



MEDIA RELEASE – EMBARGOED UNTIL 12 NOON ON MONDAY 21ST JANUARY 2013

Report of an Announced Inspection of Pardelup Prison Farm and Report on the Flow of Prisoners to Minimum Security, Section 95 and Work Camps

The Inspector of Custodial Services has today released two reports. One is a report of an inspection of Pardelup Prison Farm, conducted in July-August 2012. The other report analyses trends in the number of prisoners at the three different security classifications used by the Department of Corrective Services (maximum, medium and minimum).

Report of an Announced Inspection of Pardelup Prison Farm

Pardelup is the state's oldest operating correctional facility. Until 2002 it was a prison holding up to 80 prisoners. However, it was then downgraded to become a work camp, usually holding fewer than 20 prisoners. In 2009, the government decided to invest in building up Pardelup's numbers and in appropriate refurbishments. In launching his report, the Inspector, Neil Morgan stated:

'The downgrading of Pardelup in 2002 was short-sighted given that prisoner numbers were always destined to rise. It also resulted in a deteriorating state asset and the under-utilisation of a site with proven potential. This inspection confirmed the wisdom of reinstating Pardelup as a prison and expanding its operations. Obviously, as it only reopened as a prison in March 2012, it is still bedding in. However, we found it to be a safe, positive and productive facility with considerable further potential.'

The report, to which officers from the Department of Food and Agriculture provided valuable input, found that the positive features of Pardelup included:

- Respectful relationships between prisoners and staff and a strong sense of safety;
- Thoughtful management of a diverse group of prisoners;
- Simple but generally good facilities and conditions, including one person per cell;
- Opportunities to be engaged in positive and productive employment and to develop work-relevant skills; and
- Positive connections and engagement with the local community.

The areas of challenge include:

- Increasing the number of Aboriginal men accessing Pardelup's excellent facilities and opportunities with the aim of maximising their prospects of successfully returning to society;
- Working out the best balance between farm productivity and skill development opportunities for prisoners; and
- Maintaining the momentum of the past three years and examining opportunities for potential future expansion.

In summarising his report, Professor Morgan commented:

‘Pardelup provides a refreshing example of the benefits that come from simple things like fresh air, positive work opportunities, respectful relationships, and an absence of overcrowding. Congratulations to staff, management and prisoners on their achievements.’

Report on the Flow of Prisoners to Minimum Security, Section 95 and Work Camps

In 2009, the Department of Corrective Services introduced a modified system for assessing and classifying prisoners. The aims of this new system included greater transparency and accountability and improved safety and security. It was anticipated that it would result in fewer prisoners being rated maximum security and more being rated medium or minimum security.

This review examines whether the changes that have occurred are in line with what was anticipated. It also discusses the extent to which minimum security prisoners are accessing work camps and ‘out of prison’ activities based on reparation (such as community work) or preparation for release, activities which are authorised by section 95 of the Prisons Act.

In launching the report, the Inspector, Neil Morgan said:

‘Although the prison population has increased rapidly since 2009, the number of prisoners rated maximum security has actually dropped, with 7.5% of prisoners now rated maximum security compared with 17% in June 2009. The number assessed to be medium or minimum security has increased accordingly. Importantly, these changes have been achieved without risk to prison security or community safety.’

The report finds that in terms of overall numbers, these outcomes are broadly in line with what was expected. However, the impact of the changes has been very uneven. While the proportion of non-Aboriginal people rated minimum security has increased markedly, the proportion of Aboriginal people rated at minimum has significantly declined. Professor Morgan said:

‘This raises some serious questions. Minimum security facilities are explicitly designed to achieve better reintegration outcomes and to enhance public safety by reducing recidivism. Aboriginal people constitute over 40 per cent of our prison population and generally have high ‘re-entry’ needs. If they are not accessing minimum security in sufficient numbers, the benefits of these facilities are not reaching a priority target group and public investment is not being maximised.’

It seems incomprehensible that the objective ‘qualifications’ of Aboriginal people to be at minimum security could have plummeted in just three years while the qualifications of other prisoners have increased markedly over the same period. The report recommends that the Department undertake further analysis to understand the causes of these differential

outcomes and whether any changes to the system can be implemented without compromising public safety.

