



# Housing and Homelessness in Australia: The Case of Marginalised Women Leaving Prison in New South Wales (NSW)

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## Abstract

Finding safe, secure, and ongoing housing is critical for women leaving prison and is central to rebuilding their lives and supporting desistance. Consistent with global trends, the number of women received into prison in Australia has increased, especially amongst First Nations women. Meanwhile, Australia is experiencing a housing crisis with soaring house prices; long waiting lists for public, social, and community housing; and limited affordable housing stock. This paper explores women's pathways to prison, focusing on the nexus between women's incarceration and homelessness. It also critically reviews policy and post-release programs intended to provide throughcare, support, and housing for women exiting prisons, drawing on New South Wales (NSW), Australia as a case example. Finally, it highlights the policy and practice changes required for women to leave prison and be supported to find and maintain a safe and affordable home.

**Keywords:** Women; homelessness; prison; housing; incarceration; reintegration.

## Introduction

For women leaving prison, finding safe and secure housing is essential to reintegration, reuniting with their children, rebuilding their lives, and supporting desistance (Baldry, 2010; Bashir et al., 2021; Burch, 2017; Doyle et al., 2022a; Lutze & Lau, 2018; Sotiri, 2020). However, it is estimated that 400,000 homes are needed across Australia to accommodate people experiencing homelessness or people living in precarious housing, priced out of the private rental market (Flatau et al., 2022). In New South Wales (NSW), Australia, the housing crisis is particularly acute due to the combination of stagnant wages, soaring property



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prices, and the outsourcing of state housing responsibilities to the community and private housing sector (Wynne et al., 2022). In 2021, 33% of NSW private rentals were estimated to be affordable for households earning the minimum wage and only 1% were affordable for those receiving government income support (Hartley et al., 2021). By 2024, rentals available to minimum wage households in Greater Sydney and the Illawarra were estimated to have increased 81% in five years. Consequently, only 2% of private rentals were affordable for households on minimum wage and 0.1% for households receiving government income support (Anglicare, 2024). In parts of NSW, the social housing waiting lists now exceed 10 years (Hartley et al., 2021). In 2019–2020, specialist homelessness services were providing support to significantly more clients (26%) than their allocated funding specified; however, they could only successfully house less than half (44% or 17,157) of these clients (Hartley et al., 2021). A further 21,790 clients needed accommodation but did not receive it (Hartley et al., 2021). Many women leave prison with socioeconomic disadvantages and must navigate the highly challenging NSW housing sector, with a deficit of safe and affordable housing, to secure a safe place to begin their reintegration journey.

The aim of this paper is to critically review the policy and post-release programs intended to provide throughcare, support, and housing for women exiting NSW prisons. Situating the imprisonment of women within a critical and intersectional feminist framework, we examine women's pathways to prison and NSW correctional and criminal justice policy and practice responses, paying particular attention to the nexus between women's incarceration and homelessness. Many reviews and scholarly articles on this topic have come to broadly similar conclusions regarding the need for increases in housing supply. Recognising this, we offer a critical examination of current approaches and suggest perspectives on policy based on a co-productive approach. This is crucial to understanding and addressing the specific housing needs of formerly incarcerated women in NSW.

Underpinning our approach is the recognition that the voices of lived experience must be centred in the development of policy responses to homelessness for women leaving prison. Co-production in both policy and service delivery is not only a human rights response but also improves efficiency by ensuring the appropriateness of responses (Johns et al., 2022).

We view the incarceration of women through a critical lens, which considers a feminist analysis of social structure. This lens recognises the operation of the criminal justice system and its ancillary institutions as phenomena to be studied in light of the undoubted over-representation of poor and already disadvantaged people. As Burch points out, “policy and practice on prisoner (re)entry often remains situated within a framework of individual responsibility that fails to acknowledge the structural drivers of criminalization” (Burch, 2017, p. 357). Moreover, we view the over-representation of First Nations women through an intersectional lens. This acknowledges the cumulative effects of race and gender (Crenshaw, 2002) and takes into account the shameful colonisation of First Nations people, which continues to this day in their treatment by criminal justice institutions.

To appropriately contextualise the incarceration of women, it is also necessary to take a critical, intersectional approach to the technologies of criminal justice responses. In this regard, we problematise the risk paradigm so prevalent in modern criminal justice discourse and examine the differential effect on women of current approaches to corrections. We argue that the failure to appreciate the differences in the experiences and demographic realities of incarcerated women is a factor in the failure of justice systems to address their stated aim, to reduce recidivism. The consequent effect on women's post-release experiences is addressed.

## **Women's Pathways to Prison**

There have been many arguments for a gender-specific approach to examining the incarceration of women.

