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OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES

**REPORT OF AN ANNOUNCED INSPECTION
OF KARNET PRISON FARM MARCH 2005**



**Report title: Report of an Announced
Inspection of Karnet Prison Farm March 2005**

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The Inspector's Overview

SOME PROBLEMS AND ACHIEVEMENTS: OVERALL KARNET MAINTAINS A STEADY STATE BUT WITH A LATE POST-INSPECTION SURGE

In April 2001 Karnet Prison Farm was the subject of the second full-scale inspection carried out by this Office. We were cheered by what we found – an active prison purposefully working towards preparing prisoners for release back into the community. Yet its achievements, we found, were under-appreciated at the Head Office level, and it was poorly resourced for what it was doing. At a time when the Department of Justice was talking in terms of devolving greater financial and management responsibility to local prison management teams, Karnet seemed a prime candidate for this degree of responsibility and trust.

Three years later, the prison seemed to have lost momentum. Some things had got better, some worse. Overall, it was performing at about the same level. The objective of inspection is to stimulate improvement – sometimes immediate and drastic with prisons that were failing, such as Roebourne and Eastern Goldfields, and sometimes steady and continuous with prisons that were performing satisfactorily, such as Bunbury and Karnet. Thus, whilst the prison was not failing, it was certainly disappointing. Instead of becoming a pacesetter for the prison service, it was back in the middle of the pack.

The evidence underpinning this assessment can be seen in Appendix 2 of this Report – the Scorecard relating to previous recommendations. In the second round of inspections, this Office has tried to measure what the Department stated it would do in response to the first Report against what actually appears to have happened on the ground, a process that was discussed and explained in the Overview to Report No. 24 relating to the second inspection of Roebourne Regional Prison. It can readily be seen that only about 40% of agreed recommendations had been implemented to an acceptable degree, about 30% to a less than acceptable degree and the remainder not at all.

In its response to this Report, the Department has been more precise and informative in its statements as to how it will deal with recommendations. It can be seen from Appendix 3 that the response now involves not merely a “level of acceptance” (agreed, agreed in part, disagreed, etcetera) but also the Department’s “risk rating” (moderate, low, etcetera) in relation to the recommendation. This more sophisticated approach arises from an external review commissioned by the Department of how best to manage its relationship with the Inspector’s office and the development of a “DOJ/OICS Governance Framework”. It represents a significant step forward in how the inspection business and the follow-up implementation of recommendations can be tracked.

Of course, that will still leave areas of disagreement, occasions where the Inspector considers that the response has been disingenuous or even misleading. Three matters that fall into this category should be highlighted.

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The first relates to the development of a Service Level or Service Delivery Agreement (recommendation 3 reiterating a similar recommendation in the first Karnet inspection report). The Department disagrees, on the basis that “Karnet has a business plan that is not dissimilar to a service level agreement”. In fact, the local Business Plan was little more than a reiteration of words and phrases found in the Department’s overall Business Plan for its prison services division. There was nothing distinctive about the local objectives and, even more to the point, no ability to prioritise objectives, virtually no discretionary budget provision and no performance criteria for local management to meet. The so-called Karnet Business Plan was in reality a broad set of objectives centrally determined and controlled to a detailed extent. It is for the Department to decide whether it is happy to continue to manage its prison operations this way, and if so it is entitled to disagree with the Inspector’s contrary recommendation. However, that should be the explicit nature of the disagreement rather than a claim that there is a Service Level Agreement actually in place.

The second example relates to the question of illicit drug use by prisoners. At the previous inspection, reference was made to the “containment policy” whereby management in effect acknowledged the inevitability in an open prison that there would be some marijuana use so that prisoners would not normally be regressed to a higher security prison until their third positive urine (but that testing positive to any other drug or to alcohol would be treated with zero tolerance). The Department did not deny that this was indeed the practice, amounting de facto to a policy. However, in the three years since then, the Department had committed itself to a system-wide attempt to minimise illicit drug use, as the logical corollary of introducing pharmacotherapy programs for addicts. The context of a containment policy – pragmatic and realistic as it may have seemed – had thus changed.

Yet practices at Karnet had not come to reflect this. Our analysis of urine test data suggested that some prisoners who tested positive must have been using marijuana in considerable quantities for fairly prolonged periods. Yet, staff told us, regression of a prisoner with a positive urine test to a higher security prison was still exceptional. From their perspective, marijuana use had become in effect a prison offence without a prison sanction. Their frustration was such that a few of them had stopped bothering to search prisoners for marijuana – it was a waste of time, they thought, as nothing would come of it if they found any. Other officers, including those who had not themselves become so disillusioned, told us that they understood and sympathised with this approach.

To compound matters, Karnet is a working prison, with complex and dangerous machinery. The Department has a duty of care to its prisoner-“employees”. Anecdotally, there was evidence that some prisoners sometimes were under the influence of marijuana

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when they arrived at work. In such circumstances, the possibility of an industrial accident would clearly be increased.

These matters were traversed at the Exit Debrief and also drawn to the attention of the Minister. The Department, to its credit, immediately set in train a project to wind back marijuana use – by better use of intelligence and physical searches to ascertain whether there may have been a marijuana “drop” somewhere on the farm, by more frequent use of canine searches of prisoner premises and visitors (the dogs had not been to Karnet for more than a year before our inspection) and by greater use of the device of regressing prisoners to a higher security prison. These things were done decisively but gradually, so as not to create a backlash. The project was, in fact, successfully implemented.

Yet the response to recommendation 9 – ‘disagree’ – is in effect a denial of this complex story. Is this simply disingenuous or is it misleading? Perhaps it does not matter – the problem has been tackled reasonably well. However, it does obfuscate the crucial role of the Inspector’s office in achieving a significant change.

The third matter relates to section 94 work programs. They are truly excellent in qualitative terms – particularly the work with CALM and the training of prisoners at E. G. Green’s Harvey abattoirs. But they have gone backwards in terms of the human resources available. In particular, if the section 94 officer is on leave or absent, the CALM aspect of the program simply stops. Also, the previous overnight stays off-site no longer occur; this means that a great deal of productive working time is lost each day driving to and from work places. The basis of this inefficiency is a rostering problem that the Department has not addressed.

In this context the response to recommendation 17 is, once more, disingenuous, finessing and obscuring the real issue. What is being done under section 94 is good – but it could be a lot better, and that is the context of our recommendation.

I shall not dwell further on these issues. For the most part the response of the Department has been constructive. Moreover, since the inspection, there has been marked improvement in Karnet’s performance. This has been manifested in such matters as: improved recreation arrangements, including the successful restoration of the Oval and the relocation and enhancement of the library; the start of a new industry – growing tropical fish – and the improvement of existing industries such as sign writing; greater focus and improved performance in the provision of health services; improvement to farm activities and the better co-ordination of these with other Department farms (though short of the recommended development of an integrated Farms Plan); significant improvement in case management, one of the deficits noted in the Report as at the time of the inspection; and some minor improvements in accommodation.

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All this still leaves Karnet's place in the total prison strategy somewhat up in the air. At a time when there is an insufficiency of minimum-security beds in the system, a more radical extension and refurbishment should be considered, as recommended in our first report. However, some uncertainty still seems to hang over it. Despite our initial disappointment at the second inspection, it is clear that Karnet has the potential to contribute more to Western Australia's prisoner rehabilitation, reparation and re-entry policies than is currently the case. It remains one of the most successful prisons in the State and it is wasteful not to build upon its proven capacity.

Richard Harding
Inspector of Custodial Services

25 January 2005

Chapter 1

KARNET PRISON FARM IN CONTEXT

- 1.1 Karnet Prison Farm ('Karnet') sits on the edge of the Keysbrook State Forest approximately 80 kilometres south of Perth. It is one of two minimum-security prison facilities for males located in the metropolitan area. The farm comprises approximately 370 hectares of arable land, with a diverse range of small farm pursuits including grazing, market gardening, egg production and dairy farming as well as the Prison Service's only abattoir. Produce from the farm substantially contributes towards the food supply for the State's prison population.
- 1.2 Commissioned to commence operation as a prison in 1963, Karnet was created from building infrastructure constructed as a rehabilitation centre for alcoholics. The majority of the building infrastructure, in particular the main prisoner accommodation consisting of Units 1 and 2, are original facilities and are in urgent need of replacement. The only major infusion of capital in recent times occurred in 1998, for the building of self-care accommodation units. Separate buildings accommodate administration, the medical centre, programs, chapel, gym and workshops. The condition and appropriateness for use of these buildings vary; however, most would benefit from substantial refurbishment.
- 1.3 This was the second Inspection of Karnet conducted by the Inspectorate.¹ The on-site portion of the Inspection commenced on 15 February 2004 and was carried out over six days. Members of the Inspection Team are listed at Appendix 4.
- 1.4 Karnet is funded to accommodate 160 minimum-security male prisoners. At the time of the Inspection the prisoner population was 166, a number that has been fairly typical over the last three years. The population comprised 13 Aboriginal prisoners (7.8 per cent), 110 non-Aboriginal Australian prisoners (66.3 per cent) and 43 prisoners of other nationalities (25.9 per cent). Compared to other prisons within the Western Australian system, Karnet has traditionally accommodated a smaller number of Aboriginal prisoners and this number has decreased since the time of the last Inspection.
- 1.5 In some respects the profile of the prison is changing. In 2001, minimum-security equated very much with the end period of a sentence and while there were a few long-term prisoners accommodated at Karnet, these prisoners were the exception. The average length of stay for a prisoner at Karnet then was 4.7 months. In 2004 this has changed and there are now many prisoners at the prison with substantial periods of their sentence to serve. The average stay for a prisoner has now increased to 8.8 months and at the time of the Inspection 64 prisoners had more than 12 months to serve before their earliest date of release.² The implications of this change (particularly for offending behaviour programs, case management and drug strategy) will be examined in the body of this Report.
- 1.6 Karnet is the only minimum-security prison in the metropolitan area designated to accommodate sex offenders, and therefore has a high proportion of prisoners convicted of these offences. At the time of the Inspection approximately 44 per cent of prisoners had been

¹ The first Inspection of Karnet was conducted between 29 April 2001 and 5 May 2001.

² Three of these prisoners did not have a release date until 2008, some four years away.

KARNET PRISON FARM IN CONTEXT

convicted of sex offences. Violent offenders represented 23 per cent of the prisoner population and the remaining 33 per cent were imprisoned for a cross section of other offences. The previous Karnet Inspection Report discussed the importance of maintaining a 'critical mass' of sex offenders in the population for safety purposes³ and while a higher proportion would be preferable, it is appropriate that the numbers have not diminished since the last Inspection.⁴

- 1.7 All prisoners at Karnet are expected to be engaged in farm work, education or program activities, and consequently 100 per cent of Karnet's eligible prisoner workforce is either employed, in education or in programs, for an average of over six hours daily. Only ten prisoners were deemed ineligible for work, generally due to age or infirmity.
- 1.8 Karnet was staffed by a total of 42 shift uniformed prison officers: 32 officers, four first class prison officers and six senior officers. Due to the high proportion of prisoners employed on the farm and in workshops, the 21 Vocational and Support Officers ('industrial officers') also play a central role at the prison. Generally, the relationship between uniformed and industrial officers is productive. Administration and management comprised nine permanent positions, including Superintendent, Manager of Operations, Manager of Prisoner Employment and Security and a Business Manager. In other words, there are 72 staff employed in the area of prison operations. Programs staff, medical centre staff and Prisoner Counselling Service staff also work at the prison. Staff survey results indicate that staff are generally satisfied with their working environment; however, a number of specific staff issues became evident during the course of the Inspection and these will be further explored in Chapter 2.

KARNET'S ROLE IN THE PRISON SYSTEM

- 1.9 The Department of Justice ('the Department') defines the role and purpose for each of its prison facilities and it is in this context that an Inspection is conducted. Specifically, the objectives and outcomes that the Department and prison have established for the facility (and the extent to which these are achieved) form the primary focus of the Inspection process. The Department has stated the purpose of Karnet as being:⁵
 - *To manage minimum-security male prisoners in a farm environment:* by carefully managing the prisoner profile to ensure an appropriate mix of sex offenders and other prisoners is maintained; and staffed by officers who are appropriately trained with effective interpersonal skills and are aware of the particular needs and risks in relation to the management of this population.

3 Report No. 5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001), p. 21. This Report makes the point that observational, if not scientific, evidence suggests that when 50 per cent or more of a prison's population consists of sex offenders, the prevailing culture from both staff and prisoners is reasonably tolerant and benign.

4 Further issues surrounding the accommodation of sex offenders at the prison will be discussed in Chapters 3 and 4.

5 Department of Justice, 'WA Prison System: Role and Function Profile' (2003).

KARNET PRISON FARM IN CONTEXT

- *To operate as a commercially viable farm:* through the production of farm produce for the Department via Prison Industries; abattoir, dairy, farm and market garden.
- *To facilitate the successful re-entry of prisoners back into the community:* through participation in community based work release, home leaves and Section 94 activities and by encouraging participation in the pre-release program.
- *The delivery of specialist programs to address offending behaviour:* through the delivery of the sex offender treatment program and vocational/trade training to provide work skills.

- 1.10 The strategic framework that guides Karnet in the achievement of these objectives is primarily scoped by the Karnet Business Plan and Performance Agreement ('the Plan'). The Plan specifies some targets in relation to performance that are, to a large extent, dependent upon adequate Departmental funding and intra-departmental cooperation. The Plan, however, lacks any information as to priorities (strategically for the Department or operationally for the prison), operational standards for staff and management, relationship to funding, Head Office responsibilities or Departmental monitoring systems. There is little evidence of local planning targets or discrete functional budgets. This is a particular issue for the key farming areas such as the abattoir, dairy and market garden where there is large capital and recurrent investment and upon which the remainder of the prison system relies for the supply of food items.
- 1.11 The key strategic documents for Karnet's operation do not provide sufficient detail to enable performance measurement to function adequately. On a local operational level, Karnet administration has complied with the requirements set by the Prisons Executive, minimal as they are. The plans developed by prisons generally across the system lack evidence of an appreciation of how to manage risk/needs intervention strategies. The plans are largely static documents that enable simple annual budget appropriations to be made to prisons. Key deliverables are not sufficiently stated, costed, or monitored and peaks and troughs in service demand are not catered for. The primary cost driver is the number of prisoners held. Diversity in prison role and function is not acknowledged in the cost profile.

BASELINE FINDINGS – KARNET IN 2001

- 1.12 A full announced Inspection of Karnet⁶ was conducted by this Office in April/May 2001. The 2001 Inspection Report found the prison to be successfully carrying out its role as a releasing prison and as a key player in the Department's food production and supply process, but it was operating somewhat in isolation from the Department's Head Office and without evident long-term planning. That Inspection also found a lack of appreciation for Karnet's significant contribution to the food production for prisoners by the Department. The Report's recommendations⁷ focused on both the operational aspects of the prison's management as well as the more strategic aspects. The essence of these recommendations was for the Department to take control of the prison's future through appropriate planning and funding decisions.

⁶ Report No 5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth 2001).

⁷ See Appendix 2.

WHAT IS COGNITIVE SKILLS TRAINING?

