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Report of an Announced Inspection
of Nyandi Prison
February 2002



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES
WESTERN AUSTRALIA

**Report of an Announced Inspection
of Nyandi Prison – February 2002**

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The Inspector's Overview

A STORY OF GOOD INTENTIONS

The management and staff at Nyandi really want to do the right thing. They genuinely care about the conditions and outcomes for the women prisoners. The atmosphere is supportive. Staff morale is high and interaction with prisoners good. Prisoners feel safe, not least because the excellent practice of shipping out predators is followed rather than hiding their victims from them in protection regimes or elsewhere¹. So, in drawing attention to a few matters that cause concern, it must be emphasised it is against this very positive and laudable background.

One thing that stands out is the relative under-representation of Aboriginal women. At Bandyup itself – the feeder prison – Aboriginal representation is seldom if ever less than one in three. At Nyandi, it is seldom if ever more than one in six or seven. As mentioned in the Report, this raises questions about classification systems and selection criteria. It is not possible to assert with confidence at this stage that this is yet another aspect of the structural racism that the Department is at last striving to eliminate; but neither is it possible to refute any such assertion. *Prima facie*, it seems wrong. The issue must be clarified and, if necessary, corrected.

The opportunities for employment are inadequate for a releasing or re-settlement prison – the Report characterised prisoners as being “chronically under-employed”. Some of the education services also are unfocussed. Rehabilitation programs are sparse. Recreation opportunities are limited. My own impression was that there seemed to be an awful lot of sitting around amongst the women prisoners. In a re-settlement prison, each of these areas should be well organised and effective. A more systematic and outcome-orientated approach is needed.

In this context, a recent Home Office research paper² found that the expectation that prisoners would return to crime was three times higher (34% to 11%) amongst those who had no job to go to upon release than those who did have a job. The relevance of this is that females were only a third as likely to have a job prospect as males (9% to 24%). Even allowing for the fact that fewer women prisoners wished to find work (for family reasons and so on), this pattern is important.

Comparable data are not produced by the Department of Justice, so it is not possible to say with certainty whether the UK findings would be replicated here. What can be said, however, is that this kind of simple study should be done in all resettlement prisons, including Nyandi, and the outcomes should inform program delivery and pre-release services. Our observation of a somewhat lackadaisical approach to these matters leads us to suggest that these things should be better grounded than they are at present.

The orientation program is also deficient. Perhaps there has developed an element of relying on the prisoners to help each other within the supportive environment. That is not unreasonable – but it

¹ The Office is currently conducting a thematic review of protection practices and policies within the Department of Justice. An emergent theme is that the management of bullying is focussed very much on removing victims, rather than predators, from mainstream.

² Niven, S., and Olagundoye, J., 'Jobs and homes – a survey of prisoners nearing release', *Findings 173*, Home Office, London.

must be done against a background of a supply of formal information in a structured way. On my own post-inspection visit to the prison, there were no orientation booklets available – or at any rate if there were they could not readily be located.

An interesting point – not previously fully appreciated by me – emerged during the inspection, namely that the Ministerial approval for section 94 programs is given individually, on a case-by-case basis³. A degree of rigidity and delay is thus inevitable, as emerged in relation to the question of possible approval for a TAFE program. A better arrangement would be for Ministerial approval of categories of activity or programs, with notification to the Minister of the adoption by the Department of any new matter within an approved category. This would secure accountability where the *Prisons Act* places it, i.e., with the Minister, whilst affording the officeholder the opportunity to override any delegated approval that seemed legally, politically or socially inappropriate. The Office has encountered the same problem at Roebourne; it seems to require remedy.

In some ways, Nyandi is reminiscent of Riverbank Prison – now closed⁴. The premises are old Child Welfare Department (as it was then called) facilities; refurbishment has not really brought them up to acceptable modern standards; staff are strongly motivated to support the rather special regime; and there is a tendency to think that the demonstrably good intentions are almost enough in themselves and can compensate for other deficiencies. Yet the very opposite is true – it is precisely because there is good staff motivation that the whole thing needs to be done properly.

Even though Nyandi's future is a limited one, as explained frankly by the Department in its response to Recommendation 2 of this Report, some further resource commitments need to be made in the meantime. The present regime promises more than it delivers, even though the intentions are so good.

Richard Harding
Inspector of Custodial Services

1st July 2002

³ Apparently, the Department puts up a raft of programs for approval every six months. In the intervening periods, the situation is as described in the text.

⁴ See *Report of an Announced Inspection of Riverbank Prison*, Report 2, Office of the Inspector of Custodial Services, July 2001.

Chapter 1

NYANDI WOMEN'S PRISON, 1998 – 2002

INTRODUCTION: THE INSPECTION OF NYANDI PRISON

- 1.1 Women offenders constitute a small percentage of the overall prison population in Western Australia⁵. Historically, this has resulted in women falling through the service gaps and there being a marked lack of understanding or analysis of women's needs. Until the late 1990s one of these flaws had been in the provision of pre-release preparation, services and facilities for minimum security rated women offenders. Bandyup Women's Prison was the only prison facility for women in the metropolitan area and housed women prisoners of all security classifications. With the creation of Nyandi Women's Prison as an annexe of Bandyup, for the first time there was an opportunity for women to be able to serve part of their sentences in an appropriate minimum security, pre-release facility and receive services to assist them to prepare for release.
- 1.2 It is important to provide an opportunity for offenders to properly prepare for their re-entry into the community in the latter stages of a term of imprisonment. Prison deprives offenders of the conditions of 'normal' everyday life, especially the power of individual decision making. The longer a person is incarcerated, the more institutionalised that individual usually becomes. As the time for release nears, it is important for prisoners to be given the opportunity to 'normalise' living arrangements and take more responsibility. Rule 60 of the United Nations Standard Minimum Rules for the Treatment of Prisoners recognises the desirability of a gradual return to society and adjustment to life in the community⁶. It is also important to provide pre-release support and services (such as assistance in finding employment and accommodation) to enable prisoners to be given the best chance of avoiding re-offending.
- 1.3 Women offenders in Western Australia had been deprived of this opportunity until 1998. All women incarcerated in the metropolitan area were accommodated in Bandyup Women's Prison, a facility housing women of all security classifications⁷. Women nearing release were restricted in their ability to gradually reintegrate into the community and the facility was not conducive to encouraging women toward self-determination. The opening of Nyandi provided this important opportunity for women to plan and prepare for release and to be surrounded by staff whose primary focus is the provision and support of pre-release services.
- 1.4 It was with this main issue as the focus – women's resettlement needs – that the Office of the Inspector of Custodial Services conducted its Inspection of Nyandi Women's Prison. The services provided at the prison were examined in the context of the main function of the facility being a pre-release centre for women.

⁵ Based on the Department of Justice Weekly Offender Statistics for 9 May 2002, women constituted 7.32 percent of the total prison population.

⁶ *Making Standards Work: An International Handbook on Good Prison Practice* 2nd edition, Penal Reform International, 2001.

⁷ Placement options for women outside the metropolitan area are extremely limited; therefore, regardless of where they live, the majority of women end up in Perth. Women from the South West have no placement options in the region, and those from the North have limited options in prisons built for the majority population group, male prisoners.

NYANDI WOMEN'S PRISON, 1998 – 2002

- 1.5 The Inspection of Nyandi Women's Prison was conducted over four days beginning on Sunday 3 February 2002. The Inspection Team received a formal briefing by the Department of Justice and an opening address on the first day of the Inspection by the Superintendent and the Assistant Superintendent. During the Inspection, focus groups were conducted with discrete groups of prisoners seeking to document their experiences in terms of their treatment and conditions at the prison. Uniformed staff rostered on duty during the Inspection were given the opportunity of completing a questionnaire to contribute their views.
- 1.6 The Inspection Report focuses upon Nyandi's main function as a pre-release prison. This first Chapter details facts about the history of Nyandi and a description of the physical infrastructure. It profiles who is at Nyandi, the staff who work there, prisoners who reside there and perhaps of equal importance, those who are excluded. Chapter Two examines in detail what a pre-release facility is meant to be and what we might expect to see happening there. It concludes with an examination of whether these expectations are fulfilled at Nyandi with regards to education, programs, employment and training. Chapter Three examines essential prisoner services in the context of resettlement, and in particular the provision of health services, access to family and recreation. Finally, in Chapter Four we examine the future of low security prison services for women, as the Department of Justice embarks on a building project to construct a new facility. We go back to the purpose of resettlement, what we expect to see at a new facility for women and the way in which the Department is choosing to move forward.

THE RESURRECTION OF NYANDI

- 1.7 In the latter half of 1998, an unprecedented number of women were incarcerated in Western Australia. In November the average daily number of female prisoners had risen to 138⁸, placing severe pressure on the only metropolitan women's facility, Bandyup Women's Prison. The prison accommodated both sentenced and remand prisoners of all security ratings – minimum, medium and maximum⁹. This placed restrictions on the ability of the Department of Justice to effectively manage women according to their security and rehabilitation needs. Due to the high security environment at

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Bandyup, this included its capacity properly to prepare minimum-security women for release into the community.

- 1.8 Prisoner population pressures and the lack of appropriately constituted prison estate highlighted the immediate need for a new women's facility and prompted the policy decision to develop a minimum security prison for women. This also meant, however, that the time and money required to construct a new purpose-built facility was not available. An existing site with appropriate infrastructure had to

⁸ In contrast, the average daily musters for the previous five years had been: 84.21 (1993-94), 72.76 (1994-95), 87.62 (1995-96), 95.06 (1996-97) and 110.78 (1997-98).

⁹ This was contrary to the situation in the men's prison estate, which had different facilities to cater to the different security, rehabilitation and care needs of differently rated prisoners.

be sought as an immediate accommodation option.

- 1.9 The Department developed a two-pronged solution to the dilemma. Prisoners were to be transferred as soon as possible to the defunct Nyandi Detention Centre for Girls in Bentley, which had opened in 1970 and closed in October 1997. At Nyandi, they would be accommodated under a minimum security regime until the refurbishment of the Pyrton Training Centre site in Eden Hill, which would become the permanent minimum security facility for women in Western Australia. The Department envisaged that the process of preparing Pyrton would take only six months, and as a result very little renovation took place before the first women were transferred to Nyandi on 14 December 1998.
- 1.10 However, the Department's plans for Pyrton stalled and it became apparent that female prisoners would have to be accommodated for an unforeseen period at Nyandi. Some refurbishment was carried out to increase the number of beds available. Eventually, the Pyrton plan was shelved completely, and the decision was made to utilise Nyandi for the foreseeable future.
- 1.11 At the time of the Inspection by the Office of the Inspector of Custodial Services, Nyandi Women's Prison had been operational for just over three years. Prison management stated that the planned temporary nature of the facility has resulted in gaps in infrastructure and service. This is reflected in the fact that the buildings were closed after being deemed inappropriate for young female offenders and subjected to limited renovation before women were transferred from Bandyup.
- 1.12 In late 2001, the Attorney General and the Department of Justice announced that a new low security women's facility would be constructed adjacent to Nyandi, on land that was once the Longmore Detention Centre for Boys. Nyandi would continue to accommodate prisoners at least until this facility is complete, but beyond that time, the exact role that Nyandi might play in the future of women's corrections is uncertain. As the facility will continue to accommodate prisoners until at least June 2004, the gaps in infrastructure and service, as identified by management must be identified and remedied.