First, the massive discrepancy between numbers of men and women in prison lead to all kinds of structural inequality in all aspects of correctional management. Even before any more in-depth and theoretical examination of the long-term and causative factors involving incarcerated women is made, put simply, there is economy in numbers. Both from a program, facilities, and staffing point of view, correctional departments have often served women poorly by not recognising and responding to their specific needs and vulnerabilities. The Women in Prison Task Force in the 1980s drew out these differences, which are still largely unaddressed in correctional policy and expenditure (NSW Women in Prison Task Force, 1985).

The other important reason for a specialised approach is that women's pathways to prison are multi-faceted and complex. Women interacting with the criminal justice system are more likely than non-incarcerated women to have limited numeracy and literacy skills and have experienced poverty, early childhood abuse, and sexual and domestic and family violence. Stemming from these intersecting disadvantages, these women are more likely to experience poorer mental and physical health and have a history of substance use (Australian Institute of Health and Welfare [AIHW], 2020; Brueuer et al., 2021). In a survey of 117 women entering Australian prisons in 2018, 65% reported having been previously diagnosed with a mental illness. Further, 36% reported experiencing neurological symptoms consistent with traumatic brain injury, often as a result of repeated

head injury from domestic and family violence (AIHW, 2020). Violence perpetrated against women is widely reported in the personal histories of women entering prison. It is estimated that 70–90% of women in custody have experienced some form of violence and abuse (ANROWS, 2020; Devos & Nagy, 2022), increasing their risk of chronic mental and physical illnesses as well as imprisonment. As the social determinants of justice illustrate, early abuse, violence, and trauma are some of the “causes of the causes” that magnify the effects of disadvantage and set women, particularly First Nations women, on a path to prison (McCausland & Baldry, 2023).

As of December 2024, women in full-time custody were outnumbered by men in prison more than tenfold, representing approximately 8% (3,475) of the Australian prison population (ABS, 2024) and 6.8% (872) of the NSW prison population. However, approximately threetimes this number of women move through Australian prisons in any given year either on remand or via short three- to six-month sentences (Phelan et al., 2019). In the 12 months to the end of June 2024, approximately 2,952 women were received into custody in NSW (BOSCAR, 2024). First Nations women, in particular, face disproportionately high imprisonment rates as a consequence of colonisation and ongoing discrimination. This intersects with other markers of social disadvantage to precipitate interaction with the justice system (Bartels et al., 2020; Gibson, 2022; Kendall et al., 2019; Tubex & Cox, 2020). First Nations women are 20 times more likely to be imprisoned than non-Indigenous women (309.4 per 100,000 women and 16.4 per 100,000 women, respectively); (ABS, 2023a) and yet account for only 4.1% of women in NSW (ABS, 2021).

In line with global trends, the number of women in prison in Australia grew by 64% between 2009 and 2019 (AIHW, 2020). During this time, the imprisonment of First Nations women increased faster than of First Nations men and non-First Nations women, with the majority of women incarcerated for relatively minor offences (AIHW, 2020; Ooi, 2018; Pisani et al., 2022). The nature of women’s crimes, being largely minor offences, is manifested in the decline of the growth rate of women, particularly First Nations women, in NSW prisons following the introduction of the NSW Crimes (Sentencing Procedure) Act (1999) amendment. Coming into effect in September 2018, this amendment’s intent and effect was to reduce the number of people receiving short prison terms through the increased provision of community supervision orders (Donnelly, 2020; Pisani et al., 2022). The legislation has reportedly been successful in reducing short prison terms in favour of more community-based supervision orders (Donnelly, 2020). Public health orders in relation to the Covid 19 pandemic also had an impact, with an overall reduction in the number of women received into custody in decline since March 2020 (BOSCAR, 2020 2022). However, the trend has now reversed, with the number of women received into custody exceeding pre-pandemic levels. A mean average of 219 women were received into custody per month in the 12 months up to and including June 2019, compared with a mean average of 246 per month in the 12 months up to and including June 2024 (BOSCAR, 2024). This is driven largely by a 21% increase since June 2019 in women being detained on remand, which often does not result in sentencing (BOSCAR, 2024).

