



REPORT OF AN ANNOUNCED INSPECTION OF
EASTERN GOLDFIELDS REGIONAL PRISON

72

JUNE 2011
REPORT

*Independent oversight
that contributes to a more
accountable public sector.*



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

**Report of an Announced Inspection of
Eastern Goldfields Regional Prison**

Office of the Inspector of Custodial Services
Level 27, 197 St George's Terrace, Perth WA 6000

www.oics.wa.gov.au

June 2011

ISSN 1445-3134

**This report is available on the Office's website
and will be made available, upon request,
in alternate formats.**



This document uses environmentally friendly paper, comprising
50% recycled & 50% totally chlorine free plantation pulp.

Contents

THE INSPECTOR'S OVERVIEW

SOME SOUND FOUNDATIONS FOR THE FUTURE, BUT IMPROVEMENTS REQUIRED
IN THE INTERIM iii

SUMMARY OF FINDINGS AND RECOMMENDATIONS viii

FACT PAGE xv

CHAPTER 1

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED REGION-SPECIFIC
THROUGH-CARE PRACTICE 1

Background 1

Transition: Strategic Direction for ERGP's New Role 2

CHAPTER 2

REHABILITATION AND RESETTLEMENT 8

Assessment 8

An Integrated Approach to Throughcare 9

Programs 14

Minimum Security Prisoners and the Hierarchical System 15

Resettlement 16

Workcamps 19

CHAPTER 3

WOMEN IN ERGP 21

Background 21

Strategic Direction 22

Staffing Issues: Slowing the Implementation of a Women-Centred Approach 22

Women's Profile: Implications for Intervention Programs and Re-Entry 24

Accommodation and Facilities 26

Structured Day in a Mixed Prison: An Example of Successful Integration 28

Education, Employment and Recreation 29

CHAPTER 4

DECENCY AND RESPECT 30

Decency 30

Respect for Aboriginal Culture, Values, and Practices 30

Community Engagement 36

Staff-Prisoner Relations and Communication 42

Complaints and Requests Systems 43

Accommodation and Condition of Cells 43

Recreation 45

Visits 47

Other Matters 49

CHAPTER 5	
HEALTH AND WELLBEING	50
Background.....	50
Strategic Direction	50
Staffing and its Impact on Service Delivery	50
Clinical Assessment and Screening	53
Medication Management	54
Suicide and Self-Harm Prevention, Mental Health and Emotional Wellbeing.....	56
CHAPTER 6	
STAFF, SYSTEMS, AND SECURITY	59
Staff Quality and Quantity	59
Security and Safety.....	62
APPENDIX 1	
THE DEPARTMENT’S RESPONSE TO THE RECOMMENDATIONS.....	65
APPENDIX 2	
PROGRESS AGAINST THE 2008 RECOMMENDATIONS	71
APPENDIX 3	
THE INSPECTION TEAM	77
APPENDIX 4	
KEY DATES	78

The Inspector's Overview

SOME SOUND FOUNDATIONS FOR THE FUTURE,
BUT IMPROVEMENTS REQUIRED IN THE INTERIM

INTRODUCTION

Eastern Goldfields Regional Prison is unfit for purpose. It is badly designed and its physical infrastructure is very poor. It is also too small for the number of prisoners who come from the region, with the result that too many, predominantly Aboriginal, people are being imprisoned in the metropolitan area, 'out of country' and with little family contact.ⁱ Furthermore, partly because of its small size and partly because of neglect, services provided to both staff and prisoners have been limited.

The formal announcement in May 2009 that a new replacement prison will be built adjacent to the existing facility was therefore very welcome.ⁱⁱ In February 2011, when this inspection was undertaken, there was still some uncertainty around whether the new prison would be publicly or privately operated, and this was causing staff concern. In April 2011, it was confirmed that the new prison will be the subject of a Public Private Partnership ('PPP') arrangement, but that it will be operated by the Department of Corrective Services. The private sector will be contracted to design, construct, and finance the new facility, and then to maintain it on completion.ⁱⁱⁱ

The new prison is scheduled for completion in 2015. This report concludes that the existing prison has made progress despite its ailing infrastructure, but the biggest risk over the next four years is that the resources required for the new prison will come at the expense of the existing facility. Continued investment and support at the existing site is essential not only to meet the state's duty of care to prisoners but also to provide support and affirmation to staff, and to ensure that the best possible foundations are in place for the new prison.

PROGRESS AND A POSITIVE STAFF CULTURE DESPITE THE AILING INFRASTRUCTURE

The infrastructure deficits spread across the whole prison. The male maximum security area is cage-like and restrictive. The women's unit is small and claustrophobic. The male minimum security section is also small and is dominated by gloomy cells, razor wire on the roof, and little opportunity for physical activity. Maintenance has been an ongoing issue, not helped by regular earth tremors and an earthquake in April 2010 which rattled the area and caused some damage to the prison. And inadequate climate control in the minimum security and women's sections poses potential risks to prisoners' health.

Yet, despite these structural limitations, the prison has made considerable progress over the past decade. This is proof that in areas of human service (which include hospitals and schools as well as prisons) good staff and good leadership can, at least to some extent, 'lift' a facility above impoverished infrastructure. At Eastern Goldfields we found that relationships between all groups of staff (custodial, non-custodial and management) were marked by uniformity of purpose and a strong sense of collegiality and trust. These dynamics were

-
- i Acacia Prison, in particular, consistently accommodates large numbers of men from the region; see OICS, *Report of an Announced Inspection of Acacia Prison*, Report No. 71 (May 2011) [4.4].
- ii *Government delivers new Eastern Goldfields prison*: Media Statement, Hon C Porter MLA, Attorney General and (then) Minister for Corrective Services, 5 May 2009.
- iii *Expressions of interest called for new Eastern Goldfields Regional Prison*: Media Statement, Hon C Porter MLA, Treasurer and Hon T Redman MLA, Minister for Corrective Services, 29 April 2011.

SOME SOUND FOUNDATIONS FOR THE FUTURE, BUT IMPROVEMENTS REQUIRED IN THE INTERIM

more positive than we have found at any of the other publicly operated prisons over the past two years and, provided there is adequate investment in staff over the next few years,^{iv} this provides a sound basis for the new prison.

At the time of the inspection, the new Superintendent had been in position for around five months. With the collaboration of staff, he had been able to build on the work undertaken by various Acting Superintendents prior to his appointment and was promoting greater clarity of local processes and policies. We were also impressed with prison management's thoughtful reflections on their current strengths, weaknesses and challenges, and their ability to articulate a developing regional vision for the prison. Quite rightly, that vision recognizes that the prison serves a particular region, and that it should focus on basic, practical skill development which is relevant to prisoners' home communities. It must also take account of the fact that, until the new prison is opened, most prisoners will only spend a short time at Eastern Goldfields. This is because most are serving short sentences because security ratings mean that they must serve most of their sentence in a metropolitan prison.

Some of the more positive features of the prison regime included improved opportunities to undertake education and programs; the number of prisoners (both male and female) undertaking positive out-of-prison activities pursuant to section 95 of the Prisons Act; and (subject to improving the situation for the higher security women prisoners) appropriate mixing of men and women during recreation.

However, there are obvious limitations on the extent to which staff and management can manage around or compensate for poor infrastructure and lack of investment. We also found that in a number of key areas, services were seriously lacking or in need of improvement.

MAJOR SERVICE SHORTFALLS

In terms of services for prisoners, the main areas of shortfall relate to health services, the Aboriginal Visitor Scheme and the position of women prisoners.

Health Services

The inspection found considerable room for improvement with respect to the screening of prisoners on admission, the quality and consistency of health services generally, and in terms of continuity and security in the provision of medication.^v Many of the problems related to the fact that the Health Centre had been chronically under-staffed. However, our audits also showed that health staff were not accessing some of the available resources (such as 'e-consults') to the extent that they could and should have been doing.

iv One of the areas of concern on the part of staff relates to their limited access to training and professional development opportunities offered through the Corrective Services Academy. This is the subject of Recommendations 4, 14 and 15 (see Appendix 1). However, the Department's responses to Recommendations 14 and 15 do not appear to recognize there are any shortfalls in these areas and therefore the experience of staff in this regard.

v See Chapter 5.

SOME SOUND FOUNDATIONS FOR THE FUTURE,
BUT IMPROVEMENTS REQUIRED IN THE INTERIM

In the weeks following the inspection, the Inspector discussed these issues with senior head office management, and as a result, initiatives have been undertaken to address some of our concerns. However, some of the ‘bigger picture’ issues such as the adequacy of screening for physical and mental conditions remain a matter of concern, not only at Eastern Goldfields but also across the whole of the prison system.^{vi}

Aboriginal Visitor Scheme

This inspection also highlighted two serious problems with respect to the Aboriginal Visitor Scheme (AVS). The first is that the AVS had not been functioning at Eastern Goldfields for some considerable time. Eastern Goldfields is one of four ‘Aboriginal Prisons’ in the State – in other words, prisons where 75 per cent or more of prisoners are Aboriginal. The other three are Broome, Greenough and Roebourne Regional Prisons. But although the Department of Corrective Services invariably trumpets the AVS when describing its services to Aboriginal prisoners, none of these four prisons has actually had a properly and consistently functioning AVS in recent years.^{vii} The chronic gap between paper promises and service delivery is wholly unacceptable.

This report also surfaces some important issues with respect to the role of the AVS. It was established against the backdrop of the *Royal Commission into Aboriginal Deaths in Custody*, and one of its key roles has always therefore been suicide prevention. However, in its own literature, which this report sought to reflect, the Department has consistently indicated that the AVS has a broader role. For example, it has been said that the AVS aims to ensure that ‘the Aboriginal community is satisfied that detainees and prisoners are treated in a fair and humane manner whilst incarcerated;’^{viii} and ‘to improve the conditions of those in custody through consultation, advice and information to decision makers; and [to] provide the community with information about the needs of Aboriginal detainees and prisoners.’^{ix} Thus, the AVS is officially badged as having a role not only in suicide prevention, but also as a conduit for community views into the prison, and for information from the prison back to the community. It was therefore very surprising and disappointing that in commenting on our draft report, the Department stated in stark, unqualified terms, that we had missed the point: ‘the AVS role is for suicide prevention’.

Two points emerge from this. First, the Department must clarify the roles of the AVS. The inconsistencies between the Department’s public statements and their responses to our draft report are confusing at best and disingenuous at worst. Secondly, given that the AVS has failed over a sustained period to provide a consistent service to the State’s Aboriginal prisons, its resources and methods of service delivery (including the appropriateness of continuing with a centrally administered scheme) should be re-examined.

-
- vi See OICS, *Report of an Announced Inspection of Roebourne Prison*, Report No. 70 (April 2011), chapter 6.
- vii OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (April 2011) [4.2] – [4.4]; OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010) [8.39] – [8.40]; OICS, *Report of the Short Follow-Up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) [3.4] – [3.6]; OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) [2.48] – [2.52].
- viii Prosser P, ‘Aboriginal Visitors Scheme’, paper presented to the Australian Institute of Criminology Best Practice Interventions in Corrections for Indigenous People Conference, Adelaide (13–15 October 1999).
- ix DCS, AVS Manager, Press Release, ‘AVS’, *DCS News*, (18 March 2011).

SOME SOUND FOUNDATIONS FOR THE FUTURE,
BUT IMPROVEMENTS REQUIRED IN THE INTERIM

Similarly, it is not clear why the Department perfunctorily rejected our recommendation for the introduction of an Elders' Program given that it claims that one of the goals of the new prison will be to reach out more into the community and given its establishment of 'Aboriginal Services Committees' which are intended to reduce Aboriginal disadvantage.^x

Women Prisoners

Women prisoners in regional prisons face numerous disadvantages. Essentially, they reflect the fact that they are few in number and are in an essentially male domain. As such, their living conditions are generally cramped and claustrophobic and, because there is no 'critical mass', they tend to have limited access to programs and other positive activities. Eastern Goldfields is not the worst prison in these respects – partly because it has generally managed its risks with respect to allowing appropriate mixing between men and women during recreation and on section 95 activities. However, we do highlight some specific issues, especially relating to health services and programs.

RAZOR WIRE: DANGEROUS AND INEFFECTIVE

The razor wire on the low roof of the minimum security section is intended to deter male minimum security prisoners from accessing the women's unit or escaping from the prison itself. However, it also poses a risk to prisoner and staff safety. If people get caught in razor wire – whether they are prisoners attempting to escape or staff attempting a rescue – the consequences can be lethal. The risks are particularly obvious and acute at Eastern Goldfields where the wire is so close and readily accessible.^{xi}

Razor wire is also not foolproof. Indeed, as this report was being written, a prisoner managed to escape from the minimum security section by somehow making his way *through* the razor wire. It is extremely fortunate that he did not become entangled as staff are not trained in razor wire extraction and do not have the necessary equipment.

The Department appears to take the view that regional prisons should develop a memorandum of understanding (MOU) with the local Fire and Emergency Services Authority (FESA) to cater for razor wire extractions. In response to our recommendations in this report, it therefore states that in June 2011 it will meet with FESA to 'confirm the nature of assistance' which FESA can offer.^{xii} However, we have been informed that FESA lack adequate capacity. Either way, it is unacceptable that some five years after the Department's own security audit found razor wire extractions to pose a risk, there is no clarity about the responsibilities and combined capacities of the Department and FESA.

MOUNT MORGAN'S AND WARBURTON WORK CAMPS

The Mount Morgan's work camp can cater for up to twenty prisoners but generally houses only nine to twelve. This report concludes that, even taking account of the small numbers, Mount Morgan's has not been performing to a satisfactory level. In particular, there is too little by way of positive community work and assisting prisoners to acquire relevant practical skills.

x See the Department's response to Recommendation 7 in Appendix 1.

xi At many prisons, razor wire is only found on the perimeter fence. Other internal fences and electronic warning devices reduce the risks of a person being caught in such wire.

xii See the Department's response to Recommendation 16 in Appendix 1.

SOME SOUND FOUNDATIONS FOR THE FUTURE,
BUT IMPROVEMENTS REQUIRED IN THE INTERIM

One of the reasons for the low number of prisoners at Mount Morgan's is that there has been a limited supply of qualified prisoners. To be placed a work camp, prisoners must not only be rated minimum security, but must also be approved for section 95 activities and for work camp placement. The Warburton Work Camp, which will cater for 24 minimum security prisoners, is due to open later in 2011. In order to match prisoner numbers to work camp capacity, the system should therefore be looking for around 40 work camp prisoners from the region. In addition, the prison itself needs sufficient minimum security prisoners to undertake work within the prison and the Kalgoorlie-Boulder community.

It is most unlikely that, under the current assessment and classification system, there will be sufficient minimum security prisoners from the region to fill capacity. One of the most important recommendations in this report is therefore that the Department examines ways to increase the number of prisoners who are rated minimum security without compromising public safety.

In March 2011, we visited Warburton to inspect progress on the new work camp and to discuss with community members their knowledge of and aspirations for the Work Camp. The facility itself looks promising, though it was disappointing that no local people had been involved in the construction and it will be necessary to monitor the potential need for air-conditioning. We were concerned, however, that at the time there appeared to have been inadequate consultation regarding matters such as the opening date and the roles the camp could play in Warburton and other Ngaanyatjarra communities. Subsequently, improved consultation processes do seem to have commenced.

The planned staffing levels for the Warburton work camp appear adequate (at full capacity, three senior officers, six officers, and two relief officers). The Department has been examining a number of options, including staffing the camp on a fly in fly out basis. However, there are very strong arguments for a permanent presence, especially in terms of ensuring successful and sustained community engagement.

CONCLUSION

My predecessor's headline to the first report by this Office on the Eastern Goldfields Regional Prison in 2001 was extremely negative: 'Frustration, Apathy, Sadness and Anger in the Goldfields'.¹³ In the ensuing decade, the prison has made substantial progress and the foundations are currently in place for a far more positive future for correctional services in the region. The new prison (due to open in 2015) and the new Warburton Work Camp (due to open later this year) represent long overdue and welcome investment. However, the biggest challenge over the next four years or more will be to keep the momentum going and to ensure that performance at the existing prison does not stagnate or decline as eyes focus on the new facility.

Neil Morgan
21 June 2011

xiii OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 4 (November 2001), 4.

Summary of Findings and Recommendations

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED THROUGH-CARE PRACTICE FOR THE GOLDFIELDS/NGAANYATJARRA REGIONS

In developing a new strategic role for the prison in the Goldfields/Ngaanyatjarra region, the Department of Corrective Services ('the Department') has undertaken a consultation process (in 2006) and commissioned a *Goldfields Custodial Plan*.^{xiv} It has also put forward plans for to build a new EGRP prison by 2015 and a new role for the custodial estate in the Goldfields/Ngaanyatjarra region.^{xv}

The new strategic direction for EGRP sets out a model of throughcare in the context of a regional Aboriginal population suffering acute ongoing disadvantage. The plans correspond to the development of a *Prisons Aboriginal Service Committee Guide* (PASCAG).^{xvi} The PASCAG sets out strategies and performance indicators for prisons with significant Aboriginal populations. Accordingly, each prison is required to maintain an Aboriginal Service Committee dedicated to overcoming Aboriginal disadvantage.

Recommendation 1

Develop and implement processes for region-specific and Aboriginal-centred throughcare, together with a detailed monitoring and evaluation plan.

REHABILITATION AND RESETTLEMENT

- EGRP has made steady improvements since the last inspection and the appointment of a substantive Superintendent has been positive for the prison. The focus on progressing prisoners through a continuum of training, activity and increasing personal responsibility and community engagement is appropriate for the Goldfields/Ngaanyatjarra region and promises substantial long-term benefits. The prison's integrated approach to education, training and employment is promising, and each of these areas has shown good progress. EGRP have made good initial progress in aligning their activities and attitudes on the basis of effective Aboriginal throughcare but are likely to need support to continue to progress.
- Current assessment models are not facilitating Aboriginal-centred throughcare and the metropolitan–regional coordination of resettlement and re–entry remains problematic.
- Work needs to be done on communication and promotion within the prison and in the community.
- Investment in the *Pathways to Work Camps* progression needs to continue to enable the prison to develop and make a successful transition.

xiv Department of Corrective Services (DCS), *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 1, (2008); DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2 (2008) appendices; DCS, *Goldfields Custodial Plan* (June 2007); DCS, *Eastern Goldfields Regional Prison Redevelopment 2011: Developing a Change Management Plan* (January 2011); DCS, EGRP Draft Mission Statement (January 2010).

xv DCS, *Review of Business Case for Eastern Goldfields Regional Prison Redevelopment* (14 January 2011).

xvi DCS, *Prisons Aboriginal Service Committee Guide* (May 2010).

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Recommendation 2

Implement measurable strategies to increase the number of Aboriginal prisoners from this region who are eligible for minimum security status and associated programs and treatments.

Recommendation 3

Put better systems and resources in place for release-planning and re-entry into the community for all prisoners from the Goldfields/Ngaanyatjarra region. In particular, where security allows, displaced prisoners should be given more time at EGRP before release.

WORK CAMPS

- The impetus of the *Pathways to Work Camps* philosophy is a promising recent development. However, despite prisoner' willingness and community needs, work camp prisoners are not being supported to perform significant reparative and rehabilitative work. For example, no certificated projects have recently run at the Mt Morgan's Work Camp.

WOMEN IN EGRP

- The abandonment of the position of Director of Women's Corrective Services which had driven the implementation of a women-centred philosophy and practice, the absence of a Women's Support Officer at EGRP and other staffing shortfalls have slowed progress in the implementation of an Aboriginal and non-Aboriginal women-centred philosophy.
- Nonetheless, strategies informed by the *Women's Way Forward* have been adopted and are being progressed and monitored via the prison's business plan. Improved outcomes for women have been achieved in respect of enhanced employment, education, recreation, and treatment and re-entry program opportunities.

Recommendation 4

Ensure all staff who work with female offenders attend the five-day Working with Female Offenders training course.

Recommendation 5

Provide programs to address the needs of all women who have been convicted of violent offending, including those at high risk of violent re-offending, both at Eastern Goldfields and at other prisons.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

RESPECT FOR ABORIGINAL CULTURE, VALUES, AND PRACTICES

- The overall direction of the prison as it redevelops into a service providing Aboriginal-centred region-specific throughcare places respect for Aboriginal culture, values, and practices at the heart of the institution. There is a need for this redevelopment: despite much good work, EGRP's prisoners at the time of the inspection did not feel that their culture was respected or understood by EGRP staff.
- EGRP's management is giving clear leadership on cultural awareness issues. The prison's Business Plan 2010–2011 sets out improved service to Aboriginal prisoners as an aim for the forthcoming year, and there are plans for region-specific cultural awareness training.^{xvii}
- EGRP currently has five Aboriginal staff, significantly less the Department's aim of 50 per cent for the new prison. Given the negative Aboriginal experience of the custodial estate, it would be sensible to focus recruitment efforts on positions in the areas of rehabilitation and reparation.
- The strategic direction, monitoring and evaluation given in the PASCG represent a useful guide for making the key aim of provision of an Aboriginal-centred service operational. In conjunction with this, the Department's *Goldfields Custodial Plan* and the plans for redeveloping EGRP's regional role give locally relevant guidance for EGRP as an Aboriginal-centred prison.

Recommendation 6

Implement an intensive recruitment drive for Aboriginal staff, with a strong focus on rehabilitative and reparatory employment.

COMMUNITY ENGAGEMENT

- The lack of an overall strategic plan noted in the previous inspection has been addressed and community engagement is central to EGRP's redeveloped role within the region and the wider custodial estate. Guiding principles and strategies are given in the *EGRP Redevelopment Principles* (February 2011), the *EGRP Mission Statement* (January 2011), the *Prison Aboriginal Service Committee Guide* (May 2010), and the *Goldfields Custodial Plan* (June 2007).
- Community engagement is being management-led at EGRP. Local management is prioritising the prison's ability to 'give back' to the regional communities and pushing for developments and opportunities with community groups and service providers outside the prison. EGRP employs various means of community engagement in a country regional context and pursues its aims effectively with the Department's strategic oversight.

xvii DCS Adult Custodial Division, *EGