcerated individuals. Further, a consultee with lived experience of the justice system stated:

I suppose it's important to gear [the program] towards proactively identifying people who would really benefit from it and really encouraging them specifically.

Lived Experience Individual A

Thus, while maintaining the necessity for IPS to be an opt-in service, consultations indicated that a criminal justice-specific IPS program could extend its traditional 'motivation' principle to assess and



select individuals based on the extent to which they could benefit from an ‘employment as recovery’ model. The practicalities of IPS referral are discussed further in Section 3.5 below.

Recommendations

1. IPS specialists must play the role of sustaining the individual’s (potentially fluctuating) motivation to find work alongside their case worker and/or clinical supports.
2. The benefits of IPS should be recurrently communicated with potential IPS participants within prisons and prison staff, for instance, by sharing brochures of individuals’ experiences of success with the program.
3. Develop a system for gauging IPS participants’ motivation and provide training on how to boost job motivation.

(c) Perceptions of ‘Employment’ and ‘Employability’

Once an individual is on their way to having their hierarchy of needs met and is motivated for employment, there must be a discussion of what ‘employment’ means for them. The importance of defining ‘employment’ and ‘employability’ in the context of reintegration was evident throughout consultations. One consultee revealed that, for some individuals with lived experience, there can be a discrepancy between their familiarity with obtaining money by (often) illegal means, and the expectation of ‘proper employment.’

When we talk about employment with the guys that have been incarcerated, we're talking about guys that have done many means to get money [...] Their employment is risky, criminal acts, and that's the reality [...] [When] we talked about employment and he [the client] was laughing and joking that he was an entrepreneur, but we usually know what that means in his world. But that has been his employment; often guys, it has been intergenerational, that's how they've been brought up [...].

Anon., Palmerston Association

Thus, a need was identified for IPS specialists to work together with participants to identify what ‘employment’ means to them. No two individuals with lived experience will have the same understanding of ‘employment’, or the same expectations of employment support.

Holistic employment support will require IPS specialist to understand that the change of lifestyle – from criminal activity to ‘regular’ employment – may be jarring for some previously incarcerated people, and



particularly for those who have long histories of re-incarceration. Furthermore, IPS specialists must support individuals who, despite being motivated to work, are struggling to (re-)adjust to work environments and responsibilities.

Recommendations

1. The various perceptions towards 'employment' must be acknowledged by the IPS model. The model must engage with how these perceptions are potential barriers to successful employment outcomes, which can impact the risk of recidivism.
2. An IPS program must support those who, albeit are motivated to 'find work', may struggle (re-)adjusting to professional environments and responsibilities. Offering workshops to help individuals adjust to workplace environments and work schedules can assist this task.

Expanding on the perceptions of employment is the perception which individuals who have been incarcerated have of their own employability post-release. Perception of employability is two-fold: it involves both an individual's internalised negative self-talk and stigma, and an assumption that, due to their criminal record, they are unemployable.

Effect of Negative Self-talk and Internalised Stigma

Negative self-talk relates to the internalisation of perceived lack of employability. Consultees emphasised how repetitive negative thought patterns are a challenge for individuals attempting to gain employment:

I think that it's easy to overlook the individual because there is a narrative that [they] tell themselves. "I've done this and because I've done all this stuff, I can't do these normal things everyone else is doing. I can't be an electrician or a plumber. I can't go to people's houses. Who's going to give me a job?" So, that can be difficult to work with because when you meet someone who's been telling themselves this for a long time, you're not just trying to find the thing they're actually looking for; you're also trying to re-narrativise [sic] this stuff.

Chris H, Outcare

Ex-offenders and people with mental health issues they put their own stigma on themselves. It's like they've got it tattooed on their forehead "I have mental health issues or I'm an ex-offender". So, it takes a lot of confidence and a lot of self-development for that stigma to disappear.



Discussions during the consultation process around internalised stigma and how to combat it revealed the need for integrated clinical and employment care. The IPS program is typically integrated into an existing mental health, accommodation, or drug and alcohol services. As such, IPS participants should already be receiving the support of clinicians who are trained to help those with mental health difficulties, including the aforementioned negative thought patterns. While a traditional IPS specialist would focus solely on employment support, it is clear that employment outcomes are intrinsically linked to the individual's mental state. In particular, a defeatist mindset rooted in experience of the criminal justice system is a major barrier which must be overcome prior to attaining meaningful employment. An individual may be motivated to work, but still bring negative thought patterns into meetings with their IPS specialist. For this reason, employment and mental health support cannot be siloed. Thus, IPS specialists should be aware of how to provide positive encouragement and support to help their client overcome a restrictive, negative mindset.

As discussed in Section 3.1(b) above, a strengths-based approach can assist IPS specialists to foster an individual's confidence to engage in employment.

Recommendation

1. The IPS specialists' work should not be siloed from the work of mental health professionals, or other clinicians. IPS specialists must be trained in supporting individuals with lived experience to break patterns of negative self-talk and self-inflicted stigma.

Criminal Record Misconceptions

An individual's own perception of the implications of their criminal record is another important factor to consider. An employee of Palmerston described how, where an employment service provider fails to consider an individual's criminal record, that individual can feel like they are 'set up to fail' and, in-turn, disengage from support:

We [Palmerston] get referrals coming through to say, 'Oh yeah, this person wants to work in childcare and they've got an extensive criminal history [...] they've got AOD issues and mental health issues, all sorts of other things, they're homeless, but they've still got to apply for 30 jobs a week for child care jobs that, they're never going to get, you know? So, I think restructuring that [is critical], because that's got to feel for the client like they just set up to fail.

Anon., Palmerston Association



A person's prior conviction does not render them unemployable. However, as discussed below in Section 3.3(b), a criminal record can limit a person's job prospects due to, for example, employer bias. This experience is compounded by the individual's internalised negative self-talk and stigma. Consultation with Outcare identified helping individuals to understand their transferable skills can break negative self-perceptions:

[...] A lot of people will pigeonhole themselves. So, if you commit certain offence, and let's say you've got a great work history doing something on a mine site, for example, you're in a leadership position and then you commit some offence and that offence means you can no longer do that job [...] You might look at that and go, 'What do I do now'? But what a lot of people don't know is this whole notion transferable skills. We can go, 'OK, yeah, you can't do that anymore. But you had an awful lot of skills that you can do, that directly translate into this job over here'.

Chris H, Outcare

Under the Core Practice Principle of Attention to Participant Preference,⁴⁰ the individual is given a space to share sensitive information (disclosure) so that their IPS specialist can support them to make informed decisions about their employment. In the criminal justice context, disclosure will involve the IPS client sharing information about their criminal record so that IPS specialists can provide them with a practical perspective on the impact their prior convictions may have on their employment search. For example, IPS specialists can advise them on the best way to disclose their criminal record to a potential employer.

Dealing with disclosure, so if you do have to talk with a prospective employer about a criminal record, there's probably a good way to approach that, there's probably a really, really bad way to approach it as well. And I would say that would fall under the employment officer as well to coach people through that.

Chris H, Outcare

An IPS program for individuals with lived experience of the criminal system must understand how to best assist individuals to disclose and manage their personal information with employers. For this specialised program, IPS specialists must guide the individual with what information they can or are not required to share and discuss the legalities of such.

⁴⁰ The IPS Core Practice Principle of Attention to Participant Preferences refers to job search efforts and employment support based on the participant's preferences. Personal job interests and preferences are listened to, leading to long-term employment outcomes and greater job satisfaction.

Additionally, the Core Practice Principle of Attention to Participant Preferences states that services are based on an individual's job preferences and choices, rather than providers' judgments. As noted above, an individual's ideal job will not always be realistically attainable (at least straight away) due to their prior convictions. The IPS specialist should not provide judgement, but they may need to manage the expectations of a client with lived experience of the criminal justice system in order to avoid disappointment. Moreover, they should work to identify the client's transferable skills and match potential job opportunities. Supporting individuals to understand what is realistic is an area in which Fruit2Work succeeds:

In the transition conversation around week eight [of working at Fruit2Work], we start to ask them what we think their future would look like. "So, what's your life after Fruit2Work [going to] look like? What's the best job that you could think of for yourself?" If they tell me they want to be a rocket scientist? I will tell him, you know what, you're dreaming right now. Anything within reason we will do our best to try and get him there, so a lot of people want to stick to the same sector [if] they love the job of driving, so they might want to upgrade their license to a truck license. They might want to get a forklift license and, again, we have connections where we steer them into.

Simon F, Fruit2Work

Positive encouragement to steer individuals with lived experience of the criminal justice system into employment is, therefore, crucial to their success.

IPS specialists should be aware barriers such as prior convictions, differing understandings of employment, and persistent internalised stigma which are unique to the justice context. To overcome these barriers, not only should IPS specialists work to manage expectations and provide some mental health support, but they must adopt a strength-based approach. As an employee of Outcare articulated:

It would be really easy to have a conversation with someone who has convictions for it to be really pathology-based, and for that to frame every argument. So, "OK, you're here to see me because you know you need specialist support, because you've got this blemish on your record, and every interaction thereafter", [... It] frames every conversation after that. But I think an important part of what we [Outcare] do as an organisation is to try and focus on people strengths [...] [It is] just a bit of a reframe.

Chris H, Outcare

Recommendations

1. IPS specialists receive training on how to inform the IPS client of the (potential) effects of their prior convictions on their employment search and support them to navigate the application process to ensure their prior convictions are reported as candidly and transparently as possible.
2. IPS specialists must receive training to assist individuals with how to disclose information regarding their prior convictions to employers, including legal considerations.
3. The Core Practice Principle of Attention to Participant Preferences should allow room for IPS specialists to support the client's expectations so that they feel positive about their employment prospects and not as though they are being set up to fail.
4. IPS specialist should support the client to identify job opportunities which their transferable skills make them a good candidate for.

(d) Realistic Goal Setting

IPS specialists should determine, together with the participant, what level of engagement with employment the participant is capable of. Consultees indicated that while some previously incarcerated individuals might be motivated to work and prepare for work (in terms of having their housing and other needs met), full-time employment might not be the best expectation of them.

What we've found at Fruit2Work is it's very difficult for people that have come out of the system to go straight into full time work for many reasons. One is [...] their parole requirements or correction orders. Two, they have either never worked or been long-term unemployed. So not having worked for a long time, going back into society and working a full-time job is absolutely blinding. They cannot do full time work. They haven't got the energy for full time work. And three, the other aspect of that is a lot of times they self-sabotage.

Simon F, Fruit2Work

A consultee with lived experience of the criminal justice system noted how, in prison, your day is (almost) always structured – leaving prison without structure can be a challenging and isolating



experience.⁴¹ This was also acknowledged in several of the consultations with service providers, including MOSAC:

Basically, a lot of the challenges a lot of the mob we service face is that when they're in the justice system it's all structured – they get out at a certain time, they go training at a certain time, they eat at a certain time, they do exercise or have yard times and training at a certain time. It's all structured in the system. But when they come out they are faced with a lot of stuff. Homelessness, family problems and personal, individual problems and it's not structured. They come out into this big open world.

