

Jail means offenders are c

One of the headline stories in many newspapers recently suggested that people released from jail are 10 times more likely to die than are people who are actually in jail. Whether it is really 10 times or perhaps five times more likely, the fact is release from jail greatly increases the probability of death.

The results of this research, which were published in *The Medical Journal of Australia*, should come as no surprise. We all know since the Royal Commission of Aboriginal Deaths in Custody that the probability of a person dying in jail was much higher than it was for a person of the same gender and age (whether Aboriginal or not) than was the probability of dying in the community.

This general finding has led to the conclusion that jails are dangerous places, a view which is supported by many correctional administrators and prison officers. But that is only half the story. For law-abiding

Something has to be done to reduce the risk c

people, as with most of us, it is quite true, but for those who regularly break the law the exact opposite is true. For these people, jail is a protective haven which helps them avoid a range of dangers, many of which can be fatal.

Even in the most basic jail the prisoners receive three meals a day and a bed at night, as well as some level of health care, and their well-being will probably be at least noticed by prison officers or other prisoners. Compare this with the considerable number of people who are homeless and sleep rough every night in our parks or in makeshift, cardboard shelters. The person in jail is obviously in a much safer environment.

Furthermore, even though it is now widely recognised that illegal drugs are to be found in all Australian prisons, the doses that are available

to prisoners are very limited and the actual taking of the drugs introduces other dangers such as blood-borne infections for hepatitis, while there are no such limitations for drug takers in the community. For anyone with the money drugs are readily available as are clean needles and syringes.

There are also many other dangers in the community compared to being behind bars for law-breakers. Apart from illegal drugs, cigarettes and alcohol are widely available in the community while they are either restricted or banned in jail. Again, it is clear that the dangers are less for the person in jail.

But the comparison does not stop there. The law-breaker in the community will probably have access (either lawfully or not) to one or more motor vehicles and is also likely to drive at high speeds, possibly while

Working with Vulnerable People Bill

CT 6/8/11

The ACT Government has commenced the final round of consultation on the *Working with Vulnerable People (Background Checking) Bill 2010* (the Bill).

The Bill seeks to establish a regulatory framework for the background checking and risk assessment of people working – or volunteering – with children or vulnerable adults in the ACT.

Widespread consultation has taken place throughout the development of the legislation. The ACT Government is now asking for stakeholders and the wider community to have their final say on the proposed Risk Assessment Guidelines, Application Form, Risk Management Assessment Tool, government amendments to the Bill and the regulations before they are introduced into the Legislative Assembly.

The documents can be found at www.dhcs.act.gov.au Consultation closes on **Friday 9 September 2011**.

For further information contact Jean Thomson, Policy Manager, on 02 62058329 or via email workingwithvulnerablepeople@act.gov.au

CT 5/8/11

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oners dying once they are released, **DAVID BILES** writes

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interpreted in the context of what is known about the nature of criminality and the operation of the criminal justice system.

It is important to recognise, for example, that people who are sentenced to jail are generally more serious offenders than those offenders who are sentenced to non-custodial or community-based penalties. Also, it is more probable that those in jail have more psychological problems than others.

A small study in which I was involved a little over serving probation orders or community service orders were about twice as likely to die as were persons of the same age and gender in the broader community, but that persons serving parole orders (that is those who had served some time in prison before release) had even higher rates of death.

The sample size in the Victorian study (covering only one year in only one jurisdiction) was not large enough for precise probabilities of death to be calculated, but its findings are largely confirmed, and extended, by the new national study. There is no doubt that the period after release from prison is the most dangerous period for those who go through the criminal justice system.

The question now is what should be done to reduce this risk.

The answer is not, as some commentators have suggested, to abolish prisons as this would eliminate the life-extending aspects of incarceration that have been summarised above, and would also eliminate the temporary protection the public needs from violent or repeat offenders. The only real solution is to manage the process of release from jail in a more

professional manner. If the community is content to spend hundreds of thousands of dollars in keeping offenders in prison, it should also be content to spend a little more to help those about to be released to resolve more successfully the many problems which ex-prisoners face on return to the community.

This means that parole officers and other correctional workers need to work harder to ensure that ex-prisoners receive appropriate social support, including suitable accommodation when needed, to increase the chances of tragedy-free transition from custody back to the community.

Sending criminals to jail and letting them out when their sentences have been served is not as simple as some of us might have believed.

■ David Biles is a Canberra criminologist and the former head of research with the Royal Commission into Aboriginal Deaths in Custody.