

The Inspector's Overview

SOME IMPROVEMENTS BUT PLANNED INVESTMENT IS ESSENTIAL TO SAFETY, DECENCY AND IMPROVED OUTCOMES

INTRODUCTION

Roebourne Regional Prison has always been a source of concern to the Office of the Inspector of Custodial Services. This is demonstrated by the fact that whilst the Office usually reports on prisons once every three years (the minimum legislative requirement), it has been considered necessary to inspect Roebourne, on average, once every two years (2002, 2003, 2006, 2008 and 2010). Previous inspection reports identified numerous problems. They included fragile staffing arrangements, poor prison infrastructure, and the dehumanising effects of overcrowding and inadequate climate control.

This report of the September 2010 inspection shows that there has been positive progress in some areas, most notably with respect to custodial staff numbers and external training opportunities for prisoners. In this sense the prison is better placed than before. However, it still suffers from its ailing and outdated infrastructure, a lack of investment, and a lack of clear strategic direction for the future. Although custodial staffing levels have improved, too many key prisoner service positions have simply not been functioning for long periods. The inspection also found that urgent action was required to improve relationships, morale and consistency across both staff and management. And because little has been done to improve climatic control, most prisoners are still housed in inhumane conditions which carry risks to their health.

ACTION ON INSPECTION FINDINGS

One of the most important elements of formal announced inspections is the Inspector's 'Exit Debrief' which is presented to management and staff at the end of the period on-site.ⁱ The Exit Debrief highlights the findings of the inspection to date and the main areas where the Inspector considers that action is required by the Department of Corrective Services ('the Department') at local or central level. Ideally, and subject to resources, the Department will then be able to take appropriate remedial action without awaiting final publication of the inspection report (which usually takes around six monthsⁱⁱ).

The Department supports sixteen of the seventeen recommendations in this report, and in over half the cases, states that the recommendation in question is subject to a Departmental initiative. It is positive that so many recommendations are subject to Departmental initiatives rather than being 'shelved' as ideas or potential future options. However, the ultimate test is one of outcomes and results. At the time of the inspection, there was little evidence that some of these initiatives were active and some four months later, few of them have yet yielded concrete outcomes.ⁱⁱⁱ This Office will continue to monitor progress and will request supporting evidence of actual outcomes from the Department over the coming months.

i A separate debrief is also provided to prisoners.

ii The Office takes three months to draft an inspection report. This is circulated to the Department and other relevant parties who have one month for comment. The report is then finalised, printed and lodged in Parliament. It only becomes a public document one month after being lodged.

iii See below.

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PLANNING FOR ROEBOURNE PRISON AND THE PILBARA REGION

At the strategic level, it is very disappointing that there is no Custodial Plan for the delivery of custodial services in the Pilbara region, including objectives, targets and timeframes. Roebourne is a Pilbara Aboriginal prison in the sense that more than 90 per cent of its prisoners are Aboriginal and the vast majority come from the Pilbara. The goal, as stated in Departmental policy documents, should be to keep people ‘in country’ as far as possible and to address their specific cultural, custodial, health, rehabilitation and re-entry needs.

However, supply and demand are already seriously out of alignment. Around one third of prisoners from the Pilbara are currently imprisoned out of country and predicted demographic changes and rapid economic development mean that their numbers are destined to increase.^{iv} Without carefully planned future investment, the lack of alignment will therefore get worse. And although the prison estate is in a period of unprecedented expansion, this mainly involves double bunking existing single cells and adding new units to existing south west prisons.^v A new prison is scheduled to open in Derby in early 2012 (designed for 150) and a replacement for Eastern Goldfields Regional Prison is scheduled to open in 2015 (designed to add an extra 150 beds). However, there are no confirmed plans for expansion anywhere on the coast between Derby and Perth.^{vi}

This Report suggests a number of short and longer term options. Consistent with previous reports, it argues that the current Roebourne prison should be replaced with a larger, modern, fit-for-purpose facility. It also argues that, as part of planning for the Pilbara, consideration should be given to establishing a new facility in the Port Hedland area to better service the main regional court, the local community and prisoners from that area.^{vii} The Department has indicated that it intends to consider these options^{viii} but short of a major shift in forward planning, there is no prospect that either will occur in the short to medium term.

