



PRISONERS REVIEW BOARD WESTERN AUSTRALIA

PRISONERS REVIEW BOARD
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23 December 2021

To the Hon Peter Collier

INQUIRY INTO THE FINANCIAL ADMINISTRATION OF HOMELESSNESS SERVICES IN WESTERN AUSTRALIA

Thank you for your letter, dated 8 December 2021, seeking my views into the financial administration of homelessness services in Western Australia.

Firstly, as a point of clarification, there have been some recent publications in local media that Western Australian prisons and perhaps the Courts, have been releasing prisoners to no fixed abode and therefore contributing to the homelessness issue within Western Australia. When considering releasing prisoners to parole, the Prisoners Review Board (the Board) identifies suitable accommodation as a factor in a prisoner's release plan.

Consequently, the Board is frequently faced with situations where it is unable to release prisoners to parole due to a lack of suitable accommodation. I do not feel this is acceptable that prisoners are denied an opportunity for supervised release when, on many occasions, this is not a factor within their control. I agree that homelessness is a complex issue with many contributing factors, not for only financial reasons. The Board regularly struggles with this issue when a prisoner, in essence, 'ticks all the other boxes' for suitability for release, but a lack of appropriate accommodation in the community is the only reason their release is not supported by Adult Community Corrections at their earliest eligibility date. This is far from ideal.

In my capacity as the Chairperson of the Supervised Release Review Board (SRRB), I draw your attention to the attached documents. As you will see set out in these 13 examples, and I can assure you there are more, the delay in providing young people with suitable accommodation is very concerning. And further, in many cases, such delays have resulted in a young person being detained in custody for longer than the SRRB directs, at significant cost in human and financial terms, all due to a lack of suitable accommodation. Young Aboriginal persons are most certainly overrepresented in homelessness and/or lack of suitable supported accommodation.

In my capacity as the Chairperson of the Mentally Impaired Accused Review Board (MIARB) the lack of supported accommodation for persons with a mental illness or an

intellectual impairment, both in the metropolitan area and in the regions, is a major and long standing issue. The result is that many accused persons have spent a considerable amount of time in custody, for offences they have been acquitted of by reason of unsoundness of mind, because the MIARB has no suitable options in the community to release them to which would ensure they are provided with an appropriate level of care and support.

I do not believe the responsibility for addressing this issue rests with one Government agency alone. I am pleased to see that part of your proposed strategy is to bring multiple agencies together, across all levels of Governments and community services sectors, with the aim to improve the coordination of homelessness services. I fully support this proposal.

Yours sincerely

His Honour Allan Fenbury
CHAIRPERSON

**PRISONERS REVIEW BOARD
MENTALLY IMPAIRED ACCUSED REVIEW BOARD
SUPERVISED RELEASE REVIEW BOARD**



Location	Young Person	Length of Delay	CPFS
Metropolitan	Young Person 1	47 days YTAP	<p>CPFS - Rockingham - Sally Kirk District Director</p> <ul style="list-style-type: none"> On 23/01/2020 Young Person 1 was sentenced to a five-month term of detention back dated from 11/11/2019, with an expiry date of 10/04/2020. Young Person 1 was reviewed by the Supervised Release Review Board (SRRB) on three occasions, 26/02/2020, 25/03/2020 and 08/04/2020 and continually denied release due to not having suitable accommodation and a viable release plan. A lack of accommodation also resulted in Young Person 1 not being released at expiry of their sentence and was finally released on 14/04/2020 to reside with their grandmother. However, this placement inevitably broke down and led to Young Person 1 being homeless until Young Person 1 was placed in custody. Young Person 1 then went through the same lack of accommodation issues and was released on an SRO on 12/10/2020 to the Youth Transitional Accommodation Programme (YTAP). The YTAP placement had to be extended past the three-month period until a one to one placement with Outcare was secured. Young Person 1 is still open to S'WMYJS. Young Person 1 is due to be evicted from his current accommodation placement and his accommodation issues are ongoing.
Metropolitan	Young Person 2	9 days	<p>CPFS - Rockingham – Sally Kirk District Director</p> <ul style="list-style-type: none"> In September 2021, Young Person 2 accommodation with CPFS approved carers was rescinded due to poor behaviour. At this time, Young Person 2 was in custody and unable to be bailed due to lack of accommodation. As such a plan was unable to be provided to Court as there was no viable accommodation options. CPFS made referrals to accommodation services, however, advised of extensive waitlists. Young Person 2 was accepted into the Drug Court Program on 01/10/2021 and went into DAYS on 10/11/2021 negating the need for CPFS to find accommodation. Young Person 2 placement when they complete the residential-rehab program is not resolved.
Regional	Young Person 3	28 days	<p>CPFS - Kununurra</p> <ul style="list-style-type: none"> ERD was 03/11/21. SRRB - Deferred to 01/12/21 due to no viable release plan - no accommodation. CPFS still attempting to find a Safe Places placement, though not yet confirmed.



Metropolitan	Young Person 4	Pending	<p>CPFS - Joondalup – Tracey Nicholson District Director</p> <ul style="list-style-type: none"> • ERD is 13/12/2021. CPFS advise there is currently no available or suitable accommodation placements for Young Person 4. CPFS took an undertaking to refer Young Person 4 to High Needs Placement again although the waiting period will be long. Further, CPFS will be making another referral to Emergency Accommodation although it can only be made 24 hours before Young Person 4 is released.
Metropolitan	Young Person 5	YTAP	<p>CPFS - Rockingham Sally Kirk District Director</p> <ul style="list-style-type: none"> • Young Person 5 is currently placed in the YTAP as CPFS were not able to secure accommodation for early release on 17/11/21. • As YTAP is a 3 month placement option YJS is liaising with CPFS to plan for the placement to end however CPFS they advise they currently have no placement options.
Metropolitan	Young Person 6	YTAP	<p>CPFS Rockingham</p> <ul style="list-style-type: none"> • No viable accommodation plan. Referred to YTAP 27/01/2021 until SRO completion on 10/02/2021.
Metropolitan	Young Person 7	YTAP	<p>CPFS Midland</p> <ul style="list-style-type: none"> • No viable accommodation plan. Referred to YTAP 06/04/2021 until 24/04/2021 when SRO was suspended.
Metropolitan	Young Person 8	YTAP	<p>CPFS</p> <ul style="list-style-type: none"> • No viable accommodation plan. Referred to YTAP 30/04/2021 and remained at YTAP until 28/05/2021 at which time SRO was cancelled due to re-offending.
Metropolitan	Young Person 9	4 days YTAP Ongoing	<p>CPFS Armadale</p> <ul style="list-style-type: none"> • ERD 30/07/2021. • Delayed for four days due to lack of viable accommodation. Placed in YTAP but absconded and reoffended. • Back in custody and arrangements for release accommodation are still pending. Expiry: 06/01/2022.



Regional	Young Person 10	26 days	<p>CPFS Kalgoorlie</p> <ul style="list-style-type: none"> • ERD 24/07/2021. Young Person 10 was released on 18/08/2021. Young Person 10 requires a one on one placement. Initially YJS were advised there was no property available and/or no staff available to staff a property available at the time of Young Person 10 ERD. • No suitable placements to accommodate due to group settings or with male residents. • Now accommodated with Safe Places.
Metropolitan	Young Person 11	10 days	<p>CPFS Midland</p> <ul style="list-style-type: none"> • ERD of 20/6/2021 and release 30/6/2021. • Given Young Person 11 history of non-compliance and anti-social behaviours in previous placements, CPFS advised that all avenues had been exhausted in securing a viable accommodation placement for Young Person 11 via their service. • CPFS Transitional High Needs placement had been sought and there were no current vacancies at the time. • CPFS Residential Group Homes were deemed unsuitable given Young Person 11 history of non-compliance and engaging in anti-social behaviour impacting on other vulnerable young people in the accommodation. • At Risk Youth Accommodation (ARYA) which would allow Young Person 11 to attend at 5pm to sleep and leave at 10am was explored however availability was dependant on compliance to reside there – Young Person 11 was unwilling and has a history of non-compliance in such arrangements. • YTAP referral was submitted by YJS. • Young Person 11 father withdrew his willingness to accommodate Young Person 11. • Key Assets advised they do not have a suitable arrangement for Young Person 11. • Accord West advised they did not have the facilities or staff to deal with Young Person 11. • Drug and Alcohol Services (DAYS) 3-month residential rehabilitation program referral was made by CPFS, no outcome had been received at the time of early release date.
Metropolitan	Young Person 12	14 days	<p>CPFS Joondalup</p> <ul style="list-style-type: none"> • Appeared in PCC on 15.07.2021 and was sentenced to a 6 month term of detention. • In the Care of the CEO. History of complex trauma, victim of substantiated physical abuse, substantiated emotional abuse and alleged victim of sexual assault by older male family member. • History of absconding from CPFS group homes. Prior to their current detention sentence, Young Person 12 spent a significant amount of time (approximately 12 months) residing at CPFS Group Home, National Park House. Despite some periods of absconding, CPFS reported Young Person 12 formed positive relationships with the staff and would always return to the placement.



			<ul style="list-style-type: none"> This placement at National Park House was lost following Young Person 12 being sentenced to detention. Due to Young Person 12 already developed rapport with staff at National Park House, history of disrupted attachment and difficulty forming relationships, YJS requested for National Park House to be re-explored as an accommodation placement. CPFS advised however this was no longer an option due to the Young Person 12 being in detention. CPFS advised due to Young Person 12's complex needs and ongoing engagement in high risk behaviours, a referral has been submitted for a high needs placement. A high needs placement involves Young Person 12 residing in a supported accommodation with no other young people and 24/7 support workers living with them. In the interim CPFS referred Young Person 12 for a group home placement. CPFS advised the difficulty in securing a group home placement is that it is dependent on bed availability on any given day. Despite Young Person 12 having an early release date, CPFS advised they were not able to hold the bed until Young Person 12 early release date. CPFS further expressed it would be more achievable to secure a group home placement should the Young Person 12 be in the community. As the SRRB cannot release Young Person 12 without a confirmed accommodation placement, on 18/08/2021 the SRRB deferred a decision for a two-week period, to allow for CPFS to confirm accommodation. During this time CPFS advised there would unlikely be any changes due to the same issues. To avoid Young Person 12 remaining in custody due to no viable accommodation, YJS generated a referral to the YTAP. Young Person 12 absconded and the SRO was breached by non-compliance.
<p>Regional</p>	<p>Young Person 13</p>	<p>122 days</p>	<p>CPFS Kalgoorlie</p> <ul style="list-style-type: none"> 05/01/2021 – 02/02/2021 (29 days) 13/02/2021 – 19/02/2021 (7 days) 19/02/2021 – 09/03/2021 (19 days) 27/03/2021 – 01/06/2021 (67 days) Young Person 13 has been placed in a number of different care arrangements (40+) since 2012, including group homes, family placement and periods in secure care (2014 -2015, 2017) however, Young Person 13 behaviour is recorded to have been aggressive, disruptive and marred by frequent absconding. Young Person 13 was located at mother's residence as most absconding incidents occur in Kalgoorlie. Young Person 13 mother refused to provide accommodation/support and CPFS deemed the placement unsuitable in any event.



		<ul style="list-style-type: none">• Young Person 13 aunty was assessed. Despite her willingness, Young Person 13 consent and CPFS support – CPFS deemed the placement unsuitable due to potential care and protections concerns.• No alternative placements provided by CPFS.• Was bailed to YTAP.• Absconded from YTAP – aged out of care and sentenced to imprisonment. Currently in Acacia Prison.
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