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Report No.



Report of an Unannounced Inspection
of Eastern Goldfields Regional Prison

August 2001



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

WESTERN AUSTRALIA

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The Inspector's Overview

FRUSTRATION, APATHY, SADNESS AND ANGER IN THE GOLDFIELDS

INTRODUCTION

Prison inspections are difficult, but they are not usually unpleasant or distressing experiences. The human spirit can still flourish in these places; the commitment of many officers, the professionalism of some managers and the humour and resilience of numerous prisoners often combine to make up an interesting social microcosm. However, Eastern Goldfields Prison was different. The prison is one of four 'Aboriginal prisons' in Western Australia, by which is meant a prison whose normal population is predominantly (75% plus) Aboriginal. The others falling into this category are Broome, Roebourne and Greenough Prisons. Apart from security upgrades, these prisons have for the most part been neglected by the Department of Justice for many years. The abiding impressions at Eastern Goldfields Prison were of prisoner sadness and anger, staff frustration and apathy, and, ultimately, our own sense of outrage. How could a developed and wealthy nation, at the outset of the 21st century, be treating its Indigenous citizens with such contempt? How did things come to this? Why were all those in a position to do something about it apparently so locked into the status quo? And could the inspection process do anything effectively to change things for the better?

The Report itself describes the situation at the prison and addresses these issues in detail. The most important of them – potential change for the better – can be answered in the affirmative. The Department of Justice's Action Plan, set out in full in Appendix B, commits to an improvement program that commenced almost as we left the prison and is still proceeding. That is certainly gratifying and is indicative of a growing maturity in the relationship between the Department and this Office. It is the sort of response that, by recognising and valuing the needs of staff and prisoners, is calculated to reduce the sense of marginalisation from Head Office of the Department of Justice that has been identified in some previous reports.

At the conclusion of the Inspection, I stated that we would be back six months later, on 12 and 13 February 2002, for a follow-up Inspection. The Department has already expressed its confidence that the prison and its culture will have been transformed by that time, and it is to be hoped that this is so. We shall certainly commence that task with some sense of optimism.

THE PURPOSES OF UNANNOUNCED INSPECTIONS

Unannounced inspections are the most potent weapon the Inspector possesses. For that reason they should not be undertaken lightly. The only previous such Inspection was of the Special Handling Unit at Casuarina Prison. This Unit is, in effect, a 'prison within a prison'. Allegations and rumours as to systematic and regular intimidation and violence against prisoners could not be meaningfully evaluated if advance notice of an inspection were given; to inspect without warning was the only way to be effective. In the event, we reached the view that there was not systematic violence, though there probably were some event-driven occasions of the use of excessive force.

This conclusion must have been a considerable relief to the Department of Justice. It derived its credibility, in the light of continuing assertions to the contrary, from the very fact that the Inspection was not only carried out by a body that is completely autonomous from the Department but also was unannounced. By the same token, had the conclusion been that there was systematic violence, this also would have possessed greater inherent credibility.

The basis for inspecting Eastern Goldfields Prison without warning – the inspection team arrived there just before 6.00 a.m. on a cold, dark, winter’s morning – was multi-faceted. There was a strong basis for suspecting that the prison was failing in its services and continuing to deteriorate, to the point where untoward events such as escapes and self-harm could be expected to increase in frequency. The prison seemed to be in a state of incipient crisis. The factors leading to this assessment will be set out below. It was preferable to see the prison in its raw state, when we were not expected, rather than after it had been prepared for inspection. Also, it could not await the scheduled inspection – at that time provisionally set for late January 2002. The crisis seemed to be too urgent.

CRITICAL FACTORS AT EASTERN GOLDFIELDS REGIONAL PRISON

The Office of the Inspector has developed protocols to ensure that it has a reasonably up-to-date picture of every prison in the State. This involves regular liaison visits by Inspection Officers, the scrutiny of relevant Department of Justice documents, analysis of Departmental Situation Reports, the profile of complaints to the Ombudsman where available, letters from prisoners, informal contact with Departmental sources and occasional visits by the Inspector. During the autumn and winter of 2001, concerns about Eastern Goldfields Prison increased. Special liaison visits were made by a total of four Office personnel in June and July. Clearly, the prison was dysfunctional, to the point of crisis. Three distinct but inter-related factors had led to this failure:

- Industrial and management issues;
- Security issues; and,
- Conditions for Aboriginal prisoners, amounting to structural racism.

In addition, a recent Government commitment to allocate funds for a new regional prison in Western Australia meant that the debate as to which prison most urgently needed replacement was just getting under way, and the claim of the Eastern Goldfields did not appear to be properly understood or represented by the Department of Justice.

Industrial and Management Issues

During 1999/2000, there had been extensive problems and allegations of various kinds of misconduct and maladministration. These included: security breaches; poor staff performance; slack financial control; inappropriate treatment of staff by the then Superintendent; misuse of Government equipment; non-compliance with Departmental policies as to prison workshop production and sales; and, inadequate attention to training issues. In July 2000, an external consultant, Dr Maureen Smith, was appointed under section 29 of the Public Sector Management Act 1994 to carry out an inquiry into ‘work and management practices’ at the Prison. Four Department of Justice officers assisted her in this inquiry. Her report was completed in August 2000. Shortly thereafter, the Superintendent retired from the Department.

Thus, by the time it was decided to make an unannounced inspection, the incoming Superintendent had been in charge for almost a year. Yet it was evident that some of the issues that had preceded the July/August 2000 inquiry were still unresolved, and others were actually getting worse. Formal grievance processes were under way in relation to two officers, and Dr Smith had once more been called in to attempt to arbitrate these. In the course of her doing so, other serious staff conflicts had emerged though they had not been promoted to the point of formal grievances.

In addition, the prison seemed to be suffering from the 'twelve-hour shift syndrome'. This industrial arrangement can, and does, work in some regional prisons in such a way that some uniformed officers hold down two jobs. When this happens, there is always a danger that the prison job comes to be regarded as the secondary one. In addition, there were suggestions that, with sufficient influence over the roster, some officers worked almost on a 'drive-in drive-out' basis, with Perth as their main home. Factors such as these, if correct, are bound to be deleterious to prisoner services.

At the other end of the scale, there was, and still is, chronic uncertainty for contract staff as to their job security. Pursuant to policies of the previous Government, the Department had moved new prison officer jobs out of the Public Service permanency line into that of fixed three-year contracts. Very few new officers really believed that three years meant exactly that; the industrial expectation – understandably, when the cost of training and the previous employment patterns of the Department are taken into account – was that their contracts would be converted into ongoing ones. However, this now appeared to be unlikely – a factor that tended to impact on job commitment and thus prisoner services.

Finally, there was some suggestion that a gulf was developing between the management team, including the new Superintendent and the Senior Officer Security, and the other staff. Two key markers of workplace stress – sick leave and transfer requests – lent credence to this observation. Throughout 2001, the sick leave rate at Eastern Goldfields Prison had been running at almost twice the rate of any comparable prison. The rate of transfer-out requests was the highest in the State, whilst there were no transfer-in requests from staff of other prisons.

Security Issues

The August 2000 inquiry led by Dr Smith had made reference to the need for a Senior Officer Security to be appointed. This picked up on earlier recommendations made in a Confidential Security Audit of the Prison in March 1999. The genesis of this report had been escapes from the maximum-security area. It was to be expected, therefore, that the response would involve increasing the security in that area – though not to the point of denying these prisoners access to open air and exercise other than in two caged concrete spaces, as in fact occurred. This is a form of sensory deprivation for anyone, and for Aboriginal prisoners it is particularly stressful.

What could not have been so readily anticipated, however, was that the whole prison would take on a fortified appearance, with a high link mesh fence and razor wire. Nor would it have seemed necessary for internal movement control to be tightened so much that female prisoners were cut off from facilities available to male minimum-security prisoners, and maximum-security females had to be escorted and sometimes even put in restraints for movements through to the health centre or the

education classrooms. But that was what happened.

Prisoner services deteriorated, therefore. At no point did the authors of the Security Audit Report appear to ask questions such as: what are a prisoner's legitimate expectations when s/he is categorised as minimum-security; how does a minimum-security regime work in other State prisons; should minimum-security prisoners as far as practicable be treated in the same ways in every prison; and, above all, why do maximum-security issues have to constitute the lowest common denominator for security issues in a multi-purpose prison? The report started from the premise that physical security barriers are in themselves always a good thing and, without any worthwhile discussion at all, recommended self-fulfilling changes.

In the whole Security Audit Report there is not a single word about the impact on prisoners' services or the reduction that static security would cause to dynamic security or the way in which staff time would henceforth be tied up in movement controls. Nor does there appear to have been any recognition that duty of care issues increase as supervision becomes tighter. Three of the Department's four cornerstones of correctional philosophy – care and wellbeing, rehabilitation and reparation – were subjugated to the security aspect of the custody cornerstone. It is a very low calibre document that illustrates the fundamental maxim that security matters cannot sensibly be left entirely to people whose expertise lies predominantly in static security, engineering matters, construction techniques and knowledge of restraints.

The worrying thing is that security arrangements of this kind are commonplace in Aboriginal prisons. Roebourne Prison is a razor-wire gulag, entirely inappropriate for the needs of a population that is primarily minimum-security; Greenough's minimum-security area is built outside the main wall, but is too small to accommodate all prisoners falling into this category and is in any case surrounded by a razor-wire fence; and Broome has recently strengthened its maximum-security area to a repressive extent – though it must be said that the remainder of the prison has not gone overboard in this way.

By contrast, other minimum-security prisons – Karnet, Wooroloo and Pardelup – are unfenced. Whilst each of them naturally has some Aboriginal prisoners, none is an 'Aboriginal prison' in the sense in which I have used it. Quite the contrary: they are definitely 'white fella prisons'. That was the basis of our concern – that the security changes had been based on assumptions and values that would not have been adopted but for the fact that Eastern Goldfields Prison is an 'Aboriginal prison'.

Conditions for Aboriginal Prisoners and Structural Racism

That point leads straight into the next issue – conditions and racism. It is important to emphasise what is meant by 'structural racism' in this context. The notion does not presume that individual staff possess racist or discriminatory attitudes or beliefs. The concept of structural racism looks to outcomes, not intentions. If the provision of facilities, conditions and services are such that they simply would not be tolerated in a non-Aboriginal prison, then it can be said that the outcome is structurally racist. This kind of racism proceeds from systemic indifference, from the failure at all levels within the organisation to question one's own assumptions about what is acceptable. It is

likely to be found in areas where the prisoners are mostly undemanding and compliant – characteristics particularly associated with Aboriginal prisoners in the regions. It is more insidious than overt, attitudinal racism and more difficult to challenge and confront. But it is what we found at Eastern Goldfields.

The detail supporting this observation is found in the Report itself. They include: the restrictive security arrangements mentioned above; the filth; the inactivity and boredom; the appalling quality of accommodation, bedding and clothing; the allocation of jobs; the practices in relation to strip searches; and, the even greater disadvantages of female prisoners. These and many other factors had been noted by personnel from the Office on previous visits, and were indicative of a deteriorating prison environment.

A NEW REGIONAL PRISON

At the time of our Inspection, it was already known that the Government as part of its 2001/2002 Budget would commit capital funds for the construction of a new regional prison. The Department had been involved in exploratory planning for two years or so previously. The prime contenders were Broome and Eastern Goldfields.

In relation to Eastern Goldfields, the exploratory work had commenced from the premise that the site should be about 100 hectares in size. This grandiose notion reflected somebody's fantasy that a major horticultural industry could be created for purposes of reparation – a view that seemed remarkably oblivious to the realities of water supply in the Goldfields. Private consultants had nevertheless been commissioned to identify and evaluate sites meeting this specification. The Coolgardie Shire Council, perceiving a new prison as a lever to help revive the township, had pressed its own case. From the point of view of visitors, this would have been the worst-case scenario, but the idea had still gained support. This was indicative of inadequate consultation with the relevant communities in the course of the whole exercise.

Ultimately, as many as nine sites had been considered by the consultants. These did not include the site that seemed the most suitable of all – the existing site. This comprises seven hectares. There are a further seven hectares adjoining on one side and about two hectares on the other side. Staged re-development would seem in principle to be possible, with the side benefits that some of the infrastructure costs would be reduced and that the prison would remain in a location that was recognised and accepted by the broad community and valued by those who attended the prison as visitors.

In view of the rather inadequate manner in which the question of a new Eastern Goldfields Prison was being addressed, it was predictable that Broome had become the front-runner. Yet our suspicion was that the needs at Eastern Goldfields were even more urgent than at Broome. The sooner we inspected, the sooner we could contribute to this debate. We had just finished, in June, inspecting Broome Prison, so comparisons would be fresh in our minds. In the event, our views were confirmed. Eastern Goldfields Prison is the worst prison in the State – the one in most urgent need of replacement, therefore.

Of course, as pointed out in the Office's 2001 Annual Report, the question should not be seen in either/or terms. Both Broome and Eastern Goldfields need new prisons – prisons that reflect in their design an inventive and culturally appropriate approach to the imprisonment of Aboriginals. The allocated funds (\$53 million) should be sufficient to enable solutions to be found in both locations, as long as the projects are managed in such a way as to provide decent conditions and positive objectives in the remote and regional areas of the State taking into account the Government's stated commitment to reducing the rate of imprisonment.

LOOKING FORWARD

The decision to make an unannounced inspection was correct. We have been able to document structural racism that must now expeditiously be removed from the Western Australian prison system. There are no longer any acceptable excuses. The Department seems at last to have acknowledged this. The announced follow-up Inspection, scheduled for February 2002, will reveal the depth of its understanding of and commitment to the need for fundamental reform.

Richard Harding

Inspector of Custodial Services

13th November 2001

Chapter 1

MAKING SENSE OF EASTERN GOLDFIELDS REGIONAL PRISON AND THE UNANNOUNCED INSPECTION

AN UNANNOUNCED INSPECTION

- 1.1 The Office of the Inspector of Custodial Services (the Inspectorate) carried out an Unannounced Inspection of Eastern Goldfields Regional Prison from 8 - 10 August 2001. This was an extraordinary move on the part of the Inspectorate. As a general rule, the Inspectorate announces its inspection schedule well ahead of time and each prison is forewarned of its place on the timetable. Inevitably, an announced inspection is preceded by a Department of Justice service review of the prison, a pre-emptive clean-up, and some strategic and other changes. Arguably, this is as it should be. The Inspectorate is concerned with improving prisons in line with the correctional philosophy of the Department of Justice (the Department/Head Office). While the Inspectorate's interest is fundamentally about systemic issues – issues not necessarily amenable to a pre-inspection clean-up – it is appropriate and desirable to improve amenity for prisoners (and also for staff) in a timely way. Prison clean-ups prior to an inspection are not all window dressing. At Broome Regional Prison the process resulted in an admirable visits area being created, with shade and playground equipment for the children. The Inspectorate's task is to promote integrated reforms that are consistent with good correctional policy, whether these reforms are at the front or back end of the inspection process.
- 1.2 Eastern Goldfields Prison presented a different scenario from the prisons that had been the subject of our earlier, announced inspections¹. From the evidence we had gathered to date, the question at this prison was whether it was even achieving minimum standards, rather than demonstrating good or best practice. The evidence pointed to serious shortfalls in minimum standards by any reasonable measure, and in particular according to the United Nations' *Standard Minimum Rules for the Treatment of Prisoners* (the *Rules*). Australia is party to these Rules and they provide an important underpinning to national and State standards of correctional practice and treatment of prisoners. An unannounced inspection is an appropriate mechanism for inspecting and reporting on a prison that seems, from all the available evidence, to be failing.
- 1.3 From what we had already seen of the prison in earlier visits, it was clear that Eastern Goldfields Regional Prison was in the 'failing' category. Most prisoners at Eastern Goldfields – the Aboriginal majority – considered themselves sidelined and mistreated; a significant proportion of the staff felt so alienated and unsupported by management that the welfare of prisoners had ceased to be their governing concern; and, management felt largely unsupported by Head Office and lacked the will or energy to be proactive and prisoner focussed. It seemed unlikely to the Inspector that the cornerstones of prisoner management and rehabilitation would be adequately met.
- 1.4 In these circumstances it is appropriate for an inspection to take place as soon as possible, so that matters arising can be addressed without undue delay. It is also important that the inspection occurs before the usual pre-emptive clean-up of the prison can be undertaken. This ensures that the fundamental issues remain in sharp relief and the inspection is not refracted through a layer of

¹ So far, the Inspectorate has completed Inspections of Riverbank, Karnet and Broome Prisons, and privatised prisoner transport services.

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cosmetic changes. The Inspector's Overview takes the reader through the detail of the decision making process that led to the Unannounced Inspection in August of Eastern Goldfields Regional Prison.