- 1.13 The Department agreed with 13 of the Report's 19 recommendations and provided information on how it would act on these. The Department stated that a further four recommendations would be considered and disagreed with the remaining two recommendations. An update of the Action Plan provided by the Department in January 2004 claimed that the majority of the agreed recommendations had been successfully acted upon. The body of this Report examines the Department's implementation of the agreed recommendations; the conclusions vary markedly from the Department's assessment.
- 1.14 A key aspect of the 2001 Inspection was the involvement of the Department of Agriculture in a comprehensive review of the farm operations and the provision of recommendations for enhancing production. Over the course of inspecting the Department's three prison farms (Karnet, Pardelup⁸ and Wooroloo) the Department of Agriculture prepared separate comprehensive farm reports, which this Office commended to the Department as the basis for the development of a Strategic Farm Plan. No plan had been produced by the time of writing this Inspection Report (mid-2004).

POLICY AND MANAGEMENT INFLUENCES

- 1.15 Since the last Inspection of Karnet in 2001, a number of Departmental policy initiatives have impacted upon operations. In particular, the Justice Drug Plan, the Integrated Prison Regime, and the Community Re-entry Program⁹ are all directly relevant to the purpose and objectives defined for Karnet by the Department, especially with regard to the release of prisoners back into the community.
- 1.16 Government policy to attempt to reduce the rate of imprisonment has also had some impact on Karnet's operations. Initially the policy resulted in a reduction in Western Australia's total prisoner population¹⁰ from 3170 (June 2001) to 2800 (June 2002); however, since that time the numbers have steadily increased to a point where the population has returned to levels similar to that before the initiative commenced. In April 2004, at the time of the Inspection, the total prison population was 2,977 and in October 2004, at the time of issuing the draft of this Report to the Department, it was 3,266.
- 1.17 The basic management team and structure at the prison has remained stable since the 2001 Inspection. This constancy of management is necessary for the continued development of the prison. However, as in the 2001 Inspection, it was found that a very small core of disaffected officers has continued to cause problems for management, other staff and prisoners. It is a matter of concern — and is contrary to accepted contemporary management practice — that the Department lacks a formal performance management system by which it can address matters such as sub-standard work performance.

⁸ Pardelup was downgraded from being a commissioned prison to the status of a work camp in February 2003. Usually, about 12 prisoners are accommodated there to assist in running the farm and carrying out related activities. The farm, which is a valuable State asset, has markedly deteriorated since that time.

⁹ Department of Justice, *Annual Report 2002–2003* (2003).

¹⁰ Prisons Division 'Monthly Performance Report' (March 2004), p. 3.

WHAT IS COGNITIVE SKILLS TRAINING?

THE INSPECTION OF KARNET IN 2004

- 1.18 Apart from reviewing the Department's implementation of initiatives to address agreed recommendations from the 2001 Inspection, there were two other matters integral to this second cycle Inspection.¹¹ Firstly, at a strategic level, the Inspection examined the long-term planning and capital investment forecasts for the prison, the future role of the prison farm and its intended function within the production of food for the prison system. Secondly, the focus on an operational level was on determining whether the Karnet staff possess the knowledge, skills, resources and leadership to deliver the services that are considered essential in making a re-entry prison successful.
- 1.19 The focus of the first cycle of Inspections was to identify baselines in relation to particular prisons and in relation to prison services generally. This required considerable attention to detail in order to identify operational deficiencies. The expectation was that the Department would sufficiently understand the basis of recommendations and proceed to implement them, taking account of the changing policy context and overall priorities.
- 1.20 The template for this second Inspection of Karnet is derived from the Prison Service's mission and outputs. Hence, the four cornerstones of prison management, together with the systems and resources, frame the writing of this Report. The extent to which the Department has acceptably acted upon past recommendations form part of this analysis. New issues have also been identified in this second Inspection, and these will be examined in terms of expectations of service delivery based on best practice and Departmental policy and performance information.

¹¹ The publication of Report No. 21 by this Office completed the first cycle of statutory Inspections whereby every prison and custody centre is inspected at least once every three years.

Chapter 2

SYSTEMS AND RESOURCES

- 2.1 Issues regarding the systems and resources framework in place for the operation of Karnet Prison Farm need to be examined on two levels. Firstly, at a strategic level, the focus is on the extent to which Karnet has received the resources and systems support required to run its services to achieve strategic outcomes. The second level requires an examination of operations to assess whether the resources provided are appropriately managed to effectively meet its designated role and function responsibilities.

THE BUDGET PROCESS

- 2.2 The 2002–2003 allocated budget for Karnet was \$5.93m based on a population of 160 prisoners. The actual expenditure for that period was \$6.34m, a seven per cent negative variance. Budget documentation provided no detailed explanation as to why the prison exceeded its budget (other than shortfalls in staffing which necessitated increased overtime) and what, if any, impact this had upon the determination of the 2003–2004 budget allocation.
- 2.3 To manage the same prisoner population of 160, Karnet was allocated a budget of \$6.03 million for the 2003–2004 financial year. Approved staffing also remained constant at a total of 72 uniformed, industrial and administrative staff. This still represented a shortfall from the previous year's operational costs, with no indication of where services should be cut to meet the allocated budget. Indeed, the year-to-date expenditure immediately prior to the Inspection¹² indicated an even higher negative variance than the previous year (ten per cent) with anticipated spending of over \$7m for the financial year. The budget proposal that had been submitted by the prison for this financial year was \$7.45m.
- 2.4 Regardless of the process developed for the allocation of budgets and the continuous yearly over-runs that occur in most prisons, the issue for this Office is the impact of allocations on prisoner services. Each prison is funded on the basis of accommodating and providing services to a predetermined number of prisoners, but that number is almost always exceeded creating a gap between that estimate and the actual number accommodated. The result is that the services needed by the prisoners are not funded sufficiently. The quantity and quality of prisoner services therefore suffer and this is not acceptable.
- 2.5 Accordingly, it is recommended that the Department review the process by which it allocates budgets to individual prison facilities to ensure that each prison is sufficiently funded for the proper delivery of all prisoner services.

SERVICE DELIVERY AGREEMENTS

- 2.6 Many of the concerns regarding the budget and budgeting process at Karnet were evident in the 2001 Inspection. The problems of obtaining sufficient resources raised particular issues at Karnet, mainly because of the high output (and consequent high value) of the farm's primary production. The formula for funding the prison does not adequately take into account the

¹² As at 31 December 2003.

infrastructure, equipment, staff, training and other resources required to run a fully functioning and high producing farming business. It also does not adequately consider the large savings and income generated from that business for the Department. These issues existed in 2001 and persisted at the time of the 2004 Inspection.

- 2.7 It was, in part, these concerns that gave rise to the recommendation in the 2001 report that Karnet should have financial and management authority devolved to local management in the form of a service level agreement. Recommendation 19 stated that:

The Department should actively and constructively explore the possibility of making Karnet the first prison in the system to be accorded a Service Level Agreement. Such an agreement should take account of matters identified in this Report including:

- *The need for a ring-fenced budget set at a figure that reflects the true contribution of the farm outputs to the Departmental expenditure.*
- *The need for and benefit of capital investment in farming and related activities.*
- *The desirability of increasing accommodation capacity.*
- *The benefit to the Department of piloting a process whereby responsibility for major aspects of management is devolved from Head Office to the field.*

This should be done on a trial basis with a view to extending appropriately adapted arrangements to other prisons.

- 2.8 This recommendation was seen as particularly apt for Karnet because of its status as a virtually self-supporting entity¹³ upon which the Department depends for a reliable, efficient supply of food for all custodial institutions. This function required flexibility in order to maximise efficiency, but it was not able to do so under its operational restrictions.
- 2.9 Rather than seeing any tangible movement towards guided devolution of operational authority, this Inspection observed evidence of similar, and in certain instances even tighter, central control by the Department of strategic and operational management. Despite its farm production requirements Karnet is not able to control the profile of prisoners it receives. This results in some prisoners who are not suitable for the farm environment being accommodated at the prison. It was also apparent during the Inspection that production would benefit by an increase in prisoner/worker numbers. This would also allow prisoners appropriate time to attend treatment and education programs and allow time for other rehabilitative needs. However, it is acknowledged that Karnet has limited input into this option.¹⁴
- 2.10 Similarly, Karnet has no control over employment at the prison. There has been in the past, and continues to be, a small number of uniformed staff that appear unsuitable for employment in a minimum-security environment.¹⁵

13 Report No. 5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001), p. 46.

14 Similar observations were made during the 2001 Inspection: *ibid.*, p. 4–5.

15 This issue will be discussed in more detail later in Chapter 2, in the context of staffing issues.

- 2.11 Budget and resource issues also hamper Karnet's operation. The Inspection found inadequate access to the Department's revenue stream and lack of acknowledgement by Head Office of the true value of the farm operations. The Department persists in the use of outmoded costings models for farm produce, despite Department of Agriculture advice in 2001. Limited input into the Department's capital expenditure program by local prison management results in much needed infrastructure and farm equipment needs not being met or otherwise being wrongly prioritised and unreasonably delayed. It is not possible for Karnet to run its farming business without better control over spending priorities.
- 2.12 Throughout the course of the Inspection it became evident that the approach to management of Karnet had in fact become more based at Head Office rather than moving towards service level agreements being established. As such, the Department's response to recommendation 19 of the 2001 Report is rated as being less than acceptable: *Prison services will not be cost effective and will not be efficient until a suitable balance is achieved between central policy development and decentralised decision-making and policy implementation.*¹⁶
- 2.13 It is therefore recommended that, as part of a state-wide policy of devolving responsibility for policy implementation at an operational level, Karnet should enter into a Service Level Agreement with the Department. A compliance and auditing function within the Department should be established to monitor the implementation of such agreements.¹⁷

THE FARM

- 2.14 As a fundamental provider of food for the Prison Service in Western Australia, it is important that Karnet's farming enterprise be appropriately managed to ensure continuity of supply, quality control of produce and maximum return for investment in the business. The importance of proper planning in meeting these objectives was emphasised by the Department of Agriculture in its review of the farming business in 2001.¹⁸ In addition to its importance as a food provider, the farm also plays a major role in the prison's reparation and rehabilitation commitments, identified as one of its key functions.
- 2.15 At the time of the 2001 Inspection, the lease for Karnet between the Department of Justice and the Department of Conservation and Land Management (CALM) was close to expiry and no action had been taken to negotiate its renewal. This formed the basis for Recommendation 1 of the Report:

Arrangements must be made to renew the lease of the Karnet Prison Farm forthwith. The new lease should be of a sufficiently long period to justify capital investment in the prison and the farm.

¹⁶ Inspector of Custodial Services, Verbal Debrief to the Department of Justice following an Announced Inspection of Karnet Prison Farm, February 2004.

¹⁷ In its response to this recommendation, the Department asserts that the business plan it requires each prison to develop and submit 'is not dissimilar to a Service Level Agreement'. The requirements, responsibilities, authorities and provisions for the local operations are quite different in the Inspector's view.

¹⁸ Report No.5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001), Appendix 2, Recommendation 3.

- 2.16 The Department has acted acceptably in this regard as ‘the property had been transferred from CALM to the Department of Justice and therefore the requirement to obtain a lease is no longer required’.¹⁹ This transfer has provided the necessary conditions to embark on appropriate long-term planning strategies, particularly for its farming activities, as well as prisoner accommodation infrastructure.
- 2.17 Based upon the comprehensive review undertaken by the Department of Agriculture as well as observations of Inspectorate staff, Recommendation 2 of the 2001 Report stated that:
- A total farm plan along the lines of the expert report by the Department of Agriculture must be developed. The Department of Justice must make a long-term commitment to implementing and maintaining this plan.*
- 2.18 The Department advised the Inspector in January 2004 that the total farm plan was nearing completion. Given the importance of Karnet’s output to the Department, the Inspector would have expected a comprehensive plan to have been completed more promptly.²⁰ This is less than acceptable. It is also disappointing that the Department has not collaborated with the Department of Agriculture in the formulation of a plan.
- 2.19 A full-time Business Manager has been appointed at the prison, a positive step in creating a mechanism by which the needs and priorities of the farming business can be communicated and negotiated with Head Office. However, the Inspection showed that while the farm manager and local management endeavoured to plan for production, there was no evidence of long-term planning for the future of farm production. Due to resource constraints and lack of local control, much is done reactively (for example, if machinery breaks down) and infrastructure replacement has occurred in a piecemeal manner. The Department’s response was rated as being less than acceptable.
- 2.20 The viability of farming operations was also affected by staffing arrangements. The Inspection Team was informed that when officers in charge of each farming area take their leave entitlements, the position must be covered by staff from other areas, in accordance with Head Office policy on staff relief arrangements. There is no flexibility for the practical needs of the farm to employ relief staff with appropriate knowledge and training.
- 2.21 This Office is concerned that the Department is not able to provide a credible framework within which the prison farm enterprise can successfully operate and plan for the future. Specifically, the lack of credible budgets, inadequate planned depreciation/infrastructure replacement schedules, concerns over a reliable, continuous supply of skilled labour and the centralised nature of the decision-making processes relating to the farm are issues for concern. There are also rehabilitative implications in that prisoners are being trained on outmoded equipment that may negatively impact on opportunities for employment upon release.

¹⁹ Department of Justice, response to a request for information by the Inspector of Custodial Services, January 2004.

²⁰ At the time of writing, the Department of Justice reported the plan was still to be completed.

SYSTEMS AND RESOURCES

- 2.22 Accordingly, it is recommended that the Karnet Farm Plan must be finalised in the context of a total prison farms plan so as to maximise valuable State assets and food production and to appropriately risk manage the prison system food supply.
- 2.23 Concerns were raised during the 2001 Inspection as to the adequacy, quality and reliability of Karnet's water supply, and the majority of these concerns were still evident in the 2004 Inspection. Neither the prison, nor the Department, could provide evidence to the Inspector that the water supply problem was being dealt with in a comprehensive way, incorporating considerations of future needs and use. This is despite the Department now having security of tenure of the farm. Without an adequate water supply the prison cannot support livestock, crops, prisoners' and staff needs to ensure the viability of the prison and the farming business.
- 2.24 However, it is noted that acceptable action has been taken with regard to the effluent management problem that existed in 2001. The Inspector recommended in the 2001 Inspection Report that: *effluent management arrangements that conform to applicable environment standards must be developed and implemented as soon as possible.*²¹ A Grey Water Treatment Project has now been completed at Karnet and the water is being used to irrigate the oval and is also available for hosing down the dairy and surrounds.

HUMAN RESOURCES

- 2.25 The method of calculation used to arrive at staff allocations for Karnet is the same as that utilised for all other prison facilities in Western Australia – primarily on the basis of security needs. This formulaic method of staff appointment does not take into consideration the function of the prison as a re-entry and rehabilitative facility, the open setting of the prison, the work functions of prisoners accommodated, or the large number of sex offenders residing there.
- 2.26 Staff survey results, discussions with staff during the Inspection and direct observations by the Inspection Team all provided evidence that there are deficits in staffing levels. This was especially evident with regard to the ability of officers to carry out case management functions effectively; senior officers to adequately supervise base grade staff; and industrial officers to manage Section 94 activities.²²
- 2.27 Consistent with its rehabilitation and re-entry objectives, Karnet places appropriate emphasis on employment and training and industrial officers therefore play a key role. In part due to the central function of these officers, long-standing issues regarding the general role and employment conditions of industrial officers within the Department are especially evident at Karnet. A number of changes made recently to industrial officers' conditions have left a number of officers dissatisfied. In 2001 it was observed that there existed a good relationship between Karnet's uniformed and industrial officers. The Inspection process in 2004 has found

²¹ Report No.5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001), Recommendation 3.

