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The Importance of Incorporating Lived Experience in Efforts to Reduce Australian Reincarceration Rates*

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Abstract

It is widely acknowledged that 'good policy' should be informed by the people it most directly affects. However, learning from people with lived experiences in the criminal justice sector, such as people who have served time in prison, has received little attention. This article discusses the significance of and challenges related to capturing the voices of people who are currently serving time or have served time in prison. We argue that formalising the perspectives of these individuals into policymaking through co-design processes may be an important method for enhancing program responses to rising incarceration and reincarceration rates.

Keywords

Incarceration; policy; recidivism; prisons; lived experience; co-design; post-release support.

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Introduction

Over the past decade, the number and rate of individuals imprisoned across all Australian states and territories have risen rapidly. In 2019, the Australian prison population was at the highest recorded level in history (Australian Bureau of Statistics 2019). Although the national imprisonment rate has decreased by 1 per cent during the last 12 months, the number of people awaiting sentencing continues to increase (Tubex 2020). During the first couple of months of 2020, the prison populations within separate states had reduced. The New South Wales (NSW) prison population declined by around 10 per cent (Chan 2020), and similar decreases have been noted in Victoria (Victorian Government Department of Justice and Community Safety 2020). However, these reductions are considered minor compared to the overall prison population (Human Rights Watch 2020). Further, given the current backlogs in Australian courts due to the COVID-19 pandemic, it is predicted that increases in the prison population will occur in the coming months (Barns 2020). Australian reincarceration rates, which can offer policymakers a measure of whether prison ‘works’, are also concerning. According to the Australian Productivity Commission (2020) almost 50 per cent of people exiting prison return within two years, and almost 55 per cent of people released from prison return to prison or receive a community corrections order within two years.

People in prison are more likely to show considerably higher rates of mental illness, chronic/communicable disease, acquired brain injury and high risk-alcohol and drug use than the general population (Australian Institute of Health and Welfare 2019). Many people who return to prison are from highly disadvantaged suburbs with little education and few social supports, and most are on short sentences, having served their full-term prison sentence on remand for relatively less serious crimes (Baldry et al. 2006, 2018). Incarceration itself is a known predictor of reincarceration; the experience of incarceration is criminogenic (Baldry et al. 2018). Those on remand tend to have extremely limited access to rehabilitation programs. This suggests that people who struggle to navigate the criminal justice system and resettle into the community post-release are those most often caught on the prison ‘conveyor belt’ (Baldry et al. 2006, 2018; Johns 2017; Schetzer and StreetCare 2013). More effective strategies are required for assisting people to limit their contact with the criminal justice system. We argue that this will benefit both the people who have spent time in prison and the wider community through the prevention of crime, diversion of people away from the criminal justice system and into the appropriate support networks, improved rehabilitation assistance for people who are incarcerated or on remand and provision of more effective support for those facing challenges resettling into the community post-release.

It is widely acknowledged that ‘good policy’ should be informed by the individuals it most directly affects (Arnstein 1969; De’Ath 2018; Holmes 2011; Lancaster et al. 2013; Lenihan and Briggs 2011; Organisation for Economic Cooperation and Development [OECD] 2001; Torres 2007). In recent years, we have seen examples of drawing from lived experience in developing health (Australian Commission on Safety and Quality in Health Care 2016; De’Ath et al. 2018; Gardner et al. 2016; Salisbury et al. 2010; Wong and Haggerty 2013) and disability services (De’Ath et al 2018); however, drawing on the lived experience of people who have spent time in prison has received little attention (De’Ath et al. 2018). This article discusses the significance of, and some of the challenges related to, capturing the voices of people who are currently serving time in prison or have previously served time in prison. We argue that incorporating these perspectives into the policymaking process more formally, through a variety of mechanisms, could be an important method for enhancing program responses to the rising incarceration and reincarceration rates. Doing so will offer policymakers greater insights into the challenges that people face while incarcerated and post-release. By listening to, valuing and including a diversity of voices, policymakers will be provided with an expanded set of perspectives for generating newer practice-based knowledge that is more closely aligned with user experiences, thereby offering insights into reducing incarceration and reincarceration rates.

