



THE MIRANDA PROJECT

QUALITATIVE

EVALUATION:

REPORT ON FINDINGS RELATED

TO THE WOMEN'S DIVERSION

PATHWAY PROGRAM

June 2024

CRC **community**
restorative
centre

1.1 Findings related to the Women's Diversion Pathways Program

A key aspect of this evaluation was to examine the operation of the Women's Diversion Pathways Program (WDPP), which is a distinct program within the Miranda Project. Clients of the WDPP are women with caring responsibilities for children who are released from prison under Section 26 of the *Crimes (Administration of Sentences) Act 1999* (NSW) and supported by the Miranda Project (see section 1.1.3 of this report for more detail).

As part of this evaluation, 5 clients¹ we interviewed were supported by the Miranda Project under the WDPP. We also interviewed all staff members who work with women released under Section 26, though the majority of these clients are supported by one fulltime WDPP caseworker, a position specifically funded by CSNSW to provide this support.

The broader findings in relation to the Miranda Project detailed throughout this report are also applicable to clients of the WDPP, as much of the model of support remains the same. However, there are distinct components of the WDPP, specifically in relation to eligibility criteria and referral processes; women's histories with the criminal legal system (e.g. all are released from prison); the contexts of their interaction with Community Corrections (e.g. none are yet on Parole or subject to other community sanctions); and all women have caring responsibilities for children, including many of them being released while pregnant in order to give birth in the community. Therefore, we were particularly interested in program referral processes; the distinct needs of these clients and the capacity of the Miranda Project to appropriately support them; if and how the Miranda model differs for these clients; as well as any insights into how the program could be improved to ensure longevity.

Just as the model of support for WDPP clients is similar to that provided to all Miranda clients, so are the broader systemic barriers and challenges to reintegration they face, such as difficulties in finding safe and stable accommodation; access to meaningful employment; the availability of non-traumatising, gender-specific and culturally safe services in the community; and the social stigma that comes with being a criminalised woman and mother.

The interviews uncovered some areas of the WDPP for improvement, but feedback from clients and staff was overwhelmingly positive. At the time of writing, a total of 12 women have been supported by the Miranda Project as clients of the Women's Diversion Pathways Program, and all have remained in the community with their children while being supported by Miranda.

We begin this section by providing a case study of Ali, a client supported through the WDPP.

Case Study: Ali, Miranda Project client

Ali first met with Miranda Project staff and her WDPP case worker while in prison. Ali was part of a mothers and children program, which allowed her 5-year-old to live with her during the week, with the child returning to her father for the weekend. While Ali was grateful to have her child with her, she found it challenging and difficult to parent in prison and was worried about the long-term impact on her child.

¹ This included clients Emma, Holly, Amaya, Laura and Ali.

After serving 10 months of her sentence and within three months of her release, Ali was approached by CSNSW and the Miranda Project and asked whether she would be interested in being part of the WDPP on the basis of her good behaviour and having completed several in-prison programs. Ali was excited to be part of the program but was expecting the referral process to be protracted. However, a few days later Ali was told that her referral into the program had progressed and she would soon be released.

Being released

Ali was told a day in advance that she would be released from prison on Christmas Eve. She was told not to tell other women in the prison so as not to raise any questions. Early in the morning Ali and her child were picked up from the prison by Ali's mother. Ali was given a bag with necessities, including a phone provided by the Miranda Project. Miranda staff had also organised a small Christmas present for Ali's child.

Ali then spent Christmas Day with her mother and child. This had a significant positive impact on Ali's mother, who could rarely visit due to the location of the prison, and up until then had only been able to stay in touch through six-minute phone calls. Ali explained getting released from prison in time for Christmas with her family:

... was massive, because mum with the worrying, she used to say, I'm so worried about you in there... it was a massive wave of joy for her.

While in community

While in community, the Miranda Project continued to support Ali. As she already had stable accommodation and strong family support from her mother, the Miranda Project focused on helping Ali to obtain ID, apply to study courses, connect with a job provider and rebuild relationships with other members of her family. Ali had phone contact with her Miranda case worker once a week to access additional social and emotional support and assist her to adjust to life with a criminal record.