EASTERN GOLDFIELDS REGIONAL PRISON IN CONTEXT

- 1.5 Eastern Goldfields Regional Prison is generally regarded as a minimum security prison, although like all regional prisons it is multi-security². The prison is located on the urban perimeter of the towns of Kalgoorlie and Boulder, on Vivian St. It is far enough away from the two town centres to require transport for prisoners who are eligible to go out of the prison to work during the day.
- 1.6 The prison is twenty one years old. It gives the appearance of having developed over the years in a haphazard way, without the benefit of a coherent framework to give it physical, operational and correctional consistency. Externally, the formerly low profile, low security prison has been modified with razor wire and now has the appearance of a fortified compound. The surrounds between the outer and inner perimeters are rather bleak, with little greenery and shade, despite some attempts over time to get gardens growing. Inside, it is like a maze, with secure routes or walkways linking different areas of service delivery or containment. Functionally, the prison layout lacks overall integrity, with many services operating in less than optimal locations, conditions and environments. This is true, for example, of the indoor (secure) visits area, the clinic, the Aboriginal meeting place, and the women's section – all dealt with in substance in this Report. Recent modifications, such as those to the prisoners' gym and to the administration section, reflect a history of reactive development. While seemingly addressing an immediate need, these modifications also appear to have created or exacerbated different existing problems, not the least of which is antagonism about the appropriation of 'prisoner' space for administrative convenience or purposes.
- 1.7 The prison has a small female section, a section for minimum males, and a secure section. Standard bed capacity in the three sections is 95. There are the usual facilities, such as an education centre, a workshop, a laundry, a clinic, and a kitchen/dining room. The issue, as in all prisons, is how well resourced these places are, how appropriately and well used they are, and whether they meet desirable correctional outcomes.
- 1.8 On the first day of the Inspection the prisoner population was 113 – seventeen below the year's highest population to date. Eighty-five of the prisoners (75%) were Aboriginal, thirteen (12%) were Indonesian, and fifteen (13%) were other non-Aboriginal (mostly white Australian). Fourteen of the

² The Department's Policy Directive 1, 'Assessment, Classification and Placement of Prisoners', Section 9.10 indicates the security levels applicable to prisoners being accommodated at the prison. In the preceding description of the roles of the various prisons, the Department adopts the convention of describing a prison by the highest security rating available at the prison. Thus, although the matrix at Section 9.10 indicates that Casuarina, for example, can house prisoners of all classifications from minimum to maximum, it is conceived of and described by the Department as a maximum security prison. On this basis, Eastern Goldfields Prison is designated and described as a minimum security prison that also has 'a capacity for temporary placement in a restricted security section of the prison' (Policy Directive 1, Section 9.10, p. 20). For reasons of brevity, in this Report we refer to Eastern Goldfields Regional Prison as a minimum security prison.

MAKING SENSE OF EASTERN GOLDFIELDS REGIONAL PRISON AND THE UNANNOUNCED INSPECTION

prisoners were female; twelve of the women were Aboriginal. Thirty-one prisoners (27%) were rated medium or maximum; five of these were women who were held with the minimum security women in the women's section. Twenty-six males were held in the prison's security section.

A Regional Prison

- 1.9 The Department of Justice operates four regional prisons in areas where the Aboriginal population is predominant or significant, and where Aboriginal people represent the majority in prison. Eastern Goldfields is one of these prisons; Broome, Roebourne and Greenough are the others. Regional prisons more or less do what is implied by the term: they provide a prison 'service' to the people of the region. Many, but not all, prisoners from the region are incarcerated in their local prison. Long term maximum security prisoners go to the large maximum prisons in the metropolitan area, and, depending on the regional prison in question, medium rated prisoners are also held 'down south' if their term is lengthy. Remand prisoners are generally rated as secure prisoners and they too go to the metropolitan area if they are not due to appear in court for some time. Roebourne and Greenough Prisons hold medium rated prisoners for longer terms than do the prisons at Broome and Eastern Goldfields.

Minimum rating; medium and maximum conditions

- 1.10 Like Broome and Roebourne, its regional stable mates, Eastern Goldfields has been represented from the start as a minimum security prison that also caters for a relatively small number of medium and maximum security prisoners in a limited and short term way. The minimum security focus and conceptualisation makes sense since the majority of offences committed by Aboriginal people in the relevant 'catchment' are not offences against the person, and in any case prisoners held for any length of time in the system for more serious offences are sent off to prisons in Perth³. Offending often arises directly from lifestyles dominated by drinking and, frequently, drink driving. As is widely accepted by now, most Aboriginal offending is underpinned by a history of colonialism and dispossession, and is associated with the contemporary repercussions of lack of (western) education, unemployment, poor health and inadequate housing. In a context of comprehensive deprivation that touches many Aboriginal people's emotional and cultural lives as well as their material and physical well-being, the importance of kin and country – as life affirming constants – cannot be overstated. For Aboriginal prisoners, these links provide a lifeline. Serving time in an appropriate regional prison, where family contacts are optimised and more sustainable than they would be in the metropolitan area, is one way for prisoners to maintain these vital links.
- 1.11 Eastern Goldfields Regional Prison was opened in 1980 and underwent some modifications in subsequent years that added a male security section, some observation and multi-purpose cells, and a mother/baby cell. These benchmarks in the evolution of the current prison were outlined in a

³ Unfortunately, the conditions of deprivation and institutionalised racism still experienced by many Aboriginal people also nurture alcohol abuse and violence. Domestic violence is a major issue in some Aboriginal communities (Ferrante, A., Morgan, F., et al. 1996, *Measuring the Extent of Domestic Violence*, The Hawkins Press, Sydney). As indicated above, the minority of violent offenders, when sentenced, serve their periods of maximum and medium time elsewhere.

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Ministry (now Department) of Justice document ‘An Introduction to Eastern Goldfields Regional Prison’, in a section called ‘Location and History’⁴. Although undated, like much of the printed documentation that comes out of the Department, the document was current as at June 2001 and makes reference to the current (2000/2001) budget.

- 1.12 It was with interest and some perplexity then, that the Inspection Team noted there was no mention in the document of the massive security upgrade of the prison in 1999. Arguably, the upgrade represented the most profound change in the prison’s history, considering the flow-on effects that we explore in this Report. Its omission from an important overview document raises questions about how sensitive Head Office is to the needs and special circumstances of the regions and their Aboriginal prisoners, and to the impact on these prisons of the kind of decision making that reflects a correctional mainstream – white male, metropolitan, maximum security.



Multiple Grilles

- 1.13 The security upgrade resulted in fundamental changes to the look, feel, and workings of the prison⁵. Secure checkpoints and barriers (grilles) within the prison were increased, the movement of prisoners was restricted, and razor wire was introduced to form secure perimeters both inside and outside the prison. Despite initial suggestions that the apparently inevitable razor wire should be installed to the standard of Casuarina Prison (maximum security), the standard that was eventually recommended and adopted was that of Roebourne. That prison, with its fortress like appearance exacerbated by its isolated, desert-like location, was re-classified as a medium facility after its security upgrade in the mid 1990s. Eastern Goldfields Prison, however, despite its extensive security makeover, continued to be defined as it always had been: a minimum security prison with capacity to hold other categories of prisoners short-term⁶.
- 1.14 Unlike Roebourne then, Eastern Goldfields now manifests as a medium security prison but is described by the Department, local management, staff and prisoners as minimum security. This discrepant situation creates confusion. Prisoners and prison officers constantly refer to the gap between what is ‘supposed to be’ (minimum arrangements) and the security-focussed regime that operates in practice. Officers who work at the prison are no happier than the minimum rated prisoners with the heavy handed regime: their movements around the prison are impeded and

⁴ Ministry of Justice, Prison Services (undated), ‘Introduction to Eastern Goldfields Regional Prison’.

⁵ The upgrade was a response to recommendations in a confidential report prepared after an escape from the male security section in February 1999. The escape had occurred because of a design weakness involving a service duct in the ablution area. This problem in the secure section was rectified, but the entire prison was fortified as a consequence of the escape. See Chapter 2 for a more comprehensive discussion.

⁶ Security at Eastern Goldfields Regional Prison is more extensive than it was at Riverbank, a small medium security prison in the Perth metropolitan area that closed in late October 2001.

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cumbersome, and relationships with prisoners are affected by the atmosphere and time demands of the additional security measures. Given the nature of the prisoner population and the location of the prison, the problem lies with the omnipotent security measures, rather than in the minimum security conceptualisation of the prison.

Prisoner groups within the prison: gender and race issues

- 1.15 The male prisoners are held in two distinct units or sections at Eastern Goldfields Prison. The small security section contains medium and maximum prisoners, which generally includes all remandees. Minimum males are held in another unit. Eastern Goldfields, like three other regional prisons, also holds a small population of women prisoners. Unlike the men, women of all security ratings are held in the same section. As occurs in all prisons in Western Australia where women are held, with the exception of Nyandi ⁷, women with different security ratings are to a large degree undifferentiated within the system. Because of their relatively low numbers, minimum rated females generally have to suffer a regime that applies to secure women prisoners, and in regional prisons, this inevitably equates to greater confinement than the majority of men experience.
- 1.16 There are three significant groups of prisoners at Eastern Goldfields Prison. At the time of the Inspection, Aboriginal prisoners made up about three quarters of the population, with the remaining quarter comprising mainly white Australians and Indonesians (see paragraph 1.8). Work and other opportunities for these groups at Eastern Goldfields Prison is, in practice, inversely proportionate to their numeric representation, with Aboriginal prisoners having less choice and fewer prospects than the other groups. When the Inspection Team was at the prison, there was barely concealed anger from the Aboriginal prisoners for what they experienced as a racist regime and functional injustice.

THE INSPECTION PROCESS

- 1.17 Being unannounced, the Inspection was carried out with less information to hand regarding the prison, its current practices and activities, and local and Head Office policies, than is customary for an announced inspection. The information shortfall included documentation that is normally sought beforehand from the Department and the prison, and information from focus groups, surveys of prisoners, and surveys of prison officers, that the Inspectorate would normally have gathered in the lead-up to an announced inspection. An unannounced inspection is relatively short and focussed: an outcome of the confidential planning process and the different criteria being assessed. We have already noted that the imperative in an inspection like this is to establish whether minimum standards are being observed. The Unannounced Inspection of Eastern Goldfields Prison was carried out over three days, as opposed to the routine five or six days for announced inspections.
- 1.18 The Inspection focussed on areas that had already been identified by the Inspector as problematic or contentious. In terms of gauging the compliance of these areas with minimum acceptable standards, we were guided by the United Nations' Standard Minimum Rules for the Treatment of Prisoners,

⁷ Nyandi is a former juvenile detention centre, built for girls. It now operates as an annexe to Bandyup, the women's prison, and holds some of the minimum-rated adult female prisoners.

MAKING SENSE OF EASTERN GOLDFIELDS REGIONAL PRISON AND THE UNANNOUNCED INSPECTION

and by the Department's own framework for correctional best practice: the four cornerstones of care and well being, custody, rehabilitation, and reparation.

- 1.19 First, the Team looked at the regime as it impacted on three groups of prisoners in particular: secure men, Aboriginal prisoners, and women. Programs, work, services and accommodation were viewed through the perspectives of these groups. Second, there was a focus on security issues and how related practices and policies impacted on the prison. Third, the Inspection looked at the management of the prison, including management style, hierarchical relationships, and processes.
- 1.20 In terms of this Report, we translate these Inspection themes into Chapters on the Impact of Security (Chapter Two), Women and Minimum Security Males (Chapter Three), Staffing and Managing the Prison (Chapter Four), and Future Directions (Chapter Five). The explicit theme concerning the treatment of Aboriginal prisoners per se, provides the underpinning to each of the Chapters in this Report. It is not a minority issue, to be sidelined into a separate sphere; Aboriginal prisoners are the core business of Eastern Goldfields Prison and that is what this Report, in its entirety, is about.
- 1.21 The Inspection began with the Team's unannounced arrival at the prison gates at 6.00 a.m. on 8 August. The arrival at this time was for practical reasons: it meant the Team could observe the unlock of prisoners and make assessments of the condition and adequacy of cells, bedding, and heating/cooling systems, and of the pressure on accommodation of any overcrowding. The Inspection Team followed its established protocols for making its purpose and requirements clear, for contacting the relevant authorities, and for establishing the format of the Inspection.
- 1.22 The Inspection continued over two and a half days, and included interviews with prisoners, prison officers, program and service providers, and management. Focus groups were carried out with a group of women, a group of minimum security males, and a small group of secure prisoners. Prison officers were invited to complete a questionnaire, and to attend a meeting with the Inspection Team. Programs, classes, recreation, clinic sessions and prisoners' work inside and outside the prison were observed. Living arrangements, including cells, ablutions, dining and other facilities were inspected.
- 1.23 At lunchtime on the final day, the Inspector presented a preliminary verbal report on the Team's findings to the prison management group, and two Head Office personnel: the General Manager Prison Services and the Director of Regional Prisons.

A note on terminology used in this Report

- 1.24 Women and men classified as medium and maximum prisoners are referred to as secure prisoners. Men and women with a minimum security classification are referred to as minimum security prisoners. The accommodation areas of the prison occupied by prisoners differentially on the basis of security classification (men) or their gender (women) are officially described as Unit 1-1 (male security section), Unit 1-2 (minimum males section) and Unit 1-3 (women of all security classifications). These areas are structurally and operationally quite discrete. In the text we refer to these areas as separate units or sections. We use the two terms – unit and section – interchangeably in this context.

SUMMARY AND CONCLUSION

- 1.25 There are numerous tensions undermining the operations of the prison at Eastern Goldfields. There are tensions between the prison's function as an all-encompassing regional prison and its conceptualisation as a minimum security prison; between the focus on security and the belief most officers and prisoners have that the prison is and should be minimum rated; between different prisoner groups vying for limited opportunities (men and women; Aboriginal and non-Aboriginal); and, between the stakeholder groups of officers and prisoners, officers and management, and Head Office and all of the above.
- 1.26 At the time of the Inspection, Eastern Goldfields Regional Prison was a dysfunctional prison with dysfunctional internal and external relationships, a majority of unhappy or angry prisoners, and a significant number of embittered, unmotivated staff. Problems such as this do not disappear under a coat of paint or with the re-location or even removal of a section of razor wire. The problems at Eastern Goldfields Prison have been gestating and coalescing over a long period of time. They represent fundamental failures at the levels of policy and practice, and reflect a lack of guidance from and intervention by Head Office: a part of the system, in fact, that is not accountable. It is to be hoped that the intervening months between the Inspection and the tabling of this Report will have borne witness to comprehensive and fundamental changes at the prison.

Chapter 2

THE IMPACT OF SECURITY

- 2.1 It might seem discordant to introduce an Inspection Report about a minimum security prison with a chapter on security. However, the impact of what amounts to a secure regime is so pervasive across the prison that it is difficult to discuss other matters – matters that inevitably become contingent – without having dealt with the issue. The concept of ‘security’ at Eastern Goldfields encompasses more than the physical barriers and equipment that are used to keep potentially dangerous prisoners confined and the non-imprisoned community safe from harm. There are other facets of a security ethos and the practice of heightened security that have a substantial impact on the way the prison functions. These include the fact that minimum prisoners, whether male or female, are caught up in a secure regime that should not apply if their classification (risk status) is to have any meaning; and the fact that some of the secure barriers at the prison are there and used for the purpose of segregating men and women. It is the minority group, the women, whose time in the prison is most affected by these measures. The multiple layers of impact on women are discussed in Chapter Three.
- 2.2 In Chapter One we outlined in part the nature of the security update of the prison. In the current Chapter, we elaborate on some of the effects of the emphasis on security, discuss what happens inside the designated security section, and finally, discuss the impacts on safety.

PRISON-WIDE SECURITY - SOME DOWNSTREAM EFFECTS

- 2.3 The steps that were taken to make the minimum security prison at Eastern Goldfields more secure were directly related to an escape from the security section of the prison. At the time, the prisoner population was high and it was the height of summer: two factors well known to cause tension and distress in the security section and noted, in fact, in the Superintendent’s report from that time ⁸. Later in this Chapter we reflect on over-simplistic understandings by some staff of cause and effect – understandings that are uni-directional and that direct responsibility and blame for untoward incidents solely towards prisoners. While this response may be common in any hierarchical setting, it is hardly constructive, especially when the system that supports such an approach appears to have broken down. The implication that prisoners were themselves to blame for their boredom and inactivity, if not for the weather and the overcrowded conditions, is clear from the Superintendent’s words.
- 2.4 The escape from the security section was successful because of a design flaw, or weakness, in that section’s ablution area. It was a weakness by virtue only of its location in maximum security. In a domestic setting, or in minimum security (where prisoners generally can escape, if they so choose, by walking out of an unlocked gate) the unmodified design would be appropriate, and not a flaw or weakness. In any event, the weakness was rectified, as logic dictated and the unpublished Security Audit Report recommended. But the response did not stop there. In failing to work and think in context, the security auditors became powerful proponents and determinants of security for its own sake. The result was described in Chapter One: it was heavy handed, wasteful of scarce resources,

⁸ ‘Escape from Custody of Eight Prisoners from Eastern Goldfields Regional Prison (Maximum Security Section)’, Report from the Superintendent of Eastern Goldfields Regional Prison to the Executive Director, Offender Management, Ministry of Justice, 1 March 1999.