Peter M, MOSAC

Indeed, as noted above, employment is critical to regaining structure upon release from prison:

I've got some [people on the program] who, first time meeting them, they say, all of these areas [housing] are fine, I just really need some work and some structure and that's going to improve other areas of my life.

Laura F, Outcare

However, it was emphasised that an employment program should be in a place to offer flexibility around what is expected of the client; for instance, not dictating whether they can continue with the program based on how many jobs they apply for, or how quickly they apply for them. This expectation will only make the client feel like they are *'ticking boxes unnecessarily'*.⁴²

Similarly, consultation with Fruit2Work revealed that expecting an individual newly released from prison to work full-time will only *'overburden'* them, causing them to retreat and disengage from the support. It also highlighted the importance of employment in giving space for adjustment to life in the *'big wide world'*. Part-time employment accommodates for parole conditions, commitments for mental health recovery, personal responsibilities, and time reconnecting with friends and family. This work-life balance allows the individual to reintegrate into society and acts as a protective factor against incarceration:

For guys and girls who are working between two and four days a week, that keeps them busy enough. It allows them to do their [community corrections] orders, allows them to jump through their hoops. It allows them a day or two of sleeping. [...] And there is not an overabundance of money they're going to go stupid with.

⁴¹ Consultation with Lived Experience Individual A (Jessica Huynh and Olivia Trimboli, 2 October 2022).

⁴² Consultation with Anonymous at Palmerston Association (Jessica Huynh and Olivia Trimboli, 6 September 2022).

In six months' time, there's a different discussion when they've completed 20 modules of our program, set themselves some goals and have reached them. The conversation might be, 'I want to buy a new car' or 'I've met a nice partner, we want to move in together. I need to earn more money.' It's a perfect transition conversation for us.

Simon F, Fruit2Work

The insights from Fruit2Work's experience of employing individuals with lived experience of the criminal justice system presents the fact that, for many, simply having the time to adjust whilst in employment is necessary. It would be misguided to overburden individuals who, for example, need to meet different community correction orders or attend medical appointments. Therefore, it is vital that an IPS program allows for discussions between the individual and IPS specialist to address different workloads suitable for that person. The individual should be assisted to make informed decisions about their own employment. This way, gaining employment can contribute to their recovery, instead of elevating external pressures that may affect their mental health.

Consultees tended to agree that employment should be attained as soon as possible for a person leaving prison – coinciding with the Core Practice Principle of Rapid Job Search⁴³ – however, attention should be paid to the capabilities of each client.

I do agree with that – that there should be employment as soon as possible. I just believe it should be staged, right? I think within two weeks [of leaving prison], the individuals should have employment. In actual fact, I would go so far as saying they should organise employment before they're released, right? But they aren't ready for full time work. So, I think there should be a build-up of two days or three days, and it depends on the individual because there is not one shoe that fits everybody [...].

Simon F, Fruit2Work

In other words, the Core Practice Principle of Rapid Job Search will begin the initial job search effort and subsequent employment goals must be set realistically on an individualised basis. Achievement of the Core Practice Principle of Systematic Job Development will then facilitate the job search to ensure it aligns with an individual's capabilities and goals.

⁴³ The IPS Core Practice Principle of Rapid Job Search refers to the participants beginning their job search within 30 days of beginning the program.

Recommendations

1. IPS specialists should aim to deconstruct any misconceptions involving workload commitment and provide an understanding on how part-time work allows time for personal commitments, parole conditions and recovery. As a result, the IPS program will promote employment as part of the criminal justice recovery.
2. Provide training on how to identify the risks of re-offending behaviour. Where individuals are not currently engaged in part-time employment, the IPS specialist must ensure they remain motivated to find employment whilst completing community corrections orders or parole conditions, attending court, attending medical appointments, or simply spending time re-connecting with friends and family.
3. All IPS specialists must collaborate with the participants to set realistic goals, balancing the benefits of employment with the individual's unique experiences.



3.3 Engagement with Employers

Consultations addressed the importance of securing support and engagement from employers. Employers are a pivotal stakeholder impacting the employment prospects of individuals within the target cohort. Typically, there is an emphasis upon individual responsibility to complete formal education, complete training, network within the industry, and apply for work. Whilst this may be true for some members of our community, for individuals experiencing mental health conditions and involvement in the criminal justice system, support coordination with employers is crucial to assist their transition into employment.

The IPS Core Practical Principle of Systematic Job Development⁴⁴ requires IPS specialists to engage with employers in the community to build rapport and identify potential job opportunities. However, the additional justice-related components of this task may present new challenges, especially given the stigma surrounding incarceration.

(a) Advocating to the Employer

Consultations referred to the need to advocate for the individual and the promotion of communication with employers. In consultation with an individual who chose to remain confidential, they highlighted that employers who are interested in employing individuals with lived experience of the criminal justice system often do not know how to broach the subject of discussing prior convictions.

There is an assumption that employers don't want to recruit, but actually when you talk to employers and you dig deeper, it really comes down to the fact they have no idea what to do. And as a result of the lack of guidance, and with a lack of information, [they] often choose the easiest route, which is to engage someone without that [history of incarceration]. When we're talking about employers employing someone who they usually don't employ, you really need to talk them through and walk them through it.

Confidential Consultee A

Employer uncertainty and concerns can be addressed by the IPS specialist to ensure successful employment outcomes for individuals. To best achieve the Core Practice Principles of Systematic Job Development and Zero Exclusion⁴⁵, the criminal justice context requires IPS specialists to assist employers on how to engage employees with lived experience of the criminal justice system. An example of this employer assistance in practice can be seen on the Australian Red Cross' *Beyond the*

⁴⁴ The IPS Core Practice Principle of Systematic Job Development refers to IPS specialists building relationships with employers over multiple face-to-face visits. The specialist learns about the work environment and the employers' needs to assess whether potential vacancies could be a good fit for IPS participants.

⁴⁵ The IPS Core Practice Principle of Zero Exclusion refers to anyone with a mental health condition who is motivated to work will be eligible to participate in an IPS program. Individuals will not be excluded on the basis of psychiatric diagnosis, symptoms, employment history, cognitive impairment, or substance use.



Check website. This resource is targeted at employers to guide and improve the recruitment, onboarding, and retention of employees with lived experience of the criminal justice system.⁴⁶

The resource provides tips for employers to ensure a strengths-based workplace, rather than a deficit-driven outlook that reinforces justice-related stigma. Some of these tips include:⁴⁷

1. using inclusive language in job advertisements and emphasising the employer's commitment to workplace diversity to encourage applications from individuals with lived experience of the criminal justice system;
2. implementing formal and informal opportunities for new employees to get to know their colleagues to build trust and understanding with the individual, rather than colleagues hearing of their prior convictions indirectly; and
3. ensuring tasks challenge employees, but also align with their strengths to encourage confidence, job motivation and productivity.

Whilst this advice can be applicable to most workplaces, its specific criminal justice lens is crucial. The *Beyond the Check* resource can be a valuable tool for IPS specialists to provide to employers. Equipping employers with the knowledge of how to support individuals with lived experience of the criminal justice system mitigates employer uncertainty and hesitation about employing people in this cohort. Breaking down employers' prejudices regarding the criminal justice system will significantly improve individuals' opportunities for success.

Recommendations

1. Access and utilise the Australian Red Cross [Beyond the Check](https://www.redcross.org.au/beyond-the-check) website as a basic guide for IPS specialists to share with employers as a means of knowledge sharing and community education to break down employer biases around the criminal justice system.
2. Create a standardised set of resources or guides to share with employers on addressing their workplace biases and barriers towards individuals with lived experience of the criminal justice system. This will allow IPS specialists to not have to provide constant attention to employers, and instead spend more time with the individual.

⁴⁶ Australian Red Cross, *Beyond the Check* (Web Page) <<https://www.redcross.org.au/inclusiveemployment/>>.

⁴⁷ Australian Red Cross, *Strength-based employment practices* (Web Page) <<https://www.redcross.org.au/justice/inclusiveemployment/strength-based-employment-practices/>>.



Furthermore, consultation with Outcare identified discussions with employers in appropriate settings can be beneficial to breaking down barriers:

If [the employer] gets a resume and [the individual] says “I would need to disclose criminal offences”, you would just look at that and go, “Well, no.” But if you get an opportunity to talk to that person and they say, “These offences occurred at this time in my life and this is the story and here's the context”, you might very well go “Oh God, I could see how that could happen to me and therefore, I'm inclined to overlook this.”

Chris H, Outcare

Similarly, consultation with Reboot Australia affirmed the necessity of addressing stigma amongst employers:

There's just a big stigma in the industry around employing someone out of incarceration, and most of it comes from a lack of understanding [...But] once the industry breaks down its stigma, it creates opportunity and more opportunities.

Jobe M, Reboot Australia

A successful IPS program for the criminal justice context has a responsibility to contribute to reducing stigma affecting individuals with lived experience of the criminal justice system. The actual or potential skills, talents, and strengths contributed to the workplace by the individual should be the priority, not their prior convictions. Similarly promoted in the traditional IPS model, an individual's mental health condition should also not be a barrier to employment.

Consultations also identified that communicating the benefits of employing individuals from this cohort to incentivise employers is necessary. Drawing on the participants' strengths, the IPS specialist should utilise existing labour market shortages and draw on employers' needs for talent. It is noted that whilst appealing to the altruistic aspect of employing from this cohort does have some merit, it was emphasised that an IPS specialist should ultimately focus on what the participant 'can bring to the table' through a strengths-based approach:

We have such struggles finding talent across Australia. And our real point, a selling point is you [the employer] need people. We have some amazing talent coming out of the justice system, and looking at it from a really strength-based approach instead of going “Hey, just recruit these people, please,” actually [saying] “no, you're missing out from not recruiting these people. You're [the] one losing an incredible talent, you're losing on something that university can't buy, which is the experience.”



Rather than looking at the 'do-good-charity kind of aspect', [look] at it more from the perspective of these people are incredible. They bring so much skill and that you're [the employer] missing out on.

Confidential Consultee A

Therefore, advocating to the employer is crucial to breaking down stigma and promoting the strengths and talents which individuals with lived experience of the criminal justice system can offer.

To best achieve the IPS Core Practice Principle of Systematic Job Development, IPS specialists must collaborate with employers about their concerns regarding the criminal justice system, conscious or unconscious biases, and assumptions about the risks of offending behaviour at the workplace. Advocating for the individual, who they are, their story, and their suitability for the role is fundamental.

Recommendations

1. IPS specialists must receive training on how to appropriately engage, discuss and advocate for individuals with lived experience of the criminal justice system to potential employers. Networking with advocates within the criminal justice space who can be a valuable ally will assist in this task.
2. IPS specialists should attend job expos and fairs as a means of engaging with both candidates and employers to promote the value of hiring individuals with lived experience of the criminal justice system. At such events, IPS specialists should share success stories to demonstrate the value of IPS programs to employers. An IPS presence at such events will contribute to breaking the stigma surrounding the justice system and promote awareness of IPS.
3. Invite employers, industry bodies, or government agencies to workshops, conferences, or symposiums to familiarise people with discussing stigma towards individuals with lived experience of the criminal justice system.