LOCATION, BUILDINGS AND FACILITIES

- 1.13 Nyandi is situated in a medium density residential area in Bentley in a quiet cul-de-sac. The prison and its juvenile predecessor have co-existed with its neighbours, which include the Curtin University of Technology, a Baptist Theological College and aged residential accommodation at Swan Village, with relatively few contentious incidents. These neighbours provide work opportunities for prisoners and the women provide services when requested to a variety of local organisations. Nyandi has therefore been a part of the Bentley community since its opening in 1970, and an especially active member since its reincarnation as a women's facility.
- 1.14 Perimeter security at Nyandi consists of chain link fence approximately three metres high, with three strands of barbed wire across the top. The fence surrounding the oval and area adjoining the Longmore site is a 4.5 metre weld mesh fence topped with metal cowling and a single coil of razor

ribbon at each corner. This level of perimeter security is appropriate to the prison's residential setting, the security rating of the prisoners and the high level of dynamic security present within the prison¹⁰. As many of Nyandi's prisoners spend time outside the prison engaging in work and community activities, higher levels of internal security are unnecessary and would be contrary to the reintegration focus of the facility. It was stated to the Inspection Team on many occasions, by management, staff and prisoners, that the fence is more about keeping individuals out of the prison than keeping prisoners in. Partners, friends and other associates have endeavoured to enter the prison to contact prisoners and the fence has largely been successful in restricting external access.

- 1.15 Entry to Nyandi is through an electronically operated gate that is camera monitored by staff located in a central duty office. Upon arrival visitors communicate with officers by an intercom, stating their name and reason for attending the prison. Once admitted, visitors proceed to the duty office for verification and registration.
- 1.16 On walking down the prison entry road, the small building that accommodates self-care women and women with babies (called Gascoyne wing) is on the right hand side, and on the left is the main prison building. When approaching the main building, one is struck somewhat by the contrast of a well-tended garden set against a building encased with heavy duty expanded mesh and windows covered with thick heavy grilles. The security features are a remnant of Nyandi's juvenile detention centre days and are inappropriate to its current use.
- 1.17 The main building houses three accommodation wings – Pilbara, Murchison and Kimberley. The entryway to each wing consists of a grille door that is locked at 10.00 p.m. to prohibit prisoner movement¹¹, and is unlocked at 7.40 a.m. on weekdays and 8.00 a.m. on weekends. Individual cells are not locked. While each of the wings was clean and each room personalised to some extent by prisoners, the number of women accommodated in many of the cells was of concern. This needs to be reassessed from the perspective of both prisoner safety and well being.
- 1.18 Pilbara wing was opened in May 1999 having been created from former office space. It is the entry level accommodation where new arrivals are housed and contains the basic level of amenity. The wing consists of four cells, and while each initially accommodated only two or three women, population pressures have seen each cell increase its numbers to three or four. The women share a very small kitchenette where they can prepare refreshments, as well as sharing shower and ablution facilities. Recently, a common lounge area was created for the women from a room that had been used for accommodation, a facility of which those in Pilbara had been deprived. A door from this

¹⁰ See paragraphs 1.39 and 1.40 for a discussion of staff/prisoner relationships and dynamic security.

¹¹ A decision was made recently to restrict prisoners to their respective buildings; that is, the old Gwyn Lea hostel (Gascoyne wing) and the main building, at 7.00 p.m. Movement is still permitted within each building. This has restricted Gascoyne wing prisoners' access to telephones, which are only located in the main building. This is an impediment to prisoners maintaining family relationships. As a relatively open prison the new practice will not prevent any determined prisoner in an escape attempt and is an unnecessary change to operations. It also acts as a disincentive to prisoners to progress to Gascoyne.

area opens into a caged courtyard. Many prisoners commented that it is often difficult sharing a room with a number of other women, but that differences are usually sorted out quickly and peacefully. While the prisoners have been able to manage the pressures of multiple occupancy, reducing numbers to two or three women per room would be appropriate.

- 1.19 Kimberley wing comprises four cells, and while each has its own ensuite none have exhaust fans, which raises hygiene concerns. Three prisoners are usually accommodated in each cell, although on occasion this is increased to four. The number of women in each cell has led to a safety issue – in one room there were nine electrical items plugged into the double power point outlet, with an extension cord crossing the room and the doorway. In addition, storage space in many of the cells is not commensurate with the number of women that are being accommodated. As Nyandi will now be operational for at least the next two years, these practical concerns must be addressed.
- 1.20 The original accommodation cellblock at Nyandi became Murchison wing and was the first area to house women when the prison re-opened. It consists of 12 single cells, each with its own shower and toilet facilities. For this reason it was sought after accommodation and used as an incentive by management for good behaviour. The wing also has a common kitchen and lounge area.
- 1.21 The final accommodation area, Gascoyne wing, was developed in a cottage located to the right of the main entrance path, and had previously operated as post-release housing support. Gascoyne wing had two main accommodation functions in December 1999. Firstly, it was labelled a 'self help' unit, which was supposed to operate as a place where prisoners could do their own cooking and laundry. While it is true the women can do their own laundry, in reality it operates similarly to the units in the main building, except there is the added trust of being physically isolated from immediate officer supervision. Women live in one of four rooms with an ensuite, with two or three women sharing each room. Gascoyne's second purpose is to accommodate mothers with babies and pregnant women near full term. It can house up to three women for this purpose. There is a large kitchen where mothers can cook for themselves and their young children. The appropriateness of the facilities provided at Nyandi for mothers with children will be further examined in Chapter Three.



Shared accommodation

1.22 Nyandi is for women what Riverbank Prison was for men – a mothballed facility pressed into service to cater for a highly valued special purpose. As was the case with Riverbank, at Nyandi the number of prisoners crammed into the facilities is of concern, and gives rise to the issue of whether prisoners' safety is adequately catered for¹². The pressure on Nyandi to accept prisoners from an overstretched Bandyup, has resulted in crowded and potentially unsafe living conditions. While some limited renovation has occurred, more needs to be done to ensure the women accommodated there have access to the proper amenities and services appropriate to a minimum security women's resettlement facility.

PRISONER PROFILE AND SELECTION CRITERIA

1.23 Up to 50 women can be accommodated at Nyandi Prison; however, on the first day of the Inspection the prison population was 40. As a minimum security facility, the focus of Nyandi Prison is 'on reparation, rehabilitation and reintegration'¹³, without undue emphasis on custody. Consequently, women who hope to be transferred to Nyandi must be classified as minimum security under the Department of Justice's scoring and mapping system as contained in Director General's Rule 14. This point system incorporates issues such as offence type, internal prison charges, attempted escape history and drug use¹⁴.

1.24 The Department has stated that Nyandi operates as a drug free unit and consequently a prisoner's history of drug use is a particularly important issue. Prior to transfer to Nyandi, a prisoner should not have returned a recent positive drug test. Once transferred, there is a two-strike policy for cannabis use (that is, the prisoner is transferred out upon a second positive test result), and a zero tolerance policy for all other drugs, including alcohol. The prisoners themselves feel very strongly about the drug free status of the prison, as many of them are recovering addicts and do not want to be tempted by the presence of drugs. In common with the prison system as a whole, a high proportion of the women at Nyandi are in custody either directly or indirectly for drug related offences. The effectiveness of the drug free unit policy at Nyandi will be examined in Chapter Three.

1.25 The prison has also limited its capacity to accept prisoners who have been prescribed Schedule 8 drugs¹⁵ or who are undertaking the Naltrexone drug treatment program. Only five prisoners who fall into these categories can be accommodated at one time, due mainly to the limited medical facilities and coverage provided on site. Minimum security rated women who have high medical and psychiatric needs are therefore excluded from residing at Nyandi.

¹² A full examination of over-crowding at Riverbank Prison can be found in Report 2 from the Office of the Inspector of Custodial Services, *An Announced Inspection of Riverbank Prison*, pages 19-20, and 67-75.

¹³ Department of Justice submission to the Office of the Inspector of Custodial Services on Nyandi Women's Prison, February 2002, p.2.

¹⁴ Currently, the same classification system applies to both male and female prisoners despite acknowledgement from the Department that different factors are pertinent to each gender. There is a commitment to implement a more customised system for women in the near future.

¹⁵ Schedule 8 drugs are controlled drugs of addiction.

- 1.26 However, some members of staff and a number of prisoners voiced concern to the Inspection Team that the guidelines and criteria for placement at Nyandi were being applied in an inconsistent way. It was perceived that when Bandyup Prison faced prisoner population pressures, the criteria for placement at Nyandi sometimes were relaxed or, on occasion, overridden to accept transfers from Bandyup. Some prisoners said that they resented what they saw as inconsistent application of standards: some women 'acted up' and were transferred out of Nyandi, yet others who behaved inappropriately were permitted to stay.
- 1.27 Many prisoners and officers said that such inconsistency made it difficult to live and work at Nyandi. Admitting women who had not adequately addressed their drug problems had exposed other prisoners to drugs within the prison and made it difficult for them to continue their abstinence. Staff said that some of the women who had been transferred after a security classification override had caused management problems in an otherwise low incident environment and often negatively influenced other women. They felt that as the two prisons share a Superintendent, there should be a better understanding of the impact of these transfers and that coordination could be improved. Inappropriate placement practices also disadvantage the women who are transferred prematurely from Bandyup, as they may be deprived of services they need to assist them in addressing issues that might be associated with their offending behaviours.
- 1.28 In response to these concerns, management stated that the scoring and mapping system for determining security classification¹⁶ does allow some discretion. If a prisoner is deemed to have exceeded the number of points to make her eligible for Nyandi, this can be overridden at the discretion of management at Bandyup and the transfer approved. The justification for this override must be provided to senior managers at the Department.
- 1.29 Prisoners must be certain about the criteria for placement at Nyandi. It is unfair that some prisoners demonstrate behavioural standards to achieve placement when others who may transgress achieve placement somewhat by default. Policies and criteria should be adhered to and not altered to suit population pressures at another facility. To do so sets up women to fail. It places other prisoners in an unfair situation where they can be exposed to prisoners who are still prepared to bring drugs into the prison environment. It also places undue pressure on staff. Therefore, if the Department chooses to operate Nyandi as a drug free unit, this policy should be adhered to and not applied in an ad hoc manner.
- 1.30 At the time of Inspection, 17 per cent of the prisoners at Nyandi were Aboriginal and 25 per cent were foreign nationals. Aboriginal women, while over-represented as a prisoner group, were under-represented at Nyandi. Foreign nationals were over-represented¹⁷. It should be noted that Aboriginal

¹⁶ See paragraph 1.23.