First, this article examines the literature on incorporating lived experiences into the policy process. This includes a discussion of how some people who are serving time in prison or have been released from prison are offering important insights into the policymaking process to design and implement programs

that focus on rehabilitation during incarceration and post-release. Second, we discuss the diverse ways that some Australian individuals who have spent time in prison have contributed to policies by using their lived experiences to advocate for change in current Australian criminal justice policies and programs, such as those that focus on rehabilitation. Third, the use of routinely collected experience data in other sectors and the emerging interest in co-design processes to improve prison programs is considered. This article argues that, in light of the limited number of Australian qualitative studies and the absence of any routine collection of experience data, advocacy work appears to be the predominant method for people who have spent time in prison to influence Australian criminal justice policies. Lastly, recommendations are made for policymakers working in the design of rehabilitation policies and programs to encourage better collaborations for including the perspectives of people who have been or are currently in prison.

While we recognise that effective policies must span multiple facets of prevention, in-prison program development and post-release support, we focus on how the voices of people who have spent time in prison might be used; that is, to inform the development of post-release support programs through the continued support of advocacy programs and research as well as through experimentation with other mechanisms, such as co-design processes and the use of experience data to support system-level performance monitoring and improvement processes. Together, these may help to assess the extent to which the policy objectives for rehabilitation and other predictors of reincarceration are being met and how programs might be improved.

The Importance of Lived Experience in the Policy Process

The concept that policies should be informed by the people they most directly affect is an important consideration for policy development (Lancaster et al. 2013; OECD 2001). Participation in policy development is regarded as a principle of good governance (Arnstein 1969; Blomkamp 2018; De'Ath et al. 2018; OECD 2001; Torres 2007) that can achieve several goals, including building trust and increasing legitimacy in the policy process (Lancaster et al. 2013). De'Ath (2018) noted that it is now over 40 years since Arnstein (1969: 216) argued the importance of engaging marginalised populations in the development of policies that directly affect them (Arnstein 1969; De'Ath et al. 2018: 77). More recently, claims continue to be made about the need for, and benefits of, co-design in the public sector to improve public policies and government services (Commonwealth of Australia 2017; Holmes 2011; Lenihan and Briggs 2011). Co-design is generally understood as a method for enabling or empowering the people who are affected by a particular policy problem to be involved in finding a solution (Blomkamp 2018: 731). Blomkamp (2018) argued that the policy design process should involve a range of individuals, such as citizens, stakeholders, professionals and experts. This collaboration can result in the improved identification of problems and the solutions required to address them. Importantly, Blomkamp (2018) also emphasised that one of the principles of co-design is that policies should be designed by people with lived experiences.

As acknowledged by McIntosh and Wright (2019), there has been a tendency towards using the term 'lived experience' with little guidance as to what it might mean within the policy context. McIntosh and Wright (2019) explored the concept of lived experience by examining a range of theoretical and methodological traditions, such as anthropology, political science and sociology and reviewing literature through these lenses. They concluded that lived experience approaches are important because they provide insights into the 'shared typical' experience (McIntosh and Wright 2019: 463). Within social policy, lived experience has been used in a range of research contexts to emphasise the value of understanding, and appreciating, individual experiences (Garthwaite 2015; Neale 2015; Neale et al. 2015; McIntosh and Wright 2019; Miller et al. 2018; Patrick 2014; Wright 2016). Blomkamp (2018) and others (Howlett and Migone 2013; Manzini 2015; Roggema 2014) argued that the inclusion of lived experience in the policy process is important for two reasons. First, it can add value to the policy problems identified and solutions generated, and second, it can combine local knowledge with that of professional experts, such as government policymakers.

Within the social policy sector, recent examples of the value of incorporating lived experience into the policy process have compared the lived experiences of benefit recipients with, as the authors argued, inaccurate policy narratives and inappropriate policy responses (Garthwaite 2014; Shildrick et al. 2012; Wright 2016). For example, Garthwaite (2014) presented qualitative data from interviews with 25 long-term sickness benefit recipients in the United Kingdom (UK). Garthwaite (2014) showed the importance of listening to narratives based on real-life experiences because it can provide a means of challenging the often negative stereotypes of welfare recipients around which policies are sometimes designed. The findings also illustrated that the stigma associated with the policy itself (claiming benefits) deterred individuals from accessing the support they needed, which resulted in under-claiming and other consequences. More recently, Miller et al. (2018) interviewed 26 people with a history of problem gambling in Australia. This study identified the importance of considering their experiences when designing and implementing public health policies that focus on gambling reduction. Miller et al. (2018: 5) showed how previous policy approaches tended to present gambling as 'safe' and 'entertaining'; however, people with a history of problem gambling perceived it as 'risky' and 'harmful'. Their findings have led to policies that focus on reducing this harm, such as limiting access and making gambling products safer by reducing the maximum bets on gambling machines (Miller et al. 2018).