One significant component of the WDPP Ali had to navigate was the scheduling related to being on a Section 26 order. Any outings or movements Ali planned had to be scheduled and approved by CSNSW a week in advance. Ali felt that most activities she requested were approved, but it was difficult to plan everything a week in advance when caring for a small child.

Ali now has two children that she lives with, an active social life and plans for the future. She hopes to do a Certificate III at TAFE and to begin working soon after. When asked about her feelings on the support Miranda has provided, Ali said:

I still can't believe it. But the support, too. And even though [my Miranda case worker] hasn't had to obviously give a lot to me [because I didn't have many complex needs], she's always willing to give me any support or anything that I needed, and check in with me, and she was lovely to talk to... the lovely little [Christmas] gifts [for daughter] and... the set-up of the phone... you've just got to pop your SIM in and all this, and it's all here. And I was just like, my goodness.

1.1.1 Entry to the WDPP occurs on a case-by-case basis

Women in prison are selected by CSNSW to participate in the WDPP on an individualised, case-by-case basis. Selection for entry into the WDPP is a rigorous process taking into consideration a woman's background and offence history; her conduct in prison; engagement in prison-based programs; any support she has in the community; as well as what CSNSW consider to be 'risk-mitigation' strategies to reduce the likelihood of a return to prison (such as electronic monitoring or requirements to attend a residential rehab). Decisions regarding a woman's entry into the program are also informed by existing research literature, such as evidence documenting the harmful impact of imprisonment on First Nations mothers. All women who are selected for the WDPP are women with caring responsibilities who are better suited to completing the remainder of their sentence in the community, and there is a particular focus on women who are pregnant and at risk of having their babies removed. Women with children at key life stages are also given preference, for example if their children are due to begin school. First Nations women are prioritised, given their high rates of imprisonment and the over-representation of First Nations children in child 'protection' systems (Australian Institute of Health and Welfare, 2024).

Most women selected for the WDPP are close to completing their sentence when they are released from prison. However, in some circumstances, women with a significant amount of time remaining on their sentence may also be supported by the WDPP. As one staff member explained:

In the beginning, I used to think the criteria was that you need to have very little remaining on your sentence. But then I've actually seen women who have quite a lengthy sentence who have been released six months before their expected earliest release date. But that hasn't been to something like community, it's been a residential rehab program for nine months or something like that. (Miranda Staff 8)

As entry into the WDPP is determined on a case-by-case basis and requires the collation of information from various sources and approval from the Governor of the Prison, the Commissioner of CSNSW and other executives within CSNSW, the time it takes to be accepted into the program varies for each individual.

1.1.2 The process of referral into the program is simple and flexible for clients

Entry to the WDPP is not onerous for participants as they are individually selected by the CSNSW Women's Advisory Council. As indicated in Ali's case study above, CSNSW is not publicising the program to potential clients, due to the fact it is a pilot and does not have capacity to support all women with caring responsibilities who are currently imprisoned:

I didn't apply for [the program]. That program, it's not for everybody, and you can't apply for that, but they actually come and find [you]... When I first came into custody, they sort of had their eyes on me and then once I got to [prison] they came and see me and offered me the program and I accepted, and then that's when they got me in contact with [the Miranda Project]. (Laura, WDPP client)

This case-by-case approach means the program is more flexible and able to identify clients that are suitable. It also means that clients are 'ready' for the demands of the program and willing to accept the practical and emotional support offered by the Miranda Project.

The only downside identified by clients and staff was that they are not made aware of their release date and the uncertainty can cause anxiety. However, as most clients explained, they were happy to know that they had been accepted into the program and would be released to care for their children, regardless of not knowing the exact date.

The only difference is that referrals through the Miranda channel people know their release dates, there's definitely no one coming out early unless they're on remand and waiting on bail or something like that. But normally, people know, I'm coming out in six months or whatever. So that's their countdown date. Whereas our one it's like, you could be coming out, but I can't tell you the date. And I never know, to be honest. (Miranda Staff 8)

1.1.3 Collaborative relationship with government is a key strength

The Miranda Project was specifically chosen by CSNSW to be the community service provider for the WDPP. One benefit to the small, flexible nature of the program identified by Miranda Project staff is the collaborative relationship between the CSNSW Women's Advisory Council and the Miranda Project. The Women's Advisory Council has a good understanding of the WDPP and the needs of criminalised women with caring responsibilities.