¹⁷ As a percentage of the overall prison population. The Department of Justice Weekly Offender Statistics for the week commencing 9 May 2002 showed that Aboriginal females comprised 40 percent of the total female prison population.

prisoners are in general over-represented at the more punitive end of the criminal justice system, and relatively under-represented at the 'softer' end. The situation regarding Nyandi, however, is more complex, as minimum security Aboriginal women prisoners whose homes are in the Gascoyne, Pilbara, Kimberley or Eastern Goldfields, generally prefer to serve their time at the relevant regional facility. A closer examination of the assessment procedure for women prisoners will be undertaken as part of this Office's forthcoming Inspection of Bandyup Prison¹⁸.

- 1.31 Prisoners serving both long and short term sentences are accommodated at Nyandi. The newly developed classification system has resulted in more long term prisoners being transferred to Nyandi earlier in their sentence. For example, one prisoner's length of stay had been 556 days. This trend towards accommodating women for longer periods of time requires an examination of the appropriateness of services, programs and facilities for them, whilst still providing for the needs of those in prison for shorter periods. The challenge of providing for the pre-release needs of both categories of prisoners must be taken on by Nyandi, as the designated pre-release centre for women in Western Australia.
- 1.32 The policy not to send women to Nyandi who are at high risk of self harm or who have intense psychiatric needs is reflected in the low levels of self harming behaviour and suicides at the prison. Minimum-security classified women who do not fall within these two categories generally remain at Bandyup Prison. A possible result of this policy is that no deaths in custody and only one reported attempt at self-harm have occurred at Nyandi during three years of operation.
- 1.33 Minimum security women classified as low management risks are therefore prioritised for accommodation at Nyandi Prison. The Inspector has some concern that the women who are rated minimum security but do not fall within these low management risk criteria, may be deprived of adequate opportunities and services to allow them to prepare for reintegration into the community. Again, this issue will have to be further explored during this Office's forthcoming Inspection of Bandyup Prison, where these prisoners will remain.

MANAGEMENT AND STAFF

- 1.34 Nyandi Prison operates as an annexe of Bandyup Women's Prison and the Superintendent of Bandyup is also ultimately responsible for the minimum security facility. An Assistant Superintendent (ASPM) based on site manages the day-to-day operations of Nyandi, and has a large degree of latitude to make decisions affecting the prisoners in her care within a discrete budget allocation. To date, the ASPM has been left to attend to the routine operation of the prison and the Superintendent assumes a more strategic role regarding the future direction of the facility. The Superintendent has final decision making authority.

¹⁸ Due to take place 9–14 June 2002.

- 1.35 Twenty uniformed staff are rostered to the prison. This includes two senior officers and two first class prison officers. Industrial staff include a cook instructor, a maintenance manager, and education staff. While a large percentage of staff are women, there is a reasonable number of male staff, providing a balance for women prisoners. Responsibility for the delivery of many prison services has been delegated to specific officers who manage each portfolio. These portfolios include services such as recreation, canteen, assessments, Section 94 activities and peer support. While it is admirable that there is a desire for staff to take on responsibility and contribute to the prison; and for prisoners to know where to turn for assistance for specific issues, there are gaps in the system. When an individual staff member is off duty¹⁹ or on leave, his/her portfolio position is vacant and creates a potential vacuum in service delivery.
- 1.36 Officers on duty at the time of the Nyandi Inspection were given the opportunity to respond in writing to seven broad questions relating to their experiences at the prison, and also verbally via interviews and group discussions. The views of officers were consistent across the different feedback mechanisms.
- 1.37 Officers at Nyandi generally see their primary role as one of supporting prisoners in preparation for release and acting as a de facto referral agency for post release services. While officers felt they were well equipped for their job, this was primarily based on their own life and prison experiences rather than any formal training provided by the Department. Discussions with staff members revealed that no specialised training is provided in pre-release and reintegration, or in handling women prisoners. All officers spoken to agreed that there are fundamental differences in working with women prisoners and this needs to be recognised in training as well as staff selection.
- 1.38 The officers who completed the written, qualitative survey reported a high level of job satisfaction. This was confirmed during staff interviews and in the enthusiastic and caring way in which they were observed to deliver prisoner services. Unlike the feedback received at many other prisons, prisoners are almost universal in their appreciation of staff. The Inspection Team observed a high level of interaction between staff and prisoners. Prisoners were comfortable approaching staff and staff took the time to listen to them. There was obvious mutual respect shown, a fact recognised by prisoners in focus groups, who stated that one of the best things about being at Nyandi is being treated with respect. Prisoners commented that they knew if a staff member made an undertaking to do something for them, it would be done.
- 1.39 This high level of interaction is also beneficial for security at the prison. If prisoners feel safe and confident in approaching officers, far fewer incidents are likely to occur. Officers have a good knowledge of what is occurring in the prison and potential problems may be solved before they escalate.

¹⁹ As is regularly the case due to the system of officers working 12 hour shifts.

- 1.40 Despite the positive relationships and environment at the prison, bullying still sometimes occurs between prisoners. Both officers and prisoners said that the behaviour is not tolerated and is handled promptly. At many other facilities the victim is inadvertently punished by being removed from the situation, but at Nyandi it is the perpetrator who is the primary target of action. Repeat offenders are sent back to Bandyup. Prisoners stated that bullying by officers was extremely rare.
- 1.41 When the facility was opened, staff were reportedly specially selected to work at Nyandi, based upon their record of dealing with female prisoners and support of the Nyandi resettlement concept. Some officers stated that they hoped the targeted selection would continue and that the proposed new facility would follow a similar practice. They believed this is important to ensure the success of the facility and for the benefit of the prisoners and their families. They were concerned that recent practice resulted in officers being transferred to Nyandi from the general transfer list.
- 1.42 Staff at Nyandi are confident as to their roles and how to discharge them. They do not over-emphasise the custodial aspect of their work and concentrate more on building positive relationships with those in their care and assisting prisoners to release. They need more Departmental support in this through the provision of specialised training in issues impacting on women and families, and pre-release issues. Staff selection should continue to emphasise these aspects of Nyandi's regime. The practice of simply rotating officers into this specialised facility from the general transfer roster should not occur as it will erode the responsive environment that staff have created to deliver pre-release services to women.

CONCLUSIONS

- 1.43 The challenge for Nyandi, both immediately and in its future incarnation, is to encompass the need to cater for all minimum security classified women who are not otherwise accommodated in regional prisons. Currently, physical facilities and resourcing restrictions limit the capacity of the prison to cater for the diverse range of needs of these women. The different needs of Aboriginal prisoners and those from non-mainstream cultures; long and short term prisoners; those with substance dependencies, psychological issues and intensive program needs, must all be met at a minimum security women's facility.

Chapter 2

PRE-RELEASE SERVICES: MATCHING SERVICES TO NEEDS

PRE-RELEASE

- 2.1 The Department of Justice identified the primary focus of Nyandi Prison as the delivery of services that will assist prisoners to reintegrate into the community upon release. The term ‘throughcare’ is used by the Department to describe the continuity of interconnected services that it provides to prisoners from receipt to release – ultimately to facilitate successful re-entry and involvement in the community. These services include education, employment, offender treatment programs, information services and family support programs. A pre-release prison is generally the place where throughcare is most visible.
- 2.2 The success of a prisoner’s return to society is significantly determined by the quality of preparation made by the prison and the participation and endeavour of the prisoner to achieve the desired outcomes. The prisoner must be actively involved in addressing offending behaviour and confronting personal issues that may contribute to her offending behaviour. Prisoners should be allowed to equip themselves with knowledge and skills that can empower them to improve and maintain their education and employment skills, and thus their opportunities. The Department should appropriately assess prisoners to determine offence-related behaviour and skill levels, and to enable prisoners to participate in programs that specifically address their rehabilitative needs. It must, of course, then provide access to these programs.
- 2.3 Pre-release facilities should provide a comprehensive service to prepare a prisoner to return to the community. The service should begin from the time a prisoner arrives in the prison, and continue as a thread through activities and programs, skilling and training, through to the specific arrangements that are made for release and integration back into the community. These are the services that should be the focus at Nyandi. The principal factors that make these systems work are the quality of relationships between prisoners and officers, and the quality of management and leadership that determines strategies and financial priorities of a prison.
- 2.4 This Chapter will examine the delivery of services to women in the final stages of their sentences, who are nearing release and who are approaching the task of rebuilding a life for themselves and their families. This is often a daunting time for women who face the challenge of finding accommodation and work, and re-entering the lives of their children and family.

RECEPTION AND INDUCTION

- 2.5 The process of preparation for release should commence with a prisoner’s reception into the prison. At this point, prisoners should receive a great deal of information about available services. It is here that prisoners go through the process of identification, initial risk assessments and the recording and storage of property. The reception and induction services at Nyandi were unstructured and informal; there was no specific team of officers dedicated to this task, and any officer on duty would take a new prisoner through the processes.

- 2.6 Prisoners stated that the reception and orientation process was very basic, and important information about Nyandi prison life was actually gathered subsequently from other prisoners and staff on an ad hoc basis. The explanation given for the informality of the process was that Nyandi prisoners had already undergone induction at Bandyup Women's Prison. This assumes a well-functioning and productive process at Bandyup. There was also a belief that the good relationships between prisoners and staff meant that the informal process worked well at Nyandi. Prisoners at Nyandi emphasise the differences between the two facilities, not only in terms of their own sense of well-being, but that the two prisons are different in purpose, routines and practices. The procedures for one are not adequate for the other. In addition, the belief that a good relationship between staff and prisoners (at Nyandi) erases the need for thorough, consistently applied and structured reception and induction is erroneous. To provide anything less than best practice results in gaps in the service.
- 2.7 In theory, incoming prisoners are able to watch a video and access a handbook that provides them with most of the information they require. However, two prisoners were received at Nyandi during the Inspection who stated that they had seen the video but had not received a handbook. There had been no information provided about education or employment opportunities within the prison, nor any explanation about program availability.

SENTENCE PLANNING AND CASE MANAGEMENT

- 2.8 The process of prisoner resettlement should be based on systems that provide prisoners with unambiguous information that identifies release dates, required offender treatment programs, education needs and life program needs. Prisoners should be fully aware of their pathways to release, giving them the opportunity to be actively involved in its preparation. This should be the case regardless of the length of sentence, although requirements are usually more onerous on prisoners serving sentences in excess of six months.
- 2.9 At Nyandi, the Inspection Team was told that prisoners arriving from Bandyup Prison, and who had long sentences, should have individual case management files and sentence plans transferred with them. Although officers at Nyandi are not generally involved in developing individual management plans for prisoners, they are diligent in endeavouring to assist prisoners in fulfilling the requirements of their plans; however, as the majority of the programs and courses required of prisoners do not take place at Nyandi, prisoners have to complete their program requirements prior to their transfer to Nyandi or must attend Bandyup for participation.

