

---

# The Correctional Process Through Punishment Vs Rehabilitation

Community environmental corrections is a new paradigm, supervising offenders to reintegrate back into the community and reduce recidivism. Since the turn of the millennium community corrections and punishment has transformed. In contemporary community corrections, community programs and community corrections orders are being used. This essay will critically analyse contemporary correctional approaches in retrospect to new approaches to community corrections. The focus will be on how designed individualised case plans are implemented increasing opportunities for successful reintegration into society and reduce the risk for reoffending the crime previously committed. This essay will give an in-depth understanding of how Programs for change, Community corrections orders and Case plans are strategically structured to assist with transitioning successfully into society.

I hypothesise that unfortunately, the penal systems still problematic. Community based punishment is highly criticised. Environmental community programs and punishment are aimed to give alternatives to prison sentences. The community programs and community orders are individuality designed in case plans. These case plans reduce opportunities for crime reoffending and increase chances of the offender being rehabilitated and successfully reintegration into society. Community supervision officers assist with strategic planning. Incarceration environment is highly structured. When prisoners are released, they have to use their time productively, so as not to fall back into harmful prosocial activities. The temptation to reestablish connections from the past can lead to reoffending criminal behaviour, such as returning to gangs (Staff 2016).

The National Offender Management Service is the new emergence of the probation and the prison service, which is seeing major restructuring (Cavadino, Dignan, Mair 2013). A long term mutual exclusion binary division between custodial punishment and community punishment has been brought together by the introduction of the suspended sentence order.

Nominal and warning penalties are where the court discharges the offender, 99% of the time the offender is released with conditions not to commit an offence for up to 3 years. (Cavadino, Dignan, Mair 2013). The community punishment order or community service order was renamed in 2000 to The unpaid work requirement (Cavadino, Dignan, Mair 2013). The offender carries out the unpaid work in 12 months after sentencing. The government holds an interest in this order making it the most commonly used community order (Ministry of Justice 2012). The community service order is supervised unpaid work, consisting of between 40-240 hours. This community service order is work matched to the person's capabilities and availability with training provided. Community corrections orders contain requirements for rehabilitation and include monitoring requirements. Community corrections orders may require exclusion requirements, curfews, mental health counselling, drug rehabilitation, unpaid work programs and supervision orders.

The drug rehabilitation community order was previously called drug treatment and testing, and this order can be up to 36 months. The drug rehabilitation program consists of drug testing and a treatment program. The alcohol treatment community corrections order is imposed if the

---

offender gives consent to treatment and if there is availability. Unfortunately, accessibility is a problem, and many people can't get into programs. The mental health treatment community corrections order is conducted as an outpatient or in hospital, availability for entrance into these programs is often an overloaded waiting list. The residency requirement is a reformulation of the probation order which the offender is required to reside at a specific address such as a probation hostel or with a relative. This residence requirement is very common in a lot of case plans. The curfew requirement or previously called curfew order, is specific. In 2012 The legal aid sentencing and punishment offender act had legislation passed to enforced electronic monitoring to impose the curfew (Cavadino, Dignan, Mair 2013). The exclusion requirement prohibits the offender from entering a premise or designated area for up to 24 months and is enforced by electronic monitoring. Breaches in conditions of community punishment orders result in returning to court and possible imprisonment. The parole officers enforce the fate of the offender under the new enforcement policy, which is regulated by national standards Criminal Justice Act. The morality of community sentences is it's a preference to custodial punishment. Effectiveness of community sentences shows that offenders felt that it was worthwhile and had a lowered reconviction rate (McIvor 1992).

The traditional probation order or community rehabilitation order was renamed in 2000 to the supervision requirement. The supervision requirement order has seen a decline in use as it is not sending a clear message that offending behaviour will be dealt with (Ministry of Justice 2012). In the past traditional probation orders, fines or conditional discharge were the most common systems used. More offenders are being brought into the scheme initially in the hope that the community correction programs and orders will reduce the incarceration numbers.