(b) Navigating the Recruitment Process

Police Clearances

A particular topic within consultations was the need for employers to understand how to navigate police clearances for individuals with lived experience of the criminal justice system. Australian states and territories have varying anti-discrimination laws. In WA, the protected grounds against discrimination



within the *Equal Opportunity Act 1984* (WA) include sex, race, age, sexual orientation, religious and political conviction, and pregnancy.⁴⁸ Notably, WA makes discrimination on the basis of spent convictions unlawful,⁴⁹ but discrimination on the basis of a criminal record is not. Thus, the issue of current criminal records and police checks present as a major barrier for many individuals in securing employment.

As discussed within the 2021 Report, it can be emotionally difficult and frustrating for individuals to disclose their criminal history to employers. Some are hoping to build new lives, and others may feel as if their criminal history is immaterial to who they are now. In a consultation with an individual with lived experience of the criminal justice system, they discussed the positive effect of their employer valuing their suitability to the job:

It was really good that they were genuine from the get-go. [The employer was] like “We don’t really care if you’ve got a conviction. We just think you’re a good fit”, which was really good because they were quite keen to have me there. That was really nice because it was a contrast to the feelings I had throughout the [job-seeking] process where I was having to constantly bring up my jail time and justify why I was a good candidate.

Lived Experience Individual A

Thus, a successful IPS model tailored within the justice context must not overlook the personal and unique experiences of individuals who have been incarcerated. A way to not overlook individuals’ various emotions involves guidance to employers on the requirement of police clearances. Consultation with Fruit2Work stated:

Is it necessary to have to share your criminal record with every employer? Should it be dependent on the role that you’re applying for? Now, if you’ve been incarcerated for robbing a bank, and you’re applying for a bank teller job, I could totally understand why a criminal record would stop you from getting that job. But if you’ve gone to jail for traffic offences and you want to get a job in the bank, [but] you are not eligible because you’ve got you’ve got criminal history [...] there needs to be categorised criminal checks on people depending on the role.

Simon F, Fruit2Work

An IPS model for the WA criminal justice system must encourage employers to reassess their purpose in requesting police clearances from candidates. For certain roles or industries, a police clearance may be legally required, such as those within education, legal, nursing, or transport industries. For

⁴⁸ *Equal Opportunity Act 1984* (WA).

⁴⁹ *Spent Convictions Act 1988* (WA). A spent conviction is a conviction which has been spent (removed) through a court order. The conviction no longer has effect and does not need to be acknowledged or disclosed subject to some exceptions.

other industries, IPS specialists should guide employers to reflect upon the inherent needs of the role and, thus, whether a police clearance is necessary.⁵⁰ Where a clearance is deemed necessary, employers must be encouraged to explain the reasons behind the requirement and have the confidence to discuss its results.

The Australian Red Cross' *Beyond the Check* resource can provide guidance for employers on how to discuss police clearance results with the individual. The resource offers example scripts or questions to ask an individual to facilitate for open discussion. For example, an employer can ask:⁵¹

“To support us in making a decision about your suitability to this role, could you share your perspective of what happened and/or is there anything you would like to share with us that you think would be helpful to the decision-making process?”

An open discussion in which both individual and employer are comfortable and safe can promote healthy workplace relationships. As stated by Simon of Fruit2Work:

I would recommend that [employers] base their employment on a model of honesty and integrity [...] Instead of just doing a criminal check, have the conversation with the individual. If they've got a criminal record, ask what happened, how that came about, if they're willing to be open and honest.

Simon F, Fruit2Work

The scope of the IPS Core Practice Principle of Systemic Job Development should extend to address the critical barrier posed by police clearances. Failing to address this barrier is likely to adversely impact individuals with lived experience of the criminal justice system in the manner described above. Ultimately, the onus is on the employer to implement inclusive and accessible recruitment procedures which support individuals falling within the targeted cohort to secure employment. Consequently, a tailored IPS model for this cohort must be developed in collaboration with employers to ensure this onus can be met.

⁵⁰ For information on how an IPS specialist can guide individuals to disclose and manage personal information with employers, please see Section 3.2.

⁵¹ Australian Red Cross, *Police check assessment guidance* (Web Page)
<<https://www.redcross.org.au/justice/inclusiveemployment/police-checks/>>.

Recommendations

1. Share the Australian Red Cross' [Beyond the Check](#) website as a resource for employers to better understand how to request and discuss police clearances results.
2. Develop a guide for employers on how to implement improved recruitment processes which support individuals with lived experience of the criminal justice system, rather than exclude them. An IPS model for the criminal justice system must build off existing resources such as [Beyond the Check](#) to develop a pool of knowledge which can be shared with employers and labour hire companies.

Job Interviews

Job interviews can be another barrier to employment for individuals with lived experience of the criminal justice system. Personal reasons for this may include negative self-talk and internalised stigma, as discussed in Section 3.2(b) above. Individuals with lived experience of the criminal justice system may not attempt to apply for roles given the stigma associated with having a criminal record and associated interview-related concerns. Supporting the individual during the job interview itself can be an effective means of addressing this barrier.

An example of supporting individuals during interviews can be seen in Fruit2Work's interview process:

I interview people now with their partners and I've had a massive positive result from interviewing people with their partners, whether it be their parents or their partners [...] At the back of their mind they might be thinking, "Oh no, maybe I won't be any good at their job". But once I've also interviewed the partner or the parents, they'll say, "You'll be really good at the job. They'll like you there, it's a good place to work" [...] It's great to get the support on the side.

Simon F, Fruit2Work

An IPS model for individuals with lived experience of the criminal justice system should actively encourage employers to allow partners, family, friends, or the IPS specialist themselves to support the individual during an interview. As seen by Fruit2Work's example, employers can speak with an individual's support system to gauge their readiness for work and improve self-confidence. Additionally, an individual with lived experience of the criminal justice system reported during a



consultation that the employer's own advice on how to address their criminal record in a cover letter to be particularly useful.⁵²

Consistent with the IPS Core Practice Principles of Time-unlimited Support, Competitive Employment, Systemic Job Development, and Attention to Participant Preferences, facilitating greater hands-on support alongside employers for individuals with lived experience of the criminal justice system is integral to the individual's ability to engage in the search for, and subsequently maintain, employment.

Recommendations

1. Individuals should receive job interview tips and tricks on how to succeed in a job interview, especially for individuals who have not attended a job interview in a long time due to the length of their prison sentence, or who have little formal employment history. For individuals who choose to, assistance for discussing their criminal record in a cover letter is necessary.
2. Encourage employers to implement creative or new interview processes to ensure candidates feel welcomed. Adopt Fruit2Work's successful interview method wherever possible.

Improving hands-on support for this cohort should also involve addressing the issue of driver's licences. Many consultations noted that a common employment barrier for individuals with lived experience of the criminal justice system was their lack of driver's licence (due to driving offences) and an inability to apply for one in the immediate (or in some cases, extended) future. Individuals with a valid driver's licence can also face barriers due to the financial burdens of paying for petrol, registration and car maintenance, especially as many individuals in this cohort may have little formal employment history:

They haven't got money to put petrol in their car, so even if they drive, they haven't got money to get to work. So those first few weeks [on the job] are very tricky for [them].

Simon F, Fruit2Work.

To increase the chances of employment, there must be reasonable assistance to enable the individual to physically attend job interviews and/or, once they have been employed, to support their first few weeks of employment. These supports fall within the Core Practice Principle of Time-unlimited

⁵² Consultation with Lived Experience Consultee A (Jessica Huynh and Olivia Trimboli, 2 October 2022).

Support. Consultation with Reboot Australia emphasised the importance of supporting the individual to meet their needs:

Today, a candidate had a job interview at 10am. He called one of our mentors saying, "I was going to get a lift with my mum, but we've had a fight. I can't get there." And well, we said we'll book an Uber for you. So, understanding his personal situation and knowing this is a tiny expense for us, but a really big motivator [for him] to know someone is in his court to help get him there. Being able to work with [clients] in terms of helping build their agency and the ability to actually navigate [challenges] is important [...] He was able to walk in there 10-foot-tall, head held high.

Anthony M, Reboot Australia

The practical challenges of attending job interviews on time and securing reliable transport for employment have a clear impact on an individual's confidence. A tailored IPS program must take this barrier into consideration to ensure the program's efficacy.

Recommendations

1. IPS specialists to work with individuals to organise and manage their transport requirements to attend job interviews and/or their place of employment.
2. If required, the organisation in which an IPS program is integrated must review internal policies to ensure IPS specialists are appropriately trained and supported to transport individuals to job interviews.
3. If the individual is linked with an employment service provider, coordinate with the provider on transport-related assistance such as ensuring access to public transport passes (SmartRiders) or petrol vouchers, as well as providing training on how to use public transport. Strong networking with providers will offer greater streamlined and timely assistance to the individual.

On a broader level, a tailored IPS model for individuals falling within the triple-intersection of justice, mental health and employment may face greater job rejections. As stated by Ms Zempilas:

[Some] agencies operate on the basis of equality being treating everybody the same. But that's actually not what equality means. You have to treat some people differently in order to achieve the same outcome. So, you can't say the person who has significant mental health issues and who has had problems with the criminal justice system in their life can apply for all the same jobs that somebody else [...] can apply for.



A specialised IPS model for the criminal justice setting must address the complex levels of stigma and marginalisation faced by individuals within this cohort. Discussions between the individual and IPS specialist must be constructive and reflective of the experiences of that individual. The Core Practice Principles of Time-unlimited Support and Zero Exclusion are important to ensure the lived experiences of those with contact with the criminal justice system are taken into reasonable account. The importance of lived experience was discussed in Section 3.1(b) above.

Recommendations

1. IPS specialists must engage in regular mental health lived experience workshops and criminal justice system lived experience workshops to deliver appropriate assistance and pre-empt employment barriers that individuals will face.
2. Particular attention should be dedicated to employing IPS specialists with broad professional experience in different welfare and social sectors. This will enable a more holistic approach to delivering the IPS program, through ensuring that there is established understanding and skill regarding both the intersectionality of, and distinctions between, mental health, criminal justice and employment.

(c) Developing Employer Relationships

A relationship of confidence and support is required between the IPS participant and the IPS specialist and also between the IPS specialist and employers. The aim of the Core Practice Principle of Systemic Job Development is to build relationships with employers to understand their industry, job market, and hiring practices to ensure that there is a beneficial partnership with the IPS program. Developing relationships and building the confidence of employers for an IPS model within the criminal justice system will create the foundation for employment opportunities for participants.

It's a lot easier to get people into employment [if you] have lots of really good relationships with employers in the community.