EDUCATION AND TRAINING

Depth of Education

- 2.10 Nyandi Education Centre is open to prisoners throughout the week, but it is only staffed by the Education Officer two days per week between 11.00 a.m. and 7.00 p.m. A tutor is also employed for

the afternoon on each of these two days. There are only three blocks of time on these two days when classes are led by staff. A resume writing unit is held for two hours a week as part of the Preparation for Employment program, a computing course operates for three hours a week, and two hours a week is set aside for open learning where the tutor assists prisoners undertaking 'self-paced'²⁰ educational courses. As in most other Western Australian prisons, introduction to computer studies was the principal focus of the education program.

- 2.11 Sixteen students are listed as enrolled in education during the formal class sessions; however, this list does not accurately reflect the demand for education services in Nyandi. All of the classes offered are 'self-paced'²¹. These courses²² leave prisoners to their own devices with only limited opportunities for tutor support or guidance. Staff are usually involved in a 'getting started' session but then withdraw. Prisoners must then compete for access to education staff during the two-hour open learning session each week. Two students involved in an art course have no tutor access at all, with assignments being graded at Casuarina Prison. This situation is not acceptable. The majority of women in prison have had limited formal educational experience and are thus unlikely to have the confidence and discipline required to complete courses undertaken in isolation. The women need support and encouragement on a much more constant and broad basis, and to do so would emphasise the value that the prison should place on education as a tool for rehabilitation.
- 2.12 Seven prisoners have taken the opportunity to enrol in certified training courses that are coordinated through the Education Centre. Certificate 1 in Engineering, and Certificates 1, 2 and 3 in Hospitality also incorporate Occupational Health and Safety components. Accredited instructors for each course are employed at the prison, with the Cook Instructor and the Maintenance Officer providing the necessary instruction and on-the-job assessments of skills.
- 2.13 Two prisoners were undertaking external university studies, one through a local university and the other through an Eastern States university. The locally enrolled student was not able to attend classes on campus despite being approved for Section 94²³ activities. It would be extremely beneficial to the reintegration process for the necessary approvals to be obtained for prisoners to attend tertiary and training courses on campus.
- 2.14 The Inspection found that not enough guidance and support were provided to prisoners to explore the range of educational opportunities available. In comparison to the education services provided at other facilities, access was disappointing and the assistance provided to prisoners limited. Prisoner focus groups revealed that prisoners found it hard to obtain information about educational opportunities and that some prisoners at Bandyup had not applied for transfer to Nyandi because

²⁰ That is, courses that are not formally taught, but where content is outlined in manuals from which students work at their own pace.

²¹ The Preparation for Employment Course is an exception and is supervised by a tutor.

²² Courses are quite limited and primarily consist of elementary ASETS programs in business and computing.

²³ Section 94 of the *Prisons Act 1981* allows for approved absences from prison for approved work or recreational activities. Prisoners must be risk assessed as minimum to be approved for such programs.

they were unable to continue studies commenced there. Prisoners expressed particular frustration at not being able to locate information about entry and eligibility criteria for TAFE courses. More systematic and detailed information about educational opportunities should be compiled and form a part of the orientation process at Nyandi. This would encourage and support participation.

- 2.15 Individual prisoners' educational needs were not being met at Nyandi, with a 'one size fits all' policy dominating the limited number and range of courses offered²⁴. Aboriginal prisoners in particular were not well catered for, with several women observing that courses in computing that dominated the curriculum, were irrelevant to them and their lives outside prison. They stated that they had not been asked their views as to what courses might be needed or what studies might provide the most benefit to Aboriginal women. Only one of the women listed as attending education was Aboriginal. This represents a major failure in the provision of educational services to Aboriginal women prisoners. Abstudy reimburses the Department for all accredited enrolments for Indigenous students, and therefore resourcing is not an insurmountable issue for the education centre.
- 2.16 Similarly, foreign national prisoners feel poorly serviced by the educational opportunities available. As full student fees must be paid by them for any TAFE or university enrolment, foreign national prisoners feel totally excluded from education. The only courses available at little or no cost are those accredited by the Department's own training organisation – ASETS, and Year 11 and 12 studies through the School of Distance Education. Most of the foreign national prisoners were educationally well beyond this level.
- 2.17 Staff and prisoners at Nyandi agreed that a greater commitment is needed to meet the educational needs and aspirations of women at the prison. Currently, Nyandi provides little incentive for prisoners at Bandyup who want to advance their studies to apply for transfer. Prisoner access to education staff is poor and effectively places them in competition for attention. Education should encourage interaction, discussion and be motivational, but with such restricted human resources, there is little opportunity for this at Nyandi. The diversity of the prison population should be better reflected in the courses available and a relevant, inclusive educational needs analysis conducted to better match service with need.

PRISONER EMPLOYMENT AND PURPOSEFUL ACTIVITY

- 2.18 Official documents regarding employment at Nyandi Prison indicate that almost all prisoners participate in some form of employment. This incorporates both work internal to the prison and opportunities outside the prison under Section 94 work arrangements. Employment placements available to prisoners include the kitchen, laundry, textiles, maintenance, gardens, cleaning and Section 94 work.

²⁴ There was more apparent than real choice, with some courses only offering limited units (such as computing) that were common to more than one course.

2.19 The Inspection Team was told that prisoners are made aware of the work options available during the prison induction process. However, this process is informal and somewhat ad hoc, which results in some women not being properly informed about work opportunities as soon as they arrive at Nyandi.

2.20 Local management, staff and prisoners all agreed that the depth of employment at Nyandi was inadequate, both inside and outside the prison. In addition, the work available inside the prison was insufficient to provide full-time employment. Most jobs occupied only two or three hours each day. Combined with the meagre educational opportunities, this left many prisoners bereft of constructive activity, which is not conducive to preparation for life in the community.

2.21 The exception to this situation within the prison is for prisoners who are employed in the kitchen. The six women working there were engaged in preparing three meals for prisoners each day, as well as lunches and dinners for rostered staff. A commercial catering business is also run from the kitchen, providing workers with the opportunity of learning catering skills. Prisoners benefit from the supervision of a dedicated Cook Instructor, who has developed a realistic work environment that encourages teamwork and individual responsibility. Two prisoners are endeavouring to gain formal qualifications through participation in a TAFE hospitality course. Such linking of work and education should be encouraged and the Department should develop more work opportunities that can be linked to formal training.



2.22 The remaining work opportunities within the prison involve cleaning or gardening duties. Whilst this type of work provides prisoners with limited experience of work routines, it was difficult to understand how such activities accorded with the Department's stated goals for prisoner work – namely, that it be of a type that assists in the development of prisoners' social skills and sense of personal responsibility.



Women prisoners working at Nyandi

Work Outside the Prison

- 2.23 During the Inspection there were eighteen prisoners working at three locations outside the prison under Section 94 programs. A group of seven women attended different CALM sites in the community to assist with general clean-up work, bush clearing, planting trees or tending to gardens. A second group of six divided its time between the maintenance workshops at the old Riverbank Prison site and maintenance projects at Nyandi itself. The third group of prisoners travelled to Bandyup Prison for work in the textile workshop. Section 94 workers leave for work at about 9.00 a.m. and return at 3.00 p.m.
- 2.24 The opinions of the women taking part in the work were diverse. Some felt the work was too heavy or difficult for them. Others, especially those who worked at Riverbank, enjoyed their work immensely and stated that it gave them confidence and taught them practical handy skills. They appreciated that they were able to participate in what is generally labelled 'men's work', and thought more such options should be available to women.

The Search for Post-release Employment

- 2.25 No formal arrangements were in place for prisoners to access employment agencies or to attend employment interviews prior to their release from Nyandi²⁵. Prisoners participating in the Preparation for Employment education program prepare resumés as a part of the course, but there is no concerted system in place across the prison population as a whole to prepare prisoners to return to the workforce. Work is an important part of successful release, and having paid employment serves to minimise the potential for recidivism. It is essential that a formal arrangement be put in place between the Department and other Government agencies (both State and Federal) for information and support for prisoners in the lead up to release. Visits to the prison by Centrelink, to provide both employment and social security benefits advice should be routine, rather than as a response to irregular invitations from the prison²⁶. Liaison between the prison and local employment agencies should ensure that employment suitable to prisoners facing release is advertised and active recruitment within the prison could occur. Lateral creative thinking could provide a great deal of opportunity to women who want to secure work on release.
- 2.26 Prisoners at Nyandi are chronically under-employed. There is widespread consensus that there is much more that could be done to improve the quality of work available, both within the prison and with regard to Section 94 opportunities. There are a few examples of meaningful employment

²⁵ The Department of Justice has stated in its response to this Report that individual prisoners may be able to attend employment interviews in the last month of their sentence if this falls within their approved Section 94 work program.

²⁶ A new national initiative by Centrelink that involves in part having case workers visit individual prisoners prior to their release, should start to have an impact in Western Australia later this year. From the point of view of providing a structured and ongoing pre-release service to prisoners, formal Departmental support and ongoing monitoring will be pre-requisites to the success of the scheme.

for prisoners at the prison. Women working in the kitchen and those involved in maintenance who spend time at Riverbank say they enjoy their work; they are fully occupied and they are developing skills that will improve their employment prospects in the community. Unfortunately, these women are in the minority. Nyandi must urgently assess the work profiles of prisoners and develop more opportunities for women to participate in work that has more intrinsic value and contributes to their rehabilitative needs.

OFFENDER TREATMENT PROGRAMS

Limitations of Nyandi

- 2.27 Nyandi has an extremely limited capacity to provide correctional programs. It lacks qualified staff and appropriate facilities. Prisoners who are transferred to Nyandi without having commenced or completed programs required by their management plans must travel to Bandyup each day to participate in courses. There are several reasons why this is unsatisfactory: prisoners are distressed at having to return to the maximum security environment of Bandyup; entry to Bandyup each day necessitates strip searches; and, prisoners experience pressure from Bandyup inmates to bring in contraband. In principle, with its more relaxed environment, Nyandi is a superior venue at which to facilitate programs.
- 2.28 A voluntary 20-hour education-based drug and alcohol awareness program operates when there are four or five women interested in participating. Prisoners who test positive to drug use are provided with individual counselling and encouraged to participate in a one-day addiction relapse prevention workshop, which is only conducted every three months.
- 2.29 Prisoners can also access programs provided by external agencies, primarily a Prison to Parole program conducted by Holyoake and Cyrenian House. The program is intended to assist women with substance abuse problems to establish relationships that will support them upon release. Outcare also provides individual counselling one half day per fortnight. However, for prisoners with entrenched addiction histories, these programs are inadequate.
- 2.30 While there are several educational programs available, there are no intensive therapeutically based programs available to prisoners at Nyandi²⁷. The majority of female prisoners in Western Australia have substance abuse problems; for many this is directly or indirectly associated with their offending behaviour. Also, many have suffered from some form of abuse. The Department must develop gender specific therapeutic offender treatment programs to deal with these issues. These programs must also be culturally appropriate. In Aboriginal communities, anger and domestic violence are significant contributors to offending behaviour. There are no programs for women with an intellectual disability

²⁷ A pilot medium intensity program, Women's Anger Management, was due to commence at Nyandi in March 2002.

or mental health problems. Parenting programs are not routinely available at Nyandi, where a majority of women are mothers²⁸.