## **The Nexus Between Homelessness and Incarceration**

Contact with the criminal justice system and homelessness are bi-directionally intertwined (Bashir et al., 2021). Homelessness, defined as those living in short-term or precarious accommodation as well as street sleeping or sleeping rough, can often precede time in prison as well as follow it (Bashir et al., 2021). In Australia, the rate of homelessness amongst people in prison is 66 times that of the general population (AIHW, 2019). In 2018, it was reported that 33% of all people entering prison had experienced homelessness, of whom 28% were living in precarious or short-term housing and 5% were “sleeping rough”. A slightly higher proportion of women (7%) were sleeping rough prior to entering prison (AIHW, 2019). People living in precarious housing are also at increased risk of interaction with the police. Staying in a boarding house or a caravan park increases the likelihood of being apprehended by police by 6.7% and 3.6%, respectively (Moschion & Johnson, 2019). In NSW, women entering prison are more likely to be homeless than men, with approximately 14.8% of women, compared to 9.3% of men, either homeless or living in short-term precarious accommodation prior to entering prison (JHFMHN, 2017). The proportion of First Nations women from NSW in precarious housing prior to prison is even greater, being double that of non-First Nations women (28%) and significantly higher than for First Nations men (18%). Homelessness or precarious housing also has consequences for bail, which is often subject to the provision of a specified address that is stable and can be monitored (NSW Bail Act, 2013), even for relatively minor offences (Levin & Chailloux, 2023). The relatively high proportion of women held on remand in NSW prisons, despite being charged with relatively minor offences, is perhaps indicative of their precarious housing and homeless status. On 30<sup>th</sup> June 2024, 54% of women and 44% of men in NSW prisons were being held on remand (BOSCAR, 2024). Not only are women more likely to be homeless than men prior to prison (JHFMHN, 2017), increasing their risk of interactions with police, but they are also more likely to be held on remand once charged.

Women who have experienced homelessness are a heterogeneous group. However, similar to women in contact with the criminal justice system, they are more likely to have experienced adverse childhood experiences, trauma, victimisation, and substance use, and have poorer mental and physical health (Phipps et al., 2019).

Family and domestic and sexual violence (FDSV) predominantly perpetrated by men is recognised as the single and most common cause and precursor to homelessness for women (AIHW, 2022b; Donaghey & Sowerwine, 2019). Moreover, women released from prison are at higher risk than women in the general population of family and domestic violence (ANROWS, 2020). In Australia, 39% of women seeking the support of specialist homelessness services in 2021 cited family and domestic violence as their main reason for seeking assistance with housing (AIHW, 2022b). Evidence from multiple studies illustrates the extent to which FDSV intersects with other drivers of disadvantage. This further increases the women's risks of mental health disorders and/or alcohol or drug use, which subsequently increase their interactions with the criminal justice system (ANROWS, 2020). Drug-related offences play a disproportionate role in women's incarceration in Australia (ABS, 2023b), reflecting women's complex histories of violence (ANROWS, 2020) and often setting them on a perpetual cycle of homelessness and incarceration (AIHW, 2020; Edwards et al., 2024). The percentage of women returning to prison (i.e., the recidivism rate) is not routinely published in Australia. It has been reported that 72% of women surveyed in NSW prisons had previously been imprisoned; however, this was a non-representative sample (AIHW, 2020).

For people leaving prison, securing housing is critical and is often a condition, or influences the likelihood, of parole (Legal Aid NSW, 2014). Not-for-profit service providers report that finding housing is the number one issue for community organisations providing support to people leaving prison (Schwartz et al., 2020). In Moschion and Johnson's (2019) longitudinal study of people experiencing, or at risk of, homelessness ( $N=1782$ ), 4.7% had left prison within the six months prior. In their study, incarceration was identified as a direct cause of homelessness in the medium to long term, with the probability of homelessness increasing to 12% at six months and to 14% at 12 months post prison (Moschion & Johnson, 2019). Since the study does not offer a breakdown by gender and given that men vastly outnumber women in Australian prisons, it is unclear whether women experience the same homeless trajectories as men post prison. Notably, there is a dearth of Australian studies focussed on women's experiences of housing and homelessness post prison. However, drawing from studies overseas, incarceration appears to set women on a trajectory of housing instability (Bashir et al., 2021; Smoyer et al., 2021). Women are also reported to be less likely to have a home to go to, while men leaving prison are more likely to be partnered with, or supported by, women who have never been involved with the criminal justice system (Smoyer et al., 2021). Even people living independently prior to prison were more likely to be living with family or in precarious housing post prison (Doyle et al., 2022b; Smoyer et al., 2021). Short-term accommodation in boarding houses or with family and friends can also be particularly problematic for women. The lack of safety, privacy, and the inability to keep their children with them are key concerns for women living in boarding houses. In her study of people's experiences of living in licensed boarding houses in Sydney, Drake reports that "several women had at times chosen to sleep rough on the streets as they considered it safer than living in the boarding house" (Drake, 2014, p. 250). Sleeping rough is also sometimes preferable to living with family for some women, due to the risk of domestic violence or the ease of access to alcohol and drugs for those trying to recover from addiction (Cripps & Habibas, 2019; Doyle et al., 2022b; Gibson, 2022).