I am pleased to say that in response to this review and the findings of other inspection reports, the Department has commissioned its own internal review with the aim of increasing the number of Aboriginal people at major re-entry prisons in the south west. We will examine the impact of this review at a future date.'

The report also raises concerns with respect to the following issues:

- Increasing numbers of prisoners being held in facilities which are more secure than their security classification dictates;
- The disadvantaged position of women who are rated minimum security but must remain at Bandyup, the maximum security Women's Prison;
- The under-utilisation of work camps.

Neil Morgan

17th January 2013

For more detail, see the Inspector's Overview to the Report (copy attached) and General Overview of Findings, Summary and Conclusion to the Report on the Flow of Prisoners to Minimum Security, Section 95 and Work Camps (copy attached).

Neil Morgan will be available for comment from 12 noon on Monday 21st January and can be contacted on 0427 426 471.

The full report will be available on the Inspector's website (www.oics.wa.gov.au)

The Inspector's Overview

PARDELUP PRISON FARM: A SAFE, POSITIVE AND PRODUCTIVE PRISON WITH FURTHER POTENTIAL

INTRODUCTION

Pardelup Prison Farm ('Pardelup'), located 27 kilometres from Mount Barker, has a fascinating 85 year history. It commenced operations in 1927 as an adjunct to Fremantle Prison, and in both national and international terms its philosophy and infrastructure were ground-breaking: an open, fence-free rural location and a focus on positive farm-based work.

Up until 2002, Pardelup operated as a prison, holding a maximum of around 80 prisoners. In 2002, during a short term drop in prisoner numbers, the decision was taken to downgrade it to a small work camp. Its maximum capacity was only 20 prisoners and actual numbers were often lower. Given that prisoner numbers were always destined to move back up, this was a short-sighted decision. It also resulted in a deteriorating state asset and a serious under-utilisation of a site with real potential.ⁱ

In 2009, very sensibly, the government decided to invest in building up Pardelup's prisoner numbers and in appropriate refurbishments. In March 2010, Pardelup formally regained its status as a prison and now has a capacity of 84 prisoners. It is also responsible for the Walpole work camp which has a capacity of 12 prisoners.

This inspection, conducted in July–August 2012, confirmed the wisdom of the decision to reinstate Pardelup as a prison and to expand its operations accordingly. Inevitably, the inspection found that it was still a 'work in progress' and identified some areas where improved procedures and practices needed to be developed or embedded. Overall, however, it was an extremely positive scorecard. Enormous progress had been made and many areas of good practice were already evident. The prison had a sound vision and there were strong and positive connections with the local community. These achievements are a tribute to the careful groundwork undertaken prior to March 2010 as well as to the work that has been undertaken subsequently.

SAFE, PRODUCTIVE AND POSITIVE

Pardelup is unique amongst the state's prisons in that it has no perimeter security fence. It is also a very large and open site where prisoners necessarily have access to tools, chemicals and other materials. However, it has proved to be a secure and safe facility. Careful prisoner selection, a zero tolerance approach to bullying and misbehaviour, positive staff/prisoner relations, and the incentive of having single cell accommodation in a pleasant setting have been key ingredients of this success.

Both staff and prisoners reported a stronger sense of personal safety than at other prisons. In addition, extensive community based work and recreation activities have been successful, safe and warmly embraced by the community. The areas identified for improvement with respect to safety and security are generally easily remedied and many have already been addressed.ⁱⁱ

i OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 60 (April 2009) Chapter 7.
ii See Chapter 3 and Recommendations 8 (reception and property) and 14 (chemical handling and storage).

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Pardelup is clearly a prison farm, not merely a prison which has a farm attached. Its operations include livestock, tree plantations, fruit production and market gardening. These activities accord with the Department of Corrective Services' twin goals of providing positive employment for prisoners at the same time as enhancing the prison system's self-sustainability.