- 2.31 The lack of commitment from the Department to provide appropriate programs to prisoners at Nyandi is exemplified in its decision not to locate a program staff member on site. It has stated that at least one program staff member will be located at Bandyup, and that person will also service Nyandi. This will make it difficult for the specific needs of Nyandi prisoners to be met. Currently, no treatment programs are provided at Nyandi. This represents a failure to optimise the supportive and therapeutic environment that the prison provides. The reliance on uniformed staff to provide informal support and counselling is not a substitute for structured programs. The Department must act to ensure that the program needs of prisoners are assessed and appropriate resources are dedicated to this important task.

WELFARE AND FAMILY SUPPORT SERVICES

- 2.32 Prisoners returning to the community require a great deal of assistance accessing welfare and family support services. Many prisoners enter prison with economic, family, health or legal concerns that still require resolution and cause them anxiety. These issues are often exacerbated by the term of imprisonment, and so prisoners need help to deal with them, especially immediately prior to release. As a pre-release prison, Nyandi has an obligation to provide support systems that can assist prisoners to assume responsibility for their problems.
- 2.33 Nyandi assists prisoners to deal with the stresses of prison life through the coordination of the Peer Support prisoner group, supporting the Aboriginal Visitors Scheme and through the contracting in of Outcare to monitor the welfare needs of prisoners. As well as providing support to prisoners, Outcare staff connect prisoners to services in the community and provide guidance and support to the families of prisoners. The prison also has its own monitoring systems, incorporating the Forensic Case Management Team (FCMT), to assist with the identification of prisoners having difficulties coping.

Peer Support and Wing Meetings

- 2.34 Representative groups have existed at Nyandi since May 2001, initially in the form of the Prison Representative Committee. This body comprised prison managers, officers and prisoners, to provide a forum for prisoners to raise individual concerns or broader systemic issues. A Prisoner Peer Support Group replaced this in October 2001. The group meets fortnightly and is co-ordinated by a uniformed officer. Group members offer support and assistance to other prisoners and act as prisoner representatives to raise concerns with management. Group members have received basic training in the provision of information to other prisoners and to familiarise them with the processes for accessing services inside and outside the prison.

²⁸ In its response to a draft of this Report, the Department stated that the Federally funded 'Good Beginnings' parenting program would commence at Nyandi in the near future.

- 2.35 Prison management recognises the supportive role that the Peer Support group plays for prisoners. This was exemplified by the efforts put into publicising the existence of the group and clearly identifying those prisoners who were a part of the team. Posters were on display throughout the prison with photographs of the team members and it was evident from discussions with prisoners that the team was highly visible. While the group performs a valuable function for prisoners, it is of serious concern that it is organised and mediated through a uniformed prison officer, rather than a dedicated Peer Support staff member, as is the case at other prisons. Having a uniformed officer in the role, no matter how good the relationship with prisoners, compromises the notion of prisoners supporting each other and having direct access to management. A perception of officer interference may develop and trust could become an issue. Some team members have reported this as a concern, and it should be remedied by the prison as soon as possible.
- 2.36 Wing meetings were also recently introduced at the prison, where uniformed staff and prisoner representatives meet to discuss issues relating to accommodation and amenities in each wing. The meetings are planned to occur fortnightly.

Outcare Services

- 2.37 Outcare provides a number of services to prisoners at Nyandi Prison, while also providing support and assistance to prisoners' family members. A large proportion of the work performed by the organisation involves referring prisoners approaching release to other agencies that can assist in meeting their needs. Outcare staff attend the prison three half days per week, one of these being on the weekend to facilitate contact with family members during visiting hours.
- 2.38 There are no formal processes in place to ensure that all prisoners arriving at Nyandi are made aware of Outcare and the services it can provide²⁹. Outcare staff endeavour to inform themselves about all new arrivals but will not always directly approach the prisoner and introduce her to the service. Information about the organisation and the services they provide should be a part of a formal orientation process and Outcare should talk with new arrivals as a matter of course. Prisoners will generally decide to self-present to Outcare for advice, or alternatively, prison staff may sometimes refer the name of a prisoner if they are concerned about her welfare. Outcare staff are welcomed as a part of the Nyandi community, attending a weekly meeting of staff, and made to feel welcome in the prison.
- 2.39 Outcare is involved in three broad areas of prisoner support services. Firstly, staff endeavour to provide advice to prisoners trying to deal with issues going on outside the prison. Obviously, prisoners can become frustrated or fearful about the lack of control or power they have over events or people close to them and need support. Examples of such issues include accessing children who have been placed in foster care and the repaying of loans. Referral to agencies for essential needs and

²⁹ The induction package provided does not give details of Outcare services and how to access them.

services is the second main function performed by Outcare. Information about accommodation and rental assistance³⁰ and agencies to assist in regaining custody of children is in high demand by prisoners. Support to prisoners is provided in the form of an addiction counsellor who visits the prison on a fortnightly basis. The third form of support is provided to families of prisoners, and includes advice about prison rules and visiting times as well as information for families struggling financially.

2.40 Outcare staff believe that prisoners at Nyandi have a good suite of welfare and support services available. The main gap in services that staff could identify related to the need for women in the prison to have access to more general individual counselling and, specifically, to grief counselling. They said that a significant number of women wished to use imprisonment as an opportunity to make life changes, but they (the prisoners) were confused as to how to go about this and felt powerless to act. Many women are dealing with serious issues such as abuse, violence and the death of family members or friends. Staff also believe prisoners would benefit from a locally produced welfare and support services information publication. It would need to list community agencies that assist with income support, counselling services (specialising in drug abuse, sex abuse, domestic violence and relationships) and housing.

Aboriginal Visitors Scheme

2.41 Two staff from the scheme who visit the prison each week, reported that they were always welcomed at Nyandi. In the experience of the visitors, prison staff responded positively and constructively to issues raised with them concerning Aboriginal prisoners. One visitor observed that the prison was 'like a little community' where people looked after each other, and was impressed with the quality of the relationships between prisoners and staff. This was directly attributed to the generally high morale of the women and the ability for them to discuss issues openly with prison staff.

Government Agency Supports

2.42 A staff member from Centrelink visits Nyandi at the invitation of the prison to provide information to women about income support and other services. The Commonwealth is also piloting a program focussing on family – Good Beginnings – at Nyandi. The aim of the program is to strengthen parenting skills of prisoners. At the time of the Inspection, it was still in early development and its effectiveness will be monitored by the Inspector.

CONCLUSIONS

2.43 Pre-release services for women at Nyandi are sparse and badly coordinated. The result of this is a failure to construct a process of real throughcare for prisoners in preparation for return to the

³⁰ An Outcare staff member who specialises in locating accommodation for prisoners attends the prison once a fortnight.

community. This is evident from the arrival of a prisoner at Nyandi, where reception and induction procedures are minimal. The belief that prisoners do not need extensive induction because they have passed through a process at Bandyup is misplaced.

2.44 Education services in the prison fail to respond to the aspirations and needs of many of the women, who desire to use their time at the prison more productively. Similarly, employment opportunities favour a small group of women who are fortunate to secure employment in the kitchen or the Section 94 program, where work is meaningful and fills the whole day. Other work opportunities generally only involve small amounts of time, and encompass relatively menial tasks with no developmental value for the women.

2.45 Family and welfare support services operate well within the prison and fulfil an important function in meeting the needs of women prisoners. Some opportunities are made available to women to start to deal with issues that may have contributed to their offending behaviour. However, there is room for expansion of the services available, especially with regards to individual counselling. Positive relationships between prisoners and officers help to bridge some gaps in services. While this cannot replace the need for specialised quality rehabilitative and support services, it is important in the development of prisoner self esteem and morale. Nyandi prison officers and management provide a sound basis for good pre-release services. The Department needs to match this commitment in providing better and more extensive resources to allow more structured and specialised services to be provided on a more extensive basis.

Chapter 3

THE PROVISION OF ESSENTIAL PRISON SERVICES

HEALTH SERVICES FOR WOMEN

- 3.1 Many women entering the prison system already suffer from poor health, generally related to socio-economic disadvantage and limited access to services. It is well known that a high proportion of incarcerated women suffered some form of abuse (sexual, physical or emotional) and many come to prison with addictions or substance abuse issues.
- 3.2 Health services in a women's prison should serve to raise the general health status of the prison's population. Prisoners are entitled to health care to a standard equal to that of the community. To achieve this, it is important that the Department provides adequate facilities and access to specialised treatment. While the quality of service provided within a prison can be of a high standard, the facilities within which health professionals must work are often inferior to those available in the community. It is important to recognise that good health and medical services for women will be different from those for men. The special needs of women in this context will be examined further during the forthcoming Inspection of Bandyup Women's Prison.

The Nyandi Clinic

- 3.3 The existing clinic at Nyandi is housed in a small office, but is well organised. Plans to expand the clinic into an adjoining meeting room have been approved and building is due to commence. Medical staff were consulted throughout the planning process, a measure that should be encouraged in all such planning. Currently, there is only one room to act as an office, consulting room and interview room. The new room will provide a separate consulting room, which will allow more than one patient at a time to be attended to when the doctor is also present on site.
- 3.4 A registered nurse staffs the clinic and attends to the medical needs of the 40 – 50 prisoners. The clinic is staffed from 7.30 a.m. to 1.30 p.m. on weekdays, and 8.00 a.m. to 11.00 a.m. on weekends. Prisoners were very positive about the care provided to them by nursing staff. A doctor attends the prison on Tuesdays from 8.00 a.m. to 11.30 a.m. Prisoners may make an appointment to see a nurse or doctor through an appointment book held in the prison's central control room, or alternatively, make a direct approach to the clinic nurse. This flexibility is good in that it allows the women to handle their medical needs in the way they feel most comfortable. It also ensures the greatest possible access to medical treatment to the greatest number of women.
- 3.5 The current arrangements for emergencies or medical cases unable to be dealt with at Nyandi utilise the medical staff and facilities at Bandyup, located some distance away in Upper Swan. Alternatively, staff contact an appropriate nearby teaching hospital. Communication between the two prison facilities and associated procedures are well established and supportive. Inevitably, when the situation requires a prisoner to go off-site for medical reasons, there will sometimes be delays. If it is a medical emergency an ambulance is called.