²² These issues will be discussed in more detail in subsequent chapters.

this to still generally be the case, although there was evidence of strain between some staff exacerbated by disparities in conditions. The Department needs to acknowledge the good work done by industrial officers.

- 2.28 Evidence collected through staff surveys and interviews showed that staff were generally satisfied with their work environment and with the local management team. A problem that has persisted over the past three years, however, is in regard to a small group of officers who are perceived by other staff as obstructionist and antagonistic towards the objectives and priorities of a re-entry prison:²³

We need to select officers better for working in a minimum-security prison. The constant antagonism of a small group of staff towards admin just wears at you. You could improve staff by giving us the ability to move a core group of staff out of Karnet.

- 2.29 Frustration at this situation was directed towards management inaction in addressing the issue. Although not the subject of a specific recommendation in the previous report, this matter was addressed by the Inspector at both a local as well as Department level in 2001. Standard business practice requires a system-wide staff assessment and management procedure to be in place to routinely manage such issues.
- 2.30 Non-uniformed staff also play a key role at Karnet in preparing prisoners for release and meeting the care and wellbeing needs of prisoners on a daily basis. In this respect, program staff, prisoner counselling service staff, education staff and health staff are the key service providers. While all of these staff work on-site, most do not report directly to the Superintendent who is held responsible for the prison's operation through the current Prison Performance Framework. Some staff have an indirect reporting relationship, but not on a line management basis; others have been 'devolved' (to various extents) from reporting to management in head office to reporting directly to prison management. This also impacts on their interaction with uniformed staff and the consequential sharing of important information about prisoners. The point is that the Superintendent is left without the ability to properly coordinate services, prioritise activities and be privy in a timely way to information necessary to ensure the safety and the extent of progress of those for whom he is responsible. The Inspectorate was not able to identify any template or comprehensive plan of integration for these services.
- 2.31 Overall, staffing needs should be based on the assessment of risk, need and intervention at each individual prison. The current model utilised to determine staffing numbers is not sensitive to prisoners needs to allow each prison an appropriate blend of staff required to meet its objectives. As a re-entry prison with a high level of employment and a significant sex offender population, the number and profile of staff required will be different to other prisons in the system. A more responsive staffing model should be explored.

²³ Comments taken from the 2004 Survey of Staff at Karnet Prison Farm.

2.32 Accordingly, it is recommended that the Department reassess the method for appointing staff to enable a more appropriate blend and selection of uniformed, industrial and non-uniformed staff to better meet the functions and objectives of the prison. This should include a performance management system for all staff.

2.33 It is also recommended that the Department and local Karnet management provide an environment for better integration of staff across uniformed, industrial and non-industrial lines. Such integration should aim to promote better service delivery to prisoners and enhance the achievement of the prison's key strategies.

SUMMARY

2.34 At the completion of the Inspection in 2001, Karnet was identified as an ideal prison for the Department to pilot the devolution of prison management. As a well run prison and the provider of a substantial portion of the food for the State's prison system, the prison was seen by the Inspector as one that could benefit from the ability to meet the objectives set for it by the Department while setting its own priorities and managing its operational environment. The Inspection in 2004 found the prison was still operating well but, rather than being given the opportunity to develop independence, more restraints have been placed upon it. The Department has not adequately implemented the key recommendation of the 2001 Report in an acceptable manner.

2.35 The Department has not completed a comprehensive farm plan that could have further improved production and the Inspection identified a number of resources and strategic direction and support deficiencies. More importantly, the lack of accountability for these shortcomings means that they continue to be perpetrated and staff and prisoners have to cope with the consequences.

2.36 It is therefore recommended that the Department develop a master plan for the future role of Karnet Prison, taking into account changing prisoner profiles, its re-entry policy and the prison's infrastructure requirements.

Chapter 3

CUSTODY AND CONTAINMENT

*Prisoners are to be kept in custody for the period prescribed by the court at the lowest possible level of security necessary to ensure their continuing custody, the good order and security of the prison and the safety and protection of the general public.*²⁴

- 3.1 As a minimum-security prison, prisoners accommodated at Karnet should only present a minimum risk to the community. It is important for accountability that the policies, practices and systems in place are such that the community can be confident that any risks that do exist are low and that any threat to safety is minimal.
- 3.2 The physical control barriers at Karnet are appropriately minimal and consistent with its role and function. The fences between imprisonment and freedom are those that are found surrounding adjoining farming properties and are not intended to prevent escape. Comprehensive interviews and document collection by the Inspection Team demonstrated that appropriate systems are in place to ensure that, in most instances, the prison is aware of potential security issues and has the capability to respond when required to do so.
- 3.3 The custody and containment requirements for Karnet are typical of a minimum-security prison and necessarily based upon dynamic security, good interaction between prisoners and staff and sound intelligence gathering rather than physical security features. Other features should include that prisoners feel safe from bullying, that supervision is sufficient to enable safety, and that effective deterrents are in place as repercussions for unacceptable prisoner behaviour. Discipline should be exercised in a way that generates mutual respect between staff and prisoners, while allowing staff to remain in control at all times.

STAFF PERFORMANCE

- 3.4 Staff who are employed in a minimum-security prison should have the necessary skills and abilities to be able to work in an environment where trust and delegation of responsibility replace physical and static forms of compliance management. In this respect the selection, development and training of staff is paramount. This is recognised by the Department at an official level, as one of the stated objectives of Karnet Prison Farm is for it to be staffed by officers who are appropriately trained and have effective interpersonal skills and are aware of the particular risks and needs in relation to the management of this population.²⁵
- 3.5 At the time of the 2001 Inspection this aim was not being achieved and resulted in a recommendation that: *Staff should be offered in-service training that is more appropriate to their role at a minimum-security prison.*²⁶ The Department accepted this recommendation and provided evidence in the form of training schedules to demonstrate that action had been taken towards more appropriate training for the Karnet staff.

²⁴ Prisons Division, 'Building and Infrastructure Program 2004/05–2007/08' (undated).

²⁵ Department of Justice, 'WA Prison System: Role and Function Profile' (2003).

²⁶ Report No.5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 20021), Recommendation 11.

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- 3.6 The on-site phase of the current Inspection provided evidence that while the vast majority of staff are performing their jobs well, those at the coalface do not perceive any benefits from the training that has been delivered. The survey of staff at Karnet acknowledged that while they had received training, the quality of that training was questionable. Some issues were raised concerning the minimal amount of time allocated to the training and the absence of follow-up support mechanisms.²⁷

We were given only two hours to learn IMP and AIPR. What training is provided is never backed up with resources so it dies within six months. Training is reactionary and haphazard.

- 3.7 Specifically, less than half the staff surveyed felt that they had sufficient knowledge relating to sex offenders (who constitute over 44 per cent of the prisoner population). As well, only 24 per cent of officers stated that they had sufficient information and skills in the areas of release planning and rehabilitation principles to do their job well. Interviews with staff during the on-site phase of the Inspection confirmed these survey results. It was found that some training had occurred in a perfunctory manner and a number of staff still lacked the skills necessary to carry out their roles.
- 3.8 Workplace training (ordered by WorkSafe following an application by the Prison Officers' Union on the grounds of workplace safety) seems to dominate the training agenda, leaving few resources for training that is more relevant for officers in their contemporary roles. The Department needs to balance these competing priorities if it is to be successful in its strategic objectives. It is also essential that, where appropriate, training is carried out on-site and that staff are replaced when colleagues are involved in training. Unlike secure prisons, prisoners cannot readily be locked down to enable staff to be involved in training. The Department's response to this recommendation was assessed as being variable but, on balance, less than acceptable.
- 3.9 It is therefore recommended that the Department ensure that professional development is relevant to the re-entry function of Karnet and takes into consideration the prisoner profile accommodated at the prison.
- 3.10 Another important staffing issue is that of diversity. To this end, in 2001 the Inspector recommended that: *An effort should be made to recruit female and more Aboriginal officers to the staff as vacancies occur.*²⁸ The Department agreed with this recommendation, as a priority for the justice system as a whole.
- 3.11 In assessing the progress towards achieving this outcome in the three years since the last Inspection, the Department stated that staff diversity had been a priority in recent recruitment schools but that it had not yet translated into more female or Aboriginal staff at

²⁷ Comments from the 2004 Survey of Staff at Karnet Prison Farm.

²⁸ Report No.5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001), Recommendation 12.

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Karnet. The Inspection Team found that the staffing mix at Karnet has been static, with only five female uniformed staff and no Aboriginal staff members posted to the prison. The current staff configuration resulted in the Inspection finding that action towards this recommendation was less than acceptable.

3.12 Accordingly, it is recommended that the Department implement better strategies to address staff diversity.²⁹

SAFETY ISSUES

3.13 An important aspect of the custody and containment cornerstone relates to safety. A healthy prison is one in which the most vulnerable prisoner feels safe³⁰ and this relies extensively on the security and control arrangements within the prison. The group of prisoners generally most vulnerable within the prison system are those who have been convicted of sex offences, particularly against children. This group are universally ostracised by other prisoners and not infrequently, although less aggressively, by some staff.³¹ A key purpose for Karnet is to enable the mainstreaming of these prisoners, especially as they move towards release. The prison's ability to do this is partly through the maintenance of a critical mass of sex offenders in the population, and also through a 'no-tolerance' policy in respect of bullying.

3.14 Despite the success that Karnet has experienced in accommodating this category of offender and the good work done by staff to support their reintegration, many staff expressed the view during the Inspection that they were inadequately trained to manage the complex issues relating to the management and integration of sex offenders in the Karnet environment.³² This is particularly difficult in a minimum-security environment where levels of supervision are modest and opportunities for bullying are greater.³³

3.15 Visitors to the prison must also feel safe. Concern has traditionally existed for children attending the visits area at the same time that sex offender prisoners are receiving visits. The 2001 Inspection found that the regime for ensuring the safety of children during visits was not adequate and therefore recommended that: *The system for ensuring that sex offenders cannot have inappropriate contact with young children during visits should be reviewed and strengthened.*³⁴

²⁹ The Department disagreed with this recommendation on the basis that in its current recruit training school, 30 percent of recruits are female and 2 percent are Indigenous (Response to Recommendations of the Draft Report of an Announced Inspection of Karnet Prison, 15 December 2004). With an average Aboriginal prisoner population of 40.4 percent (13 January 2005), and an increasing female prisoner population, the number of total female and Aboriginal officers in the system remains inadequate.

³⁰ HM Chief Inspector of Prisons (UK), *Healthy Prison Test*, 2004.

³¹ For an extensive discussion regarding vulnerable prisoners see: Report No. 15, *Vulnerable and Predatory Prisoners in Western Australia: A Review of Policy and Practice* (Office of the Inspector of Custodial Services, Perth, 2003), pp. 7–10.

³² Only 44 per cent of staff indicated that they were confident of having sufficient skills and information regarding sex offenders to do their job well in the staff survey.

³³ Training of staff is discussed further in Chapter 4.

³⁴ Report No.5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001), Recommendation 17.

3.16 The Department accepted the recommendation and action was taken at a local level to amend procedures at Karnet for visits. Inspections officers observed visits during the course of the Inspection and assessed as acceptable the operational changes in place. The attitudes of prisoners are heavily entrenched, however, and despite the changes in procedures prisoners perceive child safety during visits to be an even more urgent issue in 2004 than they did in 2001. Prisoner surveys and interviews during the course of the Inspection confirmed this view, with a number of prisoners stating that they will not accept visits from their children at the prison for this reason. To date there has been no event linked to the antagonism towards sex offenders at Karnet, however, a number of sex offenders provided examples to the Inspection Team of occurrences when they felt their safety had been compromised, such as lists of their names being placed in the dining room. There is a heightened sense of fear that the prison needs to address to ensure the continuation of Karnet's good performance of managing the integration of prisoners to prevent segregation, stigmatisation and disadvantage as they near release.

PRISON DISCIPLINE AND DRUG MANAGEMENT

3.17 When Karnet was inspected three years ago, the average length of stay for a prisoner was 4.7 months.³⁵ In late 2001 the Department modified the prisoner security classification system, with the result that prisoners now generally spend more time in minimum-security. This system has been closely managed to ensure that low risk prisoners are given an opportunity to better prepare for release. However, there are other risks, internal to prison management that need to be carefully managed. Two such issues that became evident during the Inspection related to the management of the misuse of drugs and that of prison safety.

Illicit Drug Use

3.18 With an open prison environment one of the most difficult management issues for Karnet has always been perimeter security and the access that can afford to alcohol and drug trafficking. The 2001 Inspection Report described the containment policy that existed at Karnet.³⁶ The prison had a relatively flexible approach to the use of cannabis, whereas alcohol and powdered drugs (that are more likely to cause difficulties in the control of prisoners) were not tolerated at all.³⁷ The effect of the containment policy of that time was that prisoners were not generally transferred out of prison for a first, or even a second, positive urine test relating to cannabis but were instead subjected to an internal loss of privilege. A third positive test, however, would normally lead to the prisoner being transferred to a medium- or maximum-security prison.³⁸

³⁵ Ibid., p. 14.

³⁶ Ibid., p. 21.

³⁷ Some staff believed that three positive urine tests on separate occasions were required before charges would be laid. Management have assured us that this is not the case but that charges are laid whenever a positive urine is returned. They say that staff are confused because the AIPR classification system often works in such a way that three charge convictions are required before a transfer back to a secure prison will occur. Certainly, Karnet Local Order 25 does not specify that a prisoner must be transferred back to a higher security prison in the event they are found to have been using cannabis.

³⁸ Director General's Rule 13 sets out a matrix by which prisoners may have their security upgraded to medium-security, and that prisoners found guilty of three or more cannabis offences will be upgraded to medium-security for six months. For other drug and alcohol offences a first offence will trigger such a response.

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- 3.19 During the current Inspection of Karnet it became evident that this relatively clear-cut containment policy had become uneven in its application. Transfers to higher security prisons can cause some difficult issues for the Department and the prisons in managing prisoner numbers, in particular at the higher security prisons receiving transferred prisoners. The Inspection Team was told by prison officers that discretion is often exercised by management in charges relating to cannabis use to prevent transfers, so detection of the drug is often dealt with informally. Officers expressed frustration at feeling powerless to act in these circumstances. In response to these concerns, Karnet management stated that prisoners were always charged upon a positive urine test being returned. In the eight months following the Inspection, 70 urine tests positive to cannabis were returned, resulting in 65 charges being laid, with the remaining five prisoners being released before action could be taken. In the same period seven positive tests for amphetamines were returned with seven charges being laid.
- 3.20 The low level of incidents related to the loss of control and absence of serious security breaches would seem to indicate that the ‘containment policy’ coupled with zero tolerance for alcohol and hard drugs has in some sense been effective. However, there are concerns. The double standard cannot be justified on the basis that one drug does not cause management problems while others do. This is especially so as the Department has recently implemented a comprehensive drug strategy that does not contemplate such differentiation.³⁹ Additionally, the use of any drugs poses a potential safety threat to staff and other prisoners. This is especially the case on a working farm, where prisoners use plant and equipment on a daily basis. The Department would be legally culpable if anyone were injured because of a failure to appropriately manage drug usage leading to a workplace accident. Moreover, staff themselves become vulnerable to possible disciplinary charges if they are found to have connived at the use of cannabis. It is unfair to place officers in this position.
- 3.21 The extensive heavily wooded surroundings make maintaining perimeter security at Karnet inherently difficult. A significant increase in resources would be required to improve perimeter security for most likely negligible results. There is no intelligence that visitors to the prison represent a significant source of entry for drugs, so increased security focussing on visits would also be a waste of resources. The most efficient and effective method of detection would seem to be by targeted urine analysis based upon sound intelligence. The present policies in relation to cannabis use at Karnet have thus become an operational, legal and political risk.
- 3.22 It is therefore recommended that the Department and Karnet management must act jointly to develop an approach to the use of illicit drugs that is more consistent with the new drug management strategies, meets the operational needs of the prison and is clear to both staff and prisoners.⁴⁰
- 3.23 It is also recommended that the Department provide comprehensive training and ongoing

³⁹ The drug strategy will be discussed in more detail in Chapter 4.