Probation is a community-based program order from the court. A probation order is individually designed to address the offenders needs, a case manager and a supervisor work in conjunction with the Probation and Parole Service (PPS). Probation is between 6 months to 3 years and is decided from the Judge or Magistrate. Community programs are often part of the punishment, and strict reporting to (PPS) officers and monitoring of address is compulsory. If a probation order is breached resentencing by the Judge or Magistrate will decide if continuation in the program will continue. When an offender has three or fewer years left on their prison sentences, they may be eligible for parole. Parole is a conditional prison release where the offender is supervised within the community for the remainder of their sentence. Courses, programs and counselling is part of their parole order, and periodical alcohol and drug testing is mandatory.

Statistically, Corrective Services, Australia, June Quarter (2019) reported that Over the past ten years (since the June quarter 2009), persons serving CBC orders increased by 40% or 22,768 persons (ABS 2019). In 2017-2018, 54.2% of released prisoners in Australia returned to corrective services in the two years (Sentencing Advisory Council 2016). Improving on reoffending rates needs a financial increase. Nationwide spending on community corrections was \$589 million for 2016-2017. This expenditure was less than \$22 per offender per day, which is approximately 10 per cent of the cost of prison (Bushnell A, p. 3, 2018). Community corrections are cost affective, and close to half of the released prisoners not returning to jail within the next two years is a positive sign. With new programs, more staffing and more financial support, the reoffending rates would lower. If a prisoner was able to connect with their community service officer and develop trust before being releasing from prison, it would make the transition easier and intimately more successful.

---

An Intensive Correction Order is a custodial sentence served under strict conditions within the

---

community. Similar to probation, An Intensive Correction Order in Queensland includes counselling, rehabilitation, community service, reporting to the community corrections officer and not allowed to leave the state. Case management has stages in the process of planning each case. Individual assessment is carried out, followed by planning. When the case management have planned the management strategy, then the intervention stage starts. The intervention stage includes referrals to program services, supervision orders, support programs, supervised monitoring and review process.

Risk - Needs – Responsibility (RNR) Model was developed by Andrews & Bonta (Andrews & Dowden 2006). (RNR) aim is to reduce recidivism by implementing three primary principals. A form of intervention individually matched learning styles while assessment into risk, need and responsibility are separately considered. Programs for change are implemented in the case management stage. These environmental corrections programs are individually designed and well received by offenders. Housing is inappropriate due to tenant support, and homelessness becomes a problem. Programs for change such as The New Foundation Housing Program has government funding, in the 2017-2018 budget, the commitment was \$18.9 million (Busch-Geertsema 2013). Programs for individuals at high risk of homelessness are in place for housing reintegration into community living. It is essential in enabling rehabilitation and is made possible with tenancy management support. Participants in the Foundation Housing Program will have immediate access to accommodation for 12 months. Tenancy Support includes how to pay rent and the behaviour which is expected. Tenancy support also covers maintenance and cleaning of the property which they are living. Rehabilitation and Reintegration Support Services has additional individualised services which offer support for underlying behavioural issues which contributed to their offending behaviour. Family reunification support programs and mental health treatment is all part of the rehabilitation programs. The New Foundation Housing Program is community housing, backed by the DCS department of community services and is government-funded (Busch-Geertsema 2013). Through stable community housing and supervision, offenders reintegrate back into the community with less recidivism.

Significant proportions of released offender struggle finding a job and earning money; this makes reintegration back into the community difficult. The Work Ready Program is a new community approach for focusing on employment. In 2017-2018, the government state budget pledged 9.203 million dollars to implement the work-ready program (Department of correctional services 2018). Other programs are Release Ready Rehabilitation Programs and Tailored Rehabilitation for Aboriginal Offenders and Expanding Community Supervision and Reintegration Services Corrections Culture. This new approach in environmental community corrections is focused on designing individualised case plans to make reintegration easier.

When prisoners are in custody, they are assessed to identify which interventions will help change their offending behaviour, such as education, work and training opportunities. The Queensland Corrective Services orchestrate a successful offender reintegration program called Borallon Throughcare. The Borallon Training and Correctional Centre (BTCC) develops individual plans and teaches work skills to increase the likelihood of employment.

Dr Karen Gelb in (2014), reported that community orders were valid and preliminary research showed that reoffending declined when programs were completed. The overall reoffending rate for offenders who received community-based orders is 42.6% (Sentencing Advisory Council 2013). Imagine how high the reoffending rate would be without the programs which are offered. Research continues with the focus of reducing reoffending through individual support plans and

---

social reintegration programs for prisoners (United Nations Doha Declaration 2015). The principal criticisms of this approach are that rehabilitative success rates are low in reducing recidivism. When the programs are forced onto the offender, programs results in non-compliance. Restructuring of criminal thinking and problematic behaviours also requires psychoeducational intervention.