As shown by De'Ath et al. (2018: 78), the most significant developments in incorporating the lived experience of individuals in Australia have been in the health, disability and mental health sectors. They discussed the significance of the 2017 National Safety and Quality Health Service Standards which provide guidance on 'person-centred healthcare systems' (Australian Commission on Safety and Quality in Health Care 2016: 33) and the need to involve (not just consult with) consumers and patients and members of the community in the 'design, evaluation and governance' of healthcare services (De'Ath et al. 2018: 78; Australian Commission on Safety and Quality in Health Care 2016: 33). Internationally, the inclusion of patient experience information is considered essential for improving the quality of services, stimulating innovation in the design and delivery of health care and building accountability among providers and policymakers for providing care that is responsive to patient needs (Wong and Haggerty 2013). Additionally, patient perspectives on care are used to assess the performance of health services at the individual, service and system levels (Salisbury et al. 2010).

At the individual level, the routine collection of experience information is required in several different accreditation processes. For example, recent standards in primary care encouraged the use of this data for ongoing quality improvement processes (Sibthorpe et al. 2016). Data is increasingly being aggregated at the population level to assess the quality of services and feed into system-level performance measurements against policy goals (Gardner et al. 2018). These measures can assess the quality of the care delivered (outputs) and the effect of these on a range of clinical factors (outcomes). However, they can also incorporate direct evaluations of patient satisfaction and experiences of the care received and/or the extent to which the services enable the clients to manage their health.

The use of patient stories and narratives collected through interviews, websites or other means is also gaining international momentum for use in quality improvement activities (Wong and Haggerty 2013). Websites on which patients share their healthcare experiences through comments, stories and discussion forums are a recognised source (see Care Opinion n.d.). One strength of narrative approaches is the extensive level of detail and descriptive information they generate that can provide useful inputs into service and policy improvement processes (Wong and Haggerty 2013). However, the resources required for collecting and analysing such data may be considerable, and the findings may be difficult to generalise across settings or to quantify.

More recent developments in incorporating lived experiences into policy are emerging in co-design processes for the health, environment and social care sectors. Co-design is considered an important method for generating knowledge to support improvements in the delivery of services and create more suitably aligned services for user needs, particularly in areas of complex and contested policy (Webb et al. 2018). A variety of models are emerging, including those that seek to engage service user experiences in

the program design process (Greenhalgh et al. 2016; West 2019). While not yet widely applied in the criminal justice system, examples do exist. A recent pilot project in Los Angeles engaged people returning to the community from prison together with providers of health, social and justice services to identify priority areas for improvement, test promising ideas in service delivery and assess the feasibility of using the co-design process in other jurisdictions (Mendel et al. 2019). The results of this project are not yet available.

Lived Experience in the Criminal Justice System

As acknowledged by De’Ath et al. (2018: 77), despite considerable developments in the social and health sector, opportunities for Australian individuals with lived experience in the criminal justice sector, (including people currently serving and who have spent time in prison, their families and victims of crime) to influence policy in the criminal justice system have been negligible (De’Ath et al. 2018: 77). An important review of previous research on insights of the lived experiences of people in the criminal justice system, conducted by De’Ath et al. (2018) drew from previous studies in the UK which argued there needs to be a shift from viewing people in prison as ‘passive recipients of punishment’ (Weaver 2011: 1052) to being ‘active participants’ (Weaver 2011: 1052) who should have a voice in their own rehabilitation and even punishment (Weaver 2011). However, the authors also note a number of challenges including that members of the wider community can have negative perceptions of people in prison and/or those who have served time in prison. Members of the community can see people in prison as ‘perpetrators’ who have made ‘bad choices’, rather than seeing them as people who might need access to therapeutic programs to address their reasons for offending in the first place (De’Ath et al. 2018: 78; Weaver, 2011; Weaver and Weaver, 2016). By drawing from Weaver (2011), De’Ath et al. (2018: 78) argued that it is these negative perceptions which can present challenges in accepting the participation of people with lived experience in the criminal justice system.

