



Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matters

April 2023



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Table of contents

Our commitment to inclusion.....	iv
Executive summary.....	v
Summary of Recommendations	vii
1 The Salvation Army's ex-offender support services	8
2 Factors influencing increases in Tasmania's prisoner population and associated costs	10
3 The use of evidence-based strategies to reduce contact with the justice system and recidivism.....	11
4 The provision of, and participation in, services for people in prison and leaving prison	14
5 Any other incidental matters – The Salvation Army's support for justice reform.....	17
6 Conclusion.....	20
Appendix A About The Salvation Army	21



Our commitment to inclusion

The Salvation Army Australia acknowledges the Traditional Owners of the land on which we meet and work and pay our respect to Elders, past, present and future.

We value and include people of all cultures, languages, abilities, sexual orientations, gender identities, gender expressions and intersex status. We are committed to providing programs that are fully inclusive. We are committed to the safety and wellbeing of people of all ages, particularly children.

Our values are:

- Integrity
- Compassion
- Respect
- Diversity
- Collaboration

Learn more about our commitment to inclusion: <salvationarmy.org.au/about-us>

The Salvation Army is an international movement and our mission is to preach the gospel of Jesus Christ and to meet human needs in his name without discrimination.

More information about The Salvation Army is at **Appendix A**.





Executive summary

The Salvation Army welcomes the opportunity to provide this submission to the Legislative Council Government Administration Committee 'B' in relation to the Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matters.

The Salvation Army's submission has been predominantly informed by Beyond the Wire, a specialist throughcare reintegration program operating in Tasmania. The program, run by The Salvation Army with funding support from the Department of Justice, has been highly successful in reducing recidivism rates among participants.

A review of the Beyond the Wire program conducted in 2020, revealed just 10 per cent¹ of ex-offenders in this program returned to prison. A stark contrast from the 47.1 per cent² of Tasmanian prisoners who, during the same period, were returning to prison within 2 years.

In preparing this submission, we are mindful that many prisoners are victim-survivors of disadvantage, disability, abuse and crime themselves. We are also mindful there are victims of crime who require sensitive and appropriate recognition by the criminal justice system in the treatment of perpetrators and how this is balanced with broader community expectations around punishment, restitution, community and personal safety, and criminal rehabilitation.

The overarching principles of this submission are:

- Intensive case management, participation in adequate services and access to affordable and stable accommodation are some of the most important determinative factors for recidivism.
- The work of *Beyond The Wire* highlights that effective pathways out of the prison system can be provided that not only address the housing and support needs of people exiting the prison system but can substantially contribute to a significant reduction in recidivism and therefore victims of crime. It breaks the cycle of crime and incarceration.
- When investing in efforts to reduce Tasmania's prison population it is still important to ensure the safety of victims of crime and simultaneously invest in measures that ensure certain victim-survivors are not re-traumatised by their engagement with the criminal justice system.

¹ Beyond the Wire evaluation (2020), based on data recorded using the Specialist Homelessness Integrated Platform (SHIP).

² Tasmanian Prison Services. (2022, June) *Budget Estimates Brief: Tasmanian Prison Service – Performance*.

https://www.justice.tas.gov.au/__data/assets/pdf_file/0003/669630/Budget-Estimates-Briefings-2022.PDF



This submission responds to the following terms of reference:

- Factors influencing increases in Tasmania's prisoner population and associated costs,
- The use of evidence-based strategies to reduce contact with the justice system and recidivism,
- The provision of, and participation in, services for people in prison and leaving prison (health, housing and legal services), and
- Any other incidental matters – The Salvation Army's support for justice reform.

The Salvation Army has made **9 recommendations** for the Committee to consider as part of its inquiry. A summary of these recommendations follows on the next page.



Summary of Recommendations

Recommendation 1

3.5 The Salvation Army recommends that the Tasmanian Government provide additional funding to increase the number of case workers at *Beyond the Wire*. This would also increase the number of ex-offenders that can engage in the program.

Recommendation 2

3.12 The Salvation Army recommends that the Tasmanian Government invest in co-responder models similar to the Alexis Model, to reduce recidivism in family and domestic violence offenders.