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and often inappropriate. One of the Security Audit Report's lesser recommendations was to address similar 'weaknesses' in the duct systems in the minimum security section of the prison. Apparently, against logic and need, the work was actually carried out.

- 2.5 In failing to consider the context of their Security Audit, the report's authors have promoted static security (razor wire, grilles, surveillance etc.) over dynamic security – the kind of security that comes from having prisoners who are not under undue stress, who are constructively occupied, engaged in meaningful relationships with other prisoners and staff, and have some appropriate measure of agency. In such an environment prisoners would be unlikely to engage in 'nefarious' and disruptive escape plans, as a former prison manager reported the lead-up to the 1999 escape⁹, but instead would be developing their skills, having their social and welfare needs addressed, participating in meaningful recreation, and keeping their cells and section clean – none of which happens often or in any sustained way at Eastern Goldfields Prison.
- 2.6 Most of the recommendations of the Security Audit Report were ultimately adopted, and the main minimum security prison effectively became a secure buffer zone for the medium and maximum security prisoners, all of whom became subject to upgraded security in any case. The very act of locking up and restricting minimum security prisoners ultimately changes the way they are perceived and dealt with by the policy makers, planners and administrators. That is, the whole exercise becomes a self-serving, post hoc justification for making the prison secure in the first place.
- 2.7 The ready and unescorted access of minimum prisoners to different parts of the prison has ceased with the introduction of additional grilles and checkpoints. With regard to secure prisoners, the new focus on security has seen the introduction of tighter procedures and requirements regarding the movement and surveillance of prisoners. Secure women are now escorted to visits in handcuffs. Secure male prisoners are for the most part obliged to see nursing and medical staff in a small and ill equipped consultation room in the security section, rather than attending the recently refurbished and better equipped medical centre in the lobby area of the main prison.
- 2.8 The boundaries between health and custodial staff have become blurred at Eastern Goldfields Prison, and this arguably is associated with the unmitigated priority given to security matters over matters of prisoner wellbeing. Health staff are used on occasion to strip search prisoners – mostly female prisoners on the grounds that there are so few female custodial staff at the prison available to do this. However, a few weeks before the Inspection the male nurse was asked to do a strip search – a request that he refused and that makes no sense in an environment where custodial staff are predominantly male.
- 2.9 While there is a pragmatic appeal behind the involvement of female nurses in the strip searching of female prisoners, because of shortages of the appropriate (custodial) personnel, it is a practice that has deleterious consequences for prisoners' welfare. It is neither a necessary nor appropriate solution to an unbalanced staff profile, and it is brutally undermining of good professional relationships between nursing staff and patients. These relationships are inherently fragile in a prison

⁹ *ibid*, p. 4.

setting in any case, without the added pressure of ambiguous and inappropriate functions; yet trusting relationships are vital for the promotion and practice of good prisoner health. The nurses at Eastern Goldfields Prison rationalise a practice they feel uncomfortable with and feel they have little control over, by claiming that 'it is better for the female prisoners if [they] do it'. Their distress about such a role finds affirmation in a position statement of the International Council of Nurses that explicitly states that nurses employed in prison health services should not assume 'functions of prison security personal, such as body searches conducted for the purpose of prison security'¹⁰. At Eastern Goldfields, moreover, this function has been taking place in the clinic, a place that should be associated for prisoners with care and welfare, not an invasive procedure associated with prison security.

- 2.10 The increase in barriers and surveillance for all prisoners has the effect of taking up time – officers' and prisoners' – and reducing access to areas such as the education centre, the library, the medical centre and recreation. It also reduces the prisoners' access to a range of staff, including management, with whom they may have legitimate business, such as making a complaint. As anyone who has worked with prisoners knows, their ability to express a grievance or make a complaint involves more than having the formal right to do so. Prisoners need to have trust in the officer they deal with, have good communication with that officer, and believe that s/he will not be victimised for making the complaint. In a cross cultural setting, these requirements take on added potency. The *Rules* (No. 36) observe that 'every prisoner shall have the opportunity each week day of making requests or complaints to the director of the institution or the officer authorized to represent him'. For this to have practical application, prisoners need access to a range of people, and in particular to management.
- 2.11 The cost of the security upgrade, reportedly almost \$215,000¹¹, is believed to have severely compromised expenditure in other areas. We were told that directly or indirectly, minor works at the prison have suffered, such as essential repairs and refurbishments in the units, as well as program capabilities. It appears that in a climate of restraint that impacts seriously on prisoner welfare and rehabilitation, the perceived needs of 'security' are urgently and unstintingly resourced.
- 2.12 The security upgrade removed the last remaining opportunities for verbal and visual contact between minimum and maximum security male prisoners. This used to occur during recreation time for the minimum prisoners, when they would wander across from the oval to see and talk to the secure prisoners, at a distance of a couple of meters, through a fence and a grille. Several reasons were given for why this arrangement reflected an unsatisfactory 'breach' in security, but none of them was compelling or insurmountable. The 'loophole' in security was closed off. The new arrangement has the appearance of feeding a Head Office appetite for 'security', rather than it being a considered response to an identified need or genuine and unacceptable risk. The static security juggernaut is self-sustaining. Prisoners who do not deserve to be managed under such an oppressive regime are at increased risk of becoming depressed and desperate, thereby increasing their potential to be security risks. The self-perpetuating loop is thus complete.

¹⁰ International Council of Nurses Position Statement 99/7, adopted 1998.

¹¹ The information is contained in a report to the Director of Regional Prisons, dated 27 July 1999.

2.13 Adjacent to the outside ‘loophole’ area referred to above, is a fenced and locked Aboriginal meeting place. A small part of it is host to rolls of razor wire that served to close the ‘loophole’. Such designated Aboriginal meeting places are to be found in most prisons, although the Inspectorate is yet to see another that is kept under lock and key like this one. The Inspectorate seldom finds people in these areas, doing what might be expected in such a venue. At Eastern Goldfields Prison, the Aboriginal prisoners do not use the meeting place. They have selected their own patch of grass for a smoke and a yarn, on the edge of the oval, not far from the official meeting place. Whether the official area was unused because access was all but impossible, because of its proximity to the now inaccessible security prisoners, or because the Aboriginal prisoners preferred their own place, we cannot say. However, it stands as testament to a seminal idea that, like so many of its ilk, lost its way in the transition to practice and on the way fell victim to the demands of the relentless security machine.

THE MALE SECURITY SECTION

2.14 The security section within the prison is Dickensian: grim, dirty and often overcrowded. The prisoners have no focus to their day and no purpose to their correctional regimen other than containment. There is little natural light in the section and the air is stale. The conditions are intensely confining and desperate. Minimum standards in relation to the provision of accommodation (Rule 10), natural lighting and fresh air (Rule 11), sanitation and hygiene (Rule 12), and cleanliness (Rules 14, 19) are not met in this part of the prison.

2.15 On the first day of the Inspection there were twenty one maximum-rated prisoners in the male security section and four medium prisoners. In practice, there is no differentiation of regime for these two groups, and, contrary to the *Standard Minimum Rules for the Treatment of Prisoners* (Rules 8b, 85-86, 88-90), there is no separation of and little differentiation between, remandees and sentenced prisoners¹². Fourteen of the twenty five prisoners were on remand (there were also three women – two maximum and one medium – on remand in the women’s unit, and two minimum males on remand in the minimum unit). The security unit has room, in theory, for fourteen prisoners without the multi-purpose cells being brought into use. If these cells are used for overflow prisoners in the security section, bringing the capacity of the section to 21, they are not available for special management and disciplinary purposes. While the Inspection Team was at the prison, the population rose to 29, and it has been higher than this on past occasions. Clearly, overcrowding is a problem in this section.

2.16 The security section holds prisoners generally for short terms. Most prisoners are remandees, awaiting either an imminent court hearing in Kalgoorlie or transport to Perth if they have been remanded in custody for some months. The security section also houses some prisoners who have been returned temporarily to Eastern Goldfields Prison for visits with family members from the area, or for a funeral. However, as we find when we visit other regional prisons, although the average length of stay in these security sections may be days or weeks, some prisoners spend many months in these conditions. A common explanation is that some prisoners are given a series of

¹² Remandees wear a different prisoner uniform, and they are entitled to daily visits.

short remand periods by the court, making the arduous and expensive trip to Perth less able to be justified.

Conditions in the security section

2.17 Due to overcrowding, it is common for prisoners to sleep on a mattress on the floor of the various cells. Sleeping on the floor is not pleasant: the prisoner is an easy target for the ever-present cockroaches that breed in the filthy conditions of the section; he occupies the space around the cell toilet; and, his small piece of private space – his mattress – is removed each morning. Having no bedspace is a considerable drawback for the prisoners. They have no retreat for purposes of protection and safety, or to take time out.

2.18 Cockroaches were cited as a constant problem by both staff and prisoners. The kitchen area was infested with them when the Inspection Team visited it at tea time. At night, so both groups assured us, the walls ‘came alive’, and bedside cups of water were fouled by morning. The *Standard Minimum Rules for the Treatment of Prisoners* (Rule 14) states that: ‘All parts of an institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times’. With cigarette butts littering the floor, even in the no-smoking areas; mould, and clogged drains in the ablution area; and other detritus and damage (such as broken toilets and missing toilet doors) that was not made good, Eastern Goldfields Prison has a fair way to go to meet the standards one might expect of a prison in the first world.



Cell in security section

2.19 Like the other prisoners, secure prisoners lack clean and adequate bedding. This includes mattresses, pillows (if a prisoner is lucky enough to have one at all), and blankets. Many prisoners sleep cold in the chill inland winter conditions of the Eastern Goldfields. The blankets were threadbare at the time of the Inspection, and there were insufficient to go around – this at a time when the prison as a whole was not particularly overcrowded. In fact, the Team witnessed a public announcement by an officer asking prisoners to give up any ‘extra’ blankets, since there were none in the store for incoming prisoners. Prisoners throughout the prison responded generously, apparently, despite the Inspection Team’s observations that many prisoners were cold during the night. It was recommended by the Inspector at his post-inspection presentation, that new blankets be bought and distributed forthwith. The *Standard Minimum Rules for the Treatment of Prisoners* (Rule 19) deal with prisoners’ rights to sufficient and clean bedding.

2.20 After unlock at 7.30 a.m., prisoners shower in the ablution area and breakfast in the day room. Both of these areas mirror the dirty and unhygienic conditions of the rest of the section. The lack of cleanliness throughout the section reflects a breakdown in the daily regime of a prison. Prisoners should keep their own cells clean, and designated prisoners should keep the unit clean. Cleaning occurs because prisoners have sufficient self-esteem to want to live in reasonable conditions, and staff have enough interest in their work and sufficient morale, to supervise, inspect and follow up the work. The failure in the security section was all but complete. We did hear that attempts to clean parts of the section were made from time to time, but clearly those efforts were not sustained. On two previous, announced liaison visits to the prison by Inspectorate staff, the security section had been, arguably, worse.



Prisoner toilet

2.21 Interestingly, some prison officers blamed the prisoners for a lack of cleanliness. In clean prisons, officers we have spoken to insist that a dirty prison is the result of ‘officers not doing their job’. The *Standard Minimum Rules for the Treatment of Prisoners* (Institutional Personnel, Rules 46-54) support this contention. In practice, when prisoners are so dispirited from the conditions of their incarceration, and when staff no longer believe in the value of their work or in the likelihood of change, the pre-emptive mix that enables the job to be done is simply not possible. Staff at Eastern Goldfields Prison generally, and in the security section in particular, clearly felt powerless to change work situations and practices that they found untenable, whichever group the mooted reforms were intended to benefit.

2.22 The small medical consultation room used for secure male prisoners lacks some of the most basic equipment. Thorough examinations generally require an examination table, and there is none in the secure consultation room. In theory, secure prisoners can be taken for this purpose, with two staff members and in restraints, to the main prison clinic. However, this infinitely more resource intensive option is seldom exercised, with nursing staff and the medical officer making do with this room instead. Escorting prisoners to the main clinic appears to be used as an option of last resort. The concern here is that the demands and needs of an overburdening security regime take precedence over the medical and health needs of the prisoners. The consulting room in the security section lacks standard emergency equipment, such as an oxy viva (resuscitation device).

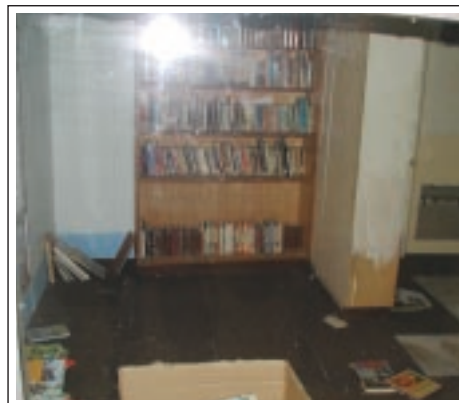
The daily regime

2.23 Prisoners spend much of their time milling around the dreary, sparsely furnished day room: ‘sitting around all day, waiting to be locked up at night’ was how one prisoner described it. The day room

forms the foot of an ell, the upright stroke of which is the corridor leading out into the reception area. There are several tables in the day room, where prisoners eat their meals, and a dart board. The day room is a non-smoking area, but prisoners ignore this and staff do not enforce the rule. On one of the Inspectorate's liaison visits a staff member rallied to the cause and asked an astonished prisoner to put out his cigarette. The evidence of continual smoking is there for all to see. Ventilation and intake of fresh air in this area is almost non-existent.

- 2.24 The recreation officer is the custodian of recreation equipment in the security section, as in other parts of the prison. In the security unit, recreation in effect consists of games of darts. Some prisoners were bored with this recreational diet: 'You spend day after day throwing the bloody things and you get bored'. When he attends the section, which is not often, the recreation officer either observes the game or sits in the unit office. The security section receives proportionally very little attention from the recreation officer: according to him, less than nine per cent of the time he spends on recreational activities throughout the prison.
- 2.25 The *Standard Minimum Rules for the Treatment of Prisoners* (Rule 21) observe that 'Young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise [one hour minimum, in the open air, weather permitting]. To this end, space, installations and equipment should be provided'. Needless to say, most of the prisoners at Eastern Goldfields Prison are young men, and the requirements of this Rule are not met in relation to secure prisoners, male or female.
- 2.26 The two exercise yards, heavily meshed overhead so very little natural light filters down, have prisoners' murals on the walls, but are otherwise spartan in appearance and equipment (see cover photograph). A narrow wooden bench seat is bolted to a wall in one yard. Memories are about all that is left of the activities that reputedly once took place in these locations. The recreation officer cited damage to equipment as the primary reason for the lack of activity in these areas. While this might hold as a partial, first line explanation, it lacks an understanding of what leads people to damage, or conversely to value, property (material, intellectual, spiritual or otherwise). The closure of the school library (in the main part of the prison) because of damage to books, and the subsequent recourse to a new library regime that was uninviting and restrictive provided another example of this pervasive way of thinking.
- 2.27 There seemed to be an extraordinary lack of percipience in staff as to cause and effect, and an inability to think laterally or creatively. Punitive responses were the order of the day, rather than solutions based on insights into prisoners' circumstances and frustrations, and a concern for prisoners' enhanced, rather than diminished, well being. The privileged status of 'security' in the prison only exacerbated this stereotypically patriarchal and hardly constructive way of thinking and reacting.
- 2.28 Opening off the day room is the unit office and a laundry, and what is optimistically called a library. The 'library' is a dilapidated store-room that contains a handful of books that were previously 'written off'. There is no furniture, apart from the book shelves. The 'library' has always been locked when Inspectorate staff have visited the unit, and we wonder how often, and on what conditions, it is actually available for prisoners' use. This is, however, almost academic, since the

'library' is as unusable as it is unused. It is a shabby manifestation of the impoverished regime these prisoners experience, and quite unlike the 'adequately stocked' facsimile referred to in the *Standard Minimum Rules for the Treatment of Prisoners* (Rule 40).



'Library' in security section

- 2.29 As is customary, remand prisoners may have visits daily. Sentenced prisoners have access to visits on weekends and public holidays. Visits for this group of prisoners take place in a large cold room near the sally port that has no warmth or intrinsic appeal.
- 2.30 Art classes with the senior education officer were meant to occur on a weekly basis but the officer did not always attend. We did not observe any educational activity going on in the security section. The *Standard Minimum Rules for the Treatment of Prisoners* (Rule 59) refer to the importance of providing sentenced prisoners with educational assistance, amongst other rehabilitative services. The *Rules* (77) go on to make specific observations about the kinds of education to which prisoners should have access, including compulsory literacy education for illiterate prisoners. Many of the prisoners at Eastern Goldfields Prison would fit the criterion for literacy education.