De’Ath et al. (2018: 81) points to one of the few studies incorporating lived experience in policy, LeBel et al. (2015) who found that people who have spent time in prison who are employed in mentoring roles post-release are supportive of helping others upon release and also of advocacy work, such as changing how people in prison are perceived by the wider community (LeBel et al. 2015: 116). A more recent study by Heidemann et al. (2016) found that a peer support program for women who had spent time in US prisons benefited both ‘mentees’ and ‘mentors’ as it provided opportunities to ‘give back’ and help others navigate the post-release experience (Heidemann et al. 2016: 19).

An important Australian study highlighted the importance of involving people with experiences in the criminal justice system in programs that affect them (Seppings 2015). From visiting a range of agencies and jails in the UK, the US, Ireland and Sweden, Seppings found that programs using the experiences of reformed individuals who have spent time in prison to model behaviour for inmates were highly effective. In the Merseyside Offender Mentoring project in the UK, 90 per cent of participants in the program stopped or reduced their offending behaviour. The key benefit of the project was that people in prison and those released from prison could relate to one another and find help when resettling into the community (Seppings 2015). Another international program is the Straight to Work project, which employs people who have spent time in prison as peer advisors for people who have been recently released from prison; an evaluation found that the program reduced reoffending by 40 per cent (Frontier Economics 2010; Weaver and Lightowler 2012).

In Australia, the Queensland-based group, Sisters Inside, which employs people with lived prison experiences, delivers programs to women in prison and advocates for their needs post-release (Sisters Inside 2020). The Australian Red Cross has also brought together people currently serving a prison sentence, prison staff and Australian Red Cross volunteers to implement a range of health, safety and wellbeing programs across four Australian prisons. For example, in the Townsville Correctional Centre, the Sisters for Change program started in 2019. After 12 months, there were many positive changes, such as improved relationships with custodial officers and the prison population reporting that the prison was safer than before the program started (Australian Red Cross n.d.). However, as acknowledged by Loeffler

and Bovaird (2020), further studies are needed to fully understand the effect of such programs on the criminal justice system.

Inclusion of Service User Experience in Administrative Data Collections

As previously discussed, user experience has also been incorporated into the development of performance frameworks that assess the quality of programs and their effect on achieving policy objectives, such as reducing reoffending rates and improving community safety in Australia. However, service user experience surveys, such as those used in the health sector, are not routinely administered among prisoner populations or users of post-release programs in Australia. Examples of service experience surveys for people currently serving time in prison have been noted in reports prepared by the state- and territory-based inspectors of correctional services (ACT Inspector of Correctional Services 2019; Bingham 2012; Western Australian Office of the Inspector of Custodial Services 2014; Queensland Productivity Commission 2019). For example, during 2019, the ACT Inspector of Correctional Services distributed surveys to incarcerated people for the first *Healthy Prison Review of the Alexander Maconochie Centre*. The review analysed the treatment and care of individuals in this custodial environment by asking them about the conditions, such as the accommodation, educational and rehabilitation programs and medical services (ACT Inspector of Correctional Services 2019). The insights provided by these participants and other relevant stakeholders influenced the 73 recommendations provided in the final report (ACT Inspector of Correctional Services 2019). However, it can be argued that surveys designed and delivered by corrective service departments and/or ombudsmen may not always provide accurate information about the experiences of people serving time.

The value of learning from people who have lived experiences in the criminal justice system was recently emphasised by the Australian-based After Prison Network (Graffam et al. 2019). During 2019, the *Repurposing Prison and Resourcing Communities for a Safer Australia* report provided insights from people with 'direct experience and knowledge of the criminal justice systems in Australia' (Graffam et al. 2019: 6). It was concluded that:

former prisoners who have turned their lives around ... are living 'bridges' between the 'inside' and the 'outside' and have very valuable insights. Many reformed prisoners can serve as peer mentors and role models to people in prison ... They can also serve as advisors to prison officials on structures, programs and practices that promote reformation as well as advising community services providers on the needs of former prisoners and how to best support them. (Graffam et al. 2019: 25)

This article will now examine the methods for incorporating the experiences of people who are currently serving or have served time in Australian prisons into the Australian policy design process. The discussion focusses on Australian qualitative research projects, convict criminology and advocacy work, which each present a range of challenges. In Australia, we argue that advocacy work appears to be the predominant way in which people who are currently serving time and/or have served time in prison engage with the policy process. Historically men have been more vocal than women; however, more recently, women and non-cisgendered have been voicing their concerns about the criminal justice system and there now appears to be a shared platform. We argue that by listening to and acknowledging the voices of people with lived experiences, policymakers will be better equipped to design policies and programs that address incarceration and reincarceration rates. We acknowledge that there can be political challenges in valuing these voices. However, as argued by Sarre (2011), the first step in addressing the politicisation of crime is ensuring that all citizens, including people in prison and those who have served time, are better informed and involved in the policy process.