Merinda R, Accordwest



Building strong relationships with employers to ensure repeat job placements is necessary. In consultation with MOSAC, there was a two-fold importance behind ensuring strong relationships with employers to guarantee individuals with a job post-release from prison:

[A guaranteed job for a person leaving prison] *makes the job more meaningful for people like us, because when we're actually trying to help a bloke, if we can promise them a real realistic chance at a job, it'd be great.*

Peter M, MOSAC

Strong relationships with employers give both the individual and service provider confidence and a sense of security. Open discussions with employers, as covered in Section 3.3(a) above, is one way to promote strong relationships with employers.

Consultations further identified relationship-building with participants (which often requires greater soft-skills) is different to relationship-building with employers. Business acumen is crucial for developing employer relationships. Consultation with Reboot Australia provided informative insights for engaging with employers:

Employment service providers that only do employment find themselves quite disconnected from the industry because they're not from industry, and so they don't know what tickets people need to get a certain job in a certain area. And then the employer doesn't have the ability to actually know how to support someone who needs to reintegrate.

Anthony M, Reboot Australia

Therefore, a tailored IPS program for the WA criminal justice setting will require an IPS specialist to know and be aware of the current training and qualification requirements for various industries. This is in addition to knowing how to assist employers to ensure that their employees with lived experience of the criminal justice system are successful in the workplace. An understanding of the employer's industry is important to bolstering the rapport between employer and IPS specialist.

To successfully perform both employer-facing tasks and hands-on support for the individual, the organisation in which an IPS program is integrated within must support the correct IPS caseload numbers. According to the ANZ Fidelity Scale, IPS specialists are to have no more than 20 clients at any given time on their caseload. Ensuring the correct caseload size at all times can support IPS specialists bridge gaps between industries and providers. This tailored criminal justice IPS program can better guarantee smoother transitions into employment. An example of this in practice was discussed by Reboot Australia:



We need to get these people working three to four weeks after they get out, so our short course traineeships are aimed at that. There's a job at the end of it. We just get them a little bit of training and we provide wraparound support. We get him into employment, and we keep that wraparound support going.

Anthony M, Reboot Australia

Should an IPS program for individuals with lived experience of the criminal justice system be integrated in the post-release stage, planning and coordination with the employer is essential to ensure a streamlined transition into employment. As noted within the 2021 Report and iterated within many of the consultations conducted for this report, the point-of-release brings about various challenges and emotions for an individual. Knowing there is certainty of employment post-release can alleviate some of these difficulties.⁵³ The IPS Core Practice Principles of Systematic Job Development, Competitive Employment and Time-unlimited Supports are well-placed to promote collaboration with employers to ensure some individuals are reasonably guaranteed employment soon after release.

Recommendations

1. Employ and ensure continued professional development and training of IPS specialists to ensure they have the business acumen and industry knowledge to meaningfully connect with employers.
2. Develop strong connections with WA employers with multiple job opportunities, such as labour hire companies, to place recently-released individuals into employment in a timely manner.
3. Develop a network of employers ready to employ individuals with lived experience of the criminal justice system and who understand the requirements associated with community correction orders or parole conditions.
4. Coordinate with employers regarding job requirements, such as certificates or tickets, to ensure individuals can either obtain these requirements after release or have already gained these qualifications whilst in prison.

⁵³ WAJA 2021 Report 55; Consultation with Reboot Australia (Jessica Huynh and Natalya Mulvey, 30 September 2022): "They call it gate fever. It freaks them out because they're entering a whole new society".

Geographical Considerations

The geographical location of the IPS program's office must be taken into consideration when engaging with employers. Consultation with MOSAC, whose office and services are based in the Kimberley, identified a geographical-based barrier:

An issue is that they're going back to communities or even the towns here with not a lot of employment. And they themselves often have quite a significant lack of education, if not entire lack of education sometimes. Some of our fellas have got 10 certificates [...] They've been trained to within an inch of their lives [but there is a lack of jobs available.]

Peter M, MOSAC

A tailored IPS model needs to consider the local labour market. That is not to say that an IPS program is not appropriate for regional WA communities. In fact, the majority of correctional facilities in WA, adult community corrections centres, and work camps are located in regional areas. This (ideally) enables close proximity to family and, for Aboriginal and Torres Strait Islander individuals, ensures connection with Country so that, among other things, individuals can fulfill cultural obligations and responsibilities.⁵⁴ Accordingly, the location of IPS integration is important.

Consultation with Reboot Australia revealed that neither the geographic size of WA, nor geographically restrictive parole conditions, should exclude participants from receiving IPS support:

The individual might think because they're on parole, that they can't get work. So, we work with parole. We've had people who have had ankle bracelets and are meant to be going to court. [But] we've got [them] work 2,500 km away from Perth and had their ankle bracelet removed by the police. They get on a plane, and they enter the FIFO industry.

Anthony M, Reboot Australia

Strong engagement with employers is evidently crucial to creating employment opportunities in WA. As demonstrated above, whilst geography should not exclude individuals, it is an important point of consideration for IPS specialists and the whole IPS model in terms of employer engagement, due to the additional logistical difficulties it may raise.

⁵⁴ Office of the Inspector of Custodial Services WA, *2020 Inspection of West Kimberley Regional Prison* (Review, January 2021) 1; Office of the Inspector of Custodial Services WA, *2021 Inspection of Greenough Regional Prison* (Review, June 2022) 49.

Recommendations

1. A specialised criminal justice-specific IPS program should first be implemented within metropolitan WA, before expanding outwards to meet the needs of individuals in regional WA. An IPS program should not exclude individuals who live in, or move to, a regional location.
2. Offer training to IPS specialists to ensure that there is up-to-date understanding of local labour market conditions, as well as criminal justice training to understand parole conditions and community-based orders.

3.4 A Multi-agency Approach: Strengths and Challenges

There are numerous agencies operating within the criminal justice reintegration, mental health, and employment landscape. These agencies can vary in purpose and in the delivery and structure of their services. For individuals accessing these agencies for support, it can be difficult and overwhelming to navigate this complex space alone.

To put this into perspective, an individual may be on the waitlist for counselling at a community mental health service, while also required to comply with their parole conditions as per their sentence, and while also required to complete a certain number of job applications as stipulated by Workforce Australia in return for the JobSeeker payment.

Integrated Services is a Core Practice Principle of the IPS model.⁵⁵ This principle is especially important within the triple-intersection of criminal justice, mental health and employment. The IPS program must be able to communicate effectively with services operating in each of these domains to deliver coordinated, streamlined assistance to the participant.

Consultations emphasised the challenges associated with a multi-agency approach, while pointing also to the benefit in leveraging other services' resources. As an employee of Outcare stated, a successful multi-agency approach is where *“each agency brings its own expertise and resources, but together has a shared idea of what recovery looks like.”*

(a) Linking Services

Consultees noted how, when services are disjointed, the work of each criminal justice, mental health, or employment agency may be undermined. Within the current criminal justice-employment-mental health landscape, the onus is typically on the individual to find their own way between agencies:

It's a really disjointed system, and so service providers are all kind of trying to find clients. But there's no clear access to them as they come out. There's no list that you can go in and gauge and say, “Hey now you are my client.” This support really counts on the client coming to you for the service.

Confidential Consultee A

As explained by Ms Zempilas, this may lead to individuals disengaging from support:

They [individuals with mental health concerns] often had multiple psychiatrists, or they couldn't get access to other treatments like psychologists. Mental health services had certain ways of

⁵⁵ The IPS Core Practice Principle of Integrated Services refers to IPS specialists being embedded within mental health teams to enabling them to work together, share information, and collaborate on ideas to help participants' improve their recovery.

operating, and many of those relied on the patient to instigate the contact or to keep appointments without appropriate follow up or outreach. That led to a lot of disengagement with services.

Ms Zempilas

Furthermore, the Mental Health Commission described how agencies' varying exclusion criteria can present a major barrier to the continuity of care between services. While an individual's lived experience of the criminal justice system might make them eligible for support from one program/agency (e.g., IPS), this very same experience might make them ineligible for support from another agency (e.g., a housing service).

In terms of case coordination, the other thing that regularly happens which compounds [an individual's disadvantage] is that one agency's [exclusion criteria] is often the [inclusion] criteria of the next agency.

Anon., Mental Health Commission

Hence, service providers' abilities to leverage one another's resources is only a strength to the extent that their exclusion criteria align. This will present a particular challenge in the criminal justice context, given the effect of a criminal record (see section 3.3(b) above).

Disengagement due to a lack of continuous care must be mitigated by clear case coordination, where both the mental health and criminal justice spaces are integrated. There is great potential for the IPS specialist to support individuals in navigating between services and exclusion criteria, by both creating relationships with a network of services, and advocating for their participants.

Recommendations

1. IPS specialists should assist participants in contacting services, keeping track of appointments, and attending appointments.
2. IPS specialists should encourage greater coordination between mental health, criminal justice, and employment agencies' case workers.
3. Create a standardised list of criminal justice-specific services that provide mental health support which summarises the services available and information on how to contact these services. Provide this resource to participants if they wish to communicate with a provider themselves rather than through IPS specialists.

(b) Bridging the Gap Between Clinical and Employment Models

The IPS model balances both clinical and employment models to provide holistic support for individuals. Currently, there are few agencies that support individuals to achieve positive employment, mental health, and general life outcomes. As explained in consultation with Reboot:

Reintegration needs to be a community effort and there's plenty of great support services doing sections of it – training for instance – but then it's without an employment outcome, or the mental health services, or without [an] understanding [of] where he wants to go. That holistic wraparound support that really, really works here [is needed elsewhere].

Anthony M, Reboot Australia

While individual agencies may specialise in a particular area, a holistic, wraparound support is needed to simultaneously address other challenges a client may face. This is easier said than done. Integrating services is not a linear process; often, traditional mental health services take a clinical approach to care which opposes other service models (such as employment). One consultee indicated how varied objectives and approaches to care may pose a challenge when trying to implement an IPS program within the WA criminal justice landscape:

Where you've got a primary care model where people come in for sessional work and then you've got salaried IPS workers, you see a clash in how you can actually implement the model.

Confidential Consultee B

An employee of Outcare noted how, at their organisation, a shared notion of recovery has allowed them to alleviate this challenge:

Although each agency's function and mandate is slightly different at the [Start] Court, and there should be a tension between them all, we actually get along and have a really good shared notion of what recovery looks like here.

Chris H, Outcare

Similarly, consultation with Reboot Australia reported that, whilst initial contact between services can be disjointed, the ongoing relationship between different services can be strengthened by affirming their shared purposes and learning from each other:

Where we've had really good effect is talking straight down the line to them [prison employees] and talking just as it is as opposed to, "Hey, we think you should do this." [...] We come from really straight, pure heartfelt conversations and that really resonated with them. So that is the



foundation of the way that we build our relationship with [the Department of Justice Division of] Corrections now.

Anthony M, Reboot Australia.