Recommendation 3

4.5 The Salvation Army recommends that the Tasmanian Government increase the number of social housing properties available for ex-offenders.

Recommendation 4

4.6 The Salvation Army recommends that the Tasmanian Government undertake an exploration of current best practice reintegration strategies in use both within and outside of Australia, and investigate how these could be implemented or used to strengthen existing services.

Recommendation 5

4.9 The Salvation Army recommends that the Tasmanian Government implement strategies that improve both access to, and engagement in, education and training courses in Tasmanian prisons. Courses should also cover helping prisoners exit incarceration and be better equipped for everyday life. This would improve both individual and community outcomes.

Recommendation 6

5.4 The Salvation Army recommends that the Tasmanian Government acknowledges the underpinning cycle of disadvantage that prison both exacerbates and entrenches through increased investment in initiatives that address the underlying causes of their behaviour.

Recommendation 7

5.5 The Salvation Army recommends that the Tasmanian Government actively support Aboriginal and Torres Strait Islander-led campaigns and communities in their efforts to breaking the cycle of Aboriginal and Torres Strait Islander criminal justice system involvement.

Recommendation 8

5.7 The Salvation Army recommends that the Tasmanian Government gives priority to evidence-based health responses which divert people who use drugs away from the criminal justice system.

Recommendation 9

5.12 The Salvation Army recommends that the Tasmanian Government raises the age of criminal responsibility from 10 years to 14 years.

1 The Salvation Army's ex-offender support services

History

- 1.1 The Salvation Army has supported ex-offenders in Australia for over 140 years. Major James Barker began conducting chapel services in the Old Melbourne Gaol in the early 1880's. The work quickly developed to include a ministry for ex-prisoners whereby Salvation Army officers (the 'Prison Gate Brigade') would stand at the prison gate and invite men upon release to "start a new life." The service aimed to keep people from returning to their old lives of crime.

Background on The Salvation Army's ex-offender support programs in Tasmania

- 1.2 In 2009, The Salvation Army launched a pilot program known as the Parolees' Transitional Accommodation Project (**PTAP**) and the Transitional Support Model for ex-Prisoners (**TSMP**). The program aimed to support people who had spent more than 6 months in prison and were at risk of homelessness after release. The program proved highly successful in reducing recidivism amongst participants and, as a result, in 2011 it was formalised as the Reintegration of Ex-Offenders (**REO**) program.
- 1.3 An independent evaluation of the REO program, undertaken in 2012, reported that the success rate of the program was 93.5 per cent, equating to a recidivism rate of 6.5 per cent compared to recidivism rates of the general prison population of about 46 per cent.³ The REO program continued until 2015 when, despite strong support for the program, funding provided by the government through Housing Tasmania was withdrawn.
- 1.4 In 2018, The Salvation Army gained support from the Department of Justice to commence *Beyond the Wire* (**BTW**), a rapid prisoner rehousing reintegration program. The new program has similar objectives to PTAP, TSMP and REO, in addition to also supporting prisoners who are unable to be granted parole due to not having assured housing.

Beyond The Wire

- 1.5 BTW, a specialist throughcare reintegration program, aims to achieve the best possible outcomes for all participants. An individual assessment and planning process is undertaken for each person and helps identify the support required to minimise their risk of reoffending. The needs identified are likely to include accommodation, addiction recovery, vocational training, employment, mental health care, family and community reconnection.