Since the majority of women in prison (54%) are mothers with dependent children (AIHW, 2020), a further unique feature of women's experiences post prison is the need for safe and suitable accommodation for their children (Breuer et al., 2021). Being reunited with children is the key concern of many mothers after leaving prison (Breuer et al., 2021; Doyle et al., 2022a). It is particularly challenging for First Nations women to access safe affordable accommodation for themselves and their children, in locations that support kinship and community ties. This is due to both a shortage of accommodation (Cripps & Habibas, 2019) and a lack of regard for the cultural needs of First Nations communities (Gibson, 2022).

In summary, women in NSW prisons experience significant marginalisation with multiple and intersecting disadvantages, and some live in precarious accommodation or experience homelessness prior to prison (JHFMHN, 2017). Once in contact with the criminal justice system, women are then further disadvantaged by a punitive system that both re-traumatises them (Breuer et al., 2021; Devos & Nagy, 2022) and sets them on a trajectory of precarious and unstable housing (Bashir et al., 2021; Smoyer et al., 2021). The following discussion will examine the policy and program responses to support women's reintegration post prison in NSW, with a focus on housing as a key determinant of reintegration and the number one priority for women exiting prison (Schwartz et al., 2020). Recommendations will be drawn from evidence in other states and territories in Australia as well as overseas.

### ***Reintegration and Housing***

No Exits from Government Services into Homelessness (NSW Government, 2020), encapsulated in the *NSW Homelessness Strategy*, is based on a multi-agency framework with a shared responsibility to support and prevent marginalised people from exiting government services and institutions into homelessness. The vision of the strategy is founded on the recognition that no single agency can address the multiple and complex needs of people at higher risk of homelessness. Women leaving prison without somewhere to go must, at present, engage with several authorities, including Specialist Housing Services (SHS), public

housing, and community housing programs (CHPs). The following is an exploration of the policies and responsibilities of the key government agencies and non-government organisations (NGOs) which women must navigate to access housing and accommodation post prison.

We begin by examining the role of Corrective Services NSW (CSNSW) policies to prepare, plan, and support women's reintegration post release. This is followed by a discussion of correctional policies and their ideological underpinnings, including critiques of the application of the Risk Needs and Responsivity (RNR) model and throughcare policy and programs for women in prison. Finally, we turn our attention to the housing sector more broadly by examining the extent to which public and community housing policies respond to the needs of women leaving prison.

### ***Custodial Case Management and Housing***

CSNSW has three key policies and programs that are intended to facilitate and support people to reintegrate post prison: Custodial Case Management (CCM), High Intensity Program Units (HIPUs), and Funded Partnership Initiatives (FPIs). For many women, the task of securing housing post release begins in prison. CSNSW has a duty of care to ensure that women are not released into homelessness, as per the Homelessness Strategy (NSW Government, 2018). However, the neoliberal orientation of correctional policy and practice often shifts responsibility to individuals to make their own arrangements regarding post-release accommodation.

The multiphase CCM model adopted in 2017 (NSW Government, 2017) purportedly has a strong rehabilitative focus and is based on the RNR model. The RNR model is underpinned by the principle that rehabilitation needs to be proportional to the risk of reoffending to reduce recidivism. As such, the model hinges on assessment, with more intense intervention efforts directed towards those at higher "risk of reoffending" (Bonta & Andrews, 2017). The Level of Service Inventory-Revised (LSI-R), a key component of the RNR model, is intended to establish risks of harm to self and others, substance use, and medical/pharmaceutical and mental health needs. The model also establishes "the risks of" and identification of underlying "criminogenic needs", illustrating its focus on preventing recidivism.

There have been numerous critiques of the rise of "risk" as a dominant paradigm in corrections (Pratt & Miao, 2019) and specifically in relation to women (Hannah-Moffat, 2006) and First Nations populations (Russell et al., 2022). Actuarial risk assessment instruments like the LSI-R are widely used, yet their ability to predict individual risk in people is greatly misunderstood, since they refer to populations rather than individuals. They are routinely validated on white men and there is some doubt as to their applicability in non-white and women's prisons (Russell et al., 2022). Proponents of risk assessment instruments claim that a "gender neutral approach is possible". However, the consensus appears to be that "all assessment with women and girls requires a 'gender responsive' approach, regardless of the type of instrumentation used, to promote ethical, humane, and effective service delivery and more specifically, risk assessment and management" (Olver & Stockdale, 2022, p. 102).

The RNR model so common in correctional systems offers the promise of a scientific evidence-based approach. The combination of risk assessment with correctional programs, usually based on CBT principles, is an enticingly simple and relatively cheap (programs are delivered in groups) response. While offence-specific programs are offered, the group modality and CBT emphasis means that it tends to be a "one-size-fits-all" approach.