Ideas of reintegration and recovery are central to all services in the triple-intersection of criminal justice, mental health, and employment. If IPS is to be incorporated within this space, it should leverage the already well-established expertise of reintegration-focussed agencies to successfully assist individuals with lived experience of the criminal justice system into employment. The IPS program is well-suited to act an intermediary to help individuals navigate the various structures in this space.

Recommendations

1. Ensure IPS specialists act as the intermediary between reintegrative, clinical and employment services based upon a strong understanding of all three areas.
2. Develop networks and strong relationships with agencies and service providers to improve the coordination of services.

3.5 Practicalities of an IPS Model for the WA Criminal Justice System

This section discusses additional, practical elements an IPS program intended for implementation in the WA criminal justice system must take into consideration. The discussions below must be considered together with the discussions and recommendations contained in Sections 3.1 to 3.4 above.

(a) Training and Expertise

Ensuring appropriate training and expertise within the IPS program is essential. As discussed in Section 3.1 above, IPS specialists and the IPS program must always enshrine values of cultural awareness and lived experience of the criminal justice system to ensure it promotes effective reintegration of the individual. Consultation with Palmerston identified the distinctions that exist between reintegration services and mental health services:

Justice organisations are aimed at dealing with people who have committed offences, so they train people to do that. They have experience in that. They have policies and procedures to deal with it. And the same [is for] mental health organisations. They're set up as such so it's people who want to work with mental health problems who are there, who are trained to do it, have the experience for it. [But] they then feel that they don't have the expertise or the skill as an organisation and as individuals to deal with the [criminal justice] side of things.

Anon., Palmerston Association

Therefore, there must be training to address the reintegrative issues an individual faces within an IPS program targeted for this cohort. As discussed previously, lived or learned experience of the WA criminal justice will be a critical factor in the success of this specialised IPS program.

Another practical requirement for the IPS program is requiring all staff to obtain a National Criminal History Record Check and a National Security Vetting Clearance. The latter document is more extensive compared to regular national police clearances and is compulsory for all potential employees or contractors in order to enter prison facilities. Obtaining these clearances will be a necessary requirement should the IPS program be integrated in pre-release settings. Potential stages for IPS integration within the criminal justice system are discussed below.

Other training or practical requirements for the IPS program and its staff include aspects which are already in consideration for any IPS model – such as a background in recruitment or vocational development, and mental health and basic first aid training. Many consultees identified that IPS specialists would need to meet these requirements as a minimum, and emphasised the need for effective training to ensure individuals with lived experience of the criminal justice system are comfortable to engage with a program like IPS.



Recommendations

1. All IPS specialists should receive training on criminal justice lived experience and understand how to assist individuals with a criminal history, as well as have the requisite experience in employment and mental health support.
2. If it is determined that the National Criminal History Record Check and National Security Vetting Clearances are required, all identified IPS personnel should begin the process of obtaining these clearances immediately to avoid unnecessary time delays.

(b) Opportunities for IPS Implementation

Consultees were asked to comment on the critical question: when should IPS support begin in order to yield the greatest positive outcome for participants? In essence, the consensus was: the earlier, the better.

Court Diversion

Consultees recognised just how beneficial an IPS program could be for diverting offenders, especially young offenders, from the prison system. Potential IPS implementation channels for individuals who have been convicted but are awaiting sentencing and/or individuals who are serving their sentence in the community are discussed below.

Young Offenders

In WA, the IPS model is already operating successfully within headspace⁵⁶ locations (as noted in Section 1.3). This indicates that IPS is suitable for implementation within the juvenile criminal justice system. Some consultees stated that the juvenile criminal justice system would be an ideal implementation space for the IPS model for reasons such as:⁵⁷

- (a) IPS can help give young people a chance to break the cycle of crime before going on to become adult offenders;
- (b) juvenile justice typically applies an individualised approach to reintegration support, whilst adult corrections are typically punitive and lacking in personalised care; and

⁵⁶ Formerly known as the headspace National Youth Mental Health Foundation.

⁵⁷ Consultation with Ms Felicity Zempilas (Jessica Huynh, Mishka Isaacs and Leila Pinilla, 18 August 2022); Consultation with Outcare (Jessica Huynh, Olivia Trimboli, Natalya Mulvey, Leila Pinilla, 23 August 2022); Consultation with Confidential Consultee B (Jessica Huynh and Natalya Mulvey, 1 September 2022).

- (c) as young people have not yet entered the adult criminal justice system, it will be a relatively small investment to support young people into training or employment, resulting in significant cost savings for the WA Government.

Consequently, an IPS pilot program which engages youth in the criminal justice system could realise results and successes quickly. Speaking from a purely economic point of view, Ms Zempilas said:

I feel like within the justice system, we spend more effort or resources on rehabilitation of offenders at the other end of the scale, you know the ones who are serving years and years and years of imprisonment [...] but actually, younger, newer offenders are where you can get more bang for your buck.

Ms Zempilas

An IPS program could be based within the Children's Court of WA, where many young offenders are hypothetically ready to start apprenticeships or complete certificate courses, and are often placed on court orders which require them to show they are working towards employment.

[Speaking on the Children's Court of WA] I just think [IPS is] a really good fit for a program like this. If you can get the age, and that cohort, who are probably getting to that point where if they keep going down this path, they're going to end up in detention, or go on to a life of crime as an adult. So, it's a really good window that you could capitalise on.

Ms Zempilas

Engaging young people in an IPS model for individuals with lived experience of the criminal justice system has immense potential benefits to breaking cycles of incarceration. Naturally, this IPS program could facilitate young people to engage in vocational education, apprenticeships, and on-the-job training to create ongoing employment opportunities for young people as they get older. Therefore, engaging young people earlier can contribute towards reducing the rate of recidivism and promoting healthier lives for young people in WA. The knowledge gained from implementing, delivering, and reviewing IPS within headspace must be used to inform an IPS program for young people within the WA criminal justice system.

Recommendations

1. Consider adapting current IPS programs within headspace to an IPS program for young people within the WA criminal justice system to facilitate vocational education, apprenticeships, and on-the-job training.



2. Reflect on past findings and experiences of implementing, delivering, and reviewing headspaces' IPS programs to identify opportunities for an IPS program for young people within the WA criminal justice system.
3. Identify specific headspace centres in WA in which have staff with a background in criminal justice, or have strong experiences servicing young people with a lived criminal justice experience background, to discuss the potential of adapting current IPS programs to develop a criminal justice focus.

Magistrates Court

For adult offenders, consultees noted that the Magistrates Court of WA may be a suitable implementation jurisdiction for IPS. The Magistrates Court can see matters involving adults charged with minor offences, known as simple or summary offences. Matters involving more serious offences, known as indictable offences, may also begin in the Magistrates Court. Specialist divisions of the Magistrates Court can deal with specific offences, such as the Drug Court for individuals with substance misuse-related offending behaviour,⁵⁸ and the Start Court for individuals experiencing a mental health condition.⁵⁹

These specialised courts typically provide greater holistic support than other court systems. Thus, the range of criminal matters which can be heard in the Magistrates Court and the 'therapeutic' nature of its specialist divisions provide an opportunity for individuals who can benefit most from IPS programs to be diverted towards an IPS pathway.

When newer offenders appear in the Magistrates Court with a very limited criminal record, a duty lawyer may appeal to the magistrate for a shorter sentence or a spent conviction. Often, this involves showing the magistrate that their client should participate in, or has participated in, a diversion or rehabilitation program – such as an alcohol and drug support program. The availability for participation in an IPS program is something a magistrate may consider when exercising their discretion in terms of sentencing individuals who have pleaded guilty to an offence.

⁵⁸ Magistrates Court of Western Australia, *Drug Court* (Web Page, 18 December 2020)

<https://www.magistratescourt.wa.gov.au/D/drug_court.aspx>.

⁵⁹ Magistrates Court of Western Australia, *Start Court* (Web Page, 7 January 2021) <https://www.magistratescourt.wa.gov.au/S/start_court.aspx>. The relationship between individuals with mental health conditions and the WA criminal law is not unproblematic. For an in-depth discussion of the complex, discriminatory, and oftentimes dangerous impact of the *Criminal Law (Mentally Impaired Accused) Act 1996 (WA)* please see WAJA's 'Justice Delayed is Justice Denied: A Report to Strengthen the *Criminal Law (Mentally Impaired Accused) Act*' at <<https://www.wajustice.org.au/fitness-to-stand-trial-project>>. The Act risks imprisoning accused individuals for indefinite terms of custody, undermining the foundational values of the criminal justice system, such as equality, the right to a fair trial and the right to know the charges held against you. This complex matter is outside the scope of this report.



Implementing IPS within the Magistrates Court jurisdiction would work best if IPS has a physical presence in the court. According to Ms Zempilas, magistrates will be more likely to refer people to the IPS program if an IPS representative is present within the court building, is able to assess an individual's suitability for the program, and can provide an opinion as to the potential benefits of IPS for that individual. An 'assessment' may involve consideration of the individual's current situation (e.g., whether they are dealing with mental health issues and/or a lack of employment), any qualifications they have, and what the IPS program could do for them in the short-term. Essentially, this is to justify to the court that the individual is suitable for engagement in the IPS program and stands to benefit from it.

The importance of having a physical presence in the courts system is summarised by Ms Zempilas:

Just as long as you get someone there, on the ground talking to people, talking to lawyers, you're a face that the duty lawyer can say [to the client], "You're going to get to talk to IPS because they're here today, let's see what they suggest." [...] That's often overlooked when people are developing these kinds of programs.

If you want to be in courts, magistrates deal with hundreds of matters every day – you want them to be on the lookout for the one or two matters [...] where they can actually make a difference, because it's not going to be more than that. That's realistic. You're going to have people who have all these issues, who are willing to engage, [and] where you've got that intersection [between mental health and necessity for employment]. So, you need someone there [in court] to help find that person.

Ms Zempilas

Implementing IPS within the Magistrates Court will identify likely participants for IPS, thereby contributing to their chances of recovery and reintegration, whilst also promoting awareness of IPS to legal professionals, judicial officers, individuals, their families, and the community.

Recommendation

1. IPS should have a physical presence within the WA Magistrates Court system, so that judicial officers can observe the benefits of the program and order individuals to participate in IPS programs where appropriate.

Connect Wanju

Palmerston, which is predominantly a drug and alcohol rehabilitation service provider, is a partner provider of Connect Wanju alongside Wungening Aboriginal Corporation (**Wungening**). Connect Wanju is funded by the Department of Justice to deliver the General Court Intervention Program (**GCIP**), a program based at Perth's Central Law Courts to provide individuals on bail with needs-based support through case management. Accused persons can participate in the GCIP from their first court appearance if they have been referred and assessed as suitable.⁶⁰

Connect Wanju covers four domains: physical and mental health, alcohol and other drugs, socio-economic needs (e.g., employment), and homelessness. Consultees recognised that within the GCIP, or similar programs which target several such 'domains', employment support could essentially be 'brokered out' to the IPS program. In this way, a memorandum of understanding would exist between the IPS program and a partner organisation, such as Palmerston or Wungening. An employee of Palmerston said:

Mental health and employment are two of the four [domains we target]. So, if IPS will come in and do that, like we kind of broker that out to you guys there, I think that would be really beneficial for us, because that's two of our four, but in one area rather than have someone for mental health, someone for employment, someone for homelessness.