- 3.6 It is important to incorporate health education and health promotion programs into prison health services, especially at a minimum security facility where prisoners are nearing release. At Nyandi, the nurse provides a comprehensive range of health education resources for prisoners.

Specialist Services

- 3.7 The clinic nurse has organised a comprehensive list of specialist services and developed networks with suitable health professionals to service the prison. Dental appointments are conducted once a fortnight at Bandyup for routine dental matters. Women with antenatal needs are cared for through a combination of services provided by the medical officer at Nyandi and staff at King Edward Memorial Hospital. Babies who are resident at the prison receive child development checks through the Bentley child health community nurse home visiting service³¹.
- 3.8 Links with public hospitals provide other specialist health care services. Tele-dermatology services are accessed through Royal Perth Hospital, the Swan Health Service and Western Radiology provide radiology services, and pathology specimens are collected on site by nursing staff and sent to Bentley Hospital for testing. Routine breast cancer screening is also available for prisoners who meet the criteria at the Cannington mammography clinic.

Forensic Case Management Team

- 3.9 Forensic Case Management Team (FCMT) staff visit Nyandi only once a week³², but can attend outside this set time if urgent care is required. Prisoners from Bandyup who have a high need of FCMT support³³ are not usually transferred to Nyandi, as they cannot meet the selection criteria. If a psychiatric review is required, either because the need arises, or more commonly, as a scheduled follow-up, the prisoner will be required to return to Bandyup for the appointment. Most prisoners in the latter category will be returned to Nyandi without undue delay.
- 3.10 An average of six prisoners per week access FCMT staff. Much of the work undertaken by the FCMT staff member at Nyandi has to do with preparation for a prisoner's release. This differs from the more typical caseload of FCMT staff at other prisons, which generally has to do with mental health care and crisis care.
- 3.11 Prison officers play an important role at Nyandi in providing support to prisoners. This is a positive situation that ideally should occur generally in the prison system, and helps to prevent small problems from escalating into cases needing to be dealt with by FCMT. Many prisoners feel at ease sharing their problems with uniformed staff and in return staff appreciate the trust placed in them and endeavour to assist, despite their lack of formal training in this area.

³¹ This service is available to women in the community and it is a positive practice for mothers in prison to have access to the service. Upon release, the local child health community nurse will continue to attend to the mother and child.

³² The member of the FCMT who usually visits Nyandi is a social worker.

³³ Generally, this refers to mental health support.

Patient throughcare and discharge planning

3.12 Throughcare and discharge planning is a fundamental aspect of the health service provided. However, in the experience of the Inspectorate, discharge planning and continuity of care has generally been poorly co-ordinated by prison health services. Nyandi represents an exception. Discharge planning and linking prisoners into appropriate medical services is efficient and effective. With the permission of prisoners, referrals are routinely made to relevant agencies prior to release. Women who need assistance with drug management and treatment have appointments made with 'Next Step' for their first day of freedom. Prisoners participating in the methadone program have been successfully linked to their local pharmacist, who is provided with necessary information regarding dosage.

Summary

3.13 The medical services provided at Nyandi are of a good standard. The clinic staff contribute significantly to this success. Despite the modest facilities provided, the clinic staff have managed to provide access to a relatively comprehensive range of services and a caring environment. Throughcare is of a very high standard and should act as a model for other facilities. It would seem that the needs of prisoners, as patients and as women, have been thoroughly considered by staff, and services are delivered accordingly. In planning for the new low security facility prison for women, provision should be made to allow additional medical and FCMT resources. This would allow women currently ineligible to transfer to Nyandi because of ongoing medical service needs, to be accommodated at the new prison.

FOOD

3.14 The Inspectorate has generally found that food is one fundamental aspect of prison life that causes discontent for prisoners. However, this was not the case at Nyandi. Prisoners stated that they were satisfied with the quality, quantity and variety of food provided. The standard of food at Nyandi was higher than the Inspectorate has observed elsewhere in the prison system.

3.15 All staff working in the kitchen were wearing appropriate clothing, hair nets, aprons and gloves. The Foodsafe program was operating effectively and all necessary documentation, such as recordings of temperatures, cleaning schedules and delivery records were completed and current. All prisoners working in the kitchen had completed a Foodsafe course. While generally in good order and well organised, the kitchen itself has some issues to address. An environmental health officer from the Department of Health completed an assessment on 16 February 2001. At that time, the kitchen was found to be in a good condition of cleanliness and hygiene. It met Foodsafe standards, and Foodsafe accreditation was given. However, a further inspection was carried out by the Department of Health in August 2001, and it was found that eight areas needed to be addressed. Of these eight areas, one was of particular concern to Inspectorate staff, and this was the extremely slippery floor surface. The Department is well aware of the danger that the floor poses and must act to address the problem.

THE PROVISION OF ESSENTIAL PRISON SERVICES

3.16 Nyandi operates a successful catering venture involving prisoners who are able to access certified (ASETS) hospitality qualifications while working in the kitchen. However, there are limited opportunities for the women to enrol in the professional catering course offered at the neighbouring Bentley TAFE³⁴.

NYANDI: THE REALITY OF THE DRUG FREE UNIT

3.17 As many incarcerated women have a history of drug use which can impact negatively on their post-release life chances, a controlled minimum security environment can be conducive to providing support, information and counselling to achieve successful drug rehabilitation. On 21 August 2000, the prison commenced operation as a drug free unit on a trial basis.

3.18 As detailed in paragraph 1.24, a fundamental criterion for placement at Nyandi is that the prisoner be drug-free at the time of assessment at Bandyup. The Department provided specific written selection criteria to the Inspectorate detailing the policy. However, in practice Nyandi has not adhered strictly to its drug free policy, because its application depends to some extent on population pressures at Bandyup Women's Prison. There are also issues to do with the detection of current use of drugs at Nyandi. The conflict between the policy and reality was identified by a review of the drug free unit trial by the Department in October 2001.

3.19 The difficulties created by the deviation from the official drug free policy were expressed to Inspections Officers by both staff and prisoners. The Department should pursue the inclusion of a drug free environment as a part of the planned new facility.

3.20 It should also be noted that prisoners still believe Nyandi operates as a drug free unit and that the selection criteria for Nyandi actually reflect this. If this is no longer strictly the case, prisoners should be informed of the change in policy and new criteria for transfer developed.

3.21 Nevertheless, staff dedicated to the ideal of a drug free and therapeutic environment continue to develop a culture of support and low tolerance for drug taking. If the Department decides to pursue or reinstate the operation of Nyandi as a drug free unit, it should take the process more seriously. The unit should operate and be resourced to standards of therapeutic best practice. Further, an appropriate environment that includes meaningful work and programs is essential for the success of such a unit.

MAINTAINING THE FAMILY

3.22 The incarceration of a woman inevitably involves serious dislocation for herself and her family, especially her children. Studies indicate many female prisoners are young and are also the mothers of dependent children³⁵. This dislocation is exacerbated by women's usually central role within the

³⁴ Length of sentence and the time available to be served at Nyandi, hence time to be available as a student, is an issue here. The course is only funded by the Department of Justice if the prisoner is serving a term of six months or more.

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family, and often women directly relate their identities to their role as primary care giver.

3.23 In the context of a pre-release prison, it is a role of the prison facility and its staff to assist in the (re)establishment of family relationships to enhance the outcomes of release. This includes enabling support networks to be created and women to start to re-establish their relationships with their children. Where relevant, women prisoners may also need information about regaining access to or custody of their children upon release. Open visits, including overnight stays with their children, become an important part of preparing to return to the community.

3.24 Many women face giving birth to their children whilst incarcerated and having to make the decision whether to pursue the role of full-time carer inside prison. Some women choose for their babies to be raised by other family members on the outside, but others want the opportunity to bond with their newborns and to mother them during their terms of imprisonment. These issues are discussed below.

Mother and Baby Unit

3.25 Nyandi Prison has provided an area for the accommodation of women who are in the last stages of their pregnancy or who are caring for their infants. At the time of the Inspection one mother was residing with her child in the mother and baby unit contained in Gascoyne wing, and three pregnant women were living either in the same area or in the general population in the main buildings.

3.26 The Department of Justice guidelines for allowing a prisoner mother to retain custody of her child in prison are contained in Policy Directive 10. Generally, approval may be granted upon application by a prisoner if the prison in question has a designated nursery, and it is considered to be in the best interests of the child. The residency may be allowed, and will generally cease at 12 months of age³⁶. Other considerations include the length of the mother's sentence, history of prior contact with the infant and the health of the child.

3.27 The UK Chief Inspector of Prisons has outlined what should be expected of a mother and baby unit. The document states that the unit should 'be organised and managed in a manner designed to ensure that mothers, within the parameters of prison rules, are able to exercise and develop their parental rights, duties, responsibilities and skills to maximise the potential for their child's proper development'³⁷.

3.28 The facility provided at Nyandi is situated in the Gascoyne wing, the old pre-release hostel separate from the main building. It is not, therefore, specially constructed to cater for mothers with babies and infants. In addition, the building is shared by women from the general prison population who have been placed in the designated self-care wing, and there are some incompatibilities between the

³⁵ Farrell, A. 1998, Policies for Incarcerated Mothers and their Families in Australian Corrections, *The Australian and New Zealand Journal of Criminology*, August 1998, p. 103.

³⁶ Prisoners are able to apply to extend the period beyond 12 months.

³⁷ *Expectations*, HM Chief Inspector of Prisons March 2000, 'Mother and Baby Unit'.

needs and interests of women in self-care and those of mothers with babies. Some of these could be addressed with an internal reorganisation.

- 3.29 The needs of mothers and babies, in terms of equipment provided and made accessible, and in terms of infant health and advice, appeared to be well met. The mother who was resident in the unit at the time of the Inspection said she had completed a parenting skills course at Bandyup. There is no formal parenting skills course currently available at Nyandi, although the nurse assists mothers with babies to develop the appropriate skills. A professional parenting course is needed at Nyandi for other prisoner mothers.