There is provision within the CSNSW policy to explore housing/accommodation, employment, finances, and other post-release needs with a Case Management Officer (CMO) and Services and Programs Officer (SAPO). However, evidence from prisoners indicates this is patchy and that often pre-release planning is poorly conducted (Hall, 2016).

CSNSW parole FPIs provide transitional accommodation and associated case work support for up to three months post prison (Gilmour, 2018; NSW Department of Communities and Justice, 2023b; Olver & Stockdale, 2022). The HIPUs introduced by CSNSW in 2017 are an attempt to provide intensive, targeted interventions and reintegration support for women serving short custodial sentences. The program involves participation via four to five hours of interventions per day, specifically designed to address the "criminogenic needs" of women and First Nations people (Mahajan et al., 2021).

An evaluation of the HIPU program comparing individuals by program status, number of therapeutic hours received, and variation in therapeutic hours received found no evidence for a reduction in reoffending caused by participation in a program at a HIPU (Kim, 2022). Furthermore, there are concerns amongst HIPU staff about the extent to which accommodation and employment needs are being addressed within the program (Mahajan et al., 2021).

In addition, women on remand or serving short sentences are excluded from the CSNSW services that provide support to plan and arrange housing as well as access to other resources to support post-release reintegration (Tran et al., 2020). Furthermore, they do not all qualify for FPIs, including up to three months of transitional accommodation, since eligibility is premised on LSI-R medium to high risk of reoffending.

There is provision for those serving shorter sentences for reintegration planning and preparation through exit screening to provide an assessment of clothing, housing, transport, and financial needs. However, it is less clear how those on remand benefit when they can be released at short notice with minimal time to prepare (Gilmour, 2018; Martin et al., 2021).

For women who do qualify for CSNSW services (with sentences of three months or longer), there remain practical barriers to securing housing whilst still in prison. CMO and SAPO support is an integral aspect of the planning and reintegration phase of the CCM. Yet, in relation to housing, this support is in an advisory capacity only, with the women “encouraged to practise self-regulation – sourcing information and making their own arrangements” (NSW Government, 2017, p. 16). Lockdown procedures and limited access to phones and computer equipment mean women’s ability to source information and access housing services is severely compromised (Gilmour, 2018). The women are dependent on staff to call the Link2Home 24-hour statewide homelessness information and referral phone service on their behalf (Schwartz et al., 2020). There are also chronic accommodation shortages, with estimates of approximately 50 transitional beds across the entire state (Gilmour, 2018). Of these, only seven beds are available to women and five are limited to 12 weeks’ accommodation (NSW Department of Communities and Justice, 2023b; Phelan & Sotiri, 2019). Access to services within prison via visiting community and housing services is also not mandated policy nor consistent practice in NSW (Martin et al., 2021). In an e-survey of 25 community housing and 24 SHS providers operating in NSW, the provision of services in correctional facilities is reported to often be based on personal relationships between NGO frontline staff and prison officers (Gilmour, 2018). Not all prisons welcome SHS and community housing services and open days are not held on a regular basis. Obtaining security clearance to enter prisons is also challenging, causing significant delays, and there are few formal or memorandum of understanding arrangements (Gilmour, 2018).

### *Throughcare*

Throughcare, underpinned by case planning and continuity of support, is considered best practice to support the successful reintegration of women leaving prison (Phelan et al., 2019; Russell et al., 2022; Sotiri, 2020). Ideally, throughcare involves the provision of stable safe housing with wrap-around services (Baldry, 2010; Russell et al., 2022; Tubex & Cox, 2020). Marginalised women are thus unburdened by the need to find housing. With a secure and safe place to live, their reintegration can then be supported to address drug and alcohol issues, undergo treatment and recovery from trauma and mental illness, re-establish relationships, reunite with children, and secure employment (Baldry, 2010).

However, in practice in NSW, throughcare is only offered to those serving sentences of more than three months with a definite release date and parole period to ensure that the throughcare plan is followed through (Baldry, 2010). This approach excluded approximately 48% of women in prison on remand in NSW at June 2024 (BOSCAR, 2024). Secondly, housing assistance is often an integral part of throughcare programs but, crucially, the provision of longer-term safe, secure, and affordable housing is not (Breuer et al., 2021; Burch, 2017; Phelan & Sotiri, 2019). There are also multiple transitional and post-release services delivered by NGOs which provide transitional (10 days) or short-term (3 months) housing. The Extended Reintegration Service managed by the NSW Community Restorative Centre is a rare exception, providing accommodation and reintegration support for up to 12 months for people exiting prison with complex needs. However, of the 20 places in the program, only two are designated for women.