Prisoner perspectives

- 2.31 Prisoners in the security section discussed their concerns and presented them to the Inspection Team in writing as well as through a small focus group. Some prisoners spoke, on this occasion as on previous occasions, with barely disguised anger about the conditions they were subjected to. The security section was 'this hole', where there was 'nothing to do', where 'people walk around paranoid', and where 'they (staff) don't really care what happens'. One officer, subject of complaints to Inspection Team members (and to the Superintendent) by Aboriginal prisoners throughout the prison, was described as treating the secure prisoners 'like animals; [s/he] calls us pigs'. The attitude and manner of the officer, who clearly has problems with the idea and practice of cultural pluralism, cause deep resentment and anger among the Aboriginal prisoners.
- 2.32 The prison needs to take steps to ensure the behaviour and attitude of the officer are modified and that the prisoners' anger is dissipated through remediating the cause. The alternative, of tightening security and waiting for an incident to occur, has already been found wanting at Eastern Goldfields Prison and is untenable by any local or international correctional criteria. The *Rules* (48) state that prison staff should 'conduct themselves and perform their duties [so] as to influence the prisoners for good by their examples and to command their respect'. Many officers, at Eastern Goldfields Prison and indeed throughout the system, would not measure up well to this standard, but this particular officer is in clear breach of Rule 48.
- 2.33 We were told that fights and bullying are a feature of the security section, and that the officers' response is often to 'turn a blind eye'. As we have already pointed out in relation to the filthy state of the unit, not dealing with matters that are an integral part of the job is an outcome of low

morale, of having given up. It is also in breach of the *Rules*, and of Section 12 (b) of the *Prisons Act* 1981¹³. This is not to say that the officers necessarily lacked compassion or an understanding of just how unacceptable the conditions for security prisoners were. It was that they felt they had no recourse. As one officer said, 'There are no facilities for staff in here. We are on the bones of our arse. But then look at those poor buggers (the prisoners) out there – they have nothing at all. Nothing. And no-one gives a toss'. Another officer went on to say that suggestions had been made to management by staff to enable prisoners to have some access to recreation in the fresh air. There had been no response.

- 2.34 In a short space of time we heard many examples where prisoners were in situations of risk or vulnerability and where staff failed to intervene. This involved assaults, theft of property, and even one report of a hallucinating prisoner being left without medical attention. We ourselves observed a physically impaired prisoner attempting to drink from a cup when he was physically incapable of doing so without spilling the contents all over himself. He had not been assessed by an occupational therapist. The prisoner confirmed that he had been given no special aids or assistance (a drinking straw, for example) and that other prisoners would assist him with meals and other tasks when needed. He did not say how he managed to shower. Officers seemed unconcerned by the prisoner's difficulties, noting only that the prisoner had been in the prison before and 'could cope without the use of aids'. While he may be a prisoner with a record, the prison has an obligation and duty of care to reassess the needs of prisoners each time they are imprisoned. Health services at the prison also indicated that if this prisoner were identified (presumably by custodial staff) as needing an assessment by an occupational therapist he would be transferred to Perth. Why this is the policy we do not know, since there is an occupational therapy section attached to the Kalgoorlie Regional Hospital. No attempt seems to have been made, on this or past occasions, to refer this prisoner locally. As a local Aboriginal man, it can safely be assumed that the needs of this prisoner would be better served at the local level.
- 2.35 The formal and informal complaints systems for prisoners did not seem to be working. The prisoners we spoke to were afraid to complain because they believed they were too vulnerable to staff retaliation, including loss of privileges. We are not sure about the status of the 'privileges' the prisoners were frightened of losing, and wondered whether these privileges were not in fact 'rights'. A few prisoners were so angry about their treatment at the prison, as individuals and as Aboriginal prisoners, that they were incautious about who they complained to and how. Creating an environment where the need for complaints is minimised, but where complaints can readily be made if need be, without fear of retaliation or compromise, is an urgent priority for the prison.
- 2.36 The Aboriginal Visitors Scheme (AVS) did not meet the prisoners' needs. The Visitors were dismissed with comments of the ilk: 'AVS is useless. They don't address our problems'. With regard to formal complaint procedures, the prisoners to whom we spoke did not believe complaints would actually get to the Ombudsman. Either they did not know about the confidential envelope system, or they did not believe the system worked. Either way, the system was not considered beneficial.

¹³ Section 12 (b) states: 'Every officer has a responsibility to maintain the security of the prison where he is carrying out his duties and shall report to the superintendent every matter coming to his notice which may jeopardize the security of the prison or the welfare of prisoners'.

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- 2.37 On the other hand, secure prisoners felt that they would get some benefit from having the peer support prisoners visit them. Whether this was directly for welfare reasons, or simply to have some contact with minimum security prisoners was not clear. Peer support prisoners did not attend prisoners in security because they did not want to undergo the indignities of being strip searched every time they visited. Changing and expanding the security profile of the prison, while the local Aboriginal 'nature' of the prison remains unchanged, results in blanket security procedures that are often overly heavy handed, or in some circumstances, unnecessary. This has a profound effect on the well functioning of the prison as a whole.
- 2.38 There were complaints about a lack of arrangements and planning regarding inter-prison visits. Prisoners serving time in other prisons said they often needed longer at Eastern Goldfields to ensure that family members from remote communities could get to the prison while the temporary transfer arrangement was in place. They also felt that more could be done to contact family members ahead of time and to make travel arrangements with and for visitors who do not have the means to do it themselves. Prisoners are prevented by an array of hurdles from making these arrangements themselves. Not knowing when their transfer to Eastern Goldfields Prison will take place is one limiting factor, and the inappropriateness of the Arunta phone system for communicating with remote communities is another. Prisoners in the security section at Eastern Goldfields have access to only one phone.
- 2.39 In addition to the requests regarding peer support visits and inter-prison visits, the prisoners sought:
- More recreational opportunities, including a bigger basketball court and the opportunity to 'kick a footie',
 - A yard where they could 'have some grass and sit in the sun',
 - Courses for remandees,
 - Access to education,
 - Variety in the lunches (a source of complaint throughout the prison),
 - Visits by minimum prisoners, and
 - A means of visual and verbal communication with minimum prisoners, perhaps 'through a bigger fence'.

SAFETY IMPACTS, OH&S ISSUES AND TRAINING

- 2.40 Officers were concerned about occupational health and safety at the prison, particularly in light of the security upgrade and the need to deal with situations and hardware with which they were unfamiliar. A recent (February 2001) training exercise at the prison exposed serious shortfalls in relation to the prison's capacity to deal with emergencies. The safety of prisoners and staff was found to be at risk.
- 2.41 The exercise found that there was no breathing apparatus in the prison, and that in any case, few staff had been trained in its use. Procedures were not in place to assist the fire brigade to unlock and evacuate prisoners in the event of a fire. There are serious shortfalls in the prison and in the

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Kalgoorlie region regarding training and maintenance of escape hoods¹⁴. No person at Eastern Goldfields has been trained or has the equipment to recover prisoners caught in razor wire.

- 2.42 It is of serious concern to the Inspectorate that action has not been taken to rectify these shortfalls. These are vital issues and should be the subject of immediate redress.

SUMMARY

- 2.43 Eastern Goldfields Prison staff appear to have had little say regarding the extent and form of the security upgrade. The prison appears to have been the near passive recipient of a security 'production' whose net effect has been to reduce the quality of life of all prisoners, the working conditions of staff, and relationships between all parties. It has served to reinforce simplistic, punitive attitudes that detract from a balanced approach to the correctional task based on the four cornerstones. This is particularly unfortunate in a local community and prison environment of such deprivation – deprivation that in itself plays a key role in offending for this population. Part of the financial cost of the security upgrade inevitably has been at the expense of urgently needed resources for prisoners and refurbishment of prisoners' accommodation.
- 2.44 The condition of the male security unit is a disgrace. Security as a framework and governing principle of prisoner management has usurped the role of the other three elements of correctional good practice: care and wellbeing, rehabilitation, and reparation. The conditions in the security section are inhumane and as such arguably unsafe for both prisoners and staff. There is a direct and ironic link between the atmosphere of tension in the security section and the monolithic concept and practice of security.

¹⁴ Escape hoods are plastic hoods that staff can don in order to pass safely through (escape from) an area that is on fire or smoke-filled. It is not a rescue hood.

Chapter 3

WOMEN AND MINIMUM SECURITY MALES

- 3.1 Aboriginal minimum security males represent the majority of the population at Eastern Goldfields Prison. As males, the needs of this group are considered within ‘mainstream’ frameworks that guide policy and practice at the prison. We saw in Chapter One how this works: Head Office decisions about the security upgrade at Eastern Goldfields were strongly influenced by the needs of metropolitan, white male, maximum security prisons (the correctional mainstream). At Eastern Goldfields Prison then, only their gender puts the majority of male prisoners in the mainstream. As the evidence so far has shown, this attribute alone is insufficient to ensure that the majority have their specific needs addressed.
- 3.2 Women prisoners at Eastern Goldfields Prison are further marginalised because they do not comprise a critical mass like the males. Most of the women are minimum security Aboriginal prisoners, and as such are even further disadvantaged.
- 3.3 In this Chapter we discuss the regimes experienced by the two groups: women prisoners and minimum security males. We look at their accommodation, the daily regime, their relationships with staff, the work they do, the programs that are available to them and their access to other services, such as health services. We also look at throughcare for prisoners: how they are case-managed and prepared for release.
- 3.4 Issues that have prison-wide relevance and are dealt with in one of the two main sections in this Chapter are not repeated in the other. For example, we deal with health services for all minimum prisoners in the women’s section since there are generic issues involved, as well as issues that particularly affect women.

THE WOMEN

- 3.5 Women prisoners at Eastern Goldfields Prison are a small, neglected group. As a marginalised group within a marginalised prison, women prisoners are subjected to an additional layer of neglect. All the women, regardless of their security rating, experience the additional barriers and procedures whose purpose is to keep women away from male prisoners. Minimum women at Eastern Goldfields are thereby triply ‘secured’: first, because they are held in the same section and under a similar regime as the secure women, second because the prison as a whole has been fortified beyond metropolitan standards for a minimum prison, and third because they are women, segregated from men by differentially restrictive arrangements. The women at Eastern Goldfields Prison are mindful of their lowly status, and feel their disadvantage relative to the apparent ‘privilege’ of the male prisoners. Many of the women spent considerable time discussing their issues with the Inspection Team. There were 14 women in the women’s section at the time of the Inspection. All but two were Aboriginal.

Accommodation

- 3.6 The women’s section is several grilles away from the lobby – the centralised area that controls movement throughout the prison. It is accessed by a secure walkway that is contiguous with the

dining room on one side and the women's yard on the other. The enclosing of the walkway means any prisoner using the yard has no direct access to shade or shelter. The yard itself is grassed and has fixtures for netball and volleyball. Unlike Broome prison, where basketball is available without the intervention of an officer, playing these games depends on the presence of the recreation officer to provide and monitor the equipment. The yard is devoid of garden furniture or trees. The women take a blanket there on mild sunny days to play cards and socialise.

3.7 The women's section is a ghetto. Isolated, restrictive, with little but the bare necessities, the women have minimal facilities and experience overbearing supervision. The women entertain themselves, to the extent that this is possible, in their cells and in the day room. Living accommodation consists of two multiple occupancy cells, two single cells and a mother/baby cell. There is an observation cell and a multi-purpose cell at one end of the section, which are sometimes used to house males when the equivalent cells in the male areas are already occupied. When this happens, the women lose their ready access to their washing machine, which is located near these cells.



Women's yard with secure walkway in the background

3.8 Much of the accommodation in the women's section is run down and in need of repair. Prisoners are often cold because of draughts that come through vents, cracks in the wall, or in one case, a window that had been broken for months. The prisoners said about the window, 'Peer support knows; the officer knows; but big wall up [about fixing it].' Prisoners stuff newspaper into the cracks and air vents to reduce draughts, or bring in or buy their own doonas. Prisoners can purchase their own heaters (for \$38) from the canteen, providing they obtain a medical certificate to that end. Most prisoners cannot afford doonas and heaters and in any case, many Aboriginal prisoners would find the procedure for obtaining a heater intrusive and difficult to accomplish. To make being warm an individual medical issue, rather than a prison responsibility, is perverse in the extreme.

3.9 The cells have a temporary feel to them, and those we inspected were neither clean nor tidy. Most of the women have very little personal property. The ablution section is shabby, with missing tiles, a build up of mould and grime, and only one shower cubicle in regular use. Unlike the other showers, this particular one provides a full jet of water and is located far enough away from the ablutions entry door to give the women a feeling of privacy. Given that male officers predominate in the women's section, privacy is a problem. The women also complained about the half sized doors to the toilets, which are in full view of the entranceway. The *Rules* (No. 52) require that male staff only visit the women's quarters in company with a female, and that only female staff should attend and supervise women prisoners. Women prisoners themselves would not necessarily support this Rule, for a number of individual and gender-related reasons. At Eastern Goldfields Prison there are very few female staff and there is a variety of factors working against the successful recruitment of adequate numbers of female officers to the prison. All things considered, it is likely that male

officers will continue to have the major responsibility in the women's section, and reforms to structures, processes and relationships in the women's section need to be made in this context.

- 3.10 The women have few recreational resources in the section. We saw a mini trampoline and an exercise bike (neither in use), and a pool table in poor repair. The women have little to do except watch TV and videos, and play cards and pool. With the addition of a grubby piece of chipboard to cover its surface, the pool table in the day room also serves as the food counter. The women are not allowed access to the prison dining room and eat all their meals in the unit. They believe the ban stemmed from a fight in the dining room, involving a husband and wife, many years before. The response, they claimed, was to ban the women. The ban against all women, whatever its trigger, is still in force today and is much resented by the women. The female prisoners were eating their breakfast off the chipboard when the Inspection Team visited the section. The standards of hygiene exhibited in this arrangement are abysmal.
- 3.11 The women's crockery competes with the 'library' for shelf space in the little kitchen sideboard. As is the case in the male security section, the 'library' consists of books that have been 'written off' and are never used. As they have no use as reading material, the books should be discarded and the much needed space made available for more current purposes. Since it is difficult for the women to access the main prison library, which is now located in the men's section, a decent library for the women with access to a variety of current reading material, including magazines, is sorely needed. This of course should not preclude the women's access to the main library.

The daily regime

- 3.12 On weekdays, the women are unlocked at 7.30 a.m., quite late relative to the rest of the prison. Interestingly, the official daily routine for the women's section refers to an unlock time of 6.00 a.m. Medication is issued at 8.30 a.m. Secure women are taken to the lobby area for their medication, under escort but not in restraints. Restraints are used, however, to escort secure women to the visits area. After breakfast, showers and chores, some women leave for education or for work if this is located outside the section. This is meant to occur at 8.30 a.m. The women's late unlock means that the women have a lot to do in a relatively short period of time.
- 3.13 Unlike the men, the women are not locked out of their cells after chores and the commencement of work. Those who are not in work or education fill in their time in the section. Lunch is at midday, a meal which is unfailingly and unappealingly cold pressed meat, simple grated salads, and bread – for all prisoners. After lunch there is more work or education for those involved, then at 4.00 p.m. recreation begins. The women can go to the oval under escort if the recreation officer is available to take them. Dinner is at 5.00 p.m. The women are locked up at 7.00 p.m.; the men a few minutes later.
- 3.14 Some of the women had partners in the prison: husbands or de factos. Whereas previously the partners could visit them in the women's section, since the security upgrade they have been obliged to complete a formal request and to have a weekly visit in the maximum visits area. This is despite both parties being minimum security. These hurdles seem unnecessary and officious. There are

precedents at Broome, similarly regional and ‘minimum’ security, for much more flexible and constructive arrangements for partnered inmates to see each other.

Work and programs

- 3.15 Most of the women at the time of the Inspection had been allocated cleaning duties in their section. Bearing in mind the state and size of the section, these tasks do not keep the women occupied for long. On the one hand, having nominal employment enables the women to be paid as workers, whatever level that might be. On the other, it obscures the fact that the women are not employed in any meaningful sense. As one woman put it: ‘This is our life. We sit here; we do our morning duties; that’s it. We just sit around doing nothing.’ Four women attended the education centre.
- 3.16 The women expressed a preference for working either in the kitchen, or outside the prison under Section 94 of the *Prisons Act*. The kitchen was off-limits for the women, and Section 94 jobs were biased towards the interests of the more numerous male prisoners. Two women had recently worked at a non-profit organization in the town but had got drunk on the job. They were fired and punished but the women felt that the episode was then used as an excuse to stop other women from attending Section 94 work. This may not have been so, but the women are used to blanket punishments and withdrawal of access. They expect to have to bear responsibility as a group and as women for actual or potential incidents.
- 3.17 We heard of one woman – known as a competent and quick worker – who had recently done a day’s Section 94 work outside the prison. It seems that the work available to her was insufficient to maintain her in the job. In a different environment, her dedication and skills would have been rewarded and a more challenging and demanding job found for her; but in a prison environment that discounts the correctional needs of women prisoners, this option was not pursued. Instead she was back in the unit cleaning party. As one woman said of her limited life in the section: ‘No wonder the girls (the female prisoners) get paranoid.’
- 3.18 The women complained about low rates of gratuities¹⁵. This is an acknowledged problem at Eastern Goldfields Prison. The prison has a low gratuities profile. This means that there are fewer than average prisoners receiving levels one and two gratuities (the two top levels of pay). At the time of the Inspection, four men, only one of whom was Aboriginal, were receiving level one pay. No women received level one or two pay. Almost half the prisoners at Eastern Goldfields are on the lowest level (level five) – the system’s token equivalent to unemployment benefits. It is little wonder that Aboriginal women and men, and indeed few others, can afford to buy a heater. While the Superintendent maintains this gratuities profile is beyond his control, it is actually related to a management style that places greater emphasis on bringing in the year’s expenditure at or below budget than on maintaining certain standards. It is of particular concern when those who seem to be paying the price for low expenditure on the prison are the prisoners themselves.
- 3.19 The women had almost no involvement in rehabilitation or health education programs. An

¹⁵ Money earned through prison work or attendance at education.

exception was the women's program, principally on domestic violence issues, run by the Release Planning Officer. The women were pleased to have participated. Unfortunately, the future of the pilot program that created the temporary position of Release Planning Officer at Eastern Goldfields is uncertain. This program, run once, was the only program available to women at the prison during the year. This is breathtakingly inadequate, given lifestyle and offending issues associated with alcohol abuse and violence (see footnote 3).