In the absence of new facilities, it is therefore incumbent on all relevant parties (the Department, Treasury and government as a whole) to make necessary and appropriate investments in the existing Roebourne prison to see it through the next five to ten years. This report argues that the construction of a minimum security facility outside the current perimeter would be feasible, cost-effective and likely to improve correctional outcomes through expanded opportunities for community work and external training. Significantly, the Department has supported this recommendation and it is currently the subject of a business case in the 2011 / 2012 State budget process.^{ix}

iv See paras 2.1–2.4.

v The new units will have the capacity for over 1000 prisoners. Hakea and Casuarina Prisons in Perth will each have another 256 beds; Albany Regional Prison will have another 128 beds; and the minimum security facilities at Wooroloo, Karnet and Pardelup Prison Farms have been expanded by a total of around 284 beds (this includes new units and double bunking). Current plans also anticipate an additional 256 beds at Acacia Prison.

vi An extra 30 beds are to be added for women prisoners at Greenough Regional Prison but the plans have not yet been finalised.

vii Port Hedland is some 200 kilometres away and home to the main regional court. A significant number of prisoners from the Pilbara also come from the East Pilbara area.

viii See the response to Recommendation 1.

ix See the Department’s response to Recommendation 2

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Secondly, even if a new prison is being considered for some future date, substantial renovation and upgrading of the existing prison is required to meet the standards of decency expected of modern prisons and to promote better correctional outcomes. Key areas include a more proactive preventative maintenance program, a bed replacement program, the installation of air-conditioning and improved facilities for education and skills training within the prison.

MAINTENANCE, CLIMATIC CONTROL AND BEDS

No amount of maintenance can overcome Roebourne Prison's fundamental design problems but a more sustained preventative maintenance program is needed to see the prison through the next few years.^x For example, some shutters, intended to provide cyclone protection were hanging off their fastenings, there were problems with rust in some areas, and there were long-standing problems with the condition and safety of the oval. Prisoners also complained of rodent activity inside their cells at night earlier in the year. Dried rodent droppings beneath holes in flyscreens gave credence to such claims.^{xi}

In terms of climatic control, this report essentially repeats the recommendation, made in earlier reports, that air-conditioning or some other form of climate control should be installed in the units. The Department's response to this recommendation is that 'various options are continually being explored and will be implemented within available budget resources'. In other words, there is no commitment and no projected timeframe. All this Office can do is to repeat, yet again, that the current situation is intolerable and inhumane. The heat can be ferocious, and the conditions pose risks to the health and safety of prisoners, especially as many of them have health problems such as diabetes. If the State is to adequately meet its duty of care, adequate climate control is a necessity not an option.

For over 18 months, this Office has been raising concerns about the poor design of many of the bunk beds that now exist at prisons across the state. The risks include a lack of roll out protection and poor access arrangements to many of the top bunks. Due to concerns about the Department's slow response and lack of incident tracking, the Office issued a formal Risk Notice in August 2010.^{xii} This prompted the Department to develop a new Policy Directive relating to shared cells.

In response to Recommendation 4, the Department states that 'an audit process is in place to identify beds which do not comply with safety standards.' The Inspector's Exit Debrief commented that at Roebourne, such an audit would be extremely straightforward and take very little time. Poor access arrangements, damaged beds and potential hanging points abound and it is clear that few bunks, if any, comply with any sensible safety standards. It appears that the bed safety audit was carried out at the end of January 2011 but the critical outcome will be bed replacement.

x See Recommendation 3.

xi See para 2.39. The problem appears to be to some extent seasonal and appeared to have been addressed at the time of the inspection.

xii See para 2.26 and footnote 38.