Anon., Palmerston Association

Consultation with Palmerston was overall positive towards an IPS partnership model. Discussions with Palmerston representatives indicate a specialised IPS program for individuals with lived experience of the criminal justice system could potentially be co-located with a program such as Connect Wanju.

Recommendations

1. Engage in discussions with providers of programs such as Connect Wanju and to begin forming relationships for potential IPS partners and promote IPS education. Explore how organisations could employ an IPS specialist to integrate the program within their service.
2. Engage with Aboriginal-led service providers to discuss and collaborate on opportunities for IPS partnerships.

⁶⁰ Palmerston Association, Connect Wanju (Web Page) <<https://www.palmerston.org.au/services/connect-wanju/>>.

Community-based Orders

As a diversionary tool, the IPS program could be successful if implemented as part of community corrections orders. Community-based orders allow individuals convicted of minor offences to address their offending behaviour in the community. There are three basic requirements of a community-based order:

1. **Supervision** – the individual meets regularly with a corrections officer;
2. **Community work** – the individual may be required to do volunteer work that benefits the community; and
3. **Program** – the individual participates in a program to address their criminal behaviour.⁶¹

An individual could cover the program requirement of their community-based order by engaging in the IPS program. Ms Zempilas attested to the potential for IPS to operate successfully in this space:

There's also community-based orders. Through adult community corrections where again, you've got that lower end offender who's been put on their first community-based order. It could be part of the program requirements of that order to engage with the [IPS] service.

Ms Zempilas

During consultations, it was made clear that WAAMH would need to build a relationship with the Department of Justice (Corrective Services Division) if they sought to incorporate IPS support into options for community-based orders.

In any of those areas, you need to be dealing with community corrections, either youth justice or adult community corrections because they will be responsible for any monitoring on orders of youth, of adults, post and pre-sentencing [...]

You would definitely need to have them on board, and have a good relationship with them as a sort of program provider. You would be in essence working with them as someone they could refer people to, and then you could report back to the Court or to the Prison Review Board and so on [...]

Ms Zempilas

⁶¹ WA Department of Justice, *Community Based Orders – Fact Sheet* (Information sheet, 2021) <<https://www.wa.gov.au/system/files/2021-12/cbo-fact-sheet.pdf>>.

Recommendations

1. Where IPS can be implemented as part of community-based orders, begin developing a relationship with the Department of Justice (Corrective Services Division) as soon as possible.
2. Develop educational IPS materials for distribution amongst the Corrective Services Division, especially community corrections officers, to ensure individuals engage successfully in an IPS program.

During the Prison Sentence

Turning now to individuals sentenced to a term of imprisonment, the majority of consultees stated that employment support and planning should begin whilst individuals are still in prison. For instance, an employee of MOSAC explained:

I think basically [IPS support should start] when people go to get inducted into prison. Doing talks about resumes, employment history and that kind of preparation for future employment should start early [at the start of their sentence], so there's a plan for their employment as well as everything else [...] As soon as they get in [prison], start that process [of] resume [building], and start building that relationship. Start investigating more in regards to therapy and help.

Peter M, MOSAC

In-prison employment discussions and assistance will better facilitate individuals' readiness for employment post-release. If an individual wants a job within a certain industry, ideally in-prison services can support them to attain the necessary qualifications (if offered within the prison).

The Prison Employment Program within Bunbury Regional Prison is one employment program that has recognised the benefits of commencing employment support within prison. Accordwest described how the prison's pre-release unit (where individuals have more freedom to move around) makes it a great location for employment support.

When you see the guys going through that [Prison Employment Program] and they are able to then lineup employment post release and have it all ready to go, I personally think that's when it's most successful, because [that routine is] already established. They're not having to go out into the community and meet new people and make new connections. It's already being done from a really stable location within the prison.

Merinda R, Accordwest



Consultations concluded there is no 'right time' for in-prison employment assistance to begin. This will depend on the individual and the sentence that they are serving.

I would say 12 months prior to release for those people who are in prison. [...] I think any sort of support is going to be good support, but definitely I wouldn't go any earlier than 12 months prior to release because a lot can change and the motivation changes as they get closer and closer to release [...] 12 months in prison terms, that's when you're on the home stretch [...] especially for anyone who's done any kind of lengthy sentence.

Anon., Palmerston Association

Broadly [employment services] would still be within prison and broadly within six to three months before they leave. Having the conversation started [early is beneficial], because if they want to work in a specific area then they need training [...] so employment should be a conversation from when they are within prison. The timestamp is hard because it really just depends on the individual. But if we had to say – it would be three to six months before the person actually comes out to have that conversation.

Confidential Consultee A

Importantly, consultation with individuals with lived experience of the criminal justice system indicated that, if IPS support begins during the individual's period of incarceration, the support of the prison centre itself will be essential to its success.

Ultimately, if there's like a service that is going to be offered to prisoners [...] the success of that service will be somewhat incumbent on how the prison supports [and] encourages people to engage with the program [and] communicates the benefits of that program.

It's really important that the prison or prisons that are involved in the program get on board with being proactive – whether that's through [WAAMH or WAJA] creating materials for them to distribute, or by [WAAMH or WAJA] creating a plan for them on how to effectively communicate the benefits of IPS to prisoners.

Lived Experience Individual A

Similarly, it was noted that in-prison IPS support should be tailored to the specific prison it is implemented in, and draw upon on its resources to set participants up for the greatest possible success.

I think linking in with the prison specifically, and playing to the prison's success or the prison strengths [will be necessary]. For example, the last prison I worked at has a huge training



kitchen [...] so some of these guys are coming out as virtually qualified chefs. Others are coming out with other qualifications linked in with that hospitality sort of theme. That's great for Acacia Prison. Casuarina Prison might have a very different set up and might have the best wood-work sort of stuff going on or whatever. I think linking in with specific prisons for specific tasks would be really good.

Anon., Palmerston Association

Overall, an IPS program can enhance the provision of employment assistance and the identification of employment needs of individuals in the months leading up to their release. As discussed above in Section 3.5(a) above, a National Criminal History Record Check and National Security Vetting Clearance will be mandatory for any contractor (i.e IPS specialist) entering a prison facility.

Implementing IPS in the pre-release stage itself may be difficult due to the Clearance requirement, ongoing security needs, procedures within a prison itself, and the potential uncertainty of an individual's release date. However, implementing aspects of IPS within prisons should be considered, including whether it may be appropriate for prison educator officers to provide some of the IPS program's introductory or preliminary support. Lived experience individual A recommended promoting the benefits of IPS within prisons directly by way of talks or workshops with inmates to encourage motivation for employment. The success of similar initiatives by MOSAC and Reboot Australia suggests that this will support the success of IPS in a pre-release context.

Recommendations

1. Consider preparing IPS educational materials for distribution within training and employment units of WA prisons to increase awareness of IPS programs available, thereby boosting engagement with IPS.
2. Conduct regular talks or workshops within prisons to understand individuals' employment needs (e.g., which tickets or certificates an individual needs) to identify training requirements needed after release, or to link with employers ready to employ individuals after release. These can be run by IPS specialists and/or by inmates/ex-inmates who have engaged with IPS to act as ambassadors for the program.
3. Conduct regular talks or workshops within prisons to promote awareness and motivation for employment after release.
4. Consider the site-specific resources available within prisons (e.g., existing training opportunities or facilities) to identify how the IPS program can utilise these to set participants up for success post-release.



5. Consider implementation within prisons that have a pre-release unit, such as Bunbury Regional Prison.
6. Where possible, introduce IPS information materials at the prison induction process and/or offer these to individuals at least 12 months prior to release.

Post-release from Prison

The benefits of beginning employment support pre-release from prison cannot be understated. However, the IPS program has perhaps the greatest potential to locate itself within the reintegration space post-release. In WA, there are numerous program providers who already support individuals in their transition from prison into the community. Implementing IPS within one of these programs, while filtering some support into prisons as discussed in Section 3.5(a) above, may be the most feasible option for an IPS pilot program.

An IPS partnership model, as discussed within Section 1.1 above, involves IPS employment support co-locating within a mental health service provider. For a specialised IPS program for individuals with lived experience of the criminal justice system, potential options for co-location of IPS is extended to include reintegration service providers. Consultations highlighted various potential candidates for an IPS partnership.

For example, the Accordwest Post-Release Support Program provides support in finding rapid employment both within the final months of an individual's sentencing and after they have been released. The service uses a case management model, which directly engages with barriers that are specific to reintegration. It would particularly benefit an IPS program to work alongside a service using this model, in order to leverage their experience working in the criminal justice system.

We follow a case management model of casework, so it's targeted at areas that we know are specific to someone's recidivism rate, including employment, health, substance use, employment accommodation or those sort of things.

Merinda R, Accordwest

It is clear that upon release, there are delicate factors which would need to be addressed by an IPS program. Working in partnership with organisations that specialise in post-release service provision (who already actively target clients' criminal justice-specific barriers) would enable IPS specialists to focus more on the Core Practice Principles of Participant Preference and Rapid Job Search. Accordwest noted that quality and preference of work is lowered in their service as a result of high demand and limited resources:



I would say a lot of the time the matching of participant and job is not particularly targeted [...] here in the Southwest, it's a very blue-collar market. But that's not for everyone. Not everyone wants to do that kind of work or is suited to that depending on their own physical condition and lifestyle. So, sometimes I think it's a little bit too generalised and then people get put into categories of "Oh they don't want to work", but realistically, they just haven't had access to a job that is suitable for them.

Merinda R, Accordwest

The post-release space is an area of the criminal justice system with significant potential to reduce recidivism given its direct influence on the reintegration process. As such, integrating IPS with a service such as that provided by Accordwest would optimise IPS's potential rehabilitative success as a criminal justice-specific employment program.

Recommendation

1. Continue discussions with organisations such as Accordwest who work in the reintegration space to identify potential service partners to support this aspect of the IPS program.

(c) Opting into IPS

The method in which individuals may become involved within a program such as IPS must also be considered. Consultations identified an opt-in service model as the most appropriate option for individuals with lived experience of the criminal justice system. As noted in Section 3.2(b) above, an opt-in model can encourage participation with IPS:

You need a system that they can opt-in at any point, because a lot of guys are motivated by other people's success, so they might not want to put themselves out there for the shame of failing or looking like they're not cool around other people. [But if] they see a few people succeed, and if they feel like they've missed the boat, that's a tough pill to swallow. If they can opt in at any point, then that's a really, really good way of dropping the barrier.

Anon., Palmerston Association

Consultations also addressed how some individuals may need external encouragement to opt-in to an IPS program (refer to sections 3.1(c) and 3.2(b) above). Accordingly, the flexibility of an individualised and person-centred program such as IPS would be well-suited to accommodate individuals willing to



engage with IPS, whilst also ready to receive those who need more time before engaging with employment support.