⁴⁰ This matter was raised at the Exit Debrief and then pursued with the Department, which did not agree with this recommendation. The Inspector notes that a number of covert and overt steps have been taken in response to this Report; nonetheless, the Inspector believes that the matter should still be placed on the public record.

support for staff for the implementation of the new drug management strategies at Karnet.

COMMUNITY SAFETY

- 3.24 As previously stated, changes to Departmental policy and procedures have resulted in an increase to the average length of stay for a prisoner at Karnet Prison. This is a positive development for the rehabilitation and re-entry preparation of prisoners. The change is, however, accompanied by a number of issues that must be managed by the Department, including the maintenance of community safety.
- 3.25 Prisoners transferred to facilities with lower levels of physical security are expected to display behaviour consistent with the trust and individual responsibility that are a part of maintaining security. It is therefore important that appropriate risk assessment tools are used to properly select prisoners for that location. Regardless of the suitability of the risk assessment there will always be some risk (however minimal) that a prisoner may abscond or escape, often due to personal issues they feel compelled to deal with urgently. The increased length of stay at 'open' prisons means that over the course of a prisoner's sentence there will be more opportunity to escape. It is the responsibility of the prison to ensure that mechanisms are in place to minimise the need or temptation for prisoners to abscond. The prison should also have some discretion to refuse the placement of a minimum-security prisoner at its location in justifiable circumstances, such as security and safety of other prisoners or staff.
- 3.26 Between July 2003 and March 2004 five prisoners escaped from Karnet. This ranks the prison fourth in the Department's escape league tables,⁴¹ meaning it is sitting in the mid-range for all prisons in terms of number of escapes. In light of the fact that the prison has a minimum-security open environment this ranking reflects an adequate performance.
- 3.27 There are nonetheless a number of services that should be in place at Karnet to assist prisoners who may, through their personal circumstances, be tempted to escape. Counselling, access to peer support,⁴² contact with family and loved-ones and a thorough case management process will all assist in identifying at-risk prisoners, addressing their personal issues and ensuring they remain at the prison. This matter is significant given the reasons provided by prisoners for their escapes. A 1999 analysis⁴³ of 166 escapes from prisons recorded interviews with 21 of those prisoners. Of primary interest is the fact that all of these prisoners were in some form of emotional crisis, which they did not feel could be resolved while they remained in prison.
- 3.28 The Inspection found that the utilisation of welfare services was low at Karnet, the reasons for which will be examined further in Chapter 4. It would seem that escapes, and hence risk to community safety, could be better managed by ensuring adequate access to welfare services that are meaningful to prisoners and which they feel comfortable utilising.

41 Prisons Division, 'Monthly Performance Report' (March 2004).

42 Since the on-site phase of the Inspection, the availability of counselling at Karnet has increased to five days a week, and the Peer Support Officer is also available five days a week.

43 Department of Justice, 'Analysis of escapes from legal custody January 1997–December 1998' (undated).

PRISONER MANAGEMENT

- 3.29 The Integrated Prisoner Management Regime is the foundation of a major Departmental change program for the management of prisoners based on the four cornerstones of prisoner management. The program is supported by a prisoner assessment process, case management and unit management. It involves the devolution of responsibility to those who are in closest contact with prisoners (generally uniformed officers within the accommodation units) and who are aware of their issues, both those relating to the participation in prison activities and those of a personal nature.⁴⁴
- 3.30 For good management to be achieved, a high level of staff/prisoner interaction must occur, with significant input from the prisoners. All interaction should be documented and addressed within the unit (if possible), or with senior management (if necessary). Regular unit management meetings should be conducted to provide staff with a better understanding of the issues that impact upon prisoners' care and wellbeing. These matters can also be important indicators of prisoner stress levels that may have security implications.
- 3.31 The Inspection found that unit management techniques are radically under-utilised at Karnet. Staff survey results and interviews with staff showed that some staff did not know what unit management involved, what their role was in the process or how unit management is used to manage prisoners through their sentence. Only 59 per cent of staff survey respondents believed that unit management was an effective tool for managing prisoners. It is a serious concern that unit management is not being practiced at Karnet, particularly because of its status as a re-entry prison. A prison that is required to prepare prisoners for release requires organised support to ensure that as much as possible is done to properly prepare prisoners for community re-entry.

PRISON EMERGENCIES

- 3.32 The last matter reviewed under the custody and containment cornerstone was that of the prison's capacity to plan for and respond appropriately to, local emergencies. Bush fires are a particular concern for Karnet and the surrounding communities. Local management were able to demonstrate that the prison could respond successfully to such an emergency if required to do so. The previous problem identified in 2001 of an obsolete fire truck, which would be a hazard in an emergency, has been rectified and appropriate planning and training with staff and prisoners has been undertaken.

⁴⁴ The Integrated Prisoner Management Regime procedures are not currently contained in written Departmental orders or rules, instead it operates simply as a policy.

CUSTODY AND CONTAINMENT

SUMMARY

3.33 Karnet is appropriately managing its custody and containment obligations as a minimum-security facility. Physical security is not obtrusive and the level of dynamic security is satisfactory based on generally positive relationships between staff (both uniformed and industrial) and prisoners. The number of escapes are moderate compared to other prison locations, but could be improved through the better utilisation of welfare services and the implementation of unit management. Unit management will also benefit the ability of prisoners to better complete their rehabilitation and prepare for release. The issues for the attention of the Department and local prison management raised in this chapter are rectifiable at no great expense, but do require planning and consultation at all levels.

Chapter 4

CARE AND WELLBEING

*Prisoners' needs emotionally, physically, spiritually and culturally are acknowledged and appropriately addressed.*⁴⁵

- 4.1 Services that constitute the care and wellbeing cornerstone were comprehensively assessed during the Inspection of Karnet, firstly through prisoner surveys and then during the on-site phase of the Inspection through discussions with prisoners, staff and management and the observations of the Inspection Team. The care and wellbeing cornerstone incorporates a wide range of services essential to the welfare of prisoners. The following sections focus upon key services that were identified as having some areas of concern in respect of service delivery and hence a potential negative impact on prisoners' wellbeing.

RECEPTION, INDUCTION AND ORIENTATION

- 4.2 A prison's reception, induction and orientation procedures are essential to ensuring that prisoners feel safe in their environment and that all services to provide for their welfare are easily accessible. These stages provide the first contact that prisoners have with their new environment and can shape the effectiveness of their time at the facility. While prisoners will have spent some time in the prison system before arriving at the minimum-security Karnet Prison, it is still essential that the prison have a comprehensive formal system in place that is practical and useful for prisoners.⁴⁶
- 4.3 Inspection Team members observed the reception process and assessed it as thorough and relevant. A prisoner assists uniformed staff in the reception of new prisoners, a practice that is supported by this Office. The prisoner was not a member of peer support and it may be beneficial, considering the special role that these prisoners play in providing support to their fellow prisoners, for such a prisoner to be a part of the process.
- 4.4 Only one-third of prisoner survey respondents identified as having participated in a formal induction and orientation process. Problems with the process were confirmed by an audit of unit files for all prisoners accommodated in Unit 1. Each prisoner's file should document each step in the induction and orientation process undertaken by the prisoner and be signed by the prisoner to verify his involvement. Of the 54 files audited, 39 did not contain any induction and orientation paperwork and 15 contained some documentation verifying that orientation had been provided to various degrees. This is not an acceptable performance level.
- 4.5 As the key providers of induction and orientation, staff were interviewed about the process. While the discussions displayed that staff are familiar with the majority of requirements, they also revealed a lack of knowledge about the importance of utilising the computer-based information management system (TOMS) in the process, which would reveal important historical information about the individual prisoner and also allowed the officer conducting orientation to add information that may prove important to managing the prisoner through

⁴⁵ Prisons Division, 'Building and Infrastructure Program 2004/05–2007/08 (undated).

⁴⁶ Department of Justice Policy Directive 18 establishes the basic requirements for the content of prisoner orientation procedures.

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the minimum-security portion of his sentence. The lack of TOMS knowledge was a common theme throughout the prison and has also been an issue in other Inspections.⁴⁷

4.6 The induction and orientation process at Karnet lacks continuity and thoroughness. While the verbal explanation and interaction with prisoners was observed to be thorough, the documentation of the process was inadequate.

4.7 It is therefore recommended that the prisoner induction and orientation process at Karnet should be reassessed to provide a system that is more comprehensive, involves the prisoner support group and is properly documented.

WELFARE SUPPORT SERVICES

Peer Support Group

4.8 A peer support group has been established at each prison in Western Australia consisting of specially selected prisoners who volunteer to provide assistance to fellow prisoners. Each group is assisted by a Prisoner Support Officer (PSO), who acts as a liaison between the group and management and provides advice to group members. For these groups to be effective and achieve their objectives, both staff and management must be supportive and facilitate a productive working relationship.

4.9 Prisoner surveys indicated that most prisoners did not access the service provided by the Karnet peer support group, a result confirmed by interviews with prisoners and members of the group during the Inspection. The experience of the group was that it was isolated from management and staff and that too many officers did not respect or appreciate the role that the group played. This isolation has created a perception within the group that it cannot be an effective tool for prisoners and this attitude has been reflected in the group's operation. There are no regular meetings with the Prisoner Support Officer and no recorded meeting minutes. More importantly, the group does not act as a two-way conduit between management and prisoners.

4.10 Accordingly, it is recommended that Karnet management and staff recognise the positive benefits that can be provided through the peer support group and that the group's services be better utilised to improve the care and wellbeing of prisoners.

Prisoner Counselling Service

4.11 The Prisoner Counselling Service (PCS) visits twice weekly for the purpose of one-to-one counselling. Prisoners can see the PCS officer either through referral or by making a self-initiated appointment. Prisoner survey results indicated a similar under-use of the Prisoner Counselling Service as was found with peer support. Of the prisoners surveyed, 98 per cent stated that they rarely or never used the service. The PCS officer stated that most of the counselling work at Karnet took the form of reactive crisis intervention, with only minimal resources available for therapeutic sessions. The most common presenting issues related to

⁴⁷ Since the on-site phase of the Inspection, Karnet has appointed a TOMS trainer.

fears associated with release and return to the community and, for sex offenders, the involvement (or lack of involvement) in sex offender treatment programs.

- 4.12 Even with the low use of the service indicated by prisoners, demand still far exceeded the supply of counselling services. The situation observed at Karnet during the Inspection indicates that there has been an inadequate response to Recommendation 15 of the 2001 Report that: *The FCMT presence on-site should be increased.*⁴⁸

- 4.13 It is therefore recommended that the Department better recognise the positive benefits of access to the Prisoner Counselling Service and that its services be better utilised to improve the care and wellbeing of prisoners.

Aboriginal Visitors' Scheme

- 4.14 The prisoner survey indicated that the Aboriginal Visitors' Scheme (AVS) was viewed positively and used more extensively as a support mechanism than other services. The AVS is managed by the Department and provides Aboriginal visitors for each prison in Western Australia. Approximately half of the Aboriginal prisoner respondents stated that they used the AVS at least weekly; the other half said they used it occasionally. However, there are few Aboriginal prisoners at Karnet.

Chaplaincy

- 4.15 Prisoner survey results revealed a low attendance at religious services. More than two-thirds of prisoners reported never having used the service, and only 16 per cent said that they used the service on a weekly basis. This figure is comparable to that found during other Inspection surveys. The Chaplaincy also provides another source of potential support for prisoners experiencing difficulties coping in the prison environment or those experiencing personal problems with family. There was no indication throughout the Inspection to what extent prisoners use chaplains for this purpose.

Visits and Family Contact

- 4.16 The 2001 Inspection of Karnet reported good levels of access to social visits at Karnet and an environment conducive to the maintenance and development of positive relationships between prisoners and their families. It was also found that officers were respectful of visitors and allowed appropriate interaction for a minimum-security facility. Generally, the visit services provided at Karnet remained of a high standard. At the time of the Inspection 153 prisoners were receiving regular visits, and 93 per cent of prisoner survey respondents stated that access to visits and other forms of communication were adequate.
- 4.17 In 2003 the Department introduced new system-wide procedures for the processing of prison visitors. This has resulted in an increased demand on officers' time for computer data

⁴⁸ The previous incarnation of the Prisoner Counselling Service was called the Forensic Case Management Team (FCMT).

entry, visitor identification, photographing and property transactions, and is generally at the expense of appropriate prisoner/visitor supervision. Previously there had been concerns about the formal process necessary to book visits, which was the subject of Recommendation 16 of the 2001 Report: *Visitors should be able to book their visits to prisoners but in any case a Local Order should be promulgated specifically authorising approval for unbooked visits in circumstances that do not involve a security risk.* Despite the demands of the visitor processing requirements, Karnet has acceptably implemented this recommendation.

- 4.18 Outcare, a not for profit organisation, provides assistance and support to visitors and prisoners. The service was highly rated by prisoners (in the prisoner survey and interviews) and their visitors. Outcare have now been awarded the Community Re-entry contract for Karnet.
- 4.19 Despite being designated a metropolitan area prison, the majority of telephone calls made by prisoners from Karnet were charged at a long distance telephone call rate. A universal theme at all previous Inspections, including Karnet in 2001, was the high price of telephone calls for prisoners under the contract between the Department and its provider, Arunta. This matter was the subject of Recommendation 18 in 2001: *The Arunta phone system contract should be renegotiated and if more favourable terms cannot be secured, then an alternative provider should be sought.*
- 4.20 The Department has advised the Inspector that a new provider (NEC) has been contracted for the telephone system and that it anticipates a more reliable and less expensive system. Prisoner survey results and discussions during the Inspection indicate that, to date, the change has generally provided positive outcomes. In terms of technology, the new system has fibre optic cabling so the risk of damage through storms has been negated. The system is more user-friendly and much clearer than the previous system. The Department's response to this recommendation was rated as being more than acceptable.

Recreational Activities

- 4.21 The prison library appeared lacklustre and poorly resourced. Legal materials, which the Department is obliged to make available to prisoners, were limited. Whilst there were copies of relevant Departmental rules and regulations, a number of these were out of date and there was no system in place to ensure that materials are regularly updated. It was disappointing to find that improvement in provision of the service since the 2001 Inspection had not been made.
- 4.22 Available physical recreation services were disappointing. Again, a number of negative comments were made in the prisoner survey and these were confirmed in discussions with prisoners. During the on-site phase of the Inspection there was no evidence of any organised approach to either active or passive recreation, except for activities in the gymnasium, which is largely managed by the prisoners. The oval was not in use at the time of the Inspection (this was also the case in the 2001 Inspection); however, the oval has now been established and will be available for use in the near future.