As part of this inspection, officers from the Department of Food and Agriculture conducted a comprehensive review of Pardelup's farming and production activities.ⁱⁱⁱ Their report aims both to take stock of the current situation and to suggest options for the future. As such, it includes a number of strategic observations as well as some technical recommendations. I am most appreciative of their enthusiastic engagement and assistance. In terms of the future, there are two main strategic challenges. One is to ensure that departmental strategies and planning for production and consumption across the prison estate are more fully developed. The other is to ensure that the best possible balance is being achieved between productivity on the one hand and enhancing prisoners' skills, qualifications and re-entry prospects on the other.^{iv}

Overall, Pardelup provides a positive environment and promotes respectful, pro-social relationships between staff and prisoners. The fact that all prisoners have their own cells was highly prized. Health services, food, clothing and bedding were generally of a high standard and levels of community engagement were impressive.

A good example of Pardelup's positive and proactive work can be seen in its efforts to cater for diversity amongst its prisoner population. At the time of the inspection, 40 per cent of its prisoners were Indonesian nationals who had been convicted of 'people smuggling' offences. The prison had ensured that good signage was posted in Bahasa Indonesian and had also worked hard to meet the prisoners' dietary, religious and cultural needs.^v The prisoners, in turn, were respectful and very appreciative of the consideration shown to them.

CHALLENGES, OPPORTUNITIES AND POTENTIAL

Pardelup has made very good progress over the past two to three years and is very well placed for further development. At an appropriate time in the relatively near future, after a period of further consolidation, consideration should be given to the possibility of adding more accommodation, together with additional staff resources, to support a total population of 100 to 120. This is likely to be feasible and cost-effective and would provide a better 'critical mass' of prisoners for training programs.

iii See Appendix 1.

iv See Recommendation 12, Chapters 7 and 8 and Appendix 1.

v See Chapter 4. A positive development is that the Department of Corrective Services has recently abandoned its policy of denying some foreign national prisoners the ability to remit money home during the course of their sentence: see Recommendation 7. This policy was distressing, detrimental and discriminatory: see OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012) vi–viii. It had even led to some Indonesian prisoners refusing to work at Pardelup on one occasion by way of protest.

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However, three main challenges and opportunities stand out. The first is to increase the number of Aboriginal people accessing Pardelup's excellent facilities and opportunities. The second is to ensure the best balance between productivity and skilling up prisoners for successful re-entry. The third is to maintain the momentum of the past three years in the face of significant recent management changes.

Aboriginal Prisoner Numbers

Aboriginal people constitute four out of every ten prisoners in the state and have high re-entry needs. Minimum security facilities such as Pardelup are explicitly designed to achieve better reintegration outcomes and therefore to enhance public safety through reduced recidivism.

Obviously, decisions about prisoner placement must take full account of a number of considerations including security, safety and prisoner preparedness. However, for many years, I have been expressing concern at the declining proportion of Aboriginal men and women accessing south west re-entry facilities such as Boronia Pre-release Centre for Women, Wooroloo Prison Farm, Karnet Prison Farm, the Pre-release Unit at Bunbury Regional Prison, and the work camps at Pardelup and Walpole.^{vi} If Aboriginal people are not accessing these facilities in sufficient numbers, their benefits are not reaching a priority target group and public investment is not being maximised.

Prior to Pardelup becoming a prison, the Walpole and Pardelup work camps rarely held Aboriginal prisoners. For the first two years after being upgraded to a prison, Pardelup again held very few Aboriginal prisoners. Shortly before the inspection, numbers increased to 10-12 (around 15 per cent) and have stayed at that level subsequently. One of the reasons suggested by the Department was that Aboriginal people do not want to go to Pardelup. That was not what we found: the men we interviewed held very positive views about Pardelup, were actively engaged and valued the opportunities it offers.

In response to the Exit Debrief presented at the end of this inspection in early August 2012, the Department of Corrective Services commissioned an internal review to identify the reasons for the low number of Aboriginal people at re-entry facilities and to develop strategies to increase their numbers.^{vii} It is to be hoped that this review, overdue though it is, will achieve some positive results. I am also currently undertaking an audit of the flow of prisoners through to minimum security facilities, the findings of which have been shared with the Department. A report of this audit will be published on completion.

vi OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 60 (April 2009) Chapter 7; OICS, *Report of an Announced Inspection of Wooroloo Prison*, Report No. 61 (2009); OICS, *Report of an Announced Inspection of Wooroloo Prison*, Report No. 80 (2012); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (2010); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 79 (2012); OICS, *Report of an Announced Inspection of Karnet Prison Farm*, Report No. 67 (2010).

vii See Recommendation 3.