Visits and Family Contact

- 3.30 As outlined previously, it is important for mothers to maintain contact with their families. The primary means of achieving this is through weekly visits and, in the case of children, overnight stays. For women trying to maintain links with their families, regular access to telephones is also essential. Many women telephone their children daily whilst incarcerated as an important means of establishing involvement in their children's lives prior to release.
- 3.31 General visiting hours at Nyandi are 1.30 p.m. to 3.30 p.m. on Saturday and Sunday (as well as public holidays). The Inspection Team attended visits on Sunday 3 February and were impressed with the efficient and friendly way that staff interacted with visitors. Visiting time was appreciated as being precious to prisoners and their family/friends. The prison has developed a system of processing visitors and property brought in for prisoners that limits the delays that can often reduce visiting time. Staff were observed to be sensitive in their searching procedures, especially with the many children who attend. Visitors and prisoners interviewed said they were satisfied with the way in which staff conducted visits.
- 3.32 In fine weather, visits are conducted in a large shaded and grassed outdoor area, internal to the prison. In winter, visits are held in the gymnasium. Plastic chairs are available for seating, but no tables are provided. It was suggested that the women could be given a project to make small coffee tables so prisoners and their visitors had a more comfortable environment in which to share refreshments during a visit. Prisoners also suggested that tea and coffee should be made available in the visits area, as it is at other prisons. The Inspectorate supports this suggestion. Outcare is contracted to provide activities for children during visits and provide child supervision. The organisation is also available to provide support to family members, although the Outcare representative stated that it is the women prisoners themselves who seek out their services as they constantly worry about their families on the outside.
- 3.33 The main deficiency for visits at Nyandi was the absence of a family support centre for visitors outside the main gates. As many visitors rely on public transport to attend the prison, some are forced to arrive up to one and a half hours before the 1.30 p.m. visits time. Upon arrival at Nyandi there

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is nowhere for them to wait, which results in groups of people sitting on the grassed verge outside Swan Village in fine weather, and struggling to find shelter if it is raining. The Department of Justice should urgently provide a visitors' facility, a service that is available at all other metropolitan prisons.

3.34 A positive practice of prison management is to allow special visits upon application by prisoners.

These visits occur outside normal visiting times and are usually permitted in times of family difficulty or upheaval. Prisoners thought the application process was handled fairly, and management recognised the importance of these visits in the context of the family unit.

3.35 Women are also entitled to apply for additional day visits and overnight stays for their children. These visits are conducted in the self help accommodation of the Gascoyne wing, but can only take place if there is a vacant room. It is important for a dedicated room be made available for day visits to enable all prisoners the opportunity to maintain contact with their children. Criteria applied in deciding whether to allow an overnight visit include:

- children up to school age (6) may be approved; however, in exceptional circumstances older children may be permitted;
- children are delivered to the prison after prison work hours and are to depart prior to lunch the following day;
- a name and contact number for a person who will be available to be contacted in the case of an emergency;
- an evening meal is to be provided for the mother and child/ren from the kitchen and breakfast is to be provided from Gascoyne wing rations.

3.36 The room in which the mother and children reside for the night is small and bleak, with a tiny attached ablution area. Prisoners have done their best to decorate it, but it remains a slightly oppressive environment. There are two beds and one additional mattress that can be placed on the floor if more than one child is staying. Prisoners and some staff members stated it was inappropriate for children to be among this wider group of prisoners. The current arrangement did not really suit anyone. Again, some rearrangement within the facility could improve the situation for all concerned. The other issue for women who utilise these extra visits is the lack of appropriate activities for children during their stay. On regular visit days, Outcare provide paints and other activities, but the prison does not provide these resources during special weekday visits and night visits.

3.37 Two telephones are available to service the communication needs of the 40 – 50 prisoners held at Nyandi. The phones are in constant demand. While prisoners were happy with their access to telephones, there is some problem with their location in the main corridor. Prisoners need to be able to conduct their telephone calls away from other prisoners, as privacy is already sacrificed to some extent by the security recording of calls. Consideration needs to be given to the relocation of the

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telephones, and should of course be a factor in designing the new women's facility.

- 3.38 The prison also has a good system of allowing incoming calls, which is especially important due to the large number of foreign nationals held at Nyandi. An average of eight international calls per week are received at the prison. In addition, staff were amenable to taking incoming calls from family members to pass on messages to prisoners. The Inspector believes these are positive practices that should continue in the new pre-release prison for women, and should also be extended to other prisons in Western Australia.

RECREATION

- 3.39 The recreation needs of women in prisons appear to have been a neglected subject in Western Australian corrections. Visits by the Inspectorate throughout the state to prisons that hold women have indicated a fundamental lack of understanding about what women need and how they might be encouraged to participate in positive active and passive recreation. Properly organised and structured recreation can improve prisoners' health and provide prisoners with opportunities to learn constructive, practical skills. At the time of the Inspection, Nyandi was missing such a recreation program for women.
- 3.40 Until recently there was no designated recreation officer. A rostered officer has now been given the portfolio of recreation coordinator, but this duty is to be performed in addition to those of canteen officer and regular uniformed officer duties. With management support, new activities were slowly commencing, but at the time of the Inspection there were limited organised recreational options for women.
- 3.41 The prison is equipped with a gymnasium, pool and outdoor grassed area. Despite these facilities, participation in active recreational pursuits is low. Many prisoners stated that there were not enough organised activities. Those that were organised were often badly timed, such as during the peak times for telephone use to families, and then nothing is available on weekday afternoons when many women are otherwise available. While some team sports have been organised in the past, these have often necessitated travelling to Bandyup for competition, and the women do not want to go through the process of being strip searched on their arrival at the maximum security prison. Hence they are unlikely to choose to participate at all.
- 3.42 It is important that women are consulted about the development of a comprehensive recreation program for both Nyandi and the new facility being developed; and also that professional advice informs decisions in such matters.

SUMMARY AND CONCLUSION

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3.43 The need for a therapeutic drug free environment is an important aspect of preparation for the release of women prisoners. The opportunity for women to deal with their addiction issues in a supportive and controlled environment is a fundamental stepping-stone to assist them to live independently upon release. It offers women offenders the best opportunity of remaining drug free. The Department should fully review its drug strategy in relation to minimum security women offenders and the provision of appropriate facilities and services to assist them.

3.44 The needs of women as mothers and the needs of their children must be approached in a systematic and informed way. Many of the problems of Nyandi relate to the inadequacies of the prison design itself. Nyandi was not designed to accommodate adult women and even as a juvenile facility it was out of date. The planning and building of a new, purpose-built low security facility for women offers the Department the opportunity to address the many problems created by the inadequacy of the current site and provide a suitable environment for prisoners to mother their children.

Chapter 4

THE FUTURE, CONCLUSIONS AND RECOMMENDATIONS

- 4.1 Nyandi Women's Prison was the first facility in Western Australia that gave the Department the ability to customise prison management and service delivery to the pre-release needs of women. Despite the fact that the driving force behind its establishment was prisoner population pressure, the secondary aim of providing a more appropriate resettlement environment has had positive effects.
- 4.2 Nyandi emerged from the remnants of a facility relegated as inappropriate in which to deliver modern custodial services to juvenile girls. The prison was meant to have a very limited shelf life; originally only six months. More than three years later it continues to operate, with limited refurbishment, delivering limited services to adult women. The physical infrastructure is inadequate. Women in Western Australia have yet to be accommodated in a prison designed specifically for their needs. Bandyup Prison itself was designed without proper reference to women's needs and service delivery³⁸. Accommodation needs, adequate program space, privacy requirements and specifically designed care and accommodation facilities for babies and children are examples of design needs not adequately met. Medical services have operated out of a single room, with a much needed expansion into another taking place in the near future. The ability to properly service the pre-release needs of women have undoubtedly been impeded by the limitations of the current building.
- 4.3 Staff attitudes have been crucial in the development of a positive culture at Nyandi. A prison in which the prisoners state they feel safe and respected reflects positively on the way staff deliver services and participate in the lives of those in their care. A commitment to a common purpose – to deliver support to women preparing to re-enter the community – means that most prisoners benefit from being at Nyandi. This is so despite the many gaps in formal pre-release services. It is essential that staff continue to apply for and be selected to work at Nyandi against appropriately developed criteria. Issues such as understanding the needs and aspirations of different groups of women, the desire to contribute to pre-release service delivery and working in an environment that is not security driven, should be considered. It will sabotage the success of Nyandi and the future low security facility if careful staff selection is not implemented.
- 4.4 Just as selection of staff for Nyandi is important,



Prisoner seeking support in the control room

³⁸ The current expansion project at Bandyup is being conducted in the knowledge that the prison will most likely accommodate medium security male prisoners in the future.

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so too is selection of prisoners. Officers and prisoners alike were concerned about the lapse in application of the Department's drug free policy and the adverse effects it has on the management of the prison. Women who have yet to properly confront their drug problems but are sent to Nyandi regardless are also deprived of the treatment programs that are not available on site. Population pressures at Bandyup must not be permitted to dictate the regime at Nyandi. If the Department decides to incorporate a drug free unit into the regime at Nyandi, selection criteria should be set and strictly adhered to, now and into the future when the new facility opens. Appropriate best practice and associated resources are fundamental to the success of such a unit. To do otherwise is to set the prisoners and staff up to fail in their objectives of successful rehabilitation on release.

- 4.5 Limited formal pre-release services are available at Nyandi. The positive staff/prisoner relationships are expected to fill the gap left by the inadequacies in educational opportunities, programs and employment. More work can be done towards providing appropriate meaningful activities for women prisoners facing imminent release to the community. More education and programs, and diverse and purposeful work will enhance the good beginnings that Nyandi is providing as a pre-release prison. There is a special need for programs dealing with drug abuse, domestic violence and sexual abuse.
- 4.6 Maintaining the family unit is a fundamental concern to the majority of women incarcerated at Nyandi. As they near release, it is especially important for them to strengthen their relationships with their children and other family members. Many others need support and assistance in regaining access or custody of their children. Nyandi was active in supporting these important needs of women prisoners. Visits are conducted in a non-intimidating environment, where children were welcomed. Staff were respectful to visitors and understood the value of these limited hours of contact to prisoners. The policy of approving extra day visits and overnight stays was sensitive to family needs. However, the facilities for these visits are not ideal. The need for children to be separate from mainstream prisoners requires a reassessment of alternative accommodation needs. Mothers who choose to live with their babies in Nyandi have their needs met in an adequate way, considering the restricted facilities.
- 4.7 A new low security prison for women is being developed on a site adjacent to Nyandi. New buildings alone will not suffice; it is the quality of the services delivered there that will be central to success. The Department should not forget that the new facility will not be functional until 2004. Accordingly, reforms at Nyandi must be progressed immediately and in turn inform the planning process for the future.