- 4.23 The need for physical recreational activities at Karnet is generally explained away by the fact that most prisoners engage in physical employment on a daily basis and therefore do not require the same level of access to recreation as some other prisons. This attitude is not justified. There are a number of prisoners not engaged in physical work and during the Inspection even those who indicated they would value better access to recreation. Passive recreation also plays an important function in keeping prisoners occupied and better facilities should be provided.
- 4.24 Accordingly, it is recommended that Karnet put systems in place for the provision of regular organised physical and passive recreational activities for prisoners.

Summary

- 4.25 Welfare support services are under-used at Karnet. The reason for this could well lie in the fact that due to the total prison regime, prisoners generally do not have an intensive need for formal supports. Prisoners are on the whole productively occupied every day in employment, programs and education; access to visitors is good and phone usage has now increased significantly. Also, despite the general lack of access to or use of support services, tension and conflict were generally at a low level. Some prisoners said that by the time they got to Karnet they had made friends, knew who they could talk to and generally knew their way around the system. Most prisoners felt positive about the prison and the concerns raised in the survey and from interviews and discussions during the Inspection did not create an overall negative image.

WELLBEING OF VULNERABLE PRISONERS

- 4.26 The positive custodial experiences of most prisoners at Karnet were contrasted by a significant number who are considered vulnerable in the system – generally those convicted of sex offences. Evidence of significant disharmony between some sex offenders and others in the general Karnet population was apparent during the Inspection, both in the prisoner surveys and discussions with prisoners. Thirty-one per cent of survey respondents stated that having sex offenders in the prison was one of the worst things about Karnet. Many sex offenders are aware of the animosity and feel unsafe and consequently tend to congregate together in specific accommodation areas.
- 4.27 Karnet management and staff are fully aware of the difficulty of successfully managing a prison without a separate protection regime. Most other prisons in Western Australia separate sex offenders as vulnerable prisoners in need of protection and it is a credit to Karnet that it is able to accommodate all prisoners in a mainstream environment. The Inspector has detailed the difficulties and disadvantages inherent for protection prisoners, including difficulties accessing necessary welfare services and problems accessing offender treatment programs in a specific thematic report on this subject.⁴⁹ This does not occur at Karnet. It is also essential that protection prisoners are able to access a minimum-security environment to properly prepare for re-entry into the community and reduce the risk of reoffending.

⁴⁹ Report No. 15, *Vulnerable and Predatory Prisoners in Western Australia: A Review of Policy and Practice* (Office of the Inspector of Custodial Services, Perth, 2003).

4.28 One management tool for integration is the maintenance of a significant proportion of prisoners convicted of sex offences in the population. At the time of the Inspection they constituted 44 per cent of the prisoner population. A significant change in Karnet's population mix has occurred since the 2001 Inspection that has impacted upon this issue. With the abolition of sentences of less than six months the non-sex offender population is now made up of more serious offenders than previously, and with an increase in drug related offenders. These prisoners appear more willing to challenge the place of sex offenders at Karnet, and hence there is a higher potential for confrontation. The prisoner survey reported significant increases in bullying (up 48 per cent) and racist comments (up 43 per cent) since the 2001 Inspection, with comments targeting the change in prisoner profile as a main cause:

...standovers and bullying, mostly from younger drug offenders/violent offenders against older sex offenders.

4.29 Another tool is a zero tolerance approach against bullying, intimidation and violence. Upon arrival at Karnet it is made clear to prisoners that any such behaviour will result in a transfer to a higher security facility. While the strategy seems to successfully contribute to a low rate of incidents against vulnerable prisoners, it has also contributed to a perception amongst prisoners that sex offenders receive 'special treatment' from management and that they often manipulate this to their benefit. The imposition of punitive sanctions is one dimensional and the prison needs to consider additional strategies which do not serve to further alienate the sex offender sub-population.

4.30 Accordingly, it is recommended that Karnet act immediately to address the increasing antagonism displayed towards the sex offender prisoner population to ensure the continued successful mainstreaming of the vulnerable prisoner population.⁵⁰

ACCOMMODATION

4.31 The Inspection in 2001 found the general standard of accommodation at Karnet to be unacceptable and Recommendation 4 stated that: *Unit 1 accommodation should be replaced with new accommodation as soon as possible and the existing building gutted and converted into a new area for programs and related activities.*

4.32 In the intervening three years, despite the Department's acceptance of this recommendation, Unit 1 accommodation remained unchanged. Unit 2, while marginally better, is also not acceptable accommodation for prisoners. Prisoners are permitted to be transferred to minimum-security as a result of good behaviour in the system but are often accommodated in worse conditions than they encountered at medium- and maximum-security facilities. The progress towards implementation of this recommendation is unacceptable.

⁵⁰ The Department disagreed with this recommendation on the basis that 'there has been no incident in the past three years involving sex offenders' (Response to the Draft Report of an Announced Inspection of Karnet Prison Farm, 15 December 2004). While there may have been *no reported* incidents, information provided to the Inspection Team throughout the Inspection provided significant evidence of apprehension amongst sex offender prisoners and of actual incidents of intimidation. The Department has undertaken a statewide review of policy and procedures in relation to vulnerable prisoners, which may address some of the concerns raised in this Report.

- 4.33 This Office was advised that capital expenditure for Karnet will not commence until 2007, six years after the initial recommendation for infrastructure replacement. Given the poor state of the existing accommodation this delay will only allow conditions to deteriorate even further. The failure of Karnet to obtain a priority place in the Department's plans has led to management proposing to build kit-type accommodation using prison labour. While this is a commendable initiative it highlights the lack of forward planning essential in infrastructure planning.
- 4.34 It was also recommended in the 2001 Inspection that Karnet's prisoner capacity be increased: *Unless inconsistent with system-wide prison population reduction strategies and projections, additional capacity of a further 60 beds should be added so that the total capacity is about 240.*⁵¹ Because of the costs involved, the Department did not agree with this recommendation. Despite the Department having a shortage of minimum-security beds, which escalated in early 2004,⁵² the expansion of Karnet's accommodation capacity was not considered viable because of the costs involved. Other options, such as the re-opening of Bunbury Regional Prison minimum-security, were utilised. The failure to further invest in Karnet limits the opportunities for prisoners to engage in re-entry activities in the metropolitan area and, in some instances, isolates them from family and friends contrary to good reintegration principles.⁵³
- 4.35 Accordingly, it is recommended that the Department urgently address the unacceptable standard of prisoner accommodation provided in Units 1 and 2 at Karnet and concurrently finalise an infrastructure plan to address the future needs of the prison.

HEALTH SERVICES

- 4.36 Health services at Karnet were the subject of a comprehensive specialist health review at the time of the 2001 Inspection, resulting in a number of specific recommendations.⁵⁴ To review progress towards the implementation of these recommendations, two consultants from the Health Department joined the Inspection team at Karnet in 2004.
- 4.37 Recommendation 10 of the 2001 Inspection Report stated that: *Quality control measures should be improved with regard to the delivery of health services.* The Department rejected this recommendation in 2001, stating that 'quality controls are in place ... No further action proposed'. However, when questioned about the issue of quality control prior to the current Inspection, the Department claimed that 'this recommendation has been addressed and completed through the Australian Council Health Care Standards accreditation processes'.⁵⁵ Following investigation, this Office concluded that the Department has indeed begun to address this recommendation but that it requires ongoing commitment and resources. This is an acceptable result.

51 Report No.5, *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001), Recommendation 5.

52 The Department's Prisons Division Monthly Performance Review for March 2004 noted an increase of 165 male minimum-security prisoners from June 2003 to March 2004.

53 In September 2004 a Ministerial announcement advised that an additional ten beds would be provided at Karnet.

54 The full text and recommendations of the Inspection of health services are contained in Appendix 3 of the 2001 Report.

55 Department of Justice internal document of updated responses to Office of the Inspector of Custodial Services recommendations, January 2004.

- 4.38 Leadership was identified as an issue in the first Inspection Report and the Health Department specialists found that relationships between health staff and prison management continued to be strained. In particular there was evidence of difficulties in resolving policy and practice issues both locally and between the local and Head Office health service.⁵⁶
- 4.39 The poor layout of the clinic, which posed serious risks for prisoner and staff safety, was a central concern in 2001. It was found during this Inspection that the layout of the clinic had been improved. However, there have been ongoing issues between health services and the Karnet management about staff safety in the clinic. There is no permanent uniformed officer located inside the clinic and some staff stated that they felt vulnerable as a consequence, while management believed that adequate systems were in place to manage any risk. The issue requires resolution to ensure the ongoing delivery of health services to prisoners.
- 4.40 Inadequacy of ancillary medical services continues to be a problem faced by the prison. Many of these services are provided in the community and many of the problems relate to the transportation of prisoners to appointments. Access to regular dental services is inadequate and must be addressed urgently. Physiotherapy is also problematic, particularly when patients with back problems are transported for long periods of time to physiotherapy appointments in vans with hard seats and poor shock absorption capacity.
- 4.41 Recommendations made in 2001 with regard to inadequate infection control facilities, the lack of facilities for the aged or the disabled and the lack of essential equipment have all been adequately addressed.
- 4.42 Health Services were not specifically assessed in the prisoner survey. However, a written submission from the Prisoner Support Group, as well as interviews with prisoners and staff throughout the course of the Inspection, consistently criticised prisoner health services as substandard. Health is recognised as an integral service for prisons and as such the Inspector has given notice to the Department that a comprehensive thematic review of health services in all prison facilities is being conducted. The specific issues raised at Karnet will be examined in detail through this review.

DEPARTMENT OF JUSTICE DRUG PLAN

- 4.43 In 2003 the Department of Justice released its comprehensive plan to deal with drug related issues in the justice system. One of the commitments of the plan is 'to produce a significant increase in services and strategies to prevent and reduce drug-related harm'.⁵⁷ As drug use among prisoners in Western Australia is widespread, a strategy that acknowledges and realistically addresses the associated health, rehabilitation and welfare issues is essential.

⁵⁶ Since the on-site phase of the Inspection, a new management structure has been implemented in the hospital area that the management believes has made positive changes to operations.

⁵⁷ Department of Justice, 'Managing Drugs in Prisons' (2003).

- 4.44 One of the key strategies of the Justice Drug Plan is the improved treatment of prisoners with drug dependencies through the managed use of pharmacotherapies. The plan consists of increasing prisoner access to professionally managed methadone, buprenorphine and naltrexone programs, a better commitment to assessment needs at reception, education and counselling delivered by health staff and more screening for blood borne diseases.⁵⁸ The plan necessitates a high degree of support and action by on-site prison health staff.
- 4.45 Interviews with the health centre staff at Karnet indicated limited knowledge about the plan and their role in it. None of the staff had received any Prison Addiction Service Training (PAST). There was also a perceived reluctance to administer pharmacotherapies and when distribution of the drugs did occur, it was at an inappropriate time that unnecessarily disrupted other prison activities.
- 4.46 Accordingly, it is recommended that the Department provide comprehensive training and ongoing support for staff for the implementation of the new drug management strategies at Karnet.
- 4.47 Karnet has well-established links with Holyoake, which provides a prison to community transition program for those with addiction problems. The prison and Holyoake are mutually supportive of each other's efforts and work well as a team. But while prisoners are encouraged to continue the program post-release, few do so. There appears to be an over-reliance on one service agency and the Department is encouraged to look at providing an alternative referral source to promote options and diversity.
- 4.48 Prisoners and staff report that drug rehabilitation treatment programs are delayed and sometimes cancelled altogether. An examination of documentation on-site confirmed that all such programs at Karnet were a full quarter behind schedule. Both staff and prisoners acknowledged that the lack of completion of required programs had unnecessarily delayed the release of some prisoners and causes a great deal of anxiety. This is indicative of ongoing systemic problems (such as difficulties in attracting and retaining staff in the Head Office Offender Services Branch) that affect the delivery of adequate and appropriate programs throughout the prison system, including Karnet.
- 4.49 The programs staff who were interviewed were experienced and committed to their work. Staff expressed concerns that prisoners were not being adequately assessed for substance use programs and once the assessment was completed it was very difficult to alter it, even if recommended by the on-site program officers. Examples were provided of prisoners who did not have significant alcohol or drug addiction problems, or who, because of co-morbidities, were inappropriately referred to programs and took up places needed for other prisoners. This lack of fit between the assessment and program units has been previously referred to in other Inspections⁵⁹ and requires urgent action by the Department.

⁵⁸ Ibid.

⁵⁹ Report No. 21, *Report of an Announced Inspection of Greenough Regional Prison – May 2003* (Office of the Inspector of Custodial Services, Perth, 2004), paragraph 2.156; Report No. 17, *Report of an Announced Inspection of Wooroloo Prison Farm – October 2002* (Office of the Inspector of Custodial Services, Perth, 2003), paragraph 3.36; Report No. 10, *Report of an Announced Inspection of Bunbury Regional Prison – December 2002* (Office of the Inspector of Custodial Services, Perth, 2003), paragraph 2.18.

SUMMARY

4.50 Welfare services are generally under-utilised by prisoners at Karnet. However, the evidence suggests that this is not having an overall deleterious impact on prisoners. There are a number of vulnerable prisoners, however, who would substantially benefit from greater access to PCS to allow proactive rather than reactive counselling, some improvement in health services, immediate action on accommodation and improved organised recreational activities are required.

PHOTOGRAPHS OF KARNET PRISON FARM



The main street of the prison leading from the administration centre to the various accommodation units.



A view of the self care units taken from the recreation precinct.

PHOTOGRAPHS OF KARNET PRISON FARM

The open and sheltered visits areas also showing the visitor's car parking area.



The outside view of a refurbished staff quarters building now used for prisoners cognitive skills training.



PHOTOGRAPHS OF KARNET PRISON FARM



One of the dams that supplies water for the prison.



A distant view of the hydroponic enclosure and the open planting of vegetable crops.

PHOTOGRAPHS OF KARNET PRISON FARM

Cherry tomato cultivation
utilising hydroponic
methods.



On the Munda Bididi
off-road cycling Trail.
An example of a section 94
project work undertaken by
prisoners in the community
for the purpose of
reparation.



Chapter 5

REPARATION AND RE-ENTRY

Prisoners are to continue to positively contribute to the community through work and other activities.⁶⁰

THE VALUE OF REPARATION

- 5.1 For reparation to be meaningful to prisoners and to the staff who assist them, it is important to determine the value of work undertaken to repay the community. This may constitute work within the prison that defrays costs of incarceration or work outside the prison that contributes to the good of the community.
- 5.2 The reparation work performed by prisoners in the prison itself and in the community is a highlight of Karnet's performance. The Department provided an estimated monetary value for Section 94 work performed by prisoners at Karnet as approximately \$226,000 in 2002–2003. The value of the produce from farming activities was more difficult for the Inspection Team to determine due to a lack of confidence by the farming experts from the Department of Agriculture in the figures produced by the Department. In 2001 the Department of Agriculture valued the farm produce at \$4m, while the Department estimated a value of between \$2m and \$2.5m.⁶¹
- 5.3 Employment is also valued by prisoners as a worthwhile activity at Karnet. Responses to the prisoner survey and discussions between prisoners and the Inspection Team indicated that prisoners valued the work they were engaged in for its meaningful nature as well as for the skills they were able to develop which would assist them in seeking employment upon their release.
- 5.4 Much of the credit for the success of the reparation portfolio should go to the industrial officers and to local prison management, who between them have fostered a positive work culture where prisoner effort is acknowledged. Given the generally poor standard of equipment available to prisoners for use in their industrial activities, it is commendable that they are able to achieve the results that they do.
- 5.5 The breadth of the reparation work is extensive. Within the prison itself, opportunities range from the dairy, abattoir and other farming activities through to working in the laundry, kitchen, mechanical workshop and the bicycle workshop. Participation rates in constructive activity are above average, with the prison reporting 100 per cent of eligible prisoners engaged in employment or programs.