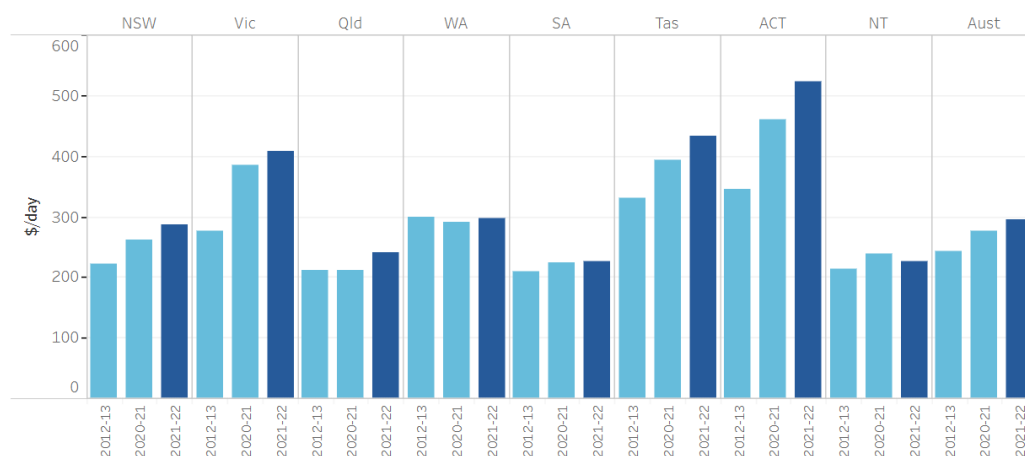
³ Herlander Birgerson, E. (2018, November) *A Real Gap: Consequences of Defunding Tasmania's Reintegration for Ex-Offenders' Program*. <https://eprints.utas.edu.au/31077/>



- 1.6 BTW is jointly funded by the Department of Justice and The Salvation Army. Funding supports the provision of case workers but, unlike previously run ex-prisoner support programs, BTW does not have its own designation of properties, instead working with clients to secure housing privately or through Homes Tasmania Housing Connect.

2 Factors influencing increases in Tasmania's prisoner population and associated costs

- 2.1 There are a range of social, economic, and environmental factors that contribute to increases in the Tasmanian prisoner population. The Salvation Army's focus, in this submission, is how a lack of support for returning citizens contributes to people remaining in prison past their eligible parole date and increases people's likelihood of recidivism, both of which lead to a higher prisoner population.
- 2.2 A high recidivism rate costs the state significantly. In Tasmania during 2021-22, it cost \$432.27 per day to keep a person in prison. Annually this represents a cost of \$157,779 for each prisoner.⁴



Source: table 8A.20

Figure 2. Real net operating expenditure (excluding capital costs), per prisoner per day

Source: Australian Government Productivity Commission – Report on Government Services 2023

- 2.3 Funding for reintegration support for ex-offenders, including intensive case work and the provision of secure and affordable housing, provides a comparatively better social and financial return on investment for Tasmania.

⁴ Productivity Commission. (2023). *Report on Government Services*. <https://www.pc.gov.au/ongoing/report-on-government-services/2023>.

3 The use of evidence-based strategies to reduce contact with the justice system and recidivism

- 3.1 In 2020-21, the Tasmanian rate of recidivism within two years of release increased from 47.1 per cent to 50.4 per cent.⁵ This highlights a lack of investment in reintegration programs for ex-offenders.
- 3.2 Considerable research validates the fact that without support, returning citizens will face a high likelihood of returning to jail. But with targeted support and planning, that same individual may be afforded better chances of successful reintegration. Therefore, specialist reintegration programs, like BTW, are a crucial component of a prisoner's parole and post-release journey.
- 3.3 The BTW program was developed based on years of organisational experience, research, and professional expertise. The program supported 97 returning citizens in 2020-21, and successfully reduced the recidivism rate amongst participants from the state average of 47.1 per cent⁶ to just 10 per cent.⁷
- 3.4 It is The Salvation Army's experience that sustainable change can be achieved when intensive case management delivers flexible support to ex-offenders when it is required. Appropriate supported housing, for instance, cannot be delivered without significant lead time, pre-release applications, and financial arrangements. An effective co-case management model includes corrective service delivery of criminogenic treatments for identified needs and external agencies providing support or treatment of non-criminogenic factors, for example, to address low self-esteem, literacy, accommodation, and other social needs.