For First Nations women, who are more likely to live in unsafe and overcrowded housing (Cripps & Habibas, 2019), throughcare is essential to support reintegration and address their intersectional and intergenerational marginalisation. However, due to chronic shortages of First Nations housing, the placement of First Nations women far from their home communities hinders family support (Russell et al., 2022) and the connection to country and culture essential for their successful reintegration into the community (Day et al., 2019).

There is also a distinct lack of throughcare data to establish best practice because most programs are pilots delivered through NGOs and are subject to short-term government funding cycles (Day et al., 2019). In sum, the gap between throughcare policy and practice can often be a chasm, with limited resources to respond to housing and other needs that are critical to women’s successful reintegration (Russell et al., 2022).

### ***Public Housing***

The public housing register prioritises those with complex housing needs and people who are experiencing homelessness or are in crisis accommodation but who are unable to rent privately (Communities and Justice NSW, 2022). However, the number of public housing dwellings in NSW has been in long-term decline and now represents only 4.7% of total housing (Barnes et al., 2021). The NSW Government's pledge to build 9,386 new social dwellings over 10 years from 2016 still falls significantly short of the number of homes needed to satisfy the 55,880 applicants on the NSW register as of 30th June 2023 (NSW Department of Communities and Justice, 2023a). This is a significant decrease from 2016, when 67,573 applicants were registered for public housing due to change in the counting rules introduced in 2017. Debts or arrears up to \$500 incur the suspension of the application from the housing register and applicants with arrears or debts exceeding \$500 are removed from the housing register entirely (Barnes et al., 2021). This suggests that, in reality, the demand for public housing is likely to be much higher than the current 55,880 applicants on the NSW housing register (Barnes et al., 2021). This is particularly problematic for women whose housing debt is often attributable to violent, coercive, and controlling partners (Cripps & Habibas, 2019).

Many women leave prison meeting the priority criteria (homeless or living in crisis or transitional accommodation). Despite this, high demand within a context of declining housing stock means even priority groups often have lengthy waits (of 12 months or more) to secure public housing (Barnes et al., 2021). Applicants can wait considerably longer if seeking larger properties with two or more bedrooms, disadvantaging women currently in NSW prisons who are mothers (54%) and require bedrooms for their children. Women seeking to live in proximity of the communities in which they have always lived can also have a significantly longer wait if those communities are located in high-demand urban areas (Barnes et al., 2021; Martin et al., 2021).

Women interacting with the criminal justice system also face distinct obstacles preventing them from maintaining their public housing tenancies whilst in prison. Tenancies are terminated if sentences exceed six months or the tenant has been absent from the property for 12 months within the past five years (NSW Government, 2022a). Even those sentenced to less than six months must have the means to pay the \$5 per month to maintain their tenancy (Gilmour, 2018). Losing a tenancy also risks losing furniture and personal belongings if the tenant cannot arrange their removal and storage whilst in prison. The Inmate Property Service managed by The Prisoners Aid Association provides some pick up and storage capacity. However, this service is not available in all prisons across NSW, and it is limited to personal belongings and electrical appliances with a total weight of 15 kilograms, excluding bulkier items (Gilmour, 2018; NSW Department Communities and Justice, 2022).

The shortfall of public housing and the bureaucratic and systemic barriers of the NSW public housing system are evidence of the failure to systematically recognise and respond to the gendered and structural needs of women leaving prison. This enmeshes them further within a cycle of homelessness and recidivism (Doyle et al., 2022a).

### ***Community Housing and Housing First Approaches***

There was a 17% growth in the community housing sector's share of social housing in Australia from 2006 to 2021 (AIHW, 2022a) due to the transfer of some public housing assets to the community housing sector (AIHW, 2022a). In NSW, 147 community housing providers and 200 First Nations community housing providers manage approximately 53,200 dwellings, targeted at households and First Nations people with low to moderate incomes (AIHW, 2022a). Community housing is therefore an important player in the provision of housing for people released from prison. The sector has been responsible for trialling innovations such as Housing First programs with embedded wrap-around services to support people with "complex needs" (Flatau et al., 2022).

A central tenet of Housing First is a no-readiness requirement with provision for both housing and wrap-around services to enable people to sustain long-term tenancies (Flatau et al., 2022). For this reason, Housing First is often reported to be best practice for post-prison reintegration (Burch, 2017; Sotiri, 2020). In a qualitative thematic document analysis of justice sector policies in Australia, Battams et al. (2021) report that housing and accommodation to support people leaving prison is frequently referred to in all jurisdictions (70 policies). However, the provision of housing is often limited to transitional temporary accommodation, as discussed in earlier sections of this article. The contracting of prison and housing services to private providers with limited incentives to collaborate is also said to have resulted in a lack of interagency cooperation and information sharing needed to address the housing needs of people exiting prison (Baldry, 2010; Battams et al., 2021; Breuer et al., 2021; Flatau et al., 2022).