SECTION 94 AND THE ESTABLISHMENT OF A WORK CAMP

- 5.6 In 2001 the Section 94 work being performed by the prison was praised by the Inspector, especially the innovation that allowed prisoners to camp overnight at more distant work locations. In light of the good work being done, the Inspector recommended that: *'Work camp possibilities should be explored and implemented. In addition, Section 94 overnight arrangements should be further developed'*⁶². The Department responded to this recommendation by stating that while

⁶⁰ Prisons Division, 'Building and Infrastructure Program 2004/05–2007/08' (undated).

⁶¹ Report No. 5: *Report of an Announced Inspection of Karnet Prison Farm – April/May 2001* (Office of the Inspector of Custodial Services, Perth, 2001).

⁶² *Ibid.*, Recommendation 7.

REPARATION AND RE-ENTRY

there were no plans for a work camp, the Section 94 overnight arrangements were being 'reviewed for expansion'.

- 5.7 Since that time, the overnight arrangements for Section 94 work have ceased. Opportunities for prisoners to participate in employment Section 94 activities are now much diminished, with only six prisoners from the total prisoner population of 166 participating. This is not to detract from the excellent work performed by the Section 94 officer and his prisoner workers; the Department of Conservation and Land Management (CALM), for whom much of the work is performed, showed great support of the work done through the program. The Department's response to Recommendation 7 is less than acceptable.
- 5.8 The Department should support better access to re-entry activities that enable prisoners to provide reparation to the community. Section 94 activities constitute a central platform for re-entry, a key government initiative, but it is not managed as an integrated policy, rather as an add-on that is dependant upon precarious resource allocations and competing service demands. Practical examples of how the Department is failing to support the program were a lack of resources to replace the Section 94 officer when leave is taken and failure to provide any certainty as to the classification or tenure of the position.
- 5.9 A Departmental proposal to establish a work camp associated with the prison was rejected by the Manjimup community in January 2004. The Department has since failed to pursue with any vigour the establishment of a work camp for Karnet Prison. This Office was advised by staff that an appropriate site (Whitby Falls) for a work camp and/or for cropping or grazing was made available to the Department but that it was not pursued. This Office was also told of the availability of vacant staff accommodation only 500 metres from the prison that could be used for programs or prisoner accommodation. While the Department may well have had cogent reasons for their apparent lack of enthusiasm for these options, to many of the uniformed staff at the prison Head Office was perceived as lacking commitment to expanding prisoner opportunities and remote from their operational realities.
- 5.10 It is therefore recommended that the Department commit to better organisation, support and resourcing of Section 94 activities at Karnet and across the State as a whole to embrace the activity as an important mechanism in the re-entry strategy for prisoners as well as reparation to the community.⁶³

⁶³ The Department disagreed with this recommendation, stating that it is of the view that Section 94 activities are adequately resourced and appropriately organised (Response to the Draft Report of an Inspection of Karnet Prison Farm, 15 December 2004). At the time of the Inspection only six prisoners (3.6 percent of the total prison population) were employed to undertake Section 94 activities. In the week of the Inspection a total of 56 prisoners were absent from the prison on at least one occasion to participate in some form of Section 94 activity, be it recreation, reparation or work. As a prison preparing prisoners for release it is the view of the Inspector that a far greater proportion of prisoners should participate in work activities in the community.

WORK INCENTIVES

- 5.11 Staff and prisoners employed in the various work areas of the farm receive remuneration determined centrally at Head Office regardless of production output or value. Consideration is also not given to the comparatively long hours worked, with the farming enterprise operating seven days a week and some prisoners starting work at 4.00 am. In a field such as primary production where innovation and creative thinking can turn investment into profits, there is significant scope to reward these qualities, particularly where they have the potential to return significant savings to the Department.
- 5.12 As it is, the centralised universal gratuity system for prisoners and the lack of an incentive or bonus capacity for staff has the potential to encourage mediocrity. Staff also voiced concerns about difficulties in recruiting prisoners to work in some farming areas due to the demanding work schedules and lack of commensurate reward for effort. The Department must address this issue or risk threatening the efficiency of food production at Karnet and the consistency of food supply to the broader prison system.
- 5.13 Accordingly, it is recommended that the Department amend the current gratuity profile to take into consideration prisoners who undertake work requiring commitment outside the normal working hours and conditions for prisoners, as a means to encourage participation in employment and appropriately reward work outside the standard practices.
- 5.14 The work being done by prisoners at a local abattoir deserves special mention. At the time of the Inspection three prisoners were undergoing full-time training at the abattoir in an industry which is short of skilled workers.⁶⁴ Importantly, they have each been offered employment following their release from prison. This is an excellent initiative from the prison and their Head Office counterparts in education, and the scheme is set for expansion at Karnet.

SUMMARY

- 5.15 The prison can take great pride in its achievements relative to the reparation cornerstone. Individual staff and management have contributed significantly to the development of a positive culture within the prison based upon demonstrating and communicating a positive work ethic. Prisoners and staff have worked to enable the prison to be virtually self-supporting through farming and Section 94 activities.
- 5.16 Karnet does not have as extensive links with its local community as Wooroloo Prison Farm, north of Perth. This may be because of the larger size of the properties at Karnet and because the State Forest constitutes a major part of the prison precinct. Notwithstanding this, the prison does have good relations with the local community, based to a large extent upon the good work done by prisoners and staff on Section 94 projects. It is disappointing, however, to observe the lack of support the prison receives from the Department in this respect.

⁶⁴ Discussions between this Office and the abattoir's management during the Inspection confirmed the difficulties they were experiencing in securing skilled employees.

Chapter 6

REHABILITATION AND REINTEGRATION

*Prisoners are to be encouraged to engage in programs, education, and activities that seek to reduce the risk of reoffending and increase their potential for reintegration into the community.*⁶⁵

THE PATH TO REHABILITATION

- 6.1 Prisoners should be encouraged to engage in programs, education and activities that address offending behaviour and improve life and vocational skills. The overall aim of this cornerstone is to reduce the risk of reoffending. As a releasing prison, Karnet is expected to have a strong and defined emphasis on rehabilitation and reintegration. The Department has three effectiveness performance indicators,⁶⁶ two of which are directly applicable to the operations at Karnet – the rate of reoffending and successful releases from custody at the earliest date.
- 6.2 The rate of reoffending for prisoners released from Karnet in 2002–2003 was 17.25 per cent.⁶⁷ This represents the lowest rate of recidivism for a male institution, and only marginally higher than the former Nyandi Women’s Prison, with a rate of 14.6 per cent. It is significantly better than the highest rate of 44.5 per cent (for prisoners released from Acacia Prison), and well below the average figure of 38 per cent.⁶⁸ Karnet has achieved similar results over the past three reporting years and has maintained a steady improvement in this indicator. There are a wide range of factors that influence these figures, and it is often difficult to extrapolate the good work done at an institution at the ‘front end’ of a prisoner’s sentence from that done at the releasing prison. Nevertheless, this Office agrees with the statement by the Department in its Annual Report that ‘changes in the rate of reoffending provide some indication of the effectiveness of personal development activities and rehabilitation programs’.⁶⁹
- 6.3 To be successful in achieving a reduction in reoffending a comprehensive, integrated and strategic approach, both at an executive and local level, is required. Prisoners need to be engaged in meaningful activities that assist them to make informed decisions as to their future lifestyles and receive assistance to resolve problems or unexpected issues.
- 6.4 In the Western Australian prison system, prisoners will in most instances be initially assessed at Hakea Prison, where an Individual Management Plan (IMP) will be developed. The IMP should serve as a guide for a prisoner throughout their sentence until their successful release into the community. Along the way they should participate in various activities identified in their IMP, such as rehabilitation programs, employment and education. To do this successfully, most prisoners, particularly those who have been convicted of more serious offences, should be case managed by selected individual officers to ensure that they achieve milestones at specific times. All these activities should be coordinated and integrated centrally by Head Office, as well as locally.

⁶⁵ Prisons Division, ‘Building and Infrastructure Program 2004/05–2007/08’ (undated).

⁶⁶ Department of Justice, *Annual Report 2002–2003* (2003), pp. 149–150.

⁶⁷ Department of Justice, *Exits of Prisoners under Sentence and Returns to Prison*, July 2004.

⁶⁸ Department of Justice, *Annual Report 2002–2003* (2003), p. 149.

⁶⁹ *Ibid.*

CASE MANAGEMENT

- 6.5 The importance of sound case management at Karnet was noted in the 2001 Inspection when two recommendations (13 and 14 respectively) were made in order to enhance existing practices: *A dedicated staff member should be appointed to deal with prisoner assessments and the implementation of Individual Management Plans. Record keeping in relation to case management and related matters should be improved, to bring it up to Departmental standard.*
- 6.6 Case management at Karnet is now facilitated by a Case Management Coordinator, who is a nominated prison officer with a specialised role. However, the position is unfunded, which in practice means that if other priorities intercede then the Case Management Coordinator will often be diverted to those other duties. The Case Management Coordinator only received one day of training in preparation for taking up this role. This is clearly an inadequate response to a recommendation which is fundamental to Karnet's ongoing role as a releasing prison. This is clearly a less than acceptable response to Recommendation 13.
- 6.7 An examination of the documentation of five randomly chosen prisoners was undertaken and followed up by face-to-face interviews with four of those five prisoners to ascertain how case management worked in practice for prisoners.⁷⁰ With the appointment of a coordinator, the documentation and record keeping relevant to case management had substantially improved since 2001. The documentation for these prisoners was relevant and appropriate for their progress through the system. This indicates an acceptable response to Recommendation 14.
- 6.8 The Government's policy on re-entry had resulted in an increased profile for case management in the prison system generally. However, prisoners raised a number of concerns about their practical experiences of the system. The system of 12 hour shifts for prison officers meant that their designated case management officer may often not be available when required because of shift rotations. The shift system can also affect the timely follow up of case management issues, particularly where complex matters are raised. Some officers are also still not fully computer literate, which may affect accurate record keeping and is fundamental to the successful operation of case management.
- 6.9 Karnet is having significant problems appropriately implementing case management practices. While staff had received some training in matters such as case management and TOMS, they acknowledged in the staff survey and during the Inspection that much of their training was too truncated and with little follow-up support. Only 24 per cent of staff survey respondents believed case management was effectively preparing prisoners for release. One respondent stated that: *'Current case management is on an as needs basis ... prisoners with problems are fobbed off until their case manager is on duty'*. Staff interviewed were not confident about the processes and prisoners stated that they found it difficult to find officers who were able to assist them. This issue requires urgent attention.

70 The fifth prisoner was not interviewed as he was being released the following day.

- 6.10 Accordingly it is recommended that case management practices must be improved at Karnet and should incorporate the Department funding a dedicated case management officer and also that it provide ongoing training and support to staff to ensure the successful implementation of the case management policy.

PROGRAM PARTICIPATION

- 6.11 As a minimum-security prison, many prisoners accommodated at Karnet are approaching the end of their sentences and are anxious to ensure they have done everything possible to maximise their chances of being granted parole. Their paramount issue is the completion of offending treatment programs that can indicate to the Parole Board that a prisoner has endeavoured to address their offending behaviour. Prisoners are assessed by the Department at the beginning of their sentence for program needs and scheduled at that time for participation in specific programs at specific locations to meet the deadline of their earliest release date. This information is contained in a prisoner's IMP. Karnet is therefore responsible for providing programs as stipulated in the IMP.
- 6.12 Karnet provides relapse prevention programs in addictions: *Moving on from Dependencies (MASU)*, *Medium Intensity Sex Offenders Program* and *Controlling Anger and Learning to Manage It (CALM program)*. The CALM program replaced the discontinued *Skills Training for Aggression Control* program (STAC) that was the subject of recommendation 8 of the 2001 Inspection Report. This is an acceptable response. These programs assist prisoners in relapse prevention and also with their rehabilitation needs. Karnet is also delivering the Cognitive Skills Training Program, which is a generic program suited to those who have difficulties acting in a pro-social manner and in communicating effectively.
- 6.13 In the 2002–2003 financial year Karnet ran one CALM program, three MASU programs and three Cognitive Skills programs.⁷¹ Neither the CALM nor MASU programs have been independently evaluated to assess their effectiveness. The Cognitive Skills program has received mixed evaluations in terms of its effectiveness in reducing recidivism, but is deemed to be valuable in assisting with socialisation and enhancing communication skills.⁷²
- 6.14 At the time of the 2001 Inspection, this Office held the view that prisoners at Karnet and other releasing prisons should have completed their rehabilitation programs in either the maximum- or medium-security prisons in which they were previously accommodated (in instances where the sentence structure allowed it), and be focussing on their preparation for re-entry into the community while at the minimum-security facility. This resulted in Recommendation 9: *The Department should clarify Karnet's role as a provider of rehabilitation programs at either a primary or supplementary level.*

⁷¹ Department of Justice, 'Offender Programs Service Guide July 2003–June 2004' (2003).

⁷² The Inspector of Custodial Services has recently completed a review of the Cognitive Skills Program: Report No.23, *Cognitive Skills Training in the Western Australian Prison System* (Office of the Inspector of Custodial Services, Perth, 2004).

- 6.15 Department responded that: *'Karnet will need to deliver programs at both levels. Prisoners can transfer to Karnet directly from Hakea with an IMP requiring (primary) program participation. They can also transfer from medium security prisons having completed programs but perhaps still requiring further (supplementary) programs to promote relapse prevention'*. The Department's response was considered acceptable.
- 6.16 This issue has been overtaken to some extent by the development of the Department's Community Re-entry Strategy and the changes to the prisoner classification and placement policies. Some prisoners will now be entering minimum-security prisons at a much earlier phase of their sentence and will not have the time to complete programs at higher security facilities. Consequently, they will need to be completed in a minimum-security prison.
- 6.17 The Department's failure to require Acacia Prison to comply with its specified program requirements,⁷³ particularly with regard to sexual and violent offender programs, has meant that prisoners who have spent some of their sentence at Acacia have had to be transferred to other prisons later in their sentence to complete their program requirements. This has placed undue pressure on the public prisons to provide those programs for prisoners originally scheduled for participation at Acacia. For Karnet prisoners, this may also result in a prisoner being sent to a higher security prison than indicated by their security classification to complete their program requirements, if a program is not available there.
- 6.18 Karnet is currently at least three months behind in its scheduling of the sex offender, substance abuse and cognitive skills programs, as the Offender Programs Branch of the Department is unable to provide the facilitators to present the programs scheduled. In the 2001 Inspection this same problem was apparent and the Department assured this Office that the matter was in hand and would be resolved in the near future. The Inspection Team were advised by the Assistant Superintendent Prisoner Management that at the time of the Inspection, nine Karnet prisoners had had their parole delayed, as well as lost access to Home Leaves and Community Based Work Release, because of program related difficulties. The Inspection Team were advised that this is an ongoing issue and that few sex offender prisoners had the opportunity to access early release options.
- 6.19 The matter of program delays also has some origins in the assessment system based at Hakea Prison. The Inspection Team were advised that in a number of instances the assessments of some prisoners are not (in the opinion of the program facilitators) relevant to their criminogenic needs. The lack of connection between the assessors and program providers was a problem in this regard. Despite constant reference to this matter in previous reports there does not appear to be sufficient efforts by the Department towards rectifying these problems.