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STAFF AND MANAGEMENT

Housing availability and the high cost of living previously caused problems in terms of ensuring a permanent custodial workforce at Roebourne. The Department of Corrective Services is to be commended for successfully building up permanent custodial staff to appropriate levels.

However, there has been a consistent and wholly unacceptable shortfall in most of the key prisoner service positions. Prior to September 2010, there had been no Prison Support Officer (PSO) for some eight months (though one was acting for around three weeks at the time of the inspection) and no Women's Support Officer for a similar period of time. There had also been no Aboriginal Visitor Scheme (AVS) presence at the prison for almost two years. Services of this sort are essential, not least in regional Aboriginal prisons. The reasons behind the service shortfalls are complex at Roebourne but the bottom line is clear; arrangements must be put in place to ensure that these positions and services have a consistent and effective presence at all prisons.^{xiii}

Ongoing improvement at the prison was also being hindered by issues of communication and relationship dynamics across the site. These were having a negative effect on staff morale, confidence and team spirit. The report recommended that strategies be developed at the prison and at departmental level to address these issues and to provide appropriate supports to management and staff. Since the inspection, the Department has invested more energy and resources into this exercise.

PRISONER TRAINING AND EMPLOYMENT

External training and employment opportunities for prisoners have become more firmly embedded and better developed since the last inspection. A good deal of this is due to the engagement of mining and resources companies, notably Rio Tinto Iron Ore, who are providing training opportunities for prisoners so they are skilled up for employment on release. The companies are keen to build further on what has been achieved to date.

In many respects, the results are impressive but this report identifies opportunities for improvement. First, there is a need to improve training opportunities *within* the prison for those prisoners who are not rated minimum security. The workshops are inadequate and provide little by way of program or skills training.^{xiv} Secondly, the opportunities for employment and training outside the prison should be further enhanced through the construction of a minimum security section outside the main prison (see above) and expanding the programs currently provided through the DECCA training facility.^{xv}

xiii At the time of writing this Overview, these issues were still in the process of being addressed: see Recommendations 9, 10 and 12. The report also notes that many of the service shortfalls at Roebourne are replicated at the other Aboriginal regional prisons (see paras 4.5-4.6).

xiv See Recommendation 6.

xv See Recommendations 2 and 16.

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The Prisoner Employment Program (PEP) is another important avenue but this Office remains concerned that cumbersome and bureaucratic approval processes are hindering its expansion. The processes are causing palpable frustration and disenchantment not only to prisoners but also to some currently willing PEP employers. A recent Parliamentary Committee shared the same concerns, recommending that PEP processes be simplified and streamlined.^{xvi} Recommendation 17 in this report is to identical effect. The Department has rejected this recommendation but hints at some improvements down the track. It is disappointing that progress is taking so long: PEP has attracted significant funding and, in terms of value for money, the scheme should now be reaching more prisoners and the approval process should be swifter.^{xvii}

CONCLUSION

Roebourne Regional Prison has made some significant advances over the last three years and has further potential. However, for that potential is to be realised, there needs to be expansion, investment, upgrading, a clearer sense of direction, and a more cohesive team spirit. If the issues raised in this report can be addressed, the prison should be able to achieve improved correctional outcomes and to offer improved value for money.

Neil Morgan
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xvi Parliament of Western Australia, Legislative Assembly, Community Development and Justice Standing Committee, *Making Our Prisons Work: An Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies*, Report 4 (Interim Report, June 2010), p 86.

xvii This Office agrees with the Department that community safety should not be compromised but many prisoners who apply for PEP are already undertaking trusted out of prison activities under section 95 of the *Prisons Act* with very limited supervision. Section 95 and PEP serve somewhat different purposes so that separate approval processes may well be required. But the delays generated by those processes are difficult to understand.