The shortfall of public and community housing stock is further manifested in programs such as Together Home (NSW Government, 2022b), a partnership between the NSW Government and the community housing sector to support people

experiencing homelessness into long-term sustainable housing. The program is not uniquely targeted at people released from prison. However, the nexus between homelessness, incarceration, and complex needs and the prioritisation of First Nations people who are over-represented in the homeless and prison populations (Cripps & Habibas, 2019; NSW Government, 2022b) suggests the program is likely a significant source of housing for women leaving prison. Places in the Together Home program are limited, with referrals expected to exceed the number of packages available (NSW Government, 2022b). Women exiting prison are therefore not assured a place but must compete with other marginalised groups to access the program.

Women experience intersectional, intergenerational, and gendered disadvantages manifesting in poor mental and physical health, histories of domestic and family violence, and associated substance abuse. They are also the primary carers of young children. Thus, women's post-prison needs differ from those of men. Yet, there are few Housing First programs in NSW that are designed to specifically meet the reintegration needs of women. Safety for women and their children is a primary and overwhelming concern for women leaving prison (Sotiri, 2020). A central pillar of Housing First programs, such as the Manchester Jigsaw project in the United Kingdom (UK) and A New Way of Life in the United States (US), is the provision of appropriate, safe, and stable long-term accommodation with wrap-around services. These services support and address women's gendered reintegration needs, including support for substance abuse and its associated domestic and sexual abuse trauma as well as their needs as mothers (Burch, 2017; Corston, 2007; Quilgars et al., 2021).

In NSW, non-government agencies supporting women escaping gender-based violence include the Women and Girls Emergency Centre (WAGEC) and the Community Restorative Centre, which provide a range of reintegration support services. These agencies acknowledge the importance of Housing First for the successful reintegration of women involved with the criminal justice system through their respective programs, From Now and The Miranda Project (Community Restorative Centre, 2018; Women's and Girls Emergency Centre, 2024). However, they are somewhat hampered by a lack of available housing stock, which is not uncommon. By the second year of its program, the Manchester Jigsaw Housing First project was obliged to offer reintegration and case work support to women until housing could be secured. Partnerships were subsequently developed with housing providers (public and private) so that appropriate safe and stable housing could be secured from within the Jigsaw group (Quilgars et al., 2021).

The Together Home program has funding to head lease properties from the private sector for a period of two years, providing heavily subsidised housing (capped as a proportion of income). Similarly, A New Way of Life began with the purchase of housing (Burch, 2017; NSW Government, 2022b). Programs like From Now (Women's and Girls Emergency Centre, 2024) and The Miranda Project (Community Restorative Centre, 2018) are managed and coordinated by agencies that largely provide case management and needs-based support, who advocate and assist with housing. Developing Housing First as a policy response to women's specific post-prison needs requires greater integration of case work and other wrap-around reintegration supports with public and private housing services, as well as additional funding to underwrite this. The Reintegration Housing Support Program (RHSP) pilot, involving the co-location of specialist case support workers in six Department of Communities and Justice (DCJ) housing offices, has shown promising results. Through the pilot, a higher number of RHSP participants achieved a public housing outcome compared with a comparison group (32% versus 13%, respectively; (Community Restorative Centre, Department of Communities and Justice, & ARTD Consultants, 2023). Nonetheless, two-thirds of participants in the program did not have access to public housing at the time of the evaluation in May 2023.

## Conclusions and Recommendations

Women account for approximately 6.6% of the prison population in NSW, with approximately 3,000 women circulating through NSW prisons each year (ABS, 2023b; Phelan et al., 2019). Women interacting with the criminal justice system are some of the most marginalised in society. They are a high-risk group for adverse childhood experiences, domestic violence, poverty, mental and physical health problems, and substance use (AIHW, 2020; Brueuer et al., 2021). These issues are further compounded by colonisation and intergenerational trauma for First Nations women (Russell et al., 2022).