⁷³ Report No. 19, *Report of an Announced Inspection of Acacia Prison – March 2003* (Office of the Inspector of Custodial Services, Perth, 2003), p. 45.

6.20 Accordingly, it is recommended that the Department urgently address deficiencies in the scheduling and delivery of prisoner treatment programs to ensure prisoners have completed their Individual Management Plan requirements before their earliest release date.

EDUCATION SERVICES

- 6.21 Responses to the prisoner survey identified education services as being of a good standard and a positive feature of the prison; but, while the quality of the service was good, access was not. Prisoners interviewed during the on-site phase of the Inspection confirmed these survey responses. Some prisoners stated that they opted to by-pass formal education as they were already fully occupied with their employment responsibilities.
- 6.22 Rates of completion for courses undertaken were 60 per cent. The courses provided included information technology, certificate of general education for adults, Aboriginal tutorial assistance scheme, TAFE courses, external university studies and driver's licence. Education services at Karnet were rated second in the Department's league tables behind Nyandi in terms of participation, which is a very good result.⁷⁴
- 6.23 Karnet has two part-time education officers (equating to one full-time position) and four part-time tutors. Education at Karnet suffers from a lack of adequate resources and this is particularly so for those prisoners who wish to do a full-time art program or computer studies. There is simply not enough classroom space for those who wish to participate. Karnet administration is aware of these problems and is actively seeking to resolve them through the capital works program. Although the education budget was increased for 2003–2004, this was minimal (less than 1%) and is inadequate given that costs have risen substantially over the past year.
- 6.24 The coordination of, and consistency in, the provision of education services across the Prison Service are issues that require particular attention. Education staff reported difficulties when prisoners were transferred from other prisons in the middle of a course, where that same course was not on offer at Karnet. While it is difficult for all prisons to offer the same or complementary courses it is a matter that needs to be addressed through the Hakea assessment process and the Sentence Management Branch that supervises prisoner placement, as it acts as a disincentive for prisoner participation.
- 6.25 Education staff reported that they had good relationships within the prison. The Inspection Team was able to confirm that local management, industrial officers and uniformed staff were all supportive of their work and assisted as necessary.

EDUCATION AND VOCATIONAL SKILLS

- 6.26 Karnet has a broad range of traineeships and skills training available that are appropriate to the industrial and employment options at Karnet. At the time of the Inspection prisoners were

⁷⁴ Prisons Division, 'Monthly Performance Report' (March 2004).

REHABILITATION AND REINTEGRATION

participating in traineeships in horticulture, meat processing, engineering production, hospitality and automotive (bicycle servicing). The traineeships on offer are industry based and provide recognised qualifications that will assist prisoners seeking employment on release. There is also skill training in forklifts, front-end loaders, welding, cabinet-making, senior first aid, chemical handling and bush fire fighting.

- 6.27 Vocational training is linked to the Challenger TAFE located near Murdoch University. This has become a well-established relationship and one that has been productive for the prison. Prisoners are encouraged to pursue their studies after leaving the prison and the TAFE has been very supportive in this regard. There is a good linkage between education services and vocational skills. The Industrial Officers will often refer prisoners to education services for assistance with literacy and numeracy development, which enable prisoners to focus on the theoretical as well as practical aspects of their skill development.
- 6.28 The majority of prisoners spoken to who had previously or were currently participating in traineeships or other forms of skill training were enthusiastic about their participation. Most felt that they had now put the rigours of the secure prisons behind them and were able to concentrate their minds on factors that were likely to enhance their chances of employment once released. Importantly, as in the 2001 Inspection, they valued the role played by the industrial officers and saw them as positive role models.

REINTEGRATION INTO THE COMMUNITY

- 6.29 The successful release of a prisoner from custody at the earliest possible date requires good case management throughout a prisoner's sentence. To successfully integrate back into the community requires the committed effort of the offender, the offender's family, prison staff, community based service staff and organisations and individuals tasked with assisting newly released prisoners. The Department acknowledges that some 45 per cent of prisoners released into the community without supervision are re-imprisoned within two years.⁷⁵
- 6.30 In 2003 the Department initiated the Community Re-entry strategy in an effort to reduce reoffending levels, incorporating 'a raft of initiatives . . . many of which have required extensive community consultation and collaborative efforts from government departments and agencies, as well as different divisions within the Department itself'.⁷⁶ At the time of the Inspection the contracts for coordinating the new re-entry services, pre and post-release services, were being signed with Outcare, the selected service provider for Karnet. It is therefore not possible to comment upon the success of the Community Re-entry Strategy at Karnet. However, Outcare has had a positive record in assisting ex-prisoners to successfully adapt to freedom once released, and the organisation already enjoys a positive relationship with prisoners at Karnet through the efforts of Outcare staff who service the prison's visits centre.

⁷⁵ Prisons Division, 'Building and Infrastructure Plan 2004/05–2007/08' (undated).

⁷⁶ Department of Justice, *Annual Report 2002–2003* (2003).

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- 6.31 The Department has also been successful in obtaining access to transitional housing for newly released prisoners through the Department of Housing and Works as a result of the State Homelessness Taskforce findings.⁷⁷ This Office was informed that because the new transitional housing scheme is a pilot project no long-term prisoners or sex offenders would be allowed to participate. While this is understandable from a political risk management point of view, it is unfortunate in that these are the very prisoners who in many instances require the highest level of support.
- 6.32 Uniformed staff who were interviewed by the Inspection Team were confident that Karnet was successful in assisting prisoners in their preparation for release. It was their view that Karnet has always operated in practical terms as a pre-release prison and that they assisted in skills development and in accessing early release programs such as Home Leaves and Community Based Work Release. Opinion was divided amongst prisoners as to their preparedness to re-enter their communities. Some were confident that they had received adequate assistance, others less so.
- 6.33 The Community Justice Services Division has one officer located at Karnet. The workload of this officer is extensive and in order to manage this focus has been placed on assisting long-term prisoners. Contact is initiated with a prisoner 12 weeks prior to release and then followed up four weeks after release. The officer anticipates that the advent of a new position—the Re-entry Coordinator—will ease some of the load and assist in providing a more comprehensive service. However, there is a lack of information regarding how the two roles will complement each other and this needs to be resolved by Head Office before the position commences.

SUMMARY

- 6.34 The Department has developed the basis for a good assessment system, but has not assessed its effectiveness or efficacy. There are extensive delays in accessing offender programs in most prisons; and, the application of case management is sporadic between and within prisons.
- 6.35 Although all of the key players in the rehabilitation cornerstone feel supported and involved at the prison, there is no clear cohesive sense of integration. The sense is of very good and dedicated people, doing good work but not in a fully integrated and synergetic context. Case management practice in particular needs to be revised and remedial steps taken to ensure that it meets the needs of the prisoners.

77 Ibid.

Chapter 7

CONCLUSIONS AND RECOMMENDATIONS

SUMMARY

- 7.1 In 2001 Karnet was assessed as performing its function as a prison preparing prisoners for release back into the community very well. As a farming enterprise, the prison was also performing to a good standard despite the lack of recognition, support and forward planning from Head Office. What has happened since this time is that the prison has neither regressed nor progressed, but instead gives the impression of stagnation.
- 7.2 This Report has canvassed the recommendations made in the 2001 Inspection Report and examined how, in the intervening three years, the Department and the prison have worked towards implementing the changes it was agreed were required. The Inspector made 19 recommendations in respect of the operation of Karnet Prison Farm in 2001, 13 of which the Department agreed to implement. Four recommendations were partially agreed upon and two were not accepted by the Department. The assessment of the Inspection Team following the 2004 Inspection is that 40 per cent of the recommendations have been implemented to an acceptable standard, 30 per cent have only been partially implemented and the remaining 30 per cent have not been progressed at all.
- 7.3 Overall, while good progress has been made toward some recommendations, those recommendations on which no progress has been made are fundamental to service delivery and as a result implementation generally has fallen below an acceptable standard. In particular, the lack of action towards instituting service level agreements, the failure to develop a total farm plan, the stagnation of Section 94 and work camp activities and the continuing degradation of prisoner accommodation has been disappointing.
- 7.4 What is required for Karnet is a master plan for the future role of the prison, its infrastructure needs and its prisoner profile capabilities. The age of the infrastructure generally at the prison is such that a major injection of capital is required, and such an investment should not be made without such a plan. A comprehensive master plan will ensure efficient use of resources, more appropriate allocation and training of staff, appropriate service delivery to prisoners and optimum outcomes from the prison's farming enterprise.
- 7.5 Karnet does have an important part to play in the total Western Australian prison system. Its role for low risk prisoners is to provide programs, skills, reparation, re-entry links and relative proximity to the metropolitan area. Its function as a primary producer to the system also cements its importance to the Prison Service. The Department needs to recognise this role and act accordingly.

CONCLUSIONS AND RECOMMENDATIONS

RECOMMENDATION

1. That the Department develop a master plan for the future role of Karnet Prison, taking into account changing prisoner profiles, its re-entry policy and the prison's infrastructure requirements (paragraph 2.36).
2. That the Department review the process by which it allocates budgets to individual prison facilities to ensure that each prison is sufficiently funded for the proper delivery of all prisoner services (paragraph 2.5).
3. As part of a statewide policy of devolving responsibility for policy implementation at an operational level, Karnet should enter into a Service Level Agreement with the Department. A compliance and auditing function within the Department should be established to monitor the implementation of such agreements (paragraph 2.13).
4. The Karnet Farm Plan must be finalised in the context of a total Prison Farms Plan so as to maximise valuable State assets and food chain production and to appropriately risk manage the prison system food supply (paragraph 2.22).
5. That the Department reassess the method for appointing staff to enable a more appropriate blend and selection of uniformed, industrial and non-uniformed staff to better meet the functions and objectives of the prison. This should include a performance management system for all staff (paragraph 2.32).
6. That the Department and local Karnet management provide an environment for better integration of staff across uniformed, industrial and non-industrial lines. Such integration should aim to promote better service delivery to prisoners and enhance the achievement of the prison's key strategies (paragraph 2.33).
7. That the Department ensure that professional development is relevant to the re-entry function of Karnet and takes into consideration the prisoner profile accommodated at the prison (paragraph 3.9).
8. That the Department implement better strategies to address staff diversity (paragraph 3.12).
9. That the Department and Karnet management must act jointly to develop an approach to the use of illicit drugs that is more consistent with the new drug management strategies, meets the operational needs of the prison and is clear to both staff and prisoners (paragraph 3.22).
10. That the Department provide comprehensive training and ongoing support for staff for the implementation of the new drug management strategies at Karnet (paragraphs 3.23 and 4.46).
11. That the prisoner induction and orientation process at Karnet should be reassessed to provide a system that is more comprehensive, involves the prisoner support group and is properly documented (paragraph 4.7).

CONCLUSIONS AND RECOMMENDATIONS

12. That Karnet management and staff recognise the positive benefits that can be provided through the peer support group and that the group's services be better utilised to improve the care and wellbeing of prisoners (paragraph 4.10).
13. That the Department better recognise the positive benefits of access to the Prisoner Counselling Service and that its services be better utilised to improve care and wellbeing to prisoners (paragraph 4.13).
14. That Karnet put systems in place for the provision of regular organised physical and passive recreational activities for prisoners (paragraph 4.24).
15. That Karnet act immediately to address the increasing antagonism displayed towards the sex offender prisoner population to ensure the continued successful mainstreaming of the vulnerable prisoner population (paragraph 4.30).
16. That the Department urgently address the unacceptable standard of prisoner accommodation provided in Units 1 and 2 at Karnet, and concurrently finalise an infrastructure plan to address the future needs of the prison (paragraph 4.35).
17. That the Department commit to better organisation, support and resourcing of Section 94 activities at Karnet and across the State as a whole to embrace the activity as an important mechanism in the re-entry strategy for prisoners as well as reparation to the community (paragraph 5.10).
18. The Department amend the current gratuity profile to take into consideration prisoners who undertake work requiring commitment outside the normal working hours and conditions for prisoners, as a means to encourage participation in employment and appropriately reward work outside the standard practices (paragraph 5.13).
19. That case management practices must be improved at Karnet and should incorporate the Department funding a dedicated case management officer and also that it provide ongoing training and support to staff to ensure the successful implementation of the case management policy (paragraph 6.10).
20. That the Department urgently address deficiencies in the scheduling and delivery of prisoner treatment programs to ensure prisoners have completed their Individual Management Plan requirements before their earliest release date (paragraph 6.20).