As the IPS model initially developed with a strong mental health focus, a specialised IPS model for the criminal justice system would also be suitable for individuals experiencing criminal justice-related traumas. Impacted individuals may require more time to consider engaging with an IPS program, continued access to treatment if required, and extensive support before agreeing to opt-in:

When you've taken decision-making and autonomy from someone, many people will grab at it both hands when they come back out [of prison]. But some people will actually stay in that "I need to be told what to do" [mindset] and that is a trauma [response] situation.

Lived Experience Individual B

I think it's two-fold. There [can be] communication to prisoners generally on IPS and its benefits (and encouraging people that way), but then there's also identifying individual prisoners who would benefit greatly from IPS and encouraging them specifically. I think that would be my approach – is potentially having IPS as an opt-in service.

Lived Experience Individual A

Therefore, flexibility within an IPS program will be crucial with an opt-in service model. The personal responsibility to opt into the IPS program must be supplemented with targeted encouragement of individuals who could benefit most from IPS.

Recommendation

1. Develop an opt-in design for this criminal justice-specific IPS program, with a supplementary provider-referral method to target individuals who stand to benefit most from IPS.

4. Conclusion

Employment is an important protective factor which can prevent individuals experiencing mental health conditions from (re)encountering the criminal justice system. The IPS model has demonstrated success in supporting individuals with mental health challenges to find and maintain meaningful employment as part of their recovery. There is potential for IPS to have similar success supporting individuals who, in addition to mental health challenges, have lived experience of the criminal justice system.

Read in tandem with WAJA's 2021 Report, the findings of this report contribute to the design of an IPS program within the context of WA's criminal justice system. Consultations with service providers and individuals revealed the barriers and challenges that will come with the additional layer of criminal justice system experience.

For example, individuals with lived experience of the criminal justice system may be held back by internalised stigma or the (mis)conception that, due to their criminal record, they are unemployable. On top of mental health challenges, many individuals may experience difficulty re-adjusting to the expectations and routines of life in the community. An additional barrier to these individuals securing employment is police clearances. Breaking down the stigma surrounding criminal records, educating employers and individuals, and supporting employers to hire individuals with lived experience of the criminal justice system is a challenge that the traditional IPS model would not have encountered.

Consultations also affirmed the great potential of IPS programs to break cycles of recidivism and promote recovery and reintegration. For example, an IPS program could effectively operate within the juvenile justice space, supplementing existing, individualised support services aimed at diverting first-time offenders from punitive sentences. IPS could overcome the challenges that currently exist due to a lack of continuity between services, while its person-centred nature offers a real opportunity for individuals with lived experience to experience a sense of trust and empowerment on their journey to securing and maintaining meaningful employment.

As a student-led organisation, WAJA conducts projects on a university-semester timeframe consisting of 12 weeks. Due to this time constraint, few lived experience consultations could be undertaken. We recommend that WAAMH continues to enshrine the perspectives of those with lived experience and of Aboriginal and Torres Strait Islander peoples into the research and design phases of a criminal justice specific IPS program. The importance of this cannot be overstated.

Alongside the ongoing efforts of service providers, not-for-profit organisations, and advocates within the criminal justice, mental health, and employment spaces, it is hoped that this report will contribute to meaningful change by enhancing the support available for individuals with lived experience of the WA criminal justice system.



5. Pilot Design Recommendations

Summarised below are all the recommendations made by this report:

Adapting IPS for the WA Criminal Justice System

1. Continually engage in education workshops or trainings to understand issues and challenges faced by individuals and their family members with lived experience of the WA criminal justice system, as well as to refresh understandings of the systemic issues within the WA criminal justice system. This will enable IPS to deliver timely and relevant support to participants.
2. Conduct lived experience workshops or table discussions with individuals and family members with experience of the WA criminal justice system to inform the design and implementation of IPS.
3. Create a criminal justice system lived experience advisory committee to monitor the design and/or integration and/or fidelity review of the IPS program. The committee should reflect a diverse range of individuals with lived experience of the WA criminal justice system.
4. Network and collaborate with advocates within the criminal justice area to promote greater engagement with this area and to develop strong ties to the community.
5. Co-design the specialised criminal justice-specific IPS model, specifically the ANZ Fidelity Scale, alongside Aboriginal and Torres Strait Islander people. This will facilitate a deeper understanding on how employment success can be measured, to avoid homogenising the experiences of Aboriginal and Torres Strait Islander peoples.
6. Engage in yarning circles as a way of sharing ideas and discussing issues with Aboriginal and Torres Strait Islander people and communities to identify the best methods of employment assistance for individuals who identify as Aboriginal and/or Torres Strait Islander.
7. Where possible, ensure the presence of a cultural worker to help Aboriginal and Torres Strait Islander people navigate language and cultural barriers. An example of this in practice is seen through the Nindilingarri health service in

Fitzroy Crossing whereby individuals cannot see a doctor or health worker without a cultural worker present to support the individual.

8. Ensure IPS specialists and ancillary IPS staff, if any, engage in regular Aboriginal-led cultural awareness training.
9. Ensure IPS specialists act as the intermediary between reintegrative, clinical and employment services based upon a strong understanding of all three areas.
10. Develop an opt-in design for this criminal justice-specific IPS program, with a supplementary provider-referral method to target individuals who stand to benefit most from IPS.

Where and How IPS Can Be Implemented

Location

11. Integrate IPS into services that have an existing case worker or other clinical support. The IPS specialist works alongside the case worker, focusing on job searching while the case worker supports the client to meet their basic needs.
12. A specialised criminal justice-specific IPS program should first be implemented within metropolitan WA, before expanding outwards to meet the needs of individuals within regional WA. An IPS program should not exclude individuals who live or move to a regional location.

Young Offenders

13. Consider adapting current IPS programs within headspace to an IPS model for young people within the WA criminal justice system to facilitate vocational education, apprenticeships, and on-the-job training.
14. Reflect on past findings and experiences of implementing, delivering, and reviewing headspaces' IPS programs to identify opportunities for an IPS model for young people within the WA criminal justice system.
15. Identify specific headspace centres in WA in which have staff with a background in criminal justice, or have strong experiences servicing young



people with a lived criminal justice experience background, to discuss the potential of adapting current IPS programs to develop a criminal justice focus.

Courts and Community Corrections

- 16.** IPS should have a physical presence within the WA Magistrates Courts system, so that judicial officers can observe the benefits of the program and order individuals to participate in IPS programs.
- 17.** Where IPS can be implemented as community-based orders, begin developing a relationship with the Department of Justice (Corrective Services Division) as soon as possible.

Prisons

- 18.** Develop educational IPS materials for distribution amongst the Corrective Services Division, especially community corrections officers, to ensure individuals engage successfully in an IPS program.
- 19.** Consider preparing IPS educational materials for distribution within training and employment units of WA prisons to increase awareness of IPS programs available, thereby boosting engagement with IPS.
- 20.** Conduct regular talks or workshops within prisons to understand individuals' employment needs (i.e which tickets or certificates an individual needs) to identify training requirements needed after release, or to link with employers with employers ready to employ individuals after release. These can be run by IPS specialists and/or by inmates/ex-inmates who have engaged with IPS to act as ambassadors for the program.
- 21.** Conduct regular talks or workshops within prison to promote awareness and motivation for employment after release.
- 22.** Consider the site-specific resources available within prisons (e.g., existing training opportunities or facilities) to identify how the IPS program can utilise these to set participants up for success post-release.
- 23.** Consider implementation within prisons that have a pre-release unit, such as Bunbury Regional Prison.

24. Where possible, introduce IPS information materials at the prison induction process and/or offer these to individuals at least 12 months prior to release.

Next Steps for WAAMH

25. Develop networks and strong relationships with agencies and service providers to improve the coordination of services.
26. Engage in discussions with organisations such as Palmerston which have preliminary IPS knowledge to begin forming relationships with potential IPS partners. Explore how organisations could employ an IPS specialist to integrate the program within their service.
27. Engage with Aboriginal-led service providers to discuss and collaborate on opportunities for IPS partnerships.
28. Continue discussions with organisations such as Accordwest who work in the reintegration space to identify potential service partners to support this aspect of the IPS program.

Recommendations Regarding the Role of IPS Specialist

Training and Expertise

29. IPS specialists receive training on how to inform the IPS client of the (potential) effects of their prior convictions on their employment search and support them to navigate the application process to ensure their prior convictions are reported as candidly and transparently as possible.
30. IPS specialists must receive training to assist individuals with how to disclose information regarding their prior convictions to employers, including legal considerations.
31. Provide training on how to identify the risks of re-offending behaviour. Where individuals are not currently engaged in part-time employment, the IPS specialist must ensure they remain motivated to find employment whilst completing community corrections orders or parole conditions, attending court,

attending medical appointments, or simply spending time re-connecting with friends and family.

- 32.** IPS specialists to engage in regular mental health lived experience workshops and criminal justice system lived experience workshops to deliver appropriate help and pre-empt employment barriers individuals will face.
- 33.** Particular attention should be dedicated to employing IPS specialists with broad professional experience in different welfare and social sectors. This will enable a more holistic approach to delivering the IPS program, through ensuring that there is established understanding and skill regarding both the intersectionality of, and distinctions between mental health, criminal justice and employment.
- 34.** Offer training to IPS specialists to ensure there is up-to-date understanding of local labour market conditions, as well as criminal justice training to understand parole conditions and community-based orders.
- 35.** All IPS specialists should receive training on criminal justice lived experience and understand how to assist individuals with criminal history, as well as have the requisite experience in employment and mental health support.
- 36.** Once it is determined the National Criminal History Record Check and National Security Vetting Clearances are required, all identified IPS personnel should begin the process of obtaining these clearances immediately to avoid unnecessary time delays.

Encouraging Job Motivation

- 37.** IPS specialists must play the role of sustaining the individual's (potentially fluctuating) motivation to find work alongside their case worker and/or clinical supports.
- 38.** The benefits of IPS should be recurringly communicated with potential IPS participants within prisons and prison staff, for instance, by sharing brochures of individuals' experiences of success with the program.
- 39.** Develop a system for gauging IPS participants' motivation and provide training on how to boost job motivation.



- 40.** IPS specialists should aim to deconstruct any misconceptions involving workload commitment and provide an understanding on how part-time work allows time for personal commitments, parole conditions and recovery. As a result, the IPS program will promote employment as part of the criminal justice recovery.

Finding Appropriate Work

- 41.** IPS specialist should support the client to identify job opportunities which their transferable skills make them a good candidate for.
- 42.** The Core Practice Principle of Attention to Participant Preferences should allow room for IPS specialists to support the client's expectations so that they feel positive about their employment prospects and not as though they are being set up to fail.