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Balance Between Productivity and Re-Entry Skilling

Although not made the subject of a formal recommendation, an important theme which underpinned both our inspection work and the work of the Department of Food and Agriculture was the balance between productivity and the skill development of prisoners. Productivity is obviously important in terms of cost and system wide sustainability, especially at times of budgetary pressures. However, prisons must also meet the broader public interest of improving prisoners' chances of not returning to prison and the consequential costs of further imprisonment.



Figure 1: The walking trail on Pardelup Farm roads

This is not always an easy balance to achieve as the most productive prisoners are generally the ones who are already skilled and who already have a strong work ethic. For example, a skilled welder with a history of employment will be far more productive than a trainee with little work history. At Pardelup, the issue is exemplified by fact that Indonesian prisoners are productive workers who are self-motivated and easy to supervise. However, the number of Indonesian prisoners in Western Australia is declining markedly and many of those held at Pardelup will soon be moved to Broome Regional Prison. Pardelup is concerned that this may present some challenges in terms of productivity but it should also provide the opportunity for the prison to further develop its focus on skilling up local prisoners and improving their prospects of successful re-entry.

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Impact of Management Changes

At the time of the inspection, Pardelup had its own substantive Superintendent and a small and focused management team. Although small in terms of prisoner numbers, Pardelup has a similar number to Boronia Pre-release Centre for Women. There is no doubt that having a dedicated Superintendent at Pardelup, as at Boronia, has been critical to driving its vision and early progress.

In November 2012, in response to management changes and entrenched challenges at Hakea Prison^{viii}, the Superintendent of Albany Regional Prison was appointed to Hakea. This led, in turn, to the Superintendent of Pardelup being appointed to Albany but also being given responsibility for Pardelup and Walpole.

There is an obvious risk that with Pardelup now being, in effect, an adjunct of Albany, it will lose the momentum of the past three years. This would be most unfortunate. There are also risks to Albany in requiring the Superintendent to also oversee Pardelup. It is to be hoped that he can stretch himself adequately between the various sites. This will not be easy though, fortunately, there are a number of other high quality experienced managers at both sites.

SUMMARY

Pardelup provides a refreshing example of the benefits of simple things like fresh air, single cells, positive work opportunities and respectful relationships. It is important that it retains its values and momentum. Staff, management and prisoners are to be congratulated on their achievements to date.

Neil Morgan

6 December 2012

viii OIGS, *Report of an Announced Inspection of Hakea Prison*, Report No. 81 (forthcoming).

2 General Overview of Findings

- 2.1 The new assessment and classification system was devised with a view to improving objectivity and transparency in assessments. There is no doubt that Departmental employees apply the model knowledgeably and with attention to its detail.
- 2.2 This report concludes that the model has met its projected outcomes in terms of the flow through of non-Aboriginal prisoners to minimum security. However, Aboriginal prisoners, and especially Aboriginal women, have not achieved minimum security classifications to anything like the projected extent. Indeed, despite a significant rise in the number of Aboriginal people in the prison system as a whole, there has been virtually no increase in the number at minimum security. By contrast, the number of non-Aboriginal people at minimum security has increased sharply.
- 2.3 The Department needs to undertake further work to better understand the causes of these very marked differential outcomes and whether any changes to the assessment and classification system are required. Aboriginal people constitute close to four out of every ten prisoners in the state and have high re-entry needs. Minimum security facilities are explicitly designed to achieve better reintegration outcomes and therefore to enhance public safety through reduced recidivism. If Aboriginal people are not accessing minimum security in sufficient numbers, the benefits of these facilities are not reaching a priority target group and public investment is not being maximised. This review covers the key data, sets the groundwork for further analysis, and suggests a number of potential lines of further inquiry.
- 2.4 An important aspect of minimum security placement is that section 95 of the *Prisons Act 1981* allows selected prisoners to undertake activities external to the prison in addition to those that occur within the prison. These external activities include access to work camps (male prisoners only) and other reparative community work as well as educational, recreational and employment-related activities designed to assist the person's transition to the community.
- 2.5 This review analyses the flow of prisoners into the various work camps which have been established for selected minimum security male prisoners. These camps aim to promote reparation and improved reintegration but have rarely operated at or even close to full capacity over the past two to three years. To some extent the problems of filling work camps are tied to the assessment and classification outcomes but there are also a number of other constraints.

2.6 The review also draws attention to the position of women prisoners. Particular concerns are expressed about the disadvantaged position of many of the women who do acquire a minimum security rating as well as the low numbers of Aboriginal women rated as minimum security.

8 Summary and Conclusion

Key Findings

- 8.1 The number of prisoners at different security ratings underwent major transformation in the period from March 2009 to June 2012:
- Despite a substantial increase in the total number of prisoners, the number rated maximum security has dropped from around 700 to around 370. The proportion rated maximum security is now 7.5 per cent compared with over 17 per cent in March 2009.
 - The proportion of medium security prisoners has increased from 54 per cent to 59 per cent.
 - The proportion of minimum security prisoners has increased from 28.5 per cent to 33.5 per cent.
- 8.2 Viewed as a whole, these changes are broadly in line with predictions regarding the impact of new assessment and classification system. However, the distribution of the changed profile has resulted in non-Aboriginal people being the overwhelming beneficiaries of the new system. Aboriginal people in general, and Aboriginal women in particular, have been disadvantaged:
- Non-Aboriginal men account for 96 per cent of the increase in minimum security males. The number of non-Aboriginal men at minimum security has increased by around 740 and the number of Aboriginal men by just 20.
 - Non-Aboriginal women account for 100 per cent of the increase in minimum security females. The number of non-Aboriginal women at minimum security has doubled but the number of Aboriginal women is static.
- 8.3 There has been a large increase in the number of prisoners being held in facilities which are more secure than their security classification dictates. The vast majority of male prisoners at maximum security prisons are rated medium security and significant numbers of minimum security men remain at maximum and medium security prisons. While some of these prisoners are at higher security prisons for legitimate reasons, the extent of the increase suggests that investment in lower security facilities has not kept pace with changes to the classification system.
- 8.4 Male Aboriginal prisoners are few in number at the major minimum security re-entry prisons in the south west. Changes to the classification tool appear to

have led to a decline in the proportion of Aboriginal prisoners in these prisons.¹

- 8.5 Female prisoners have been more profoundly affected than male prisoners. A large number of minimum security women are subject to the maximum security requirements of Bandyup. Low and declining numbers of Aboriginal women have been accessing Boronia pre-Release Centre.
- 8.6 Work camps for minimum security male prisoners have been seriously under-utilised. There had been some signs of improvement in recent months but this review has suggested that the problem only likely to be addressed if the pool of eligible prisoners can be increased. This will require addressing the issues of Aboriginal under-representation at minimum security. Consideration should also be given to removing some of the current policy restrictions on work camp placements, taking account of risk to the community.
- 8.7 Levels of other external activities under section 95 vary between prisons but there is clearly a significant level of unmet demand. Female prisoners, especially those located at Bandyup Women's prison, are especially adversely affected.

Conclusions

- 8.8 This review raises many questions regarding the extent to which the profile of prisoner accommodation in Western Australia matches the profile of prisoners created by the new offender classification system.
- 8.9 The differential outcomes with respect to minimum security ratings for Aboriginal and non-Aboriginal people are alarming. It beggars belief that the objective qualifications of Aboriginal people to be at minimum security could have plummeted in three years at the same time as the qualifications of non-Aboriginal people to be at minimum security improved sharply. While there may be some peripheral profile changes, they simply cannot explain changes of this magnitude. It was also never anticipated that the changes would lead to such significantly different impacts.
- 8.10 It is more likely that there are specific factors built into the assessment and classification tool which have created the uneven impact. Issues which need further examination include: (i) whether the changes to parole which

¹ At the start of the time period, Aboriginal prisoners constituted 17% of the population of south-west re-entry prisons (including Woorloo Prison Farm, Karnet Prison Farm, Bunbury Pre-Release Unit, Pardelup Prison Farm, and Boronia Pre-Release Centre). At the end of the time period they constituted 14% of the population. Inspection reports on south west re-entry prisons have also discussed these issues over the past three years: see footnote 4.

occurred in 2009 have contributed to the outcomes in unintended ways and (ii) whether too much weight is placed on the age of the prisoner.

- 8.11 In the assessment tool, being less than 25 years of age has the same effect on an individual's security rating score as a history of escapes within the preceding two years. Being 25-29 years of age has the same effect as having pending prison charges or disciplinary convictions.
- 8.12 Currently, 26 per cent of Aboriginal people in adult prisons are between the ages of 18-24, in comparison to 14 per cent of non-Aboriginals. Approximately 49 per cent of female Aboriginal prisoners are under 30 years of age, in comparison to 28 per cent of female non-Aboriginals. This difference is less marked but still significant for males, where 46 per cent of Aboriginal prisoners are under 30 years of age compared to 33 per cent of non-Aboriginals. These figures may help explain why Aboriginal men are not accessing minimum security status to the same extent and why Aboriginal women have even poorer prospects.
- 8.13 It should be noted that the inclusion of an age item was supported by the 2008 OICS review due to its ability to predict escape and control issues. Given the findings of this audit, the scoring of this item should be open to re-evaluation. Young Aboriginal people need to be provided with the best prospects of rehabilitation if their ever-increasing numbers in the prison system are to be counteracted.
- 8.14 The equivalence of youth and escape history in the calculation of an individual's security rating score suggests that the tool's discriminatory capacity could be improved. The viability of decreasing the weighting of age in comparison to escape history/control issues should be investigated. Obviously, any changes made to the tool should not come at the cost of decreased public safety.
- 8.15 The effect of gender could also be considered in any revision of the tool, given that there have been only 2 female escapes since the start of 2009,² with both of these escapees over the age of 25. While more comprehensive analyses need to be conducted, this cursory examination of the data does not suggest that younger women are more at risk of escape and therefore deserving of a more restrictive security rating score.
- 8.16 One of the reasons this review was conducted was that issues raised during inspections of individual prisons showed no evidence of the Department having tracked the impacts of the new system on minimum security ratings, and especially on Aboriginal men and women. Responses to inspection

² This represents 7 per cent of all escapes/absconds over the time period.

findings and recommendations on those occasions were generally ad hoc and did not indicate any willingness to examine the issue ground up.³ We have recently been informed that changes to the classification tool were reviewed internally a year after implementation against the Department's own KPI's. However, ethnicity and gender were apparently not seen to be relevant KPI's.

8.17 Since work commenced on this review and some of its preliminary findings were shared, the Department has decided to commission its own review to 'identify the reasons for the disproportionately low numbers of Aboriginal prisoners at re-entry facilities in the South West - Wooroloo Prison Farm, Karnet Prison Farm, Bunbury Pre-Release Unit, Pardelup Prison Farm, and Boronia Pre-Release Centre; and develop strategies and opportunities to increase the number of Aboriginal prisoners entering these facilities.'⁴

8.18 Given that the Department has commissioned a review, this report does not make any formal recommendations. Nevertheless, a follow up audit will be conducted in 12 to 18 months' time. This will re-visit the main findings of this review and report on any changes / progress.

8.19 In conclusion, it should be emphasised that this is not just some abstract numbers game. The goals of ongoing review by this Office and the Department should be improved outcomes in five core areas:

- Enhancing public safety by improving all prisoners' prospects of successful reintegration;
- Maximising returns on the substantial public investment in work camps;
- Promoting greater equity in security ratings between Aboriginal and non-Aboriginal prisoners (whilst not compromising public safety);
- Reducing the number of prisoners subjected to levels of security that are unnecessary given their security ratings; and
- Improving the position of women prisoners.

³ See the reports at footnotes 3 and 4 above.

⁴ *Report of an Announced Inspection of Pardelup Prison Farm* (2012, forthcoming).