Recommendation 1

- 3.5 **The Salvation Army recommends that the Tasmanian Government provide additional funding to increase the number of case workers at *Beyond the Wire*. This would also increase the number of ex-offenders that can engage in the program.**

⁵ Tasmanian Prison Services. (2022, June) *Budget Estimates Brief: Tasmanian Prison Service – Performance*. https://www.justice.tas.gov.au/_data/assets/pdf_file/0003/669630/Budget-Estimates-Briefings-2022.PDF

⁶ Tasmanian Prison Services. (2022, June) *Budget Estimates Brief: Tasmanian Prison Service – Performance*. https://www.justice.tas.gov.au/_data/assets/pdf_file/0003/669630/Budget-Estimates-Briefings-2022.PDF

⁷ Beyond the Wire evaluation (2020), based on data recorded using the Specialist Homelessness Integrated Platform (SHIP).

Anne's* Story

Anne was referred to BTW in early 2019. Her history indicated that she had never stayed out of prison for any length of time and that the support needed to ensure she could successfully reintegrate would be significant.

Anne's previous criminal history was extensive, but when we began working with her, she divulged a lifetime of family and institutional abuse and trauma. This led her down a path of undiagnosed and labile mental ill-health, with a reliance on alcohol and illicit drug use.

Eventually, problematic substance and alcohol use saw Anne admitted to a psychiatric facility, as she was displaying suicidal ideation, with self-harm and overdoses becoming commonplace. Anne was diagnosed with Attention Deficit Hyperactivity Disorder and Bipolar Affective Disorder.

While working with Anne, she gradually began to speak about when she was placed in state care at the age of two and a half, where she was exposed to sexual, emotional, and physical abuse across a number of foster care placements. Anne has been supported by BTW to not only address her trauma, but to also seek compensation via the National Redress Scheme.

BTW worked hard to acquire long term supported accommodation for Anne. In early 2021 we achieved this goal and worked closely with a housing provider to ensure she was settled.

Many services over the years placed Anne in the 'too hard basket' and this has restricted her access to supports that could have assisted. BTW was the only organisation which never shut the door on Anne. Anne is now achieving goals she never would have thought possible. She says this support has not only changed her life, but saved it.

**Name changed for privacy*

Reducing recidivism in family and domestic violence offenders

- 3.6 Currently, the overpopulation of prisons is evidently not reducing the trajectory of risk that family and domestic violence perpetrators pose on women and children and in turn, the community. Offenders imprisoned for the use of family and domestic violence are moved around regularly due to prison overpopulation, and because wait lists for programs to address their behaviour are extensive. This means that we are not addressing the reasons why perpetrators are offending. The use of family and domestic violence is poorly legislated, therefore perpetrators who are incarcerated for an acute act of violence are not being held to

account for their cumulative use of violence prior to incarceration, which reduces the level of accountability and responsibility on that perpetrator.

- 3.7 More efforts in programs tailored to a prosocial lifestyle will promote the responsibility of a perpetrator's actions. An increase of pathway options for priority groups are welcomed, with specific regard to Aboriginal and Torres Strait Islander communities, people with disabilities and women and children.
- 3.8 The Salvation Army points the Tasmanian Government to the Alexis Program that The Salvation Army runs in Victoria as an example of best practice in reducing family and domestic violence recidivism.
- 3.9 Alexis Family Violence Response Model was initially co-designed by The Salvation Army and Victoria Police with significant consultation and input from the Bayside Peninsula Integrated FV Partnership agencies. The Salvation Army currently works with police units to deliver the Alexis model in the three Victorian Police Divisions.
- 3.10 The Alexis model is a targeted approach for high-risk victim-survivors and recidivist perpetrators of family violence, that is, families that have had three or more police attendances for family violence in the preceding 12 months or where police assessed a possible likelihood of further violence. It creates a multi-disciplinary integrated response team by embedding a specialist key worker with family violence expert knowledge within a targeted police family violence unit. Through the Alexis Program, the specialist key worker aims to:
- Strengthen integration between police and services,
 - Reduce the incidences of police attendance where there is a history of recidivism,
 - Prevent escalation of risk to women and children by intervening early, and
 - Promote successful and ongoing engagement in mainstream services.
- 3.11 An evaluation of the Alexis model by RMIT University in 2017 found that it resulted in an 85 per cent reduction in police callouts in the 12 months following exit from the program. This success can be attributed in part to the program's role in providing case coordination support and service integration for families. The Salvation Army acknowledges that the Alexis Program is not the only program of its kind. We recommend that funding be provided for more of these programs to be rolled out across Tasmania.