- 3.20 Women participated in the routine and compulsory Departmental course on blood borne and communicable diseases (BBCD) run under contract by the Health Department's Public and Community Health Unit. Registered nurses and a male Aboriginal health worker facilitate the sessions.

Education

- 3.21 Since a significant amount of funds have been cut from prison education generally (with effect from July 2001), the courses made available to prisoners have been diminished. The Inspectorate has heard from a number of regional prisons that non-core programs – programs involving, for example, art and music – have been de-funded. English literacy and numeracy are defined as the core educational business of the Department of Justice, although we were told that at Eastern Goldfields Prison funding for even these basic programs had been severely cut in the last budget. If teaching English literacy and numeracy are perceived to be the core business of prisoner education, then the Department needs to acknowledge that without meaningful, applied courses to contextualise this type of learning, the programs might look good on paper, but the skills themselves may not be acquired. We were told that, due to budget cuts, the prison could no longer run popular cooking and sewing classes for the women on Fridays.
- 3.22 It is possible there is a link between the amount of money retrieved by Head Office from each prison's education budget and the amount of money the individual prison might be expected to make up from non-State sources, such as the Vocational and Educational Guidance for Aboriginals Scheme (VEGAS). If this is the case, then the Department might be seen as shifting its responsibilities in relation to prisoner education to other agencies.
- 3.23 Regardless of VEGAS and other sources of funding, cuts in the prison education budget unilaterally reduce educational opportunities for women prisoners. This is because, like most special arrangements for groups of prisoners, courses funded through VEGAS and usually run through the local TAFE, favour the male prisoners because men can generate sufficient minimum numbers for the class to be viable. Eastern Goldfields is no different from other prisons in this regard, although the prison does its best to harness external resources, such as VEGAS grants. Small regional prison education centres find it difficult to provide and fund services to small (unviable) marginalised groups, such as women and non-English speaking foreign nationals. Nevertheless, the prison does reasonably well to have four women out of fourteen in ongoing education.
- 3.24 One woman is a student in the Wongai/Wongatha Interpreters' Course that is running in conjunction with Technical and Further Education. This is a one-off course that has not run smoothly; however, this does not appear to be the fault of the prison. It is probably to the prison's

credit that the course has continued at all, albeit at a level that currently is not adequately skilling the four interpreting students. Where the course does provide a model, however, at least for regional prisons in Broome and Roebourne, is in its mixed gender student base. This is often extremely difficult to negotiate, in regional, Aboriginal contexts, but if it does not occur women are locked out of TAFE and externally funded courses because they cannot generate the numbers to sustain a course solely for themselves. Within its funding capabilities and opportunities, Eastern Goldfields should do more of it. In this small regard, the prison – the education centre – is exemplary.

Prisoners relationships with staff

- 3.25 The Aboriginal women said the officers mostly were ‘smart’ to them. One, they said, was helpful, but he had left the prison. They thought it might have been because the other officers ‘didn’t like him’. Currently, these women held two officers in contempt. Both of the officers appeared to discriminate against Aboriginal prisoners. One incident involved prisoner photographs. Many prisons allow a particular officer or perhaps the education centre, to take photographs of inmates, at the prisoner’s request and expense. Women in particular utilise this service, in order to have photographs of themselves to send to loved ones. It is an emotionally charged issue for women prisoners everywhere, and if their access to the service is restricted for some reason, the women find it very upsetting. At Eastern Goldfields Prison, the officer concerned was accused of photographing a white prisoner and then refusing the request of an Aboriginal prisoner. No doubt there was a reason, an excuse, a technicality, but the refusal caused deep animus, which is undesirable, probably unnecessary, and just possibly unfair. Equity and fairness must prevail and be seen to prevail in officers’ dealings with the prisoners.
- 3.26 The other officer was the subject of several stories that showcased that officer’s apparent contempt for all things Aboriginal. We referred to this officer in Chapter Two. The women were so incensed by this officer’s behaviour that they lodged a complaint with the Superintendent, whose initial response was to give the staff member the benefit of the doubt. The Inspection Team was so concerned about the behaviour of this staff member that it made an immediate recommendation to the Superintendent for warnings to be given and remedial intervention undertaken. Fortunately, such individually racist behaviour was the exception at the prison, rather than the norm. The incident highlighted the prison’s impotence in being able to select suitable staff, given employment conditions that rendered service at Eastern Goldfields Prison a job of last resort.

Services

Health care

- 3.27 The clinic at Eastern Goldfields Prison is located near the lobby – the central control area from where other areas of the prison are accessed. The clinic has recently been renovated, a process and expenditure that seems to be resented by both officers and prisoners. There is some confusion over whether staff were consulted about the renovations. Although the clinic is now more spacious, much of that space is not functional. The renovations have created one large, austere space that

affords no privacy to prisoners being examined. There is also a small medication dispensing room, about the size of a broom cupboard, and a small waiting area. Medication is dispensed from here using dosette boxes – by clinic staff or by officers after hours.

- 3.28 The procedure requires prisoners wishing to attend the clinic to inform the unit officer who should then place the prisoner's name on a list. The daily list should also include, as a matter of routine, the names of prisoners newly received into the prison. Once completed, the list should be forwarded to the clinic staff so they can organise their clinic – prepare a patient schedule, extract files, and so on. In practice, officers do not enter names on the list and instead send prisoners unannounced to the clinic. Clinic staff are unable to ascertain their workload or prepare for their particular patients ahead of time. This clearly suits a custodial agenda but does not make for the efficient running of the clinic. Clinic staff need a system whereby they know who their patients are ahead of time and that enables them to have some control over the flow and order of patients.
- 3.29 Prisoners can attend the clinic on a daily basis and provision is made for after hours call outs. Clinic staff are not paid for being on call; only for actual attendance. This arrangement is unfair. Clinic staff are also very isolated at this prison and have very little opportunity for training, collegial interaction and professional development. They are unable to attend senior management meetings at the prison due to scheduling problems. Such matters cause staff discontent and can have flow-on effects for prisoners and the quality of the health service.
- 3.30 Prisoners can access community based allied health services such as physiotherapy and optometry on a Section 94 basis ¹⁶. Clinic staff did not seem sure about access to dental services and it is tempting to conclude that prisoners are not actually referred to the dentist, at least on any systematic basis. Access to services provided under the banner of forensic case management (mental health services, counselling and social work services) is, for all practical purposes, non-existent. While there is a verbal arrangement with the Community Mental Health Unit of the Department of Health for the provision of mental health services if needed, this is not a sufficient arrangement to deal with the psychological and mental health needs of the prisoners on an ongoing basis. We heard about an informal arrangement between the Health Department and the Department of Justice, possibly under the aegis of the Joint Justice/Health Inter-departmental Council. However, we could uncover no formal documentation to support these putative arrangements; and in any case, arrangements such as these necessarily privilege community needs over those of prisoners. There are no intervention, counselling or support programs available to prisoners.
- 3.31 In the opinion of clinic staff, neither officers nor prisoners were very supportive of the health centre and its service: prison officers perceived the centre as being 'for the prisoners', but they saw this function, apparently, as something of a pejorative, rather than as appropriate. It is not clear why this is so, but the blurring of the boundaries between the health service and the perceived security needs of the prison, and the resultant tension between the two for the nursing and medical staff, could not have helped the standing of the clinic. Nursing staff said prisoners saw them as being 'on the side of the screws' – hardly surprising given their role in custodial functions such as strip searches. As the medical service has been colonised by the security culture in the prison, the reputation of the

¹⁶ The appointments are outside the prison.

medical centre, and hence its capacity to meet prisoners' needs, has been damaged.

- 3.32 The medical officer has been employed at the prison for the last four years on a fee for service basis and has a local, private medical practice. Most of the Aboriginal people in Kalgoorlie, Boulder and environs utilise the local Aboriginal Medical Service (AMS) rather than private doctors. As a private doctor, the prison's medical officer has had little medical contact with Aboriginal patients and no training for Aboriginal oriented medicine. Some Aboriginal prisoners felt that the doctor could not relate to them, and a female prisoner was concerned that he did not 'check you over properly'. She maintained the women needed a female doctor. Both male and female prisoners commented that they would rather see AMS doctors because they knew the prisoners' histories. Not only that, but the AMS doctors have also developed special relationships of trust with their patients. At the time of our Inspection, a female prisoner was taken to the AMS for her ante-natal appointment, so it seems that continuity of care is possible in some special circumstances. Ideally, an AMS doctor would attend the prison on a regular basis, and AMS staff would also deliver health education and health promotion programs. We understand that some programs had been provided previously by the AMS, and that the current hiatus in programming has its basis in funding cutbacks. The prisoners, as we have already seen in part, are in a program vacuum that would not be permitted in a metropolitan prison.
- 3.33 For Aboriginal prisoners to access and make use of health care services, and for there to be continuity of treatment and opportunities for follow-up after discharge, Aboriginal community health services need to be engaged within the prison.

Peer support

- 3.34 The peer support group is made up of prisoners who are willing to provide support and mentoring to other prisoners. Women were not currently involved as peer support prisoners. One of the issues raised at peer support group meetings and that significantly affects women prisoners, was the issue of the minimum visits area. The area is outdoors, cold in winter, unsheltered, and has no play equipment for children. Other issues that have been raised in this forum include access for women to eat in the prison dining room, and more activities for the women. To date, the peer support group has had little success in advocating for these changes. The peer support group appears not to be taken very seriously by management – the group itself certainly thinks so.

Aboriginal Visitors Scheme

- 3.35 Like the secure prisoners, and like the minimum males to follow, the women said they received no benefit from the Aboriginal Visitors Scheme.

Case management and throughcare

- 3.36 From what we could see, there is virtually no case management of prisoners by officers at Eastern Goldfields Prison. This is partly because many of the prisoners have short finite sentences and do not warrant formal case management. It is also difficult to actively manage a prisoner's case when there is little work available in the prison and even fewer programs for prisoners to undertake as part of their sentence plans. At an informal case management level, where prisoners might be

mentored and supported by staff, it is unlikely that such a prisoner-focussed conceptualisation of an officer's role would have gained much ground in the current environment at Eastern Goldfields. Certainly the prisoners' comments support this. In this context of deficiency, it is particularly important that there is a multiplicity of ways to prepare prisoners for release.

- 3.37 The prison-based release planning process, which is currently being piloted, is at risk of disappearing. No-one seems to know if the pilot scheme will be given full program status. The Release Planning Officer spends a portion of her time running programs for prisoners, an arrangement that increases the likelihood of such programs running at all. Previously, it was difficult to contract private providers on terms that suited both the provider and the prison. Such programs are often the only rehabilitative component in a prisoner's sentence in a regional prison. For women, the provision of programs is particularly acute, given the lack of productive work and training available to them in prison, and, for many, the disempowerment of life outside the prison. Program coordination, program provision, and release planning are complementary components of the throughcare process. It is commendable that Head Office has taken steps to make this available in some of the regions, but it will leave a large void if the position created to do this is not ongoing.

MINIMUM SECURITY MALES

- 3.38 There were 73 men in the minimum security section for males at the start of the Inspection. The unit capacity is 67. Fifty two of the prisoners in this unit were Aboriginal – 71 per cent of the unit's population. After 8.30 a.m., when employed prisoners go off to work or education, the population that remains in the section is 100 per cent Aboriginal. There is far from enough employment, meaningful or otherwise, to engage all of the prisoners at Eastern Goldfields Prison, and the Aboriginal prisoners bear the brunt of this. A large group of Aboriginal prisoners was left in the section and many spoke with us. Because of the size of the group, the occasion was more of a meeting than a focus group.
- 3.39 Issues around work, how it is allocated and who it is allocated to, have an impact on many facets of the minimum security section. The allocation of work has become a highly charged issue at Eastern Goldfields. The framework within which jobs are allocated is unarguably racist: from the start, Aboriginal prisoners rarely get into the 'A' stream of employment that holds the most promising, most highly paid, and most sought after jobs. Some areas, such as the workshop, never employ Aboriginal prisoners, either as competent workers or as trainees. The workshop as it currently functions eliminates Aboriginal prisoners on both counts: as a group, Aboriginal prisoners are defined as being unskilled, despite some evidence to the contrary, while the workshop itself is categorised as a going concern rather than as a venue for training. These strictures seem only to apply to Aboriginal prisoners since it is evident that not all white prisoners in the workshop are skilled in a trade.
- 3.40 The 'A' stream exists because of negative stereotypes of Aboriginal prisoners, which portray this group as lacking skills (to do, say, metalwork and woodwork), lacking a work ethic, and being suited to only a limited range of manual jobs. Indonesian prisoners tend the vegetable patch; Aboriginal prisoners shovel blue metal in a largely unsupervised attempt to make concrete slabs. Aboriginal

prisoners are excluded by definition, from the full range of meaningful work and the privileges that attach to it, and from training opportunities to make good any skills deficits and shortfalls. Many get no work at all; some, apparently, reject what they see as the unpalatable and poorly remunerated jobs left over after non-Aboriginal prisoners' needs have been met. In a breathtaking but familiar twist, Aboriginal prisoners are then blamed and effectively punished for the disadvantageous situation they find themselves in. 'Shirkers and workers' – the undeserving and the deserving – were terms used to describe the inmates of different parts of the minimum male section. The terms reflected, to some extent, the difference in conditions in the cells in this unit. The 'worker' and 'shirker' labels become self-fulfilling for their holders, as layers of privilege or deficit associated with these labels accrue. We take up some of these issues in the relevant sections below.

Accommodation

3.41 The Inspection Team first visited the unit at the morning unlock. It was 6.00 a.m. on a freezing inland winter's day. Some prisoners were sleeping on the floor. In the section of the unit that had previously been labelled as the accommodation for 'shirkers', many prisoners slept in their clothes and were cold during the night. The blankets were insufficient in number and threadbare, sheets and pillows were in short supply, mattresses were filthy and compressed with years of use. Like the women's section, the men's unit was dirty and in need of refurbishment. Like the women's unit, there were cracks in the walls and prisoners had attempted to stop the draughts with plugs of papier mache, artfully moulded into the gaps. Very few of the Aboriginal prisoners had any personal property in their cells and this contributed to the bleak and depressing appearance of their accommodation. The ablution section was filthy and noted by one Inspections Officer as a 'hygiene risk'. Some of the toilets had no seats or doors.



Papier mache moulded into the cracks

3.42 The section previously described as housing the 'workers', while hardly salubrious in this run down prison, had a freshly painted ablution section and the prisoners, by virtue of their income, had access to warmth through their purchase of personal heaters.

3.43 Prisoners had access to a grassed exercise yard with fixtures for volleyball and basketball and a negligible amount of fixed seating to one side. When we visited the area on the first morning of the Inspection we were struck by the number of men standing motionless at the side of the yard. The men were locked out of their cells until late morning, with nothing to do and nowhere to go until lunch time. There was a palpable atmosphere of despair and resentment.

The daily regime

3.44 The men are unlocked at 6.00 a.m., and are ready for work and other activities, if they have them,

by 8.30. Meals are taken in the dining room, except for some groups of workers who take packed lunches. Before lunch, which is eaten at midday, the gate that allows access to the oval for minimum security men (but not women) is opened. Recreation takes place formally at 4.00 p.m. Dinner is at 5.00 p.m. and evening lock-up is at 7.10 p.m. Like the women, the men consider this far too early for a minimum prison and feel the Broome Regional Prison model for men (10.00 p.m.) should apply. The men repeated the theme of being treated like children, and they resented it.