THE FUTURE, CONCLUSIONS AND RECOMMENDATIONS

THE NYANDI PROJECT: LOW SECURITY PRISON FOR WOMEN

- 4.8 On 4 September 2001 the Attorney General announced that the State Government planned to expand Nyandi Prison. The announcement included a statement that the project was a sign that the Government 'was committed to providing a prison environment that facilitated meaningful rehabilitation and pre-release support'³⁹. The announcement was preceded by a visit by the Attorney General to Canada, Minnesota and England, examining international best practice in the design and management of low security prisons for women. A report on the visits recognised the neglect of women prisoners due to their small numbers, and the need to properly analyse their needs and develop gender appropriate services and management.
- 4.9 The Department subsequently commenced the planning process for what has become known as the Nyandi Project. Evidence to date suggests that the Department is approaching the development of the new low security women's facility in a planned and structured way. It is hoped that the ultimate design of the facility will be properly informed by the research and fieldwork currently underway.
- 4.10 A briefing to the Inspectorate by the Project Manager outlined the scope of the proposed new facility. The Longmore Detention Centre buildings that back on to the current Nyandi site will be demolished and the site will contain the new facility. The project will be completed in stages, with the first stage accommodating approximately 70 women⁴⁰. Upon completion of all stages, it is anticipated that 150 women, classified as low security, will be accommodated there.
- 4.11 The classification band of 'low security' is one that currently does not exist in the Department's rating system. In its review of the needs of women prisoners, it is important for the Department to assess the appropriateness of the current classification process for women, and move towards methods that are gender specific and appropriate to the task. This will necessitate the Department acquainting itself much better with the nature of its clientele. The Department's Nyandi project team admitted that in the past this has been a deficit and impeded the proper delivery of services. The Department has stated, however, that the new Nyandi will not only hold minimum security women, but a hybrid population that is assessed according to risk and need.
- 4.12 As planning is still in relative infancy, the Department has been unable to provide details as to the population profile of prisoners for the facility, when all stages will be completed and exactly what services will be offered on site. At this stage, this is not of concern to the Inspectorate. What is important is that the planning and research process are thorough and that the results are followed through into practice.
- 4.13 It is a Recommendation of this Report that as policy and procedure decisions are made regarding the operation of the new prison, they be introduced as soon as practicably possible at the existing Nyandi

³⁹ Hon Jim McGinty MLA, Attorney General of Western Australia, 'Excellent results at Nyandi Prison prompts expansion plan', Media Statement, 4 September 2001.

⁴⁰ The Department anticipates the first stage will be completed by the end of 2004.

THE FUTURE, CONCLUSIONS AND RECOMMENDATIONS

Prison. It is accepted that the physical facilities may prevent some of these being implemented, but as best practice is recognised and the needs of women identified, it is important that women prisoners immediately begin to experience the benefits. The philosophies outlined by the Department for the operation of the new Nyandi Prison include an emphasis on transition to the community, preparation for release, creation of positive relationships, the strengthening of skills and a high level of community and family involvement. The Department must also take into account the Recommendations and findings of this Report into its planning process for the new facility to ensure that the needs of women in the pre-release phase of their sentence are properly met.

RECOMMENDATIONS

- 1 As new procedures and policies are developed for the new low security women's facility they should be implemented at Nyandi to ensure a smooth transition to the new facility and to benefit prisoners as soon as possible.
 - 2 That the refurbishment of the prisoner accommodation areas be completed as soon as possible to ensure prisoners' safety and reasonable comfort in relation to climate control, particularly in multiple occupancy cells.
 - 3 That uniformed staff employed at Nyandi Prison continue to be selected against selection criteria based on the need to support women prisoners in a pre-release environment, and that staff be provided with specialised training for working with different groups of women prisoners, whose needs are influenced by gender, race, culture and other circumstances.
 - 4 That appropriate selection criteria for transfer of prisoners to Nyandi be developed and adhered to in practice. In addition, that a classification system be developed specifically for women, recognising the different risk and needs factors applicable to them.
 - 5 That a formal and comprehensive reception and orientation process be developed and implemented at Nyandi Prison, to include detailed information about, and guidance to, all services available at the facility.
 - 6 That the Education Centre match courses to local needs, recognising the diversity of needs manifested by different groups of prisoners; that resources are made available for more direct teaching; and that eligible prisoners be permitted to attend TAFE and University campuses for certain courses of study.
 - 7 That a more comprehensive range of appropriate programs be available to prisoners at Nyandi, including programs aimed at addressing their offending behaviour, practical life skills programs, preparation for release programs, and parenting courses.
 - 8 That a more diverse and meaningful range of employment opportunities be developed for prisoners, including Section 94 activities that incorporate training and skills development to benefit prisoners
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THE FUTURE, CONCLUSIONS AND RECOMMENDATIONS

preparing for release into the community.

- 9 That a visits centre be provided as a matter of urgency, where prisoners' visitors can wait, be processed, receive information and be offered support services.
- 10 That, on the basis of research into international best practice, the Department re-examine its policies and practices for mothers and infants in prison, and special and overnight visits for prisoners' children.

Appendix 1

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

Inspector of Custodial Services' Recommendation	DOJ Response (June 2002)
<p>1 As new procedures and policies are developed for the new low security women's facility they should be implemented at Nyandi to ensure a smooth transition to the new facility and to benefit prisoners as soon as possible.</p>	<p>To ensure that the transition to the new Nyandi is as smooth as possible and to introduce positive changes as they are developed, the Superintendent of Bandyup and the Assistant Superintendent of Nyandi are integral members of the Project Control Group for the new low security women's prison project. This group meets weekly to review progress to date and make decisions about design and operations for the new facility.</p>
<p>2 That the refurbishment of the prisoner accommodation areas be completed as soon as possible to ensure prisoners' safety and reasonable comfort in relation to climate control, particularly in multiple occupancy cells.</p>	<p>The Department of Justice has committed considerable capital funds to the new low security women's facility that will provide for a vastly improved standard of accommodation for women at this site. Minor refurbishment of the current Nyandi buildings is proposed in Stage I of this project. This refurbishment will enable the current building to be utilised once the new facility is occupied, for up to 20 women, e.g., those undergoing orientation and transition to the prison.</p> <p>Demolition of the current buildings is planned for Stage II of the re-development, for this reason expenditure of funds for major refurbishment is not planned.</p>
<p>3 That uniformed staff employed at Nyandi Prison continue to be selected against selection criteria based on the need to support women prisoners in a pre-release environment, and that staff be provided with specialised training for working with different groups of women prisoners, whose needs are influenced by gender, race, culture and other circumstances.</p>	<p>Uniformed staff at Nyandi will continue to be selected against criteria being developed for that facility. This is in keeping with the Department's profiling of prisons across the state to ensure the most suitable staff are placed according to facility requirements. This is reflected in the development of specific job description forms and future training of staff.</p>
<p>4 That appropriate selection criteria for transfer of prisoners to Nyandi be developed and adhered to in practice. In addition, that a classification system be developed specifically for women, recognising the different risk and needs factors applicable to them.</p>	<p>A set of protocols is being developed for the transfer of prisoners to Nyandi.</p> <p>The Department has undertaken to review the current classification system as to its suitability for application to female offenders. As this review progresses, the Office will be kept informed.</p>
<p>5 That a formal and comprehensive reception and orientation process be developed and implemented at Nyandi Prison, to include detailed information about, and guidance to, all services available at the facility.</p>	<p>A checklist is being developed to ensure that all prisoners receive a comprehensive orientation upon their arrival at Nyandi.</p>

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

Inspector of Custodial Services' Recommendation	DOJ Response (June 2002)
<p>6 That the Education Centre match courses to local needs, recognising the diversity of needs manifested by different groups of prisoners; that resources are made available for more direct teaching; and, that eligible prisoners be permitted to attend TAFE and University campuses for certain courses of study.</p>	<p>Education is working to identify and respond to special learning needs of women throughout the prison system. The Nyandi education staffing arrangement is currently under review. Nyandi prisoners are able to attend Bentley TAFE for hospitality courses.</p> <p>Manager Education is currently preparing the case for Nyandi women to attend other TAFE courses and Canning College. The Prisons Act requires that each proposal is approved individually by the Attorney General. In line with the philosophy for the new low security women's facility, access to other educational facilities is being facilitated as the demand arises.</p>
<p>7 That a more comprehensive range of appropriate programs be available to prisoners at Nyandi, including programs aimed at addressing their offending behaviour, practical life skills programs, preparation for release programs, and parenting courses.</p>	<p>Recent changes have seen Programs staff permanently based at each prison. Two programs staff are based at Bandyup and service Nyandi's program needs. The Prisons Parenting Program is due to commence at Nyandi and prisoners currently have access to substance abuse programs, SARC, and the Women's Anger Management Program. Education and Vocational Training also run a number of self development courses including the NOW program (New Opportunities for Women) on an as needs basis.</p>
<p>8 That a more diverse and meaningful range of employment opportunities be developed for prisoners, including Section 94 activities that incorporate training and skills development to benefit prisoners preparing for release into the community.</p>	<p>The full range of current Section 94 activity venues will be reviewed to examine ways to incorporate vocational training courses in preparation for release.</p> <p>The Department will continue its commitment to sending prisoners to Riverbank as a Section 94 program.</p> <p>Additional venues for the Section 94 activity program are being considered by the Attorney General. Once approved, these programs should commence in July.</p> <p>Two new industries are being examined for Nyandi, these being silk screening and picture framing. These projects will incorporate vocational training courses.</p>

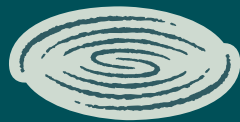
RESPONSE OF THE DEPARTMENT OF JUSTICE TO THE RECOMMENDATIONS OF THE REPORT

Inspector of Custodial Services' Recommendation	DOJ Response (June 2002)
<p>9 That a visits centre be provided as a matter of urgency, where prisoners' visitors can wait, be processed, receive information and be offered support services.</p>	<p>A temporary weather shelter and seating is to be constructed in the car park as an interim measure for visitors waiting to enter the prison.</p> <p>The new low security women's prison project has involved considerable consultation with the public and interested groups. Through this process the Department has identified the need for:</p> <ul style="list-style-type: none"> • public parking close to the entrance • an undercover drop off area • a welcoming entry lobby reminiscent of a professional office • inside prison family support care • visitors waiting lounge • access to a visiting centre. <p>Early planning for the visits centre indicates that it may have a café style area overlooking a children's play area and views across the complex. These plans form part of Stage I of the new low security women's facility expected completion date of March 2004.</p>
<p>10 That, on the basis of research into international best practice, the Department re-examine its policies and practices for mothers and infants in prison, and special and overnight visits for prisoners' children.</p>	<p>The planning for the integration of mothers and children on to the Nyandi site once the redevelopment has occurred is in the early stages. It is acknowledged that the mother/child relationship is an extremely important one and needs to be supported by policies and practices on the site. Research is continuing to ensure that best practice is reflected in policy and operations for the new prison in regard to children living on site, visiting – including extended visits, and program support.</p>

Appendix 2

INSPECTION TEAM MEMBERS

Robert Stacey	Director of Operations
Lynn Atkinson	Manager Research and Publications
Peter Upton-Davis	Senior Inspector
Jocelyn Jones	Senior Research Officer (Special Projects)
Andy Fitzgerald	Inspections Officer
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