Recommendation 2

- 3.12 The Salvation Army recommends that the Tasmanian Government invest in co-responder models similar to the Alexis Model, to reduce recidivism in family and domestic violence offenders.**

4 The provision of, and participation in, services for people in prison and leaving prison

- 4.1 Recidivism is reduced or avoided by supporting individual ex-offenders and their families through effective reintegration. Additionally, access to sustainable housing is one of the most important determinative factors for recidivism. Research into the relationship between recidivism and accommodation found that people were most likely to return to prison if they were homeless or transient—specifically if they moved more than twice in a three-month period, immediately after release.⁸ Unfortunately, homelessness is a common experience for people leaving prison.
- 4.2 The nexus between homelessness, imprisonment and recidivism becomes a vicious cycle. We know that homelessness is a strong predictor of recidivism and that 1 in 3 prisoners reported being homeless prior to entering prison.⁹
- 4.3 BTW can only work with a small fraction of those who need help to reintegrate back into the community and the level of support offered is not enough. Each time a person is unable to access one of these programs or does not get the level of support they need for the time they need it, their chances of ending up back in prison are increased.
- 4.4 BTW currently operates with annual funding of \$370,000 – \$270,000 funding from the Tasmanian Government and an additional \$100,000 from within The Salvation Army. This approximately equates to the cost of keeping just 2 people in prison for a year. Taking this problem seriously means significantly increasing the capacity of existing support services, so that all those who have done their time have a real chance of a better life.

Recommendation 3

- 4.5 **The Salvation Army recommends that the Tasmanian Government increase the number of social housing properties available for ex-offenders.**

⁸ Baldry, E, McDonnell, D, Maplestone, P & Peeters, M. (2006). The Australian and New Zealand Journal of Criminology. *Ex-Prisoners, Homelessness and the State in Australia*. 39(1).

<https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=19eec31e346133c17318305b7778a112b8255ed6>

⁹ Australian Institute of Health and Welfare. (2018). *The health of Australia's prisoners 2018*.

<https://www.aihw.gov.au/reports/prisoners/health-australia-prisoners-2018/summary>



Recommendation 4

- 4.6 The Salvation Army recommends that the Tasmanian Government undertake an exploration of current best practice reintegration strategies in use both within and outside of Australia, and investigate how these could be implemented or used to strengthen existing services.**

Geoff's Story*

Six years after being first eligible for parole, Geoff, aged 76, was referred to The Salvation Army's BTW program. He was accepted into the program in 2020 and his case worker began advocating on his behalf to housing providers.

Geoff could not be released from prison until suitable accommodation could be arranged. His BTW case worker collaborated with a supportive housing provider in Hobart and was able to help Geoff secure a unit and sign a lease, meaning he would now have a parole address.

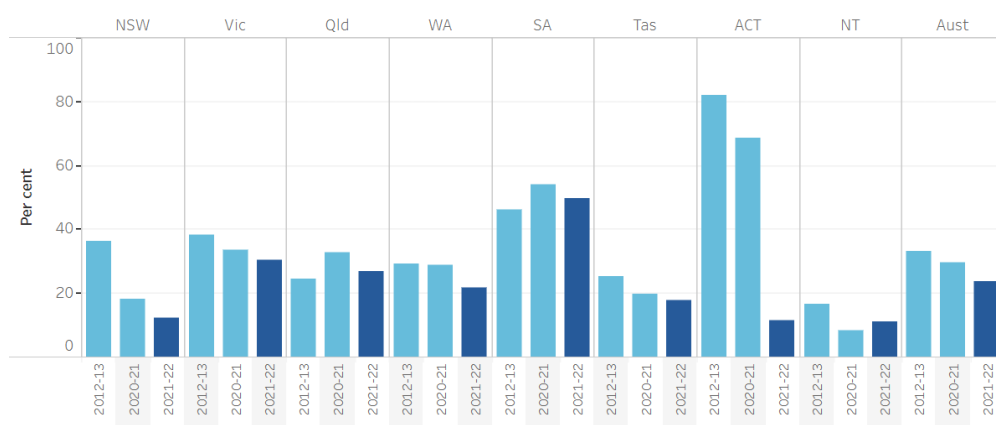
Geoff was granted parole at his hearing in mid-2021. Since his release, he has been able to reunite with his adult daughter and maintain his parole.