- 3.45 Prisoners entering the prison do not participate in a formal orientation process. Most prisoners, the women included, say they know the prison and the system and if there are any new faces other prisoners will show them around. A white male prisoner indicated that he had been looked after, shown the ropes and been given a favourable job, because of the intervention of a peer. Some prisoners felt there had been a recent deterioration even in this informal orientation process. Many Aboriginal prisoners complained that the administration made no attempt to discover their skills or interests, preferring instead to maintain the blanket fiction of Aboriginal ignorance and incompetence. We were told of several unemployed Aboriginal prisoners who did have the skills that could have placed them in the workshop, had there not been racist entry criteria. The Aboriginal prisoners themselves explained their exclusion in this way: ‘It’s racist’; ‘They don’t want blackfellas in there’.
- 3.46 The indelible stamp of systemic racism was apparent in many aspects of the prison regime. This is classic racism that is associated with beliefs about a cultural hierarchy. The hierarchy is reflected in a series of implicit and explicit cultural stereotypes which govern differential management practices and opportunities for the various groups of prisoners at Eastern Goldfields Prison: white male prisoners, white female prisoners, Indonesians, and Aboriginal prisoners – male and female. Aboriginal male prisoners, despite or perhaps because of it being ‘their’ prison, are perceived to be ignorant and incorrigible, and undeserving of opportunities for rehabilitation that other groups have access to. These prisoners are defined against and automatically condemned by a set of narrow, urban, white Australian values.
- 3.47 The prisoners see the direct evidence on a daily basis: in separate and privileged laundry arrangements for Indonesians and white prisoners; in lack of action to fix the second washing machine in what is, defacto, the ‘Aboriginal’ laundry; in the overtly disgusted response of a prison officer to the smell of kangaroo being cooked for NAIDOC¹⁷ week celebrations. Aboriginal prisoners recognised and resented the stereotyped judgements of them as a people (‘animals’ was how they thought some officers judged them) and as individuals.

Work and programs

Work

- 3.48 We have discussed above the racist framework that supports the way work is allocated at Eastern Goldfields Prison. The only groups that generally have full employment at the prison are the non-

¹⁷ NAIDOC stands for National Aboriginal and Islander Day Observance Committee. NAIDOC week is an annual celebration of Aboriginal cultures.

Aboriginal prisoners. For the most part, this group also has priority access to the most rewarding jobs. The gratuities profile, which had at the time of the Inspection only one Aboriginal out of four prisoners on the top level, supports this contention. So does the complete absence of Aboriginal prisoners in the workshop. The Section 94 work projects also reflect unequal access. Over half of the prisoners sent out of the prison to work in the course of a year are non-Aboriginal, despite this group representing a mere 25 per cent of the prison population. Moreover, 'Aboriginal' work is differentiated by its menial nature: all mundane clean up work is 'Aboriginal' work, but non-Aboriginal prisoners represent the vast majority at the Police and Citizens Youth Club, the two police stations, the Returned Servicemen's League, the Department of Conservation and Land Management, and on the Loopline project.

- 3.49 The Loopline project represents something of a model and rare opportunity for promoting self esteem and skilling prisoners, and involves the restoration of a steam railway, and work on a functioning tourist railway line (the Loopline). The prisoners play a real and important part in the ongoing project: because funding for it is minimal, the prisoners' labour is useful and valued. The varied and applied training the prisoners receive is an appropriate recompense for their labour. They learn to use machinery in safe and approved ways, and they learn to be inventive and creative. Some prisoners are learning to drive the train, although at the time of the Inspection this privilege had not been extended to the Aboriginal participants. It is short sighted not to make it a priority to skill local prisoners in this way, since they are more likely to use the skills acquired on release, than prisoners returning to other countries or localities.
- 3.50 The majority of the prisoners working on the project are Indonesian. Their access to a project which is clearly valued by prisoners is admirable; however, their over-representation on the project raises the now familiar question of equal access to work, especially to valued work, by the majority of Aboriginal prisoners. The Indonesian prisoners do not receive formal English language instruction and it is not clear how the non-English speaking Indonesians learn the basics of occupational health and safety.
- 3.51 The Loopline project has a multi-skilled project manager, who is both full time worker on the project and instructor for the prisoners. He seems passionate about his work, grateful for the help of the prisoners, respectful of them, and a good role model. As the instructor is not a qualified workplace assessor, arrangements should be made for someone who is to assess the prisoners at regular intervals. The industrial officer who accompanies the prisoners to the site appears to have a positive relationship with prisoners and a good overview of what might be achieved for prisoners through this Section 94 project.
- 3.52 We have already noted that formal training does not take place in the prison workshop. This is not the fault of the industrial officer, who is busy with prison maintenance and escort duties for contractors, but rather a question of prison priorities. The tools and opportunities in the workshop provide the prisoners who work there with ready made, valuable currency for the prison trade in favours. Prisoners in the workshop can make useful or decorative objects, such as wooden pots and picture frames, for themselves or others. Aboriginal prisoners who complete art works in the education centre have no access to framing tools and must rely on the goodwill of workshop

prisoners to get these jobs completed. These dependencies are stressful and essentially belittling, especially in light of the tacit support we observed in the workshop for the racist status quo. Prison management have reinforced the informal privilege system by providing the (white) prisoners with their own laundry facilities and announcing plans to convert an unused potting shed into a lunch/social room for this essentially non-Aboriginal group. While privileges play a part in any prison management structure, and are valuable as incentives, they are clearly not needed in a context where the work placement in itself is the privilege. We can only assume that the privileges are granted on informal, fundamentally racist criteria.

3.53 No formal training occurs in the kitchen, although the prison employs a cook instructor.

3.54 The education centre has recently taken responsibility for delivering Worksafe training to prisoners.

Treatment Programs

3.55 Although the men have access to more treatment programs than the women, the availability of programs is fairly minimal. This applies to both the number and type of program and to the number of prisoners who can access them. During her short time at the prison, the Release Planning Officer has run the IMMASU (Indigenous Men Managing Anger and Substance Use) program, and also another similar program from the Northern Territory. The Salvation Army runs a Positive Lifestyle Program for men on an ad hoc and voluntary basis. The scarcity of programs in the prison can be attributed to funding deficiencies and priorities, and difficulties with local program providers. There is an obvious shortfall in the area of domestic violence, an issue that has extensive local application and whose remediation requires a level of understanding and awareness from the perpetrator that is not met in anger management or substance abuse courses.

3.56 The men, like the women, have no access to health education or health promotion courses other than the course on blood borne and communicable diseases.

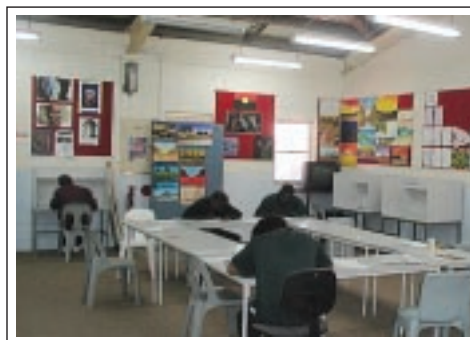
Education

3.57 While the education centre tries to cater for diverse needs in the face of funding cuts, there are clear shortfalls in its reach. Indonesian prisoners do not formally utilise the facility, and neither does a majority of the Aboriginal men, many of whom are not otherwise occupied. It can be assumed that amongst the Aboriginal men there is a perception either that the education centre holds little of interest and relevance to them, or that they are not welcome there. We were not able to unravel this group's thinking on this matter. However, it is untenable that this disadvantaged and marginalised group has virtually none of its rehabilitative needs met in the prison, and, like those sections of the prison responsible for programs and employment, the education centre needs to more functionally responsive to this group.

3.58 Having said this, it is clear that if a problem exists in catering for the full range of students, it is not one of attitude. The education staff we observed worked hard and were clearly guided by concern for the prisoners and a commitment to their welfare. However, there were some gaps between a well intentioned service and the delivery of actual, functional education, and we attribute these to funding cuts, an environment governed by centrally controlled 'packaged' programs, and an increased

reliance, in inappropriate contexts, on untrained or inadequately trained tutors.

- 3.59 Friday afternoon in the education centre is, however, an inspiration. In the art class, that at least for now is still functioning, there is a distinct air of purpose, attention and enjoyment. Not surprisingly, the art class is 'oversubscribed'. Some of the artists were preparing work for the up-coming Leonora Art Prize. This is an important regional event and we heard later that three prisoners subsequently won prizes for their entries. It is unfortunate that the prisoners entering the competition were not able to engage in the value-adding component of the process and undertake their own framing (see paragraph 3.52).



The Education Centre

Services

Peer support group and prisoner support officer

- 3.60 The regular prisoner support officer had been absent from his position for some time before the Inspection and his temporary replacement had not been a local person. The prisoners did not feel comfortable with the replacement ('they don't know us') and the peer support group had been virtually in abeyance for some time. The prisoners complained that with the absence of their own prisoner support officer, their access to traditional food, namely kangaroo, had been all but cut off.
- 3.61 The peer support group at Eastern Goldfields Prison was difficult to sustain, given the relatively short periods of detention served by the prisoners. By contrast, some issues raised with the peer support group were unchanging over time. Permission to attend funerals represented one of these eternal problems. Aboriginal prisoners everywhere complain about bureaucratic and insensitive Departmental approval processes. Eastern Goldfields prisoners were no exception. The prisoners feel that the Department still has little understanding of kinship structures or respect for the obligations these entail. Consequently, there are more barriers than supports in the approval process and this is detrimental to Aboriginal prisoners and, ultimately, to their rehabilitation.
- 3.62 Another perennial problem relates to the expensive and unsuitable Arunta phone system. In the face of overwhelming dissatisfaction from prisoners and despite assurances to the contrary, the Department has failed to renegotiate its telephone contract with the service provider. For Aboriginal prisoners who need to keep in touch with family members in remote communities, and who are disadvantaged in any case with lack of access to higher levels of gratuities, the service has little to offer.

Aboriginal Visitors Scheme

- 3.63 The visitors were not local and so were discounted: 'They are no help'; 'They don't understand our problems'; 'They are not from our lands'.

Health

3.64 Some Aboriginal men in the focus group supported the contention raised by the women that the medical service in the prison should be provided through the AMS. They also said that consultations with the doctor were ‘too quick – over in two minutes’. The men raised the issue of secure women being taken to the clinic (and to visits) in handcuffs. They strongly disapproved of this.

Recreation

3.65 Physical recreation generally takes place on the oval and amounts to prisoners kicking a ball or walking around the oval. The gym equipment is skeletal and the facility remains, somewhat like the two unit ‘libraries’, largely unused and unusable.

3.66 The main library was moved from the education centre and is now situated in the men’s section in an area excised from the prisoners’ gym. Like the gym, it manages to be a sterile and unattractive place, and to be fairly inaccessible. Like the gym, it is a place of bare essentials: the new library was designed to hold books, not people. Even so, Aboriginal prisoners complained about the lack of suitable and relevant books for them. In the library, there are no spaces to sit and read or browse through books, and little time to do so in any case. The recreation program, including the library, because it is parsimonious and excludes rather than attracts prisoners, risks serving an end that has nothing to do with improving prisoners’ amenity. Unused spaces – fortified Aboriginal meeting places, austere libraries, gyms stripped of meaningful equipment – eventually are coopted for other purposes. Often these serve the prison but not the prisoners. Prisoners deeply resent losing facilities and amenities.

Prisoners’ relationships with staff

3.67 Male Aboriginal prisoners feel unsupported by officers, and demeaned by the same officer who was the subject of complaints in each of the other units. The prisoners experience a discriminatory regime and understandably attribute blame to the front line – the officers. The preponderance of purely utilitarian interactions between prisoners and prison officers reinforces this state of affairs. When frustrated and exhausted officers spend their time letting minimum prisoners through grilles, rather than interacting on a purposeful and human level, it is little wonder that relationships between the groups suffer and trust is eroded.

Overall perceptions of the prison

3.68 We generally ask prisoners who are surveyed or who participate in focus groups to nominate ‘best’ and ‘worst’ things about their particular prison regime. Eastern Goldfields prisoners, unlike their peers in other prisons we have inspected, were unable to think of anything positive. The question was met with blank stares, shrugs, or the comment, ‘Nothing good’. On the other hand, ‘worst’ things were legion: the accommodation, access to work, recreation, access to visits, the diet (unvarying and devoid of traditional food), early lock-up, and so on.

SUMMARY AND CONCLUSION

3.69 The story of women and minimum males at Eastern Goldfields Prison is one essentially about the experiences of Aboriginal prisoners and is one of deprivation and inequity associated largely with systemic racism. The groups are differentially disadvantaged, women more so than men, with non-Aboriginal women also being caught up in the inequities that befall their gender. They, however, seem to benefit from the few crumbs of privilege that come their way. The case of photographs was one area mentioned and there were other examples brought to the attention of the Team or observed during the Inspection. Non-Aboriginal men, on the other hand, access privilege that has racist foundations and is systematically embedded in the regime. The racism fosters attitudes in some staff that are mean spirited, unprofessional, and out of order. The racism dovetails with a pathology around security to create an environment that is physically squalid and emotionally conflictual, and a regime that is punitive and degrading. For the majority of the prisoner population at Eastern Goldfields Prison, there is nothing to feel good about, and much to engender suspicion and resentment. Not surprisingly, in such a dysfunctional prison the atmosphere created at the bottom of the power structure is mirrored in different layers in the hierarchy. We look at this in the following Chapter.

Chapter 4

STAFFING AND MANAGING THE PRISON

- 4.1 If resentment, anger and distrust typify the attitudes and feelings of most prisoners at Eastern Goldfields towards the regime, these sentiments also are representative of a sizeable group of prison officers. While the negative impact of these officer sentiments might be felt most strongly by prisoners, their source is identified as local prison management and, to a lesser extent, Head Office. While Head Office determines the terms of employment that are resented by so many prison officers at the prison, local management is expected to be supportive of officers and on side with their complaints, and to show leadership in the prison as a whole. The dissatisfied group of officers sees only a vacuum in these areas.
- 4.2 Eastern Goldfields Prison has had a troubled recent management history, some of which was the subject of review late in the year 2000. The arrival of the current Superintendent post-dates the review and the issues that precipitated the review, but he has come into an environment that is marked by some fallout from the previous year, and where there are still some issues being arbitrated. In an atmosphere of dissatisfaction and distrust, in a prison few want to work in, the Superintendent needs exceptional skills and abundant support from Head Office to build bridges and a healthy prison regime. He has not succeeded in doing this and appears to have all but retreated from the front line of prison administration. He has little to do with prisoners or prison officers on roster.
- 4.3 Most officers at Eastern Goldfields Prison do not want to be there. They would rather work anywhere else. In fact, a significant number have other jobs that arguably push their responsibilities at the prison into second place. The twelve hour shift, abundant sick leave and a roster that allows staff to work up to ten consecutive shifts at a time smoothes the way for officers engaging in extra employment. As a place to attract staff, the prison suffers from its location in a harsh inland environment, in a mining town with few amenities to offer city-oriented officers and their families. Kalgoorlie is expensive: a boom town, built on minerals. Those involved in mining and related service industries make a lot of money. Locals are seldom recruited to work in the prison. If they are white, chances are they already make more money doing other things, and it would seem that work in the prison lacks intrinsic appeal in any case.
- 4.4 A large proportion of base grade officers at Eastern Goldfields are serving their first term of appointment with the Department of Justice. They have had little say as to their placements. Within a recent four month period the prison employed a total of seventeen contract officers out of a roster of 24 base grade officers. The staff balance is tipped towards inexperience, a balance that is also reflected in senior officer ranks where the majority of positions are filled in an acting capacity. More than half the officers on roster are contracted rather than permanent employees, creating an air of instability and cause for discontent. This arrangement sits outside the *Standard Minimum Rules for the Treatment of Prisoners*, Rule 46 (3) ('...personnel shall be appointed on a full-time basis as professional prison officers and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness....')
- 4.5 The prison operates at an extreme disadvantage with its reluctant workforce, its lack of incentive structure for staff, its neglect by Head Office, its emasculation at times by centralised decision making on its behalf, and a budget that is inadequate to bring the estate up to standard let alone

enable the regime to function in line with good correctional practice. In what follows, we look at how a group of officers perceive the prison; then we address issues of responsibility and accountability in the area of prison management.