Appendix 1

DEPARTMENT OF JUSTICE RESPONSE TO THE 2004 RECOMMENDATIONS

Recommendations	DOJ Response
<p>1 That the Department develop a master plan for the future role of Karnet Prison, taking into account changing prisoner profiles, its re-entry policy and the prison's infrastructure requirements (paragraph 2.36).</p>	<p>Agreed. A comprehensive review of Karnet's role within the overall prison system is being conducted. Depending on the outcome of this, a master plan will be developed to address issues of tenure, site services capacity, accommodation capacity, infrastructure requirements and building fabric condition against contemporary custodial standards to inform strategic and capital investment planning around the Karnet facility.</p>
<p>2 That the Department review the process by which it allocates budgets to individual prison facilities to ensure each is sufficiently funded for the proper delivery of all prisoner services (paragraph 2.5).</p>	<p>Agreed in part. The Department is of the view that Karnet Prison is sufficiently funded for the delivery of all prison services. Prisons receive funding in accordance with their needs and against risk factors.</p> <p>Prisons Division plans to review its budget allocation process in preparation for the 2005/06 fiscal year. Planning for this review is to commence in January 2005. The review will ensure an equitable allocation of funds across the prison system.</p>
<p>3 As part of a statewide policy of devolving responsibility for policy implementation at an operational level, Karnet should enter into a Service Level Agreement with the Department. A compliance and auditing function within the Department should be established to monitor the implementation of such agreements (paragraph 2.13).</p>	<p>Disagreed. Karnet has developed a business plan, which is not dissimilar to a Service Level Agreement. The plan identifies the prison's major operating parameters, service specific improvements with specific measures and targets.</p>
<p>4 The Karnet Farm Plan must be finalised in the context of a total Prison Farms Plan so as to maximise valuable State assets and food chain production and to appropriately risk manage the prison system food supply (paragraph 2.22).</p>	<p>Agreed. The Department has commenced the process of preparing a Total Prison Farms Plan in consultation with the Department of Agriculture.</p>

DEPARTMENT OF JUSTICE RESPONSE TO THE 2004 RECOMMENDATIONS

Recommendations	DOJ Response
5 That the Department reassess the method for appointing staff to enable a more appropriate blend and selection of uniformed, industrial and non-uniformed staff to better meet the functions and objectives of the prison. This should include a performance management system for all staff (paragraph 2.32).	<p>Agreed. A review of staffing requirements and efficient service delivery at all prisons has commenced and will identify necessary changes to the employment group of each prison.</p> <p>A Performance Management system for PO's and VSO's is currently being developed.</p>
6 That the Department and local Karnet management provide an environment for better integration of staff across uniformed, industrial and non-industrial lines. Such integration should aim to promote better service delivery to prisoners and enhance the achievement of the prison's key strategies (paragraph 2.33).	<p>Agreed. The implementation of the devolution of offender services, through the transfer of management responsibility for these services to the Superintendent, will contribute to better coordination and integration of education, programs, PCS & PSO services with custodial and other services in the prison. In addition, the efficient use of staff will be picked up in the staffing review.</p>
7 That the Department ensure that professional development is relevant to the re-entry function of Karnet and takes into consideration the prisoner profile accommodated at the prison (paragraph 3.9).	<p>Agreed. The Department has recently conducted a project to review Assessment and Case Management within the prison system, and is in the process of finalizing a report of its findings and recommendations. These recommendations will be considered as a basis for systems improvements in the current model of Assessment and Case Management, of which re-entry is a component.</p> <p>The Department's immediate training priority over the next 12 months is targeted to the Entry Level Training program (ELT) in order to place new prison officers. Following the replenishment of the prison officer pool from this training the Department will resume regular training priorities. Higher levels of staff training will be subject to Government funding.</p>

DEPARTMENT OF JUSTICE RESPONSE TO THE 2004 RECOMMENDATIONS

Recommendations	DOJ Response
8 That the Department implement better strategies to address staff diversity (paragraph 3.12).	Disagreed. The Department has been actively targeting women and Indigenous staff to work in prisons. Of the current recruit training school, 30% of the recruits are female, and 2% are indigenous.
9 That the Department and Karnet management must act jointly to develop an approach to the use of illicit drugs that is more consistent with the new drug management strategies; meets the operational needs of the prison and is clear to both staff and prisoners (paragraph 3.22).	Disagreed. Karnet Prison’s approach to the use of illicit drugs is consistent with the Department’s drug management strategies and meets the operational needs of the prison. There is no “containment policy” at Karnet as suggested in the inspection report, and all positive tests result in charges in accordance with the Director General’s Rules on illicit drug use. These rules are readily available to all staff. Prisoners are informed during the induction process that a positive drug test will result in a charge and that they may have their security rating reviewed. In the 8 months prior to the Inspection, 178 urine tests were conducted. 51 of these were positive and resulted in 51 charges being laid. In the 8 months following the Inspection, 305 urine tests were conducted. There were 81 positive tests which resulted in 76 charges. The remaining 5 prisoners were released prior to being charged. In response to the assertions of drug trafficking in the report, Karnet Prison has implemented a range of covert and overt strategies. However, there has been no discernible change in drug usage or evidence of drug trafficking at the prison. Additional drug detection dogs will be operation by 2005 and available to increase the service provided to Karnet prison. Consistent with drug management strategies, pharmacotherapies have been introduced to reduce the demand for illicit drugs.

DEPARTMENT OF JUSTICE RESPONSE TO THE 2004 RECOMMENDATIONS

Recommendations	DOJ Response
10 That the Department provide comprehensive training and ongoing support for staff for the implementation of the new drug management strategies at Karnet (paragraph 3.23 and 4.46).	<p>Agreed. The Justice Drug Plan was launched in May 2003 and strategies were funded from the beginning of the financial year 03/04. Prison officer training in the implementation of the Justice Drug Plan and broader drug and alcohol issues has been planned and put into action at a number of prison sites. As stated in recommendation 7, the Department's immediate training priority over the next 12 months is targeted to the Entry Level Training program in order to place new prison officers. Following the replenishment of the prison officer pool from this training the Department will resume regular training priorities including those related to drug and alcohol issues. Higher levels of staff training will be subject to Government funding.</p> <p>It should be noted the ELT program includes components on the Justice Drug Plan, explanations of supply, demand and harm reduction strategies, and is supported by drug education sessions from the Drug and Alcohol Office (DAO) and the West Australian Police Service (WAPS).</p> <p>All Departmental staff have ready access to the Justice Drug Plan.</p>
11 That the prisoner induction and orientation process at Karnet should be reassessed to provide a system that is more comprehensive, involves the prisoner support group and is properly documented (paragraph 4.7).	<p>Agreed. A practical, informative, easily read and comprehensive induction and orientation package has been developed and implemented.</p>
12 That Karnet management and staff recognise the positive benefits that can be provided through the peer support group and that the group's services be better utilised to improve the care and wellbeing of prisoners (paragraph 4.10).	<p>Agreed. The Peer Support Officer and Prisoner Peer Support team assist in the orientation (pathway to home package) of new prisoners at Karnet. The Peer Support team are identified by peer support motive on t-shirts and posters placed in each unit. The peer support team meet formally with administration on a fortnightly basis, however informally when required.</p>

DEPARTMENT OF JUSTICE RESPONSE TO THE 2004 RECOMMENDATIONS

Recommendations	DOJ Response
13 That the Department better recognise the positive benefits of access to the Prisoner Counselling Service and that its services be better utilised to improve care and wellbeing to prisoners (paragraph 4.13).	Agreed. The level of PCS services has been increased from two to three days per week. A level 7 Manager Offender Services Hakea position will be filled shortly. In addition to responsibilities at Hakea, this position will also have responsibilities in relation to monitoring and provision of offender services at Wooroloo and Karnet prisons. There has been an increase in the overall budget for PCS, which in turn has led to an increased capacity for the provision of longer-term PCS counselling.
14 That Karnet put systems in place for the provision of regular organised physical and passive recreational activities for prisoners (paragraph 4.24).	Agreed. Karnet Prison has reviewed its practices in relation to the provision of adequate recreation. The Recreation Officer is now required to submit planned activities for 3 months in advance. Two prisoners, one of whom is aboriginal, have been appointed to organise activities. In addition to these strategies, a new oval is now available for prisoner use.
15 That Karnet act immediately to address the increasing antagonism displayed towards the sex offender prisoner population to ensure the continued successful mainstreaming of the vulnerable prisoner population (paragraph 4.30).	Disagreed. Sex offenders come to Karnet directly from protection units in other prisons. Karnet Prison recognises that this change of environment may lead to a degree of apprehension, however, there has been no incident in the past 3 years involving sex offenders. Karnet prison has Peer Support Workers to assist prisoners who have concerns, anti-bullying policies and posters widely displayed, a zero tolerance of bullying or threats against any prisoners, and a widely displayed equal opportunity statement. In addition, Prisons Division is undertaking a state-wide review of policy and procedures in relation to vulnerable prisoners. This review will be completed in December 2004. A product of this review will be a list of principles to be followed in the development of procedures at each prison site.

DEPARTMENT OF JUSTICE RESPONSE TO THE 2004 RECOMMENDATIONS

Recommendations	DOJ Response
<p>16 That the Department urgently address the unacceptable standard of prisoner accommodation provided in Units 1 and 2 at Karnet, and concurrently finalise an infrastructure plan to address the future needs of the prison (paragraph 4.35).</p>	<p>Agreed. The Department has refurbished units 1 and 2 and is currently refurbishing the units known as the ‘huts’.</p> <p>Further works will be dependent upon the outcomes of the services review as identified in the response to recommendation 1, and will be subject to Government budgetary processes.</p>
<p>17 That the Department commit to better organisation, support and resourcing of Section 94 activities at Karnet and across the State as a whole to embrace the activity as an important mechanism in the re-entry strategy for prisoners as well as reparation to the community (paragraph 5.10).</p>	<p>Disagreed. Karnet currently offers an extensive offsite S.94 programme including the following activities:</p> <ul style="list-style-type: none">• Bibbulmun Track and Munda Biddi Trail projects;• E G Green apprenticeships training – meat works• Driver training• Landcare with local Council – Heritage Park at Jarrahdale. <p>The Department is committed to supporting S.94 activities across the State and is of the view that they are adequately resourced and appropriately organised.</p>
<p>18 The Department amend the current gratuity profile to take into consideration prisoners who undertake work requiring commitment outside the normal working hours and conditions for prisoners, as a means to encourage participation in employment and appropriately reward work outside the standard practices (paragraph 5.13).</p>	<p>Agreed. The Department will review the current gratuity policy with a view to ensuring it appropriately remunerates work undertaken by prisoners outside normal working hours and conditions.</p>

DEPARTMENT OF JUSTICE RESPONSE TO THE 2004 RECOMMENDATIONS

Recommendations	DOJ Response
19 That case management practices must be improved at Karnet and should incorporate the Department funding a dedicated case management officer and also that it provide ongoing training and support to staff to ensure the successful implementation of the case management policy (paragraph 6.10).	<p>Agreed in part. The Department agrees that there is a need to improve case management. The review of Assessment and Case Management, and the review of prison staffing levels will provide information to assess the need for a dedicated case management position.</p> <p>Should the need for a dedicated case management position be identified, the appointment will be subject to the government budgetary process.</p>
20 That the Department urgently address deficiencies in the scheduling and delivery of prisoner treatment programs to ensure prisoners have completed their Individual Management Plan requirements before their earliest release date (paragraph 6.20).	<p>Agreed in part Recently no prisoner at Karnet has missed his earliest release date as a result of the non-delivery of programs. The scheduling and delivery of prisoner treatment programs is being addressed within Offender Programs and is also an element of the Review of Assessment and Case Management.</p>

Appendix 2

SCORE CARD

Report of an Announced Inspection of Karnet Prison Farm - April/May 2001	Type of Recommendation	Assessment of the Department of Justice implementation
1. Arrangements must be made to renew the lease of the Karnet Prison Farm forthwith. The new lease should be of a sufficiently long period to justify capital investment in the Prison and the Farm.	Administration and Accountability	Acceptable
2. A total farm plan, along the lines of the expert report by the Department of Agriculture must be developed. The Department of Justice must make a long-term commitment to implementing and maintaining this plan.	Reparation; Correctional Value-for-Money	Less than acceptable
3. Effluent management arrangements that conform to applicable environment standards must be developed and implemented as soon as possible.	Care and Wellbeing	Acceptable
4. Unit 1 accommodation should be replaced with new accommodation as soon as possible, and the existing building gutted and converted into a new area for programs and related activities.	Care and Wellbeing	Unacceptable
5. Unless inconsistent with system-wide prison population reduction strategies and projections, additional capacity of a further 60 beds should be added, so that the total capacity is about 240.	Correctional Value-for-money	Unacceptable
6. In the event that Recommendations 4 and 5 are accepted, a substantial proportion of the new accommodation should be self-care.	Correctional Value-for-money; Care and Wellbeing	Not Applicable
7. Work camp possibilities should be explored and implemented. In addition, Section 94 overnight arrangements should be further developed.	Rehabilitation	Less than acceptable
8. A substitute program for the discontinued STAC program should be made available to prisoners at Karnet.	Health	Acceptable

SCORE CARD

Report of an Announced Inspection of Karnet Prison Farm - April/May 2001	Type of Recommendation	Assessment of the Department of Justice implementation
9. The Department should clarify Karnet's role as a provider of rehabilitation programs at either a primary or supplementary level.	Rehabilitation	Acceptable
10. Quality control measures should be improved with regard to the delivery of health services.	Health	Acceptable
11. Staff should be offered in-service training that is more appropriate to their role at a minimum-security prison.	Staffing Issues	Less than acceptable
12. An effort should be made to recruit female and more Aboriginal officers to the staff, as vacancies occur.	Staffing Issues	Less than acceptable
13. A dedicated staff member should be appointed to deal with prisoner assessments and the implementation of Individual Management Plans.	Rehabilitation	Less than acceptable
14. Record keeping in relation to case management and related matters should be improved, to bring it up to Departmental standard.	Administration and Accountability	Acceptable
15. The FCMT presence on site should be increased.	Health	Not acceptable
16. Visitors should be able to book their visits to prisoners, but in any case, a Local Order should be promulgated specifically authorising approval for unbooked visits in circumstances that do not involve a security risk.	Care and Wellbeing	Acceptable
17. The system for ensuring that sex offenders cannot have inappropriate contact with young children during visits should be reviewed and strengthened.	Custody and Security	Acceptable

SCORE CARD

Report of an Announced Inspection of Karnet Prison Farm - April/May 2001	Type of Recommendation	Assessment of the Department of Justice implementation
<p>18. The Arunta phone system contract should be renegotiated, and if more favourable terms cannot be secured, then an alternative provider should be sought.</p>	<p>Care and Wellbeing</p>	<p>More than acceptable</p>
<p>19. The Department should actively and constructively explore the possibility of making Karnet the first prison in the system to be accorded a Service Level Agreement. Such an agreement should take account of matters identified in the Report including:</p> <ul style="list-style-type: none"> • The need for a ring-fenced budget set at a figure that reflects the true contribution of the farm outputs to the Departmental expenditure. • The need for and benefit of capital investment in farming and related activities. • The desirability of increasing accommodation capacity. • The benefit to the Department of piloting a process whereby responsibility for major aspects of management is devolved from Head Office to the field. <p>This should be done on a trial basis with a view to extending appropriately adapted arrangements to other prisons.</p>	<p>Administration and Accountability</p>	<p>Less than acceptable</p>

Appendix 3

THE MONITORING FRAMEWORK FOR THE 2004 RECOMMENDATIONS

No.	Type of Recommendation	Short Medium <1 yr	Medium term <3 yrs	Long term >3 yrs	Agreed	Disagreed	Partially	Risk Rating
1	Administration and accountability of DOJ			•	•			Moderate
2	Administration and accountability of DOJ			•			•	Moderate
3	Administration and accountability of DOJ		•			•		
4	Correctional Value-for-Money		•		•			Moderate
5	Staffing issues		•		•			Moderate
6	Staffing issues		•		•			Low
7	Rehabilitation		•		•			Low
8	Staffing issues		•			•		
9	Care and wellbeing	•				•		
10	Staffing issues	•			•			Low
11	Care and wellbeing	•			•			Implemented. No ongoing risk
12	Care and wellbeing	•			•			Implemented. No ongoing risk
13	Care and wellbeing	•			•			Moderate
14	Care and wellbeing	•			•			Implemented. No ongoing risk
15	Custody and security	•				•		
16	Administration and accountability of DOJ			•	•			Low
17	Reparation	•				•		Low
18	Reparation	•			•			Low
19	Staffing issues	•					•	Moderate
20	Rehabilitation		•				•	Moderate

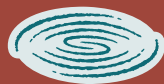
Appendix 4

INSPECTION TEAM

Professor Richard Harding	The Inspector of Custodial Services
Dace Tomsons	Expert Advisor (Drug and Alcohol Office)
Bob Stacey	Director of Operations
Peter Upton-Davis	Manager, Inspections and Research
Dr Peter Barrett	Expert Consultant (Health Department of Western Australia)
Jocelyn Jones	Senior Inspections and Research Officer
John Acres	Inspections and Research Officer
Leonie Sinclair	Inspections and Research Officer (seconded from the Department of Justice)
Joseph Wallam	Community Liaison Officer



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