Geoff's experience highlights that the lack of access to stable and affordable housing for ex-offenders, is a significant challenge to them being released and able to successfully reintegrate into the community. As a result, people are ultimately spending more time in our prisons. This is concerning as the longer the time served out of the community, the larger the barrier to reintegration and the greater the cost to the community both financially and socially.

**Name changed for privacy*

Provision and uptake of education and training courses in Tasmanian prisons

- 4.7 Finding employment is difficult for ex-prisoners who may have limited education or work experience, and who may also face barriers to employment because of their criminal record. Providing education and training to prisoners, while in prison, can help better prepare them for release by providing giving them the skills and knowledge needed to secure employment post-release. Education and training can also help to build self-esteem and confidence and provide stability and purpose. Tasmania had just 17.6 per cent of eligible Tasmanian prisoners participating in an accredited education or training course in 2021-22.¹⁰



Source: table 8A.11

Figure 1. Percentage of eligible prisoners in education and training

Source: Australian Government Productivity Commission – Report on Government Services 2023

- 4.8 Housing and employment are closely linked. It is difficult to find employment without stable accommodation and to maintain stable housing with inadequate income. Informed investment in education and training for prisoners, and in reintegration services, that work holistically with prisoners pre and post release on key issues such as stable accommodation and employment would significantly help improve the lives of returning citizens, and benefit their families, friends and the wider Tasmanian community.

Recommendation 5

- 4.9 The Salvation Army recommends that the Tasmanian Government implement strategies that improve both access to, and engagement in, education and training courses in Tasmanian prisons. Courses should also cover helping prisoners exit incarceration and be better equipped for everyday life. This would improve both individual and community outcomes.**

¹⁰ Productivity Commission. (2023). *Report on Government Services*. <https://www.pc.gov.au/ongoing/report-on-government-services/2023>.

5 Any other incidental matters – The Salvation Army's support for justice reform

- 5.1 The Salvation Army is a Justice Reform Initiative supporter organisation. The Justice Reform Initiative¹¹ is an alliance of organisations and individuals who share long-standing professional experience, lived experience and expert knowledge of the justice system, who believe jailing is failing and that there is an urgent need to reduce the number of people in Australian prisons. The alliance believes that prisons are ineffective as a deterrent, ineffective at reducing crime, and ineffective at addressing the drivers of criminal justice system involvement. The over-use of prisons is fundamentally harmful to those in prison, their family and friends, and the broader community.
- 5.2 Consistent with our service delivery experience, it is well understood that most people entering prison usually arrive there because of an underpinning cycle of disadvantage and that prison both exacerbates and entrenches this disadvantage. This nexus needs to be broken.
- 5.3 Among its 12 priority areas for reform, the alliance acknowledges the longstanding efforts of Aboriginal and Torres Strait Islander people to reduce the numbers of Aboriginal and Torres Strait Islander people incarcerated in Australia and, importantly, the leadership role that Aboriginal and Torres Strait Islander-led organisations continue to play on this issue. Breaking the cycle of Aboriginal and Torres Strait Islander criminal justice system involvement would focus on supporting the leadership of Aboriginal and Torres Strait Islander led campaigns and communities. This is consistent with The Salvation Army's public support for the Aboriginal and Torres Strait Islander Voice that will give Aboriginal and Torres Strait Islander communities a route to help inform policy and legal decisions that impact their lives.

Recommendation 6

- 5.4 The Salvation Army recommends that the Tasmanian Government acknowledges the underpinning cycle of disadvantage that prison both exacerbates and entrenches through increased investment in initiatives that address the underlying causes of their behaviour.**

¹¹ Justice Reform Initiative. <https://www.justicereforminitiative.org.au/>

Recommendation 7

5.5 The Salvation Army recommends that the Tasmanian Government actively support Aboriginal and Torres Strait Islander-led campaigns and communities in their efforts to breaking the cycle of Aboriginal and Torres Strait Islander criminal justice system involvement.

5.6 Also, aligning with the advocacy efforts of Rethink Addiction,¹² of which The Salvation Army is a supporter, another priority area for reform includes advocating for evidence-based public health responses which divert people who use drugs away from the criminal justice system. A more balanced policy and funding approach would prioritise efforts in health and social care, not just law enforcement and incarceration.

Recommendation 8

5.7 The Salvation Army recommends that the Tasmanian Government gives priority to evidence-based health responses which divert people who use drugs away from the criminal justice system.

5.8 Another critical campaign that The Salvation Army supports, and which aligns with the Justice Reform Initiative is the Raise the Age campaign.¹³ The campaign calls for raising the age of criminal responsibility from 10 years to 14 years, where we understand that it is rare for children aged 10 years to 13 years to be charged with a serious offence of violence. Instead, most children who are exposed to the criminal legal system are for offences of theft, burglary and property-related crime. Where behaviour is violent among young children, this is often directly linked to experiences of trauma, neglect, and harm or unaddressed mental or physical health problems.

5.9 The Salvation Army keenly welcomes Tasmania becoming the first jurisdiction to raise the age of criminal detention, from 10 to 14 years as a significant first step. Similarly, we welcome efforts for Tasmania's youth justice system to focus on prevention and early intervention, thus diverting young people from the court system and towards restorative alternatives for high-risk young offenders. While children remain exposed to the potential trauma of engaging with

¹² Rethink Addiction. <https://www.rethinkaddiction.org.au/>.

¹³ Raise The Age. <https://raisetheage.org.au/>.

police and the court system, The Salvation Army maintains its call for the raising the age of criminal responsibility from 10 years to 14 years in Tasmania, as with the rest of Australia.

- 5.10 The best way to prevent first-time and recidivist offending and to make our communities safer is to support and build the capacity of families, engage and support kids to stay in school, address family violence and housing instability, and identify and respond to health and disability needs. Rather than criminalise disadvantage, Tasmanians require age and needs-based early intervention and support that address the underlying causes of their behaviour and sets them onto a better path.
- 5.11 The worst place for most non-violent children and adult perpetrators alike is to be in prison, which only perpetuates cycles of problematic behaviour, disadvantage and recidivism.

Recommendation 9

- 5.12 The Salvation Army recommends that the Tasmanian Government raises the age of criminal responsibility from 10 years to 14 years.**

6 Conclusion

- 6.1 The Salvation Army thanks the Legislative Council Government Administration Committee 'B' for the opportunity to provide a written submission on the Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matters.
- 6.2 The Salvation Army would welcome the opportunity to discuss the content of this submission should any further information be of assistance. Further information can be sought from The Salvation Army's Department of Government Relations, at government.relations@salvationarmy.org.au.

The Salvation Army Australia Territory

13 April 2023



Appendix A About The Salvation Army

The Salvation Army is an international Christian movement with a presence in more than 130 countries. Operating in Australia since 1880, The Salvation Army is one of the largest providers of social services and programs for people experiencing hardship, injustice and social exclusion.

The Salvation Army Australia provides more than 1,000 social programs and activities through networks of social support services, community centres and churches across the country.

Programs include:

- Financial counselling, financial literacy and microfinance
- Emergency relief and related services
- Homelessness services
- Youth services
- Family and domestic violence services
- Alcohol, drugs and other addictions
- Chaplaincy
- Emergency and disaster response
- Aged care
- Employment services

As a mission-driven organisation, The Salvation Army seeks to reduce social disadvantage and create a fair and harmonious society through holistic and person-centred approaches that reflect our mission to share the love of Jesus by:

- Caring for people
- Creating faith pathways
- Building healthy communities
- Working for justice

We commit ourselves in prayer and practice to this land of Australia and its people, seeking reconciliation, unity and equity.

Further information about The Salvation Army can be accessed at: <
<https://www.salvationarmy.org.au/>>