PRISON OFFICERS' EXPERIENCES AND PERSPECTIVES

- 4.6 When we issue questionnaires to prison officers, usually about one third of those we distribute are completed and returned. At Eastern Goldfields Prison we distributed 22 to officers on duty at the time, and just over half (12) were returned. From the officers who returned questionnaires we got a flavour of the prison and some insight into issues that are important to officers generally. We do not assume that the opinions of the surveyed officers are representative of the entire staff.
- 4.7 The survey confirmed for us that the issue of security was a determining factor in shaping officers for their role at the prison. All but one of the twelve responding officers had been trained recently in the use of restraints and the use of chemical agents. Importantly, they had also had recent first aid training, but most had had no training in the use of breathing apparatus. This safety shortfall was noted in the safety report discussed in Chapter Two. There was a parallel vacuum in areas that promoted prisoner welfare, better understanding and communication between prisoners and staff, and knowledge that might benefit cross-cultural interactions. There was no training in suicide prevention, cognitive and behavioural skills, case management and cross-cultural awareness – except for one officer who had completed one of these programs.
- 4.8 The focus of their training aside, all but one of the officers were critical of the security regime at the prison. The question we asked sought comments on how the different internal security regimes impacted on the prisoners and on the officers' work; however, the officers chose to add judgments about the security focussed regime as a whole. Only one officer thought there was a beneficial impact, and that was related to the opportunity for multi-skilling. Other officers noted the differential impacts on women, the labour intensive nature of the secure regime as a whole, the impact on services to prisoners (such as access to recreation), and the fact that the whole regime had become fundamentally punitive: 'There are more sanctions than rewards'.
- 4.9 Officers believed knowledge relevant to the particular prison population, as well as people skills and communication skills were what was most needed by staff at the prison. They did not necessarily see these as personal training needs as many felt they had the skills already. Clearly, from what has already been written in this Report, the majority of prisoners rarely see officers demonstrating these skills. This raises questions about training – whatever officers may think – and a prison environment that does not nurture and support the use and development of these skills. Most officers thought they were well enough equipped with information, including information about Aboriginal cultures, to do a good job. A majority thought they did not have sufficient information about Asian cultures or about psychology.
- 4.10 Given the above, it is not surprising that a majority of officers believed officers' relationships with prisoners were 'good'. This stands in stark contrast with what we know about these relationships as experienced by the majority group of Aboriginal prisoners. The officers' judgement clearly reflected different standards from the prisoners, and different expectations. A couple of officers, however, had

some insight into the actual state of affairs, and were more circumspect about the quality of overall relationships and placing all officers above reproach. One officer noted what the Inspection Team had observed, that officers did not have time to relate to prisoners.

- 4.11 What was less easily explained, however, was the belief by a majority of officers that prisoners had adequate clothing, health care, access to the phone (all twelve agreed on this one), culturally appropriate reading material and access to management. Half the officers thought the prisoners had adequate access to work, clean bedding and sport/recreation. In most cases these observations run counter to the prima facie evidence. The area of programs was the only one in the list where a majority of officers (7) agreed that prisoners' access was insufficient.
- 4.12 Perhaps officers were too busy to notice deficits. Perhaps they only noticed white prisoners and their experiences. Perhaps they made assumptions that the mere presence of a facility, such as a phone or a library or a recreation officer, automatically met the prisoners' needs and constituted adequate access. Whatever the reason, by any objective standards the officers' beliefs were mistaken. This seems to indicate that many officers' understandings of prisoner welfare and well being, and of their own role in providing support for this correctional and humanitarian cornerstone, are, at best, woefully inadequate.
- 4.13 Most officers did, however, notice bullying and some of them observed that marginal groups were uncomfortable in the environment and felt alienated. A majority of officers believed some prisoners felt unsafe in the environment. One officer observed that the prison was ill equipped to deal with or prevent bullying. A majority of officers believed that verbal, racial, physical and sexual abuse and bullying sometimes occurred in the prison between prisoners. Some – a minority – believed that officers sometimes verbally abused prisoners, and that some of this abuse constituted racist remarks. Officers did not believe their peers were guilty of other kinds of abuse against prisoners. When asked if prisoners abused them in any way, a significant majority of officers said 'yes' to physical assault, racist remarks, other verbal abuse and bullying. Verbal abuse happened 'a lot'. There is something of a reflection here of the aggrieved and resentful state of most of the prisoners. Although perceived and experienced less intensely by officers, it is clear that each group feels abused at the hands of the other. If disrespectful behaviour is the norm between these two front line groups, as their responses suggest it is, then – like the lack of cleaning in the male security section – it demonstrates a breakdown in the system and in morale.
- 4.14 All officers believed prisoners misused prescription drugs and used illegal drugs and banned substances in the prison.
- 4.15 The officers themselves felt well supported by their peers, but a majority did not feel supported by management, and only two felt there was any support from Head Office. Most believed the prison was understaffed.
- 4.16 Asked about what they thought the three best things about the prison might be some officers struggled to find an answer at all. The majority, however, said what officers everywhere say, that relationships and camaraderie with peers are what is valued most. The next priority was conditions

that allowed for maximum time away from the job: the 12 hour shift, sick leave, days off¹⁸. One officer said s/he liked the job, another indicated s/he liked the small size of the prison, and another said that s/he enjoyed rapport with prisoners. Two officers liked the convenience of the job: it was close to home.

- 4.17 In describing the three worst things about working at the prison, the officers had more to say. 'Management' was cited as a 'worst' thing with the same frequency and intensity as peers had been a 'best' thing. Issues around the location of the prison came a distant second. Six officers complained about the distance from Perth and the cost/conditions of living in Kalgoorlie. Work conditions at the prison, including understaffing, was the third most cited 'worst' thing. Three officers complained about the breakdown of teamwork, and the complaining and the infighting amongst staff. The condition of the prison itself upset two officers.
- 4.18 Clearly, officers' notions of best and worst things about working at the prison were related to quality of life and working conditions. There was little expression of altruism in these remarks, something not unexpected given the turmoil at the prison and the open expressions of dissatisfaction. However, it reinforces prisoners' perceptions and experiences of the regime and points to the massive remedial task ahead.

MANAGEMENT ISSUES, ACCOUNTABILITY AND RESPONSIBILITY

- 4.19 There are four distinct interest groups associated with Eastern Goldfields Prison on an ongoing basis: the prisoners, the prison officers, local management, and Head Office. The last two, local management and Head Office, are responsible for managing members of the first two – officers and prisoners. Local management has, within policy and budgetary constraints, responsibility for the day to day management of the prison. Head Office has ultimate responsibility for the prison, in terms of overarching correctional policies, staffing decisions and policies, major priorities, monitoring and accountability, and – the most strategic responsibility of all – funding. Prisoners and officers, the aforementioned 'front liners', are the prison. Without them there would be nothing to manage. The aggrieved state of both these groups and the condition of the prison, as outlined in this Report, make it clear that management – both at the level of Head Office and locally – has broken down.
- 4.20 During its relatively short life span, Eastern Goldfields Prison has deteriorated to the point of failure. The evidence of failure spans the sphere of human rights, the physical facilities, the prison's broad-ranging correctional purpose, and its services and programs. More to the point, the evidence of failure is everywhere. The regime has become racist and differentially inhumane as a direct outcome of the prison's failure. How could the managers from Head Office, who regularly visit the Prison, not see it; or having seen it, not act upon it? How might they envisage ever being accountable if they fail to see and take seriously the egregious deficiencies of Eastern Goldfields? Head Office, its management structure for regional prisons, its line of accountability and its lack of appropriate intervention, is ultimately responsible for the prison's failure.

¹⁸ Sick leave was a well used provision at the prison and staff tended to use the provision for five days uncertificated leave, as a matter of course.

- 4.21 While Head Office bears this responsibility, both for the failure and to put the prison to rights, it also delegates considerable responsibility for the day to day running of the place to the local Superintendent. When a prison is in crisis, the Department needs to appoint a manager with exceptional qualities. These may not be available from the traditional, narrow, insider field, or from someone who is not prepared, ironically, to challenge the priorities of Head Office. The Superintendent appointment can have a fundamental influence on the prison: on the local prison culture, on priorities for expenditure, on officer training, on Section 94 work opportunities, and on the quality and extent of opportunities for prisoners. At Eastern Goldfields Prison, the leadership task still lies very much ahead.
- 4.22 One of the difficulties for a Superintendent, especially in a dysfunctional prison, is to garner the support of staff and manage their interests in a professional way, without this impinging, or seeming to impinge on the rights of prisoners. Efforts to do this have not worked at Eastern Goldfields. Attempts have been made to appease staff, but in the process the prisoners have felt alienated: the new staff offices and training area in the administration section provide an example. We were told that prisoners were encouraged to work on the project and to support it, on the basis that it would also be a space for prisoners. Many prisoners spoke cynically about the building, believing they had been misled about its multiple purposes and that it would never be used by prisoners. Their conclusions are understandable and, in light of current usage and priorities, probably right.

CONCLUDING COMMENTS

- 4.23 It is clear that the discontent of prisoners is mirrored and rife throughout the prison, at all levels within the hierarchy of the prison. Poor communication is a major issue at the prison but this must be seen as an outcome of poor policy and practice, poor governance and an absence of accountability: a serious symptom rather than a cause. Cripplingly poor communication is reflected across the board, in all important relationships that affect the prison, starting with Head Office and moving down to the prisoners. Communication between the Superintendent and uniformed staff is reportedly at arm's length – by email if at all. 'Communication' in a prison context is often one way and hierarchical, which, amongst other things, enshrines ethnocentric beliefs and prejudices because they are never challenged. Altogether, hierarchical communication creates conflict and barriers rather than support and understanding, and is not propitious for reform. While poor communication at Eastern Goldfields is symptomatic of the prison's failure rather than causal, reinventing communication at the prison, at all levels and in all directions, from Head Office through to prisoners, will be a necessity and a major challenge if the prison is to be retrieved.

Chapter 5

FUTURE DIRECTIONS

- 5.1 Eastern Goldfields Regional Prison has been left to fester in its environment of diminishing amenity for prisoners and staff and increasingly embedded racism, for many years. The reasons for this are impossible to pinpoint, but it is clear that a prison out of the public eye, containing a population of culturally silenced Aboriginal people is not well situated in the competition for correctional resources. On this basis, with centralised policies that are often inappropriate or detrimental to the regions, and a series of local and operational managers who have not seen fit to challenge the status quo, the prison has run itself into a state of near terminal dysfunction. Unfortunately, because the prison has not been held accountable for so long, the problems have become embedded and interconnected, and as such are not particularly amenable to discrete, easy, quick-fix solutions. Racism and its impacts, for example, will not be eliminated and redressed with a short course on cross-cultural awareness or by inviting an Aboriginal prisoner to join his white peers in the workshop. Rather, there is a need for deeper understandings of the sources of racism, of the underpinnings of prejudice, of the effects of cultural imperialism and power elites, and of local Aboriginal culture and values. Reforms, whatever level they come from, must be built on these understandings. On such a foundation, targeted short courses will then have a chance of being functionally effective.
- 5.2 This Report has uncovered a profile of the prison that shows it to be deficient in those three cornerstones of correctional practice that have to do with the well being of the prisoner both in prison and on release, and community well being, in terms of reparation for the offending behaviour and protection from further harm. In shifting the balance of attention so extensively to ‘security’, the prison has not served the interests of actual security particularly well either. The tension generated by oppressive security measures, in both staff and prisoners and between the groups, runs counter to the principles of dynamic security and undermines the putative purpose of the actual security makeover.

RETHINKING THE UNDERPINNINGS

- 5.3 The priority issue for Eastern Goldfields Prison is one of reforming the prison, before it is one of instituting discrete reforms. Reforming the prison is a multi-layered task that requires substantial shifts in thinking. Policies devised centrally and rooted in the mainstream have to be re-thought, rather than imposed or merely adapted for regional and local circumstances. The same applies to programs and practices. Education policies and practices spring to mind: packaged programs from Head Office are seldom suited to places like Eastern Goldfields Prison; art and music do matter; computer literacy can be irrelevant. Staffing policies that suit the city or even the popular seaside resort of Broome will not do for Eastern Goldfields. ‘Local’ in the above context implies ‘Aboriginal’. Knowing what is needed in this context is not something most prison officers are noted for, although there is a strong tradition of prison officers claiming such local expertise. Genuine and comprehensive expertise and advice is required.

DEFINING THE ROLE AND PURPOSE OF REGIONAL PRISONS

- 5.4 The Department needs to define the role and purpose of a regional prison, and to do this within a multi-faceted framework that acknowledges and understands the needs of many stakeholders. It needs to address fundamental issues. For example, how does a prison that is far from its stable mates

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offering different levels of security, cater best for its local offender population? In housing local prisoners, whose needs come first – those of the local community, the wider community, the criminal justice system, or the Department? How should these sets of needs be prioritised and complemented? What is the ideal for a regional prison? How, in the current circumstances, can this be approximated? Integral to any framework, however, is the understanding that well-functioning regional prisons are essential for Aboriginal prisoners' well being, for all the reasons outlined in this Report.

ADDRESSING THE BROAD AGENDA

- 5.5 Within the contexts of eradicating racism and fulfilling the defined role and purpose of a regional prison in the Eastern Goldfields, the following areas require urgent redress.

Security

- 5.6 There is a need to rethink the single-minded emphasis on security, with all its flow-on effects throughout the regime: the impact on efficient movement through the prison; the reduction in prisoners' access to services, particularly recreation; the loss of visual amenity; and, the impact on minimum prisoners' self-esteem and sense of agency. When he sent the draft of this Report to the Department, the Inspector included a revised plan of the prison that proposed adjustments to some of the current physical barriers. Among other things, the suggested alterations allow for secure women and men to access services (such as visits and the clinic) without restraints being needed, and the creation of an open exercise area for the secure men. The suggestions are not new: many come from Eastern Goldfields Prison staff themselves.
- 5.7 However, because it is concerned with shifting hardware, the revised plan does not address the disturbing and ambiguous context of a minimum security gaol with secure internal and external perimeters, and it does not deal with the less immediate and visually confronting aspects of security referred to throughout this Report. The pre-eminence of security must be addressed and revised as it has served the functions of guiding principle, practice and process.

Accommodation and facilities; recreation

- 5.8 A major refurbishment is required in all units, with the security section taking priority. Specific redress, as outlined in the body of this Report, is needed in relation to cockroaches, the lack of ventilation, and the general standard of hygiene and cleanliness. Bedding is neither clean nor sufficient; ablution facilities are squalid; day rooms are bleak, under furnished and barely resourced. These are all urgent and straightforward matters to address. Exercise yards in the male security section are in urgent need of refurbishment and resourcing. A suggestion was made by an officer that the wall separating the two yards be demolished. His purpose was unclear, but if prisoners agree that it adds to their amenity then it should be done. Adding a feeling of space is one thing, but the area also needs more natural light and air. The plan referred to in paragraph 5.6 suggests how secure prisoners might access some secure outdoor space. This is vital for all secure prisoners, but particularly for those unused to the inward-looking confines of the security section. The male

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minimum yard and the female yard, need shelter, landscaping and outdoor furniture.

- 5.9 A different and generous approach needs to be taken to formal recreation and the resources and facilities, including the library, that come under this umbrella. Recreation needs to be conceived of in terms of prisoner well being and should be responsive to prisoners and their needs.

Women

- 5.10 The women's section is oppressive, confined, lacking in privacy and controlled by mostly male staff. It embodies the most stereotypical components of a patriarchal blueprint for women. Women's lives are overseen, even as far as the lavatory, and their activities severely restricted. We know from the literature on abuse that self esteem and agency take a battering in conditions such as these. Clearly, the women need more meaningful work, more access to work and activities outside the unit, more programs geared to their specific needs, and more educational, recreational and social opportunities.
- 5.11 The dining room should be used by the minimum women, at least for breakfast and dinner. If the women can dine with the men in Broome and Roebourne, where their overall regime is less confined in any case, it makes no sense to exclude them here. The minimum women and men should have access to some mixed social activity in the evening recreation time, making use of the dining room (for weekly bingo, for example), the adjacent library if appropriately furnished (videos, reading), and, for informal socialising, the minimum male yard. Broome Prison provides a model.
- 5.12 At Eastern Goldfields, the regime for secure women dictates the regime for all women. This is not logical or necessary; nor does it mean that secure women would lose ground because minimum women have greater freedom of movement. There is no sustainable argument for continuing this systemic deprivation of minimum women.
- 5.13 The cells and ablutions need refurbishment, as indicated previously, and the day room should be re-developed from scratch. Its use as a kitchen/dining room for the minimum prisoners should be discontinued, and the stored detritus of years thrown out. The pool table, on the other hand, is valued. The women need a functioning library with relevant and appropriate books, and current papers and magazines.
- 5.14 The women's yard urgently needs improvements for socialising, recreation, and aesthetic appeal. Placing a roof across one end would allow some appropriate gym equipment to be installed and used there. Women need to be able to use such equipment in a group, in a social environment. The environment, the nature of the resources and good access are all important in encouraging women to engage in more physical exercise. The same can be said for their participation in volleyball, netball or activities on the oval¹⁹. The current arrangements for recreation do not work for the Aboriginal women. Different arrangements need to be tried, including the appointment of a woman prisoner, with increased gratuities, to the portfolio of female recreation. She would need

¹⁹ Within the framework of their limited access to the oval and their even more limited access to mixed socialising, the women – especially those with partners – see the oval pre-eminently as a social space. Were socialising to be allowed in the evenings, it is possible that the oval could serve its more functional, active recreational purpose for the women.

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training and guidance from someone skilled and interested and preferably female. The prison needs more female staff, especially in the women's section.

- 5.15 Women need activities and access to resources both inside and outside their unit that occupy them, challenge them, and teach them something interesting or useful. As things stand, the women at Eastern Goldfields are de-skilled by their experience in gaol and left in no doubt about their second class status. The situation is particularly acute for secure women, who sometimes stay at the gaol in the confines of the unit, for long periods of time. The recommended changes to the unit and amenities outlined above are essential for the well being of these secure women. They should also have reasonable access to education and programs if their stay in the prison is extended.

Work, training and programs.