In staff interviews, it was noted that in some cases referrals to the mainstream Miranda Project are incomplete and updates to information can be delayed. As the WDPP is coordinated by one senior CSNSW staff member, information is easier to transfer across the organisation. This collaborative relationship enhances the information received in referrals and the early support given to clients.

It's worked in the sense that it's such a small program, there's only few people involved. So I guess, comparing it to [...] the Miranda program, they can get referrals from anywhere and everywhere. And if it's from Corrections, it's not even consistent [...] information can be missing, and it can take days before that information comes back. For me, I'm dealing with one person. So I feel like it's a little bit easier for me, more straightforward, and I have got that senior level connection, the person who does the referrals. It's not from someone who works in the jail. It's Women's Advisory... someone very senior who heads the program. (Miranda Staff 8)

Once a WDPP participant who has been released from prison and supported in the community under Section 26 reaches the end date of their sentence, their parole period commences. They are then under the supervision of Community Corrections. Miranda staff told us that Community Corrections will continue to mirror the case plan that the Miranda Project has developed collaboratively with the client:

[Community Corrections] try and mirror the case plan that we've been working on. It just makes it easier, and it also makes it less confusing for the client. So if there's things like psychological services engagement or workshops that they're supposed to attend [...] they just ask us to keep supporting. If they can't get hold of the client. We try and have a transparent relationship with them as well. We always make it known that we are involved, we're supporting the client, if there's anything you need us to be doing, especially with communication. Sometimes the clients have had a negative history with [Community Corrections] and you just have to try and support them to mend that bridge. (Miranda Staff 8)

1.1.4 Clients understand their obligations under the WDPP

Interviews with WDPP participants demonstrated that they clearly understand their obligations under the WDPP. Prior to their release under Section 26 and entry into the WDPP, women meet with several stakeholders, which could include the WDPP case worker, CSNSW staff - including members of the Women's Advisory Council - and legal representatives. The purpose of these meetings is to discuss with the woman what her obligations are under the Section 26 order and to ensure she is appropriately supported while living in the community. As Emma explained:

I went for a meeting two days before ... It was big, it was big meeting, and it was just going through who I would turn to, going through my schedule, sort of just really everybody knowing where we're at and what would happen if I fucked up. And they said to me that if I do good that I'm opening the door for others. (Emma, WDPP client)

Women who are released from prison as part of the WDPP are required to sign an *Inmate Standard Conduct Agreement*, which provides general information about Section 26 orders and the WDPP. The Agreement states that people must be of 'good behaviour', must not commit any further offences, must comply with all directions and may be required to comply with electronic monitoring. Alongside other requirements, WDPP participants are subject to a curfew from 9pm-8am and are unable to travel interstate.

With the Section 26, it's very structured and the women get told what they're allowed to do and what they're not allowed to do. So there's rules and engaging with us is compulsory. So most of them, within, say, they've left with a few weeks or two months, or I guess, a little bit of time on their Section 26, they will always comply, guaranteed, and they always have. Because no one wants to go back to custody. Because when they breach, they have to go back. (Miranda Staff 8)

I had to be at home all the time. If I was to go anywhere it was to be with my brother or his partner. I wasn't allowed to go anywhere where I wasn't approved... And if I was caught outside it was straight to jail. There was no going back to the house, there was no nothing, it was just literally 'see you later'. (Emma, WDPP Client)

1.1.5 Support for WDPP clients is client-led

Like the broader Miranda Project model of support, support needs for WDPP clients are determined on a case-by-case basis. As one Miranda Project staff member explained, the support needs of WDPP clients are varied and '*no two women have had the same case plan*' (Miranda Staff 8). This staff member went on to elaborate:

Their plan for exit [from custody] is all on a case-by-case situation because every woman's circumstances are different, their needs are different, their protective factors are different, and their support needs are different. (Miranda Staff 8)

We treat each woman individually, because everybody is different, their strengths are different and are unique to them, their support needs are unique to them. So I think with the Miranda Project, what I love the most about working in this project, and in this team specifically, is the fact that you're allowed to practice using your own toolbox. There isn't a one shoe fits all type of model here. (Miranda Staff 8)

In terms of what kinds of supports are provided to each client, this staff member explained:

It just comes down to mainly practical and emotional support... you would think of a woman as a whole, and holistic support looks like various things in their life. That could be financial, employment, family relationships, managing money, managing debt, managing themselves, their emotions, their mental health, their wellbeing. And those who have babies, a big deal would involve parenting support. (Miranda Staff 8)

In some circumstances, conditions of the WDPP may require a woman to engage with another external community-based service. The WDPP generally allows clients to be released straight from prison to the community and for them to be supported by the Miranda Project in a way similar to any other client. However some clients may be required to attend a residential rehabilitation program following their release. In any case, women will be supported to maintain caring responsibilities for their children:

It could look like maybe somebody being approved to go straight back into community if they have stable housing and supports in place. For some women, specifically women with prolonged use of drugs and alcohol, that could look like referral to a rehab. So from the correctional centre, they would then be approved to go into a residential rehab program for a couple of months, giving them that opportunity to have drug and alcohol treatment as well as keep their babies in their care. (Miranda Staff 8)

If women are not approved to serve the remainder of their sentence in the community, one option is for them to be transferred to Parramatta Transitional Centre (PTC). PTC is a low-security reintegration prison where women are subject to ankle monitoring but have their own bedroom, can wear their own clothes and leave the prison to attend courses, university or employment. PTC allows women to have their children with them and there are more flexible options for visiting.

The main aim of a transitional centre is to equip people with skills and, I guess, coping mechanisms to resettle and reintegrate. It's supposed to be rehabilitative. And they get to go out and do their own shopping, they cook for themselves. So it's... getting them ready for release. (Miranda Staff 8)

The WDPP encourages and supports women to engage in activities that support their reintegration and desistance. As Laura (WDPP client) explained, being in the program was significant to her as it allowed her to continue her university studies: *'I got the leave access under the Section 26 to be able to go into uni every day, and do my studies and lectures'*.

Clients of the WDPP can also access the Miranda Hub and any groups offered there. Staff told us this has a positive impact on clients, as they are shown that they are included in the broader Miranda Project service and trusted by the program, which helps to build their confidence in accessing other supports. Having WDPP clients who are subject to ankle monitoring also shows clients of the broader Miranda Project that the service is there to support the whole spectrum of women who have come into contact with the criminal legal system:

When it comes to groups, they have their babies and they have an ankle bracelet. And looking at them like, oh, like, the difference is really obvious. I'm really excited to see those interactions happen more. And I think that it makes the women that we work with think differently of CRC, to think wow you really do work with women... like throughout the whole spectrum of being in custody and coming out of custody and going in. It makes them feel like no one is too bad. Okay, like, no one's looking down on me. (Miranda Staff 8)

1.1.6 The significance of 'being given an opportunity to be a mum'

The WDPP allows women to assume caring responsibilities for their children and, importantly, they are supported as *mothers*. As the program is specifically for women with caring responsibilities, support and case plans are often mother-centred and designed to assist women with the practicalities of caring for babies and children:

A lot of material aid, like getting their stuff for baby's birth, getting ready for the birth, getting all baby's supplies and things like that. If they're going into rehab straight from custody, I've got to pack their bags for them. I've got to get the packing list from the rehab and make sure they've got everything they need. (Miranda Project 8)

Being given a second (or third or fourth) chance to be a mother can be a life-changing experience for clients and may go some way towards explaining the success of the program in keeping women away from further contact with the criminal legal system. As one staff member told us:

What I love most is working with women who feel that they've never been given a chance, they've never been given a voice. They've had a long history of the criminal justice space and involvement in that area. And where they just have felt hopeless... there's just nothing so rewarding as witnessing someone being given an opportunity to be a mum... The program has given women an opportunity to parent their children. Some of these women, it's a first-time opportunity, they've always had children but have had instant removal from birth. So, it's been really rewarding and heartwarming seeing women, for the first time, get to keep their kids in their care. (Miranda Staff 8)

Miranda Project staff have observed that women who have had multiple children removed generally have a higher level of need, shaped by experiences of poverty, histories of violence and victimisation, and the use of substances as a coping mechanism. For some of these women, being chosen for the WDPP is the first time they have been supported to care for their children. As one Miranda Staff member explained, for many women this is a '*once in a lifetime opportunity... with their children beside them*'. This can come with complex emotions:

It's very heightened in terms of anxiety, and not that they don't want the opportunity, but just imagine a history of repeated child protection involvement. For them, it's a big step, it's a different life. They're not used to this side of things. Not that they don't want it, but they've never walked this road before. So it's very new, it's very scary, very scary. And yes, I guess they worry about failing as well and disappointing you who's also supporting them and yes, it's big. (Miranda Staff 8)

In light of this, the Miranda Project walks alongside clients, providing emotional support to build their confidence and empower them as mothers who are best placed to care for their children.

That's the best part of my role, watching women being able to keep their babies in their care, and watching them thrive, watching them become independent, confident... and just contributing to society and being part of a community. (Miranda Staff 8)

Several WDPP clients explained that being given the opportunity be part of the WDPP was empowering. Emma, for example, expressed that knowing she was '*paving the way for others*' was a big motivator for her to engage in the program:

When they were like, you're paving the way and so if you fuck this up, you fuck it up for everyone. You've really got to be in that head frame. If I was in any other head frame... if I

wasn't pregnant and I wasn't in recovery I wouldn't... You've really got to give it to someone who actually wants to make a difference, who actually wants to make a difference in their life, who cares... It was a blessing to me and I'm never that lucky. I never get chances... I've never had community service, I've never had the option to... I've never had a slap on the wrist. (Emma, WDPP client)

1.1.7 Scheduling can be onerous for clients

One requirement for all women released as part of the WDPP is that they submit a weekly schedule of movements. Miranda case workers work with all WDPP clients to draft their schedule one week in advance for all movements, such as going to the shops, for a walk or taking their children to school. Once the clients and their case workers have drafted the schedules they are sent to CSNSW for approval. Miranda Project staff and clients have indicated that, while CSNSW is flexible with approving schedules, these can be onerous for clients:

They're not allowed to use social media. They're not allowed to just go off anywhere, even if they get approved to be in the community it's like home detention, they have their schedules. Even to go for a walk, then Corrections needs to know what street, what time, things like that. Shopping, who's driving you? Who's taking you? Which supermarket are you going to? How much time do you need? So it's very structured. It's basically home detention. (Miranda staff 8)

Think about it like in your shoes, like getting told what time to go and do your shopping, then where to go, where not to go. Some of the places are not approved. The ladies have put in requests for recreation, I'd like to go to a mall that's in another town, things like that. So I'd like to go to the movies, sometimes it's been approved, sometimes it hasn't, it just all depends. (Miranda staff 8)

The result, as Amaya explains below, is that women may feel housebound and may choose not to do anything at all, which does not help women to reintegrate into the community following imprisonment:

The schedule when I first got out, that was a bit tricky... There was something in the beginning that was so hard being able to navigate around ... Because sometimes you don't know what you're doing, but you had to put in the schedule... you had to write what shop you were at, how long you were going to be there, when you were going to leave there, what you were buying... yes it was a bit full-on... I ended up just not doing anything at all. It was too much. Coming out, I was just too scared. I would put this down and then I didn't do it. I just didn't do nothing at all. I just waited... It was frustrating, but better being out of jail than in. (Amaya, WDPP client)

It is understood that this component of the program is important to mitigate the risk to CSNSW, especially as clients are still considered 'in custody'. However, introducing measures such as providing advice around planning or reducing reporting requirements could help make the transition from prison to community easier.

1.1.8 Ongoing funding of the WDPP

The WDPP is a pilot program, and at the time of writing there has been no commitment to long-term or ongoing funding. Funding uncertainty is one of the biggest concerns for community-based services,

making it difficult to plan for the long-term future of service delivery and negatively impacting staff morale (Borzycki & Baldry, 2003; Clancey & Westcott, 2017; Schwartz et al., 2020). It has been recommended that funding contracts for community-based services working with complex needs populations following release from prison should be a minimum of five years (Schwartz et al., 2020).

Staff noted that funding cycles for the WDPP were also too short. Over recent years there has been a focus on short-term interventions for formerly imprisoned people over long-term models of support (Schwartz et al., 2020). Given the time it takes to build trust with clients (see section 3.2.3 Miranda Project Qualitative Report), complex needs are sometimes not uncovered until the end of service engagement, and longer periods of funding are necessary in order to appropriately support these clients. Staff noted that Corrective Services NSW has been flexible in supporting longer-term funding for specific clients, however there is uncertainty about whether this practice will be continued.

There are also challenges that come with managing multiple funding streams with different reporting requirements, which is not unusual among community-sector organisations. WDPP staff noted that having an extra funding stream specifically for this program made management of reporting and KPIs more onerous.

There would also be benefits to having brokerage incorporated into funding for the WDPP. As noted in section 3.2.2 of Miranda Project Qualitative Report, access to brokerage funding is important to support clients with their practical living needs, such as clothing, toiletries, groceries, mobile phones, furniture and other essential items. There is currently no brokerage offered through the WDPP:

We definitely require funding for brokerage, because we don't have brokerage in this program [...] we rely on donations and referrals to external organisations and from the other Miranda funding [...] So we don't have much brokerage. So we would love to see Corrections be attentive to people's practical needs, because it's very hard to case support people with no money.
(Miranda Staff 8)

Overall, Miranda Project staff and clients were highly supportive of the WDPP, and recommended further funding to extend the program and support more women. All five WDPP clients interviewed for this evaluation were positive about the program and the support provided by the WDPP.

[The WDPP] is such a brilliant opportunity, brilliant initiative for women. It's so rewarding seeing women able to keep their children, specifically women who have never had that opportunity just because of being hindered by their history of going in and out of custody so often. It's such a great initiative, and I would love to see more funding being put into this program. And yes, more case workers, supporting women like these. Because definitely, there are women out there who are crying out for help.
(Miranda Staff 8)

Notably, no clients of the WDPP have returned to prison and all have continued their engagement with the program after the start of their parole period, even though this is not mandated:

100% of the women that we've supported have chosen to continue engaged with us, even if it's for a couple of months, even if it's for a prolonged amount of time, they still choose to stay with us.
(Miranda Staff 8)

In response to the positive feedback regarding the program, it was recommended that it be expanded to other areas. While the WDPP is currently only available to women released from

prisons in Sydney², some support is provided over the phone to women who are released from metropolitan prisons but who then return to their home communities, which may be a few hours' drive away from the Miranda Project hub in Penrith. All clients have been supported face-to-face, especially in the period immediately following release, with some women also being supported over the phone. The broader evaluation has demonstrated the importance of face-to-face communication and support. Both Miranda Project staff and clients agree that it would be highly beneficial for the program to cover all women's prisons in NSW, with the capacity to deliver face-to-face support across a broader region of the state.

What I would love to see more of is more of my role... which means more women being approved. And because the programme doesn't just extend to pregnant women, it's women who have caring responsibilities... you could just imagine how many women's jails we have and how many women in those jails are mums. So I would love to see the Women's Diversion Pathway Program extend to more women, and the role growing. Because at the moment, like I said, I'm the only one who's doing this role. (Miranda Staff 8)

1.1.9 Summary

The WDPP offers a novel response for women with caring responsibilities who would be better supported in the community, rather than serving the entirety of their sentence in prison. There is growing evidence that prison is particularly unsuitable for women, even when prison systems purport to be 'gender responsive' (Russell & Carlton, 2013).

The WDPP program is particularly significant, given the growing number of women in prison, particularly First Nations women, who are likely to have dependent children, and whose children are more likely to enter the child 'protection' system as a result of their criminalisation and imprisonment (Anthony et al., 2021; Australian Law Reform Commission, 2017), which can have detrimental intergenerational effects for First Nations children, families and communities.

This evaluation, while only interviewing a small number of WDPP clients, has found that the program – including referral processes – is operating well, with clarity for clients around their obligations as WDPP participants and a strong collaborative working relationship between the Miranda Project and CSNSW Women's Advisory Council. A major strength of the program is that the WDPP is underpinned by the broader Miranda Project and CRC's model of holistic, community-based reintegration support, which has been developed and refined over many years in response to client needs (Shepherdson & Roberts, 2020; Sotiri, 2016; Sotiri et al., 2021).

The WDPP is a small pilot project and only able to support a limited number of women who are released from prison in Sydney. Recommendations include longer-term funding and expansion in order to provide face-to-face support to a greater number of women who would benefit from the program.

² At the time of writing this report, women supported by the WDPP had been released from Silverwater and Dillwynia prisons.

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