Supporting the (Re)transition into the Community

- 43.** The various perceptions towards 'employment' must be acknowledged by the IPS model. The model must engage with how these perceptions are potential barriers to successful employment outcomes, which can impact the risk of recidivism.
- 44.** An IPS program must support those who, albeit are motivated to 'find work', may struggle (re-)adjusting to professional environments and responsibilities. Offering workshops to help individuals adjust to workplace environments and work schedules can assist this task.
- 45.** The IPS specialists' work should not be siloed from the work of mental health professionals, or other clinicians. IPS specialists must be trained in supporting individuals with lived experience to break patterns of negative self-talk and self-inflicted stigma.
- 46.** All IPS specialists must collaborate with the participants to set realistic goals, balancing the benefits of employment with the individual's unique experiences.

Addressing the Hierarchy of Needs

- 47.** IPS specialists should assist participants in contacting services, keeping track of appointments, and attending appointments.



- 48.** IPS specialists should encourage greater coordination between mental health, criminal justice, and employment agencies' case workers.
- 49.** Create a standardised list of criminal justice-specific services that provide mental health support which summarises the services available and information on how to contact these services. Provide this resource to participants if they wish to communicate with a provider themselves rather than through an IPS specialist.
- 50.** IPS specialists must communicate and collaborate with housing service providers, clinical services, or other key providers that the individual is linked with to enhance the support offered to individuals, thereby increasing the chances of successful employment.
- 51.** Facilitate and encourage participants to engage in literacy and numeracy courses as required.
- 52.** The IPS Core Practice Principle of Benefits Counselling should extend to include financial management training and financial counselling for individuals who request this assistance.

Receommendations Regarding Peer Support

- 53.** The IPS principles of Time-unlimited Support and Integrated Services should extend to include peer support for individuals in order to inspire hope, empowerment, and a sense of connection between the participant and person assisting them to gain employment.
- 54.** The IPS model should be guided by values or ideas of peer support work to ensure participants feel understood and can relate to others about their criminal justice experience.
- 55.** Depending on budget constraints, pair an IPS specialist with a justice peer support worker to enhance the support offered to individuals. Otherwise, if the individual is linked with a justice service provider, IPS specialists must communicate and collaborate with the justice service provider to enhance the

support offered to individuals, thereby increasing the chances of successful employment.

Recommendations Regarding Job interviews

- 56.** Share the Australian Red Cross' Beyond the Check website as a resource for employers to better understand how to request and discuss police clearances results.
- 57.** Develop a guide for employers on how to implement improved recruitment processes which support individuals with lived experience of the criminal justice system, rather than exclude them. An IPS model for the criminal justice system must build off existing resources such as Beyond the Check to develop a pool of knowledge in which can be shared with employers and labour hire companies.
- 58.** Individuals receive job interview tips and tricks on how to succeed, especially for individuals who have not attended a job interview in a long time due to the length of their prison sentence, or who have little formal employment histories. For individuals who choose to, assistance for discussing their criminal record in a cover letter is necessary.
- 59.** Encourage employers to implement creative or new interview processes to ensure candidates feel welcomed. Adopt Fruit2Work's successful interview method wherever possible.
- 60.** IPS specialists to work with individuals to organise and manage their transport requirements to attend job interviews and/or their place of employment.
- 61.** If required, the organisation in which an IPS program is integrated must review internal policies to ensure IPS specialists are appropriately trained and supported to transport individuals to job interviews.
- 62.** If the individual is linked with an employment service provider, coordinate with the provider on transport-related assistance such as ensuring access to public transport passes (Smartriders) or petrol vouchers, as well as providing training on how to use public transport. Strong networking with providers will offer greater streamlined and timely assistance to the individual.

Recommendations for Engaging with Employers

- 63.** Access and utilise the Australian Red Cross Beyond the Check website as a basic guide for IPS specialists to share with employers as a means of knowledge sharing and community education to break down employer biases around the criminal justice system.
- 64.** Create a standardised set of resources or guides to share with employers on addressing their workplace biases and barriers towards individuals with lived experience of the criminal justice system. This will allow IPS specialists do not have to provide constant attention to employers, and instead spend more time with the individual.
- 65.** IPS specialists must receive training on how to appropriately engage, discuss and advocate for individuals with lived experience of the criminal justice system to potential employers. Networking with advocates within the criminal justice space who can be a valuable ally will assist in this task.
- 66.** IPS specialists attend job expos and fairs as a way to engage with both candidates and employers to promote the value of hiring individuals with lived experience of the justice system. At such events, share success stories to demonstrate the value of IPS programs to employers. An IPS presence at such events will contribute to breaking the stigma surrounding the justice system and promote awareness of IPS.
- 67.** Invite employers, industry bodies, or government agencies to workshops, conferences, or symposiums to familiarise people with discussing stigma towards individuals with lived experience of the justice system.
- 68.** Employ and ensure continued professional development and training of IPS specialists to ensure they have the business acumen and industry knowledge to meaningfully connect with employers.
- 69.** Develop strong connections with WA employers with multiple job opportunities, such as labour hire companies, to place recently released individuals into employment in a timely manner.
- 70.** Develop a network of employers ready to employ individuals with lived experience of the criminal justice system and who understand the



requirements associated with community correction orders or parole conditions.

- 71.** Coordinate with employers regarding job requirements, such as certificates or tickets, to ensure individuals can either obtain these requirements after release or have already gained these qualifications whilst in prison.



6. Appendix

PORTFOLIO OF CONSULTEES

Name	Experience and Expertise
Accordwest	<p>Accordwest is a not-for-profit, community-based Organisation providing a range of family support, accommodation, emergency, and re-entry services. Operating for over 33 years, Accordwest has service centres in Bunbury, Busselton, Mandurah and Manjimup, and provides outreach to Harvey and Collie.</p> <p>Accordwest supports individuals during their incarceration and in the first 18-months following their release from prison through programs such as Remand, Life Skills and Trauma Counselling. One of Accordwest's focuses is on assisting these individuals toward gaining employment.</p> <p>For more information, visit Accordwest.</p>
Fruit2Work	<p>Established in 2017 and based in Victoria, Fruit2Work is a not-for-profit social enterprise who create chances through employment for those impacted by the criminal justice system. Fruit2Work exclusively employs individuals who have been to prison to pick, pack and deliver fruit and other pantry items. They aim to provide a safe, accepting, and judgement-free workplace, effectively supporting these individuals to break the cycle of reoffending.</p> <p>For more information, visit Fruit2Work.</p>
Men's Outreach Service Aboriginal Corporation	<p>Since 2008, the Men's Outreach Service Aboriginal Corporation (MOSAC) has provided a range of support services to men, their families and communities in the Kimberley region of WA.</p> <p>MOSAC has four key program areas: youth suicide prevention (life promotion), family and domestic violence, men's health and wellbeing, and child and youth bike engagement. Within the Men's Health and Wellbeing Program, MOSAC supports Aboriginal men making the transition from prison to community life to engage in employment and health care. MOSAC is also a provider of the Time to Work Employment Service.</p> <p>For more information, visit MOSAC.</p>
Mental Health Commission	<p>The Mental Health Commission was established in 2010 to lead mental health reform in WA. The Mental Health Commission commissions, provides and partners in the delivery of prevention, promotion and early intervention programs, treatments and services, and research and policy improvements.</p> <p>For more information, visit the Mental Health Commission.</p>
Outcare	<p>Outcare provides justice, reintegration and support services to help people engage positively with community. Outcare assists in operating the Start Court, which aims to divert adults with mental health issues from custodial sentences, is a provider of the Time to Work Employment Service, and provides an Aboriginal Throughcare</p>



	<p>program which supports Aboriginal people as they transition out of custody (during the last three months of their prison sentence and for twelve months following their release).</p> <p>For more information, visit Outcare.</p>
<p>Palmerston Association</p>	<p>Palmerston Association is a not-for-profit provider of alcohol and other drug services which was established in the 1980s. Palmerston offers free community services in ten locations throughout the metropolitan and Great Southern regions of WA, outreach in areas such as Waroona and Pinjarra, and two residential rehabilitation services in Perth and the South West.</p> <p>Palmerston's Solid Steps AOD Recovery program (a partnership with Wungening Aboriginal Corporation) is located within the Mallee Unit in Casuarina Prison to supports men to break free of the cycle of drug and alcohol addictions. Palmerston works with the Department of Justice to deliver the General Court Intervention Program across Perth metropolitan, improving access to treatment and support services for accused persons within the Court system.</p> <p>For more information, visit Palmerston.</p>
<p>Reboot Australia</p>	<p>Operating for four years in Western Australia and Queensland, Reboot Australia is a Social Enterprise Throughcare Employment company which specialises in employment for those who've been incarcerated.</p> <p>Reboot Australia identifies talent/candidates in prison, provides them with industry-relevant education and training pre- and post-release, and later connects them to tailored employment opportunities and support services. Among Reboot Australia's programs are Reboot Academy (guiding individuals in prison through the reintegration process) and Reintegration Traineeship (working with employers to identify their training personnel requirements and co-create unique traineeships).</p> <p>For more information, visit Reboot Australia.</p>
<p>Ms Felicity Zempilas</p>	<p>Ms Zempilas has been a magistrate for over 13 years. For four of those years, she was a dedicated magistrate in the Start Court and the Intellectual Disability Diversion Program. Ms Zempilas has extensive knowledge of the intersection between mental health and criminal justice, and in her everyday work has encountered countless programs aimed at breaking the cycle of offending.</p>



Information Sheet

What is IPS?

The Individual Placement and Support model of supported employment was developed to assist people with severe and persistent mental health conditions to seek, gain and retain open, competitive employment.

This integrated model of intervention directly aligns with state and national policy and is a proven initiative to improve employment outcomes for consumers working with both Disability Employment Services and Mental Health Services.

The Core Practice Principles of IPS

1. Competitive employment
2. Integrated with mental health treatment
3. Zero Exclusion
4. Client Preferences
5. Benefits counselling
6. Rapid job search
7. Job development
8. Post-placement individualised support

The Employment Specialist

- Works with consumers and the mental health team to assist in achieving employment goals;
- Facilitates work-related appointments with Centrelink;
- Assists the person with job search;
- Provides assistance in preparing job applications and for job interviews;
- Manages issues arising from the job or employer; and
- Assists the individual in retaining their chosen job

The Mental Health Service

- Assists with the referral process by providing medical evidence and information relevant to the consumer's participation in the IPS employment program;
- Supports the Employment Specialist by either providing advice or arranging treatment to enable the consumer to manage their condition whilst employed;
- Provides induction and supervisory support to the Employment Specialist

Who is eligible?

Consumers who are:

- Receiving support from mental health services
- Currently unemployed
- Motivated to work and willing to participate in the job searching process
- Available to work eight hours or more per week
- Diagnosed with a mental illness that is likely to persist for two years or more

The benefits:

Meaningful employment has been shown to improve self-esteem and increase personal empowerment and social inclusion.

Work offers a routine and can reduce clinical symptoms. It can provide:

- New meaning, control, and purpose in life
- Increased independence, self-worth, and confidence
- Increased work skills and career opportunities
- Increased connection to community