Homelessness and incarceration are intertwined and gendered, with women more likely than men to experience homelessness prior to and post-prison (Bashir et al., 2021; Doyle et al., 2022b; Moschion & Johnson, 2019). Attempts to avoid custodial short-term sentencing in favour of more community-based orders seem to be taking effect, with a gradual decline in the number of women serving sentences in NSW prisons (BOSCAR, 2024). However, the number of women circulating through prison each year has not declined and has now surpassed pre-pandemic levels. This is largely driven by women held on remand, who accounted for 88% of all women received into custody in NSW from 1<sup>st</sup> July 2023 to 30<sup>th</sup> June 2024. A feature of women's incarceration in NSW prisons is that offences are often minor and linked to debt and fines. Women, who represented 62% of SHS clients in NSW in June 2024 (AIHW, 2024), are also at greater risk for interactions with police as a result of their



homelessness and for being detained on remand (BOSCAR, 2024). For many women, time in prison, however brief, results in a repetitive cycle of imprisonment and homelessness (Donaghey & Sowerwine, 2019).

An examination of the policies and programs intended to support women's reintegration post prison reveals significant gaps. A "one-size-fits-all" approach based on men's experiences does not respond to the unique needs of the thousands of women who circulate through NSW prisons each year. Case management and throughcare support provided by CSNSW exclude the majority of women in prison (88% in the 12 months to 30<sup>th</sup> June 2024) who move through NSW prisons each year on remand or are serving sentences of less than three months (Phelan et al., 2019). Post-prison housing is rarely integral to throughcare; existing accommodation provision is based on the risk of "recidivism" rather than need and is transitional rather than long term.

Public housing excludes women with housing debts, terminates the tenancies of those with sentences of six months or longer, and, due to critical shortages of housing stock, disadvantages mothers needing larger properties to care for their children. Interventions and throughcare programs based on Housing First principles have shown that, with permanent, safe housing and the right support, women can thrive post prison (Burch, 2017; Quilgars et al., 2021). It is clear that for marginalised women leaving prison in NSW, housing is both central and integral to their successful reintegration. CHPs, such as Together Home, based on rapid Housing First principles are a welcome step in the right direction but the two-year time limit is problematic, especially for women with multiple morbidities and categories of marginalisation. Small scale programs in NSW providing tailored reintegrated support and case work (The Miranda Project and From Now) are hampered by lack of housing stock. Whilst these agencies advocate and provide housing assistance, for Housing First programs to be successful in NSW, there needs to be more integration between housing providers and the agencies that provide reintegration case work and other needs-based support services. The placement of case workers in DCJ housing offices, as piloted by the RHSP, seems to be a step in the right direction. However, as The Manchester Jigsaw program has shown, partnerships with housing providers that enable homes to be sourced within the program are critical (Quilgars et al., 2021).

In the current context of rising interest rates and concomitant rent hikes, coupled with the high housing demand, stagnating wages, and an 11% gender pay gap (Australian Government, 2022), private rentals are likely to be beyond the reach of most women leaving prison in need of housing. We therefore recommend a three-tiered strategy to respond to women leaving prison in NSW.

In the short term, a revision of public and social housing policy is required to ensure that women are better supported to maintain their housing whilst in prison. Women's needs and those of their children should be central to decisions that involve the termination of a tenancy. This requires greater coordination and interaction between CSNSW and social housing providers to ensure that, where possible, termination of women's housing leases is avoided. The effectiveness of the RHSP pilot suggests that the integration of case workers located in DCJ housing offices should become more widespread, enabling the needs of women to be better understood and better supported amongst DCJ staff.

In the medium term, improved integration and coordination between CSNSW and NSW public and/or community housing providers is also needed to support women to better plan and prepare for housing post release. This involves providing women with access to telephones and computers at least several weeks prior to release in order to actively plan for their reintegration. We also recommend that the provision of SHS and CHP services directly to women whilst still in prison becomes mandated policy. We recommend all women, regardless of whether they are on remand or serving short sentences, are supported with reintegration, case management, and throughcare that incorporates, at the minimum, support for their housing needs.

Finally, forecasts modelling the provision of 5,000 newly built dwellings in NSW per year over the next 10 years still fall significantly short to satiate demand, leaving 13,353 applicants on the public housing register by 2032 (Writer et al., 2022). A significant boost to social housing in NSW that goes beyond current commitments is needed to ensure that women leaving prison can obtain affordable and long-term housing. To stem the shortfall, we recommend greater provision for the funding of purpose-built housing for women leaving prison and their children. This housing can function in a semi-permanent capacity, similar to A New Way of Life in the US, to support and appropriately equip women to lead an independent and successful life outside the criminal justice system.

Housing, as we have demonstrated, is essential for women's successful post-prison reintegration, but it is not the only consideration. Women also need gendered and tailored support to overcome the structural drivers that result in their marginalisation and incarceration. However, this can only occur if policies are aligned and practices are more integrated across multiple sectors, including state governments; the public, private, and community housing sectors; and non-government agencies, with the expertise to support these marginalised women.

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