Strategies to enhance informal social control through guardianship and supervision is successful. Guardianship in action and guardianship at residential addresses is improving informal social control. Guardianship at a property is reliable and can measure validity through directly observing. Guardianship has two positive processes which involve physical potential to supervise and also monitoring and intervention when required. Reynald D.M (2009) study into guardianship in action: Developing a new tool for measurement, revealed that the study confirmed that crime levels dropped significantly as residential guardianship intensified.

A Griffith University pilot study on new modelling of probation and parole in Queensland is focused on environmental corrections model focusing on offender supervision. University criminologist Dr Lacey Schaefer designed the environmental corrections trial in conjunction with Griffith University. The trial at a probation and parole district office in southeast Queensland showed a reduction in reoffending rates by 28% (Marshall 2017). Dr Schaefer in (2017) said that Queensland has a high percentage of recidivism. A new proposal and new modelling to enhance the efficacy of its community supervision of offenders. Reports from the trial showed after six months, and the recidivism rate was reduced substantially when offenders were supervised at the control office.

Environmental Corrections addresses two main factors leading to crime, the opportunity and the propensity. Offenders routine activities need to be restructured to minimise the possibility and exposed to the crime through supervision stipulations. Probation and parole officers should receive more training. Probation and parole officers should be individually tailored to the offender. Techniques would be most effective if the offender would be able to interact with future officers before the intervention order starts to build a trusting relationship. Probation and parole officers have become problem-solvers which is a change from just being case management, more personalised and individual-based. The shift away from risk control and toward risk reduction with a goal of behavioural change is strategically working together. This shift diminishes the chance of offenders recommitting crime and also decreasing the criminal propensity for the crime opportunities that remain (Dr Schaefer 2015). Dr Schaefer is working on an academic consultant with Queensland Corrective Services. The report provides potential gaps between current and best practice and makes recommendations for reform and the training undertaken by Probation and Parole Officers.

Identification and planned organised routine activities to reduce crime opportunities and promote more prosocial activities are a crucial focus of increasing the success rates of offenders becoming proactive members of society. Planning and coordination of routine activities can change the outcome for an offender in a positive way to facilitate reintegration. Resettlement leave for offenders coming up to parole would be beneficial. If prisoners could be released for a job interview or to organise a house before release with their future parole officer, it would prepare them for release.

Identifying the needs and risk are protective factors in a sentencing plan should be organised accordingly to suit the individual. Overcrowding in the corrections system often sees plans

---

prepared only a few months before release, this contributes to the non success rates and recidivism due to inadequate supporting resistance. Potential improvements to help reintegration into society would be for prisoners to had a drivers licence, explanation of how to use a job application website and write a resume. Certificates from courses completed in prison and ID cards should be available to be able to apply for housing and bank accounts. All of the paperwork would be a significant stress factor to someone who has been incarcerated. Upon release, mental health, alcohol and drug rehabilitation programs and services must be available. Without these valuable services, the effectiveness of the holistic community approach will be negative.

In concluding analysing information on programs for change and community orders, the correctional approach is a positive step in the future of rehabilitation and successfully reintegration of offenders back into society. Individual case management plans need to be tailored around the offender's needs. The case plans should include rehabilitative programs. Rehabilitation programs which are requested by the offender will be met with the cooperation, and a positive outcome will reduce recidivism. Resettlement leave for offenders coming up to parole would be most beneficial. Case officers would accompany offenders to job interviews or housing appointments initially if requested, also simulating and organising routine activities. More time spent with the case manager before release would develop a better relationship and a confident to talk to for future tough times that the offender will ultimately be faced with. Increasing guardianship, where possible, is successful in the recidivism rate reduced substantially when offenders are supervised. Funding for community corrections orders needs to be met. Mental health counselling, drug rehabilitation, alcohol programs, unpaid work programs and supervision orders will only work if there are adequate resources. Having positive routine activities and support systems in place the offenders will increase social networking with positive outcomes for work and housing. Having work and housing guardianship will reduce reoffending behaviours. Individual case plans and environmental programs and projects gives the offenders an opportunity to participation as active members of the community.