Encouraging the Voices of People Who Have Spent Time in Prison

Qualitative Research

People who have spent time in prison can share their lived experiences to influence policy through participation in qualitative research projects. However, in Australia, there has been a limited range of research or collaborative projects that have used a qualitative research design to investigate the experiences of people following their release from prison (Baldry et al. 2003, 2018; Cherney and Fitzgerald 2016; Doyle et al. 2020; Griffiths et al. 2017; Johns 2017; Schetzer and StreetCare 2013; Segrave and Carlton 2010). Baldry et al. (2003) conducted one of the most influential studies in this field, which interviewed individuals pre- and post-release in a longitudinal study to investigate housing and integration post-release. Their findings emphasised the importance of secure housing in reducing recidivism because the participants were more likely to stay out of prison if they were living with their parents, close family or partner; had employment or were studying; or had contact with and support from helpful agencies post-release. However, because most of the participants did not have family or friends, the arrangements quickly deteriorated and loneliness was a common experience. More recently, the 2018 study by Baldry et al. used a qualitative approach to investigate the experiences of people exiting prison with finding and keeping employment. The participants reported on their lack of education, limited employment skills and difficulties in transferring their skills gained in prison to employment after release. Baldry et al. advocated the importance of 'basing future policy and development on evidence-based practice' (2018: 2).

One reason for the limited number of Australian qualitative research studies focusing on individual experiences post-release relates to the specific logistical challenges that qualitative researchers can encounter when capturing the experiences and insights of people exiting prison (Baldry et al. 2003, 2018; Cherney and Fitzgerald 2016; Doyle 2019; Johns 2017; Segrave and Carlton 2010; Willis 2005). Baldry et al. (2003) acknowledged the difficulties in recruitment because people leaving prison may have no formal reporting requirements and usually want to avoid bureaucratic control. Johns (2017: 111) emphasised that 'flexibility, tenacity and respect ... were required to locate, make contact and meet with participants'.

A challenge in recruiting and interviewing individuals upon release from prison relates to the ethical issues that researchers need to consider, given the institutional and societal characteristics of this group (Willis 2005). Relevant human research ethics committees will provide researchers with guidelines and processes for conducting their research. As argued by Macintyre (2014), ethics committees may assume that 'good research' is impersonal and therefore, requires an objective relationship on the part of the researcher. However, this is incompatible with the trust and rapport that qualitative researchers need to build with participants, especially with people exiting prison (Bell 2014). For example, Johns (2017) conducted face-to-face interviews with 12 people who had spent time in prison in Victoria. They found that assuring the confidentiality and anonymity of the participants' and their responses was critical to establishing trust (Johns 2017). Wynn and Israel (2018) highlighted that providing consent via written consent forms can turn collaborative relationships into a formality. Written consent forms may also present some challenges for protecting the confidentiality and privacy of people in prison (Abbott et al. 2018). To mitigate this, some Australian human research ethics committees provide scripts for participants to give their verbal consent when written consent is not feasible or appropriate (see University of New South Wales n.d.).

Convict Criminology

The emergence of convict criminology began with John Irwin, who served a five-year prison sentence in the US during the 1950s. From the late 1960s, he worked as a professor at the US-based university, the San Francisco State University, where he used his own experience of incarceration to challenge what he interpreted as orthodox thinking related to prison culture (Newbold et al. 2010). Since the early 2000s, convict criminology has focused on a range of areas, including research, writing, teaching and conference presentations, informing public opinion and policy, supporting people who may be studying in prison and supporting former prison colleagues (Newbold et al. 2010). Recent international publications in convict

criminology include *Convict Criminology: Inside and Out* (Earle 2017), *Prisoners on Criminology: Convict Life Stories and Crime Prevention* (Tregea 2014) and *Beyond Bars: Rejoining Society After Prison* (Ross and Richards 2009). These publications highlight the continuing importance of ‘insider’ perspectives in the criminology debate.