- 5.16 We have identified extensive and fundamental problems relating to the nature of work, its overall and differential availability, and the availability of treatment programs and training. A paradigm shift is needed before these issues can be resolved. All of these activities need to be seen as valuable for prisoners, and as fulfilling the requirements of the three (other) correctional cornerstones of care and well being, rehabilitation and reparation. The meanings attached to these activities are often displaced and downgraded in practice. For example, in the case of the workshop, 'work' is redefined as 'jobs', and has to do with saving the prison money. Here, because the industrial officer and his prisoners are focussed on internal building and maintenance tasks, there is no place, no budget, no human resources for training prisoners. Other work within the prison is often mere time-serving. Most work should not be in this category and should have some further useful end.
- 5.17 The prison needs to develop, and be resourced to implement, employment and associated training that is meaningful and skills based, as well as useful. The Loopline is something of a model for Section 94 work; however, the prisoners are not subject to formal assessments and certification. There is no model of sound work and work practice for women. Structures that proactively engage Aboriginal prisoners and women prisoners, and sustain their involvement, need to be put in place. Formal training through TAFE should be an ongoing feature of the prison. Many more prisoners need to be included in meaningful Section 94 activities. Broome Prison, with its much larger Section 94 work population and its innovative partnership with the local TAFE ²⁰, is developing as a model for this.
- 5.18 Some of Broome's prisoners live and work under Section 94 provisions at a recently established work camp near Derby, a half day's drive to the north east of Broome. Roebourne Prison has a well established work camp operating at the more remote location of Millstream. Head Office and Eastern Goldfields Prison should be developing work camp opportunities for local prisoners, extending the concept to include a range of services and opportunities that prisoners currently in the other locations do not access. Eastern Goldfields has the opportunity to develop the model as an exemplar.

²⁰ Prisoners attend the TAFE campus in Broome for horticulture and building courses, and associated literacy classes. The courses comprise a series of modules, each of which has an end point of accreditation. The modules are arranged and adapted so as to meet the specific needs and skill levels of the prisoners.

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- 5.19 Prisoners at Eastern Goldfields Prison have profoundly inadequate access to treatment programs. Formal programs that occur at all are provided through and by the Release Planning Officer, the majority of whose workload is directed elsewhere. In a practice that the Inspectorate is concerned is becoming an end in itself, the Department is piloting that officer's placement at the prison. It is appropriate and valuable to pilot new programs, or programs being used in new environments, but the process has less obvious value in terms of key staff placements. This is particularly the case when we know the role of the Release Planning Officer is central to prisoner well being and rehabilitation, especially in a prison with few resources. We hope the notion of piloting is not being used cynically to justify short term placements and the appearance of innovation and responsiveness without sustained commitment. We wonder how the Department will evaluate the release planning pilot.
- 5.20 Creating an ongoing Release Planning Officer position at Eastern Goldfields Prison is only the beginning. The prison needs far more resources for prisoner programs.

Health services

- 5.21 It is clear that the AMS is preferred by the majority of Eastern Goldfields prisoners as the provider of medical services at the prison. Such an arrangement requires additional funding and Head Office should ensure that appropriate provision is made. There would be significant benefits in such an arrangement in terms of better access to health care for Aboriginal prisoners and also continuity of care. Given the poor health status of Aboriginal people in the area, the prison should ensure it acts in the best interests of community health in the region. The local AMS should be contracted to provide the medical service for all Eastern Goldfields prisoners.
- 5.22 The small clinic in the security section is not fully functional and its use should be discontinued. Secure prisoners should attend the main clinic as a matter of course, so that a proper examination can be carried out if need be and the prisoners do not feel they are receiving an inferior standard of treatment. Minor modifications to the design of secure walkways could achieve this end without resorting to the use of restraints.
- 5.23 There need to be clear boundaries set between custodial and health care functions and the personnel suited and trained for each type of task. Clinic staff should not be involved in strip searches and the clinic should not be used for this purpose. It is easier to understand and assert these fundamental principles if the relevant decision makers are all present when such matters are raised. The nurse manager needs to be present at senior management meetings, and these should be held at mutually agreed convenient times. The forum should be used to develop procedures for the clinic to list its patients ahead of consultations, and to have more control over the attendance of patients.
- 5.24 The clinic staff should be paid for being on call.

Staffing policies and staff training

- 5.25 Head Office has a number of issues to address in relation to optimal staffing arrangements at the prison: incentives for staff to live and work in the Eastern Goldfields; processes that enable the prison to exercise some control over the quality and suitability of staff they ultimately employ; issues

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to do with their employment status; ensuring there is an adequate cadre of experienced staff at all levels; training for the task at hand, rather than as mere security operatives; resolving management issues; and, developing an appropriate work ethic and team spirit.

Management

- 5.26 Management, at local and Head Office levels, is the key to the reformation of Eastern Goldfields Prison. Above all, Head Office needs to disengage from its role of circumscribed and centralised control and provide instead genuine guidance and supportive leadership.
- 5.27 At all levels, lines of responsibility and accountability need to be clarified or developed, as the case may be. Individuals in the hierarchy, right through to Head Office managers, need to have well defined and transparent roles, and to know how they relate and what responsibilities they have to others in the line.

A NEW PRISON AT EASTERN GOLDFIELDS?

- 5.28 The Department of Justice has committed itself to building a new prison in the course of the next four years, in one of the regions. Funding has been set aside. From time to time over the years, Eastern Goldfields has been the favoured site and groundwork has been undertaken periodically. At the time of our Inspection, an option to place a prison at Coolgardie, about forty kilometres from Kalgoorlie and relatively inaccessible to the population the current prison serves, had just been discounted²¹. The suggestion should never have been a serious one in the first place and suggests that the proponents of the site did not have the interests of the local Aboriginal population foremost in their minds.
- 5.29 Eastern Goldfields has a pressing claim for an appropriate structure to replace the current prison, but there are competing interests in the Kimberley. The Inspector believes it is urgent to replace Eastern Goldfields Prison; however, he is mindful of the need to relieve extreme overcrowding at Broome Prison. The Inspector believes both communities should be served by appropriate new prison facilities, and that this can be achieved at a cost close to the present budget allocation, providing the design is for a minimum prison with a separate, small but humane and functional, amenity for short term secure prisoners. A new minimum security prison at Eastern Goldfields should be built on the current site. Making visits and Section 94 activities less accessible by shifting the prison out of town is retrograde.
- 5.30 Planning and developing a new prison is a staged process that occurs over several years. Anything can happen to stall or halt that process, as has happened in the Eastern Goldfields in the past. Whether or not a new prison at Eastern Goldfields is, may be, or should be on the agenda, this debate must not distract Head Office from undertaking, urgently and in good faith, the major remediation task outlined in this Report.

²¹ Apparently, it is very difficult to bury this particular corpse. *The Kalgoorlie Miner* of 18 October 2001 notes that the Coolgardie Shire Council would shortly be discussing the proposal again.

Recommendations

1. That the Department of Justice develops:
 - a) A plan for the future operations of Eastern Goldfields Prison that is underpinned by the philosophies espoused in this Report for a prison that serves a local, mainly Aboriginal, mainly minimum security population, and that is in accord with a clear definition of the role and purpose of a regional prison; and,
 - b) A working blueprint and associated timetable for the urgent, systematic reform of the prison in accordance with that plan.
2. That the Department addresses the reform of the prison at two levels:
 - a) At the level of ideology and theory with regard to best practice in management, corrections, and human rights and equal opportunity (particularly as these relate to women and Aboriginal people); and,
 - b) At the practical and local levels, as outlined in detail in this Report, taking particular note of the approach to security and the revisions to the plan of the prison submitted by the Inspector to the Department.
3. That the Department develop and sustain a leadership role in relation to the prison. Such a role should include guidance and support for the Superintendent and his senior management, the institution of sound human rights and correctional values at the local level, and improved staffing arrangements. The staffing issue should address incentives for local service; resolution of the uncertainty surrounding the position of contract staff; and, exploration of whether the distortions to service that arise out of 12-hour shift arrangements can be ameliorated.
4. That the conditions, services and opportunities for women prisoners, minimum security men (especially Aboriginal men) and secure men be addressed in line with the directions outlined in the body of the Report. In relation to each group, and in a way that befits the context, reforms should aim for:
 - a) Access and opportunity that is not discriminatory on the grounds of race or gender;
 - b) Levels of security that are not unnecessarily or unfairly restrictive, and that are not imposed for reasons of gender;
 - c) Decent, clean, hygienic accommodation that is climatically appropriate and is well ventilated;
 - d) Improved access to appropriate health care, recreation, education, treatment programs, work and intra-prison visits, especially for women and secure prisoners;
 - e) A level of containment that meets not only the United Nations *Standard Minimum Rules for the Treatment of Prisoners* but also community standards in relation to human rights.
5. That the level of security in the prison, in both its material and procedural forms, be re-assessed in line with the concept of the prison as serving what is, for the most part, a minimum security population.

RECOMMENDATIONS

6. That the roles and functions of ‘health’ and ‘security’ be formally and operationally recognised as discrete, and requests for clinic staff or premises to be involved in strip searches cease forthwith.
7. That prison officers receive training that fits them as front line agents in the comprehensive custodial care of prisoners. This includes consciousness raising training that attunes them to the need for, and values appropriate to, a role that balances the requirements of the four cornerstones. It also includes training to fit them for working with Aboriginal prisoners.
8. That the Department pursue a comprehensive, targeted and timely reform agenda for Eastern Goldfields Prison that is independent of any possible plans to build a new prison in the region.
9. That, nevertheless, facility planning for Eastern Goldfields Regional Prison should be commenced as a matter of urgency. All options, in particular that of optimising the utilisation of present and adjacent sites, should be fully considered, as should a graduated or incremental replacement building program. This planning process must proceed within a genuinely consultative framework, and should be informed by the substance of this Report.
10. That the detailed recommendations made in this Report should also be taken up and implemented as appropriate, in particular those relating to the need to continue the appointment of the Release Planning Officer, the need for more – and more appropriate – treatment programs, the desirability of improving access to funerals, the need for making the Arunta system prisoner-focussed, the need to increase Section 94 work and recreational activities, and the need to increase Departmental expenditure on education.
11. The Department should ensure that its system of compliance audits or service reviews are particularly active in relation to Eastern Goldfields Regional Prison until such time as an acceptable standard of service and performance has been attained.

Appendix A

THE INSPECTION TEAM FOR THE UNANNOUNCED INSPECTION OF EASTERN GOLDFIELDS PRISON

Professor Richard Harding	Inspector of Custodial Services
Lynn Atkinson	Manager Research and Publications
Peter Upton-Davis	Senior Inspections Officer
Andy Fitzgerald	Inspections Officer
Gareth Morris	Inspections Officer
Jocelyn Jones	Consultant
Anne Stevenson	Administrative Assistant

Appendix B

RESPONSE OF THE DEPARTMENT OF JUSTICE TO THE RECOMMENDATIONS OF THE REPORT

Recommendation 1

That the Department of Justice develops:

- a. A plan for the future operations of Eastern Goldfields Prison that is underpinned by the philosophies espoused in this Report for a prison that serves a local, mainly Aboriginal, mainly minimum security population, and that is in accord with a clear definition of the role and purpose of a regional prison; and,
- b. A working blueprint and associated timetable for the urgent, systematic reform of the prison in accordance with that plan.

Response:

A full review of the approach to regional imprisonment is being developed by the Department. In addition for this prison:

- A 12 month strategic plan with an accountability matrix has been developed;
- A full investigation has been completed to address the role and definition of the security within this prison;
- A full business plan has been developed for the prison; and,
- An issue management log was drawn up within days of the Inspection that has responsibility and time frames for delivery attached.

Recommendation 2

That the Department addresses the reform of the prison at two levels:

- a. At the level of ideology and theory with regard to best practice in management, corrections, and human rights and equal opportunity (particularly as these relate to women and Aboriginal people); and,
- b. At the practical and local levels, as outlined in detail in this Report, taking particular note of the approach to security and the revisions to the plan of the prison submitted by the Inspector to the Department.

Response:

Agreed.

Recommendation 3

That the Department develop and sustain a leadership role in relation to the prison. Such a role should include guidance and support for the Superintendent and his senior management, the institution of sound human rights and correctional values at the local level, and improved staffing

RESPONSE OF THE DEPARTMENT OF JUSTICE TO THE RECOMMENDATIONS OF THE REPORT

arrangements. The staffing issue should address incentives for local service; resolution of the uncertainty surrounding the position of contract staff; and, exploration of whether the distortions to service that arise out of 12-hour shift arrangements can be ameliorated.

Response:

Directors have been in constant contact and have made regular trips to EGRP to assist with implementation of changes. These have included:

1. A consultative workshop with all staff to identify issues and seek solutions. Staff responded well to the opportunity to make a difference and have since set about implementing their recommendations.
2. The Prison Peer Support group was extensively interviewed. This group has now been revitalised and empowered to assist with the reforms including increased participation in the induction and orientation of prisoners, grievance processes and meetings with management.
3. Human Resources has conducted interviews with all staff to address their concerns with permanency, regional incentives and shifts.
4. A full communication audit is underway to identify standards and channels of communication.

Recommendation 4

That the conditions, services and opportunities for women prisoners, minimum security men (especially Aboriginal men) and secure men be addressed in line with the directions outlined in the body of the Report. In relation to each group, and in a way that befits the context, reforms should aim for:

- a. Access and opportunity that is not discriminatory on the grounds of race or gender;
- b. Levels of security that are not unnecessarily or unfairly restrictive, and that are not imposed for reasons of gender;
- c. Decent, clean, hygienic accommodation that is climatically appropriate and is well ventilated;
- d. Improved access to appropriate health care, recreation, education, treatment programs, work and intra-prison visits, especially for women and secure prisoners;
- e. A level of containment that meets not only the United Nations *Standard Minimum Rules for the Treatment of Prisoners* but also community standards in relation to human rights.

Response:

A review has been undertaken of the security arrangements, policies and procedures in place at the prison.

Structural and procedural changes are being made to open up areas and provide more access to program and recreation areas for all.

RESPONSE OF THE DEPARTMENT OF JUSTICE TO THE RECOMMENDATIONS OF THE REPORT

All accommodation units are being stripped out, repaired and painted. All bedding and mattresses have been replaced. Ablutions are being tiled and plumbing repaired.

Prison officers' duties have been updated and responsibilities allocated for ensuring hygiene and cleanliness standards are maintained.

The Department is aware of health problems for Aboriginal prisoners and recognises the importance of Aboriginal health representation. We intend encouraging Bega (Aboriginal Medical Service) to tender for the prison health services.

Increased recreation facilities and opportunities are being created especially for female and maximum security prisoners. Findings from work being conducted into effective programmatic interventions for Aboriginals will be adapted for Eastern Goldfields Regional Prison.

Improvements are being made to the visits area to make it more comfortable and customer focused.

Recommendation 5

That the level of security in the prison, in both its material and procedural forms, be re-assessed in line with the concept of the prison as serving what is, for the most part, a minimum security population.

Response:

Agreed. However, due to severe structural restraints imposed by the poor design of the prison, the Department is limited as to how much physical change can take place.

Recommendation 6

That the roles and functions of 'health' and 'security' be formally and operationally recognised as discrete, and requests for clinic staff or premises to be involved in strip searches cease forthwith.

Response:

Completed.

Recommendation 7

That prison officers receive training that fits them as front line agents in the comprehensive custodial care of prisoners. This includes consciousness raising training that attunes them to the need for, and values appropriate to, a role that balances the requirements of the four cornerstones. It also includes training to fit them for working with Aboriginal prisoners.

Response:

Training will be reviewed.

RESPONSE OF THE DEPARTMENT OF JUSTICE TO THE
RECOMMENDATIONS OF THE REPORT

Recommendation 8

That the Department pursue a comprehensive, targeted and timely reform agenda for Eastern Goldfields Prison that is independent of any possible plans to build a new prison in the region.

Response:

The Department has allocated \$800,000 to remedy the conditions at the prison.

Recommendation 9

That, nevertheless, facility planning for Eastern Goldfields Regional Prison should be commenced as a matter of urgency. All options, in particular that of optimising the utilisation of present and adjacent sites, should be fully considered, as should a graduated or incremental replacement building program. This planning process must proceed within a genuinely consultative framework, and should be informed by the substance of this Report.

Response:

Wide-reaching consultation and research is proceeding to determine the most appropriate solution for managing offenders in regional and remote communities, including this region.

Recommendation 10

That the detailed recommendations made in this Report should also be taken up and implemented as appropriate, in particular those relating to the need to continue the appointment of the Release Planning Officer, the need for more – and more appropriate – treatment programs, the desirability of improving access to funerals, the need for making the Arunta system prisoner-focussed, the need to increase Section 94 work and recreational activities, and the need to increase Departmental expenditure on education.

Response:

All of the points made in the report are being detailed and appropriately addressed within current budget restraints.

Other issues identified through a number of internal audits have also been included in the implementation plan.

Recommendation 11

The Department should ensure that its system of compliance audits or service reviews are particularly active in relation to Eastern Goldfields Regional Prison until such time as an acceptable standard of service and performance has been attained.

Response:

This is being carried out.



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