While internationally, convict criminology has made significant inroads, the same has not yet occurred in Australia. We argue there are concerns about using ‘convict’ criminology in the Australian context given Australia’s history of colonisation. There has been a small number of Australians who have served prison sentences and then proceeded to university studies (Newbold 2017). Anu Singh is an Australian convict criminologist who served a 10-year sentence in the 1990s. Since her release, she has completed a doctorate thesis that focused on the major pathways that lead women to commit crimes by drawing on interviews with women serving time (Singh 2016). Another individual active in the field of Australian convict criminology is Craig Minogue. Minogue has been serving time in life imprisonment since 1986, despite appeals to the High Court to overturn his sentence (Byrne 2019). While incarcerated, Minogue completed a Bachelor of Arts (Honours), was awarded his PhD in 2012 and has published in academic journals on a range of issues concerning people in prison, such as human rights (see Minogue 2000), access to educational programs (see Minogue 1999) and strip-searching (see Minogue 2005). Kerry Tucker and Lukas Carey are also active in the Australian convict criminology discipline (Carey cited in Zaglas 2020; Silvester 2019a; Tucker and Henderson 2018). During 2020, two Australian academics (who had never been in prison) and one formerly-imprisoned non-academic chose to amalgamate and anonymise their identities. Based on their academic and lived experiences, they published their commentary on the need for changes to the Australian criminal justice system (DEDICA-20 2020).

Australian Advocates

Historically, people in Australian prisons were considered ‘rightless objects’ who struggled to have their voices heard and acknowledged (Loeffler and Bovaird 2020: 26). As the below discussion shows, the highpoint of advocacy for people in prison and those who have spent time in prison was in the late 1970s and early 1980s when groups such as the Prisoner’s Action Group (PAG) and Women Behind Bars were established. These groups were formed by people who had spent time in prison, notably, Tony Green and Wendy Bason, and aimed to advocate for the rights of people in prison, decriminalisation and speaking out against prison officer violence and police corruption (Justice Action n.d.). The PAG established Glebe House as a halfway house for men exiting prison, advocating for, and supporting men released from prison and continues to provide this service in 2021 (Glebe House n.d.).

Another influential individual during the 1970s and 1980s was Brett Collins, who fought for the rights of inmates during his prison sentence. Following his release, Collins co-founded the advocacy group Justice Action and, more recently, the Community Justice Coalition (Community Justice Coalition 2020). During this time, Bernie Matthews and Ray Denning were also influential in highlighting the often terrible prison conditions, including physical abuse from prison officers, and advocating for reform of the criminal justice system (see Denning 1982; Matthews 2006). Some of the advocacy work of these early advocates included their involvement in calling for and providing submissions to the *1976–77–78 Parliament of NSW Report of the Royal Commission into NSW Prisons: Volumes I, II, and III* (the Nagle Royal Commission). The Nagle Royal Commission was established following a series of violent incidents in NSW prisons throughout the 1970s, such as the protests by inmates at Bathurst Gaol that were followed by a violent retaliation from the prison officers (known as the ‘Bathurst Batterings’). There were also reports of violence by officers at the Grafton Gaol and the Katingal Special Security Unit at the Long Bay Prison Unit (Nagle 1978).

Throughout the 1970s, the PAG, Women Behind Bars and other Australian prison advocacy groups, such as the Victorian Prisoners Action Committee and the Prisoners Action Committee (Western Australia), published extensively in the *Alternative Criminology Journal* calling for reforms to prison conditions and highlighting the lack of support for people being released from prison (see Millane 1976; York 1975; WBB Collective 1977). Other important publications during this time included *The State of the Prison: A Critique of Reform* (Findlay 1982), *Wilful Obstruction: The Frustration of Prison Reform* (Vinson 1982) and *The*

Prison Struggle: Changing Australia's Penal System (Zdenkowski and Brown 1982), which focused on the challenges of establishing the Nagle Royal Commission and implementing the recommendations. Another influential advocate is Tim Anderson, who was convicted and then acquitted for the Sydney Hilton Hotel bombing (Anderson 1992). Anderson advocated to reform the rights of people in prison and published *Inside Outlaws* (1989) and *Take Two: The Criminal Justice System Revisited* (1992).

More recently, advocacy work has focused on highlighting the marginality of people upon release from prison and proposing alternative criminal justice models. Debbie Kilroy, who was sentenced to six years imprisonment during the 1980s has since become one of Australia's leading advocates for protecting the human rights of women and children by opposing the use of prisons and other systems of social control in response to crime and social issues (Sisters Inside 2020; Taylor and Griffiths 2019). During 1992, Kilroy established Sisters Inside as an organisation run by women with lived prison experiences that advocates for the human rights of women in the criminal justice system (Chenery 2019; Sisters Inside 2020). Kilroy was awarded the Order of Australia Medal for services to the community in 2003 for her work with women in prison, and during 2016, she was appointed to the Queensland Sentencing Advisory Council (Robertson 2017). Kat Armstrong, who spent time in a NSW prison, was inspired by the work of Kilroy to create the Women in Prison Advocacy Network in NSW. The Women in Prison Advocacy Network has been rebranded as the Women's Justice Network (WJN) and provides support, via mentoring and advocacy, to women affected by the criminal justice system; it requires that 50 per cent of the Board be people who have spent time in prison (Justice Action 2018; WJN n.d.). More recently, Armstrong has stepped down from being the director of the organisation (Justice Action 2020).

Simon Fenech spent 12 months in prison and was a mentor for Straight Talking, a pilot program that was run inside a Victorian prison connecting people who have had time in prison (mentors) with those who are currently serving time and/or have been recently released (mentees) (Silvester 2019b). The program has been considered successful because none of the 14 mentees returned to prison (Silvester 2019b). Fenech is also employed by Fruit2Work, a social enterprise run by people who have spent time in prison (Capone 2019; Social Traders n.d.). Fenech published *Breaking Good*, where he discussed both his time in prison and the challenges that he faced post-release to provide further insight into prisoner and post-release experiences (Fenech 2020). An Indigenous Australian, Keenan Mundine, who spent 15 years in and out of the criminal justice system, co-founded the Deadly Connections Community and Justice Services after leaving prison (Deadly Connections 2020). This is an Aboriginal community led organisation that aims to break the cycle of disadvantage and involvement with the criminal justice system and puts 'true lived experience at the centre of their work' (Deadly Connections 2020, para 3). By drawing from his own experience with the criminal justice system, Mundine has recently advocated for the Raise the Age campaign to raise the age of criminal responsibility in Australia (Thorpe 2020). An important Indigenous elder is Jack Charles, who, from around 1975 to 2006, was imprisoned on 22 separate occasions (Carter 2016). During 2016, Charles spoke of the importance of people with lived experiences providing insights to reduce reincarceration rates when he said:

Sometimes you need a bloke like me with lived experience ... I'm a poster boy of somebody who took themselves more seriously... I had that inherent obligation as a self-proclaimed elder of the Boonwurrung people to share the journey and showcase that there is a life beyond drugs, jail time and mental disability. (quoted in Carter 2016: 1)

Advocacy Organisations

There is a range of Australian organisations that work with people who are currently serving time and/or have recently exited prison. These organisations lobby for system reforms that embrace less punitive and more compassionate approaches. For example, Sisters Inside have hosted conferences for policy discussions regarding prison abolition and alternative justice approaches (Sisters Inside 2020). The WJN advocates to improve the criminal justice system and delivers evidence-based practical mentoring programs that provide social support and engage women in the community and those vulnerable to reoffending to make decisions that positively contribute to the community (WJN n.d.). The After Prison

Network connects people with lived experiences, policymakers, practitioners, corrections staff, and academics (Graffam et al. 2019). For the past 15 years, they have held a yearly conference, the Reintegration Puzzle, which includes a continuing theme on the role that people with lived experiences of prison can play in changing systems (Graffam et al. 2019). At the 2019 conference, Reane 'Rocket' Bretherton, who has Noongar heritage and has been in and out of prison for most of her life, presented on the challenges she faced with returning to the community (Cooper and Bretherton 2019). Other people who had spent time in prison also presented at the 2019 conference (Lloyd 2019).

While other prisoner and former prisoner advocacy organisations do exist, the ones discussed in this article are those that actively encourage people with lived experiences to sit on their boards and/or provide insight into the design and delivery of programs. Other Australian organisations focus on the importance of providing people who are currently serving time in or have exited prison with a voice on radio programs. For example, every year, during National Aborigines and Islanders Day Observance Committee (NAIDOC) week, 3CR presents *Beyond the Bars*; a live prison radio show featuring the stories, poems, and opinions of Aboriginal and Torres Strait Islander people in the Victorian prison system (3CR 2019). Inmates at the West Kimberley Regional Prison have a weekly radio show that teaches people in prison confidence and media skills (Bamford 2018). Another radio program, *Jailbreak*, gives a voice to inmates, their families and friends. It provides information on criminal, prison and health issues and connects those in prison to the community through their music, poetry, views and health messages (Community Restorative Centre n.d.). Other radio programs in Australian prisons include *Radio Seeds*, the *Prison Show*, *Doin' Time* and *Locked In* (Prisoner Radio 2020). During February 2020, *Birds Eye View* became the first Australian podcast made by women at the Darwin Correctional Centre. One of the 'storytellers' was Bretherton, who stated that her involvement in the project was about 'finding [her] voice for speaking up for women who can't speak up for themselves' (Birds Eye View n.d.; Moldovan and Trumpf 2020: para 20).

More recently, Debbie Kilroy and Tabitha Lean, both Australian women who have spent time in prison, announced the establishment of a service-user-only organisation for inserting the voice and lived experiences of people who have spent time in prison into policy processes (Lean and Kilroy 2020). The development signifies a growing urgency for more compassionate policies that are mature and inclusive enough to listen to the 'sharp and critical' edge that only service users can provide (McIntosh and Wright 2019: 465), which are arguably needed to overcome policy failures in reducing recidivism and supporting post-release experiences.

Co-Design in the Australian Criminal Justice System

There are only a few examples of co-design in the criminal justice system. The one Australian example is a project commissioned by the Victorian Koori Justice Unit and led by the Aboriginal community with support from the Australian Centre for Social Innovation (The Australian Centre of Social Innovation n.d.). This project is following a four-stage process to design, prototype and test an initiative to shift Aboriginal over-representation within the Victorian criminal justice system with a specific focus on crime prevention. This project aims to pave the way to an Aboriginal self-determined justice system (The Australian Centre of Social Innovation n.d.). While the project is not directly addressing post-release support, the co-design model might signal a new approach to involving service users and other stakeholders in developing program initiatives in complex policy settings. It is only through listening to the lived experiences of service users that policies can gain a unique critique and standpoint; 'a window into the typical' experience (McIntosh and Wright 2019: 449) that is not elsewhere available in the system.

Conclusion

Good policies should be informed by the individuals that they most directly affect and participation in the policy process is regarded as a principle of good governance (Arnstein 1969; Holmes 2011; Lancaster et al. 2013; Lenihan and Briggs 2011; OECD 2001; Torres 2007). Within health and social policy, the inclusion of user perspectives and lived experiences in routine administrative data collection and through research

and policy co-design processes recognises the value of subjective experiences in improving policy responses and the quality of services. However, this shift has not yet been noted in the criminal justice system, specifically concerning the experiences of people who are currently serving time or have been released from prison. The limited amount of qualitative research undertaken in this field demonstrates that people who are serving time in prison and those who have been released have valuable insights into the best methods for supporting individuals who are exiting prison and resettling into the community.

Therefore, this article proposes that governments invest in and more formally support an enhanced role for involving people who are currently and have previously served time in prison in the policy process, just as they do for other populations of service users. This involves recognising their unique contributions and providing enhanced support to participate in the policy process, both through existing mechanisms, such as advocacy organisations and qualitative research projects as described in this article, and emerging innovations, including co-design and the routine use of experience data in program improvement activities. While we recognise that the success of such initiatives has not yet been determined in other sectors and implementation into the criminal justice policy process is largely uncharted, interest is growing in other complex policy areas, and methods are developing rapidly. In light of the slow progress and long history of advocating for the human rights of people in prison and those resettling into the community, the addition of new ideas and processes that complement those already in existence seems warranted.

The data that is collected through these different mechanisms should inform the development and improvement of program strategies. It should also be used at a policy level to test new ideas and provide evidence-informed programs aimed at reducing reincarceration rates. Routine real-time data collections could uncover differences and commonalities between groups in the prisoner populations, track changes in needs over time, identify emerging issues and help to determine if programs are achieving policy goals and identified outcomes. The formation of advocate/researcher alliances should be encouraged to support different research collaborations and methods as well as peer-based networks and co-design processes that support the voices of people who have served time in prison in the policy process. This will involve financial investment to ensure that the networks are supported and that the participants are remunerated for contributing their expertise. Feedback from the policy sector to communities of interest will also be important to ensure accountability for outcomes. A shift in mindset from a punishment to human rights paradigm and a commitment to integrated policy responses will be needed to address the plethora of issues in relation to housing, unemployment and social connectedness that individuals encounter when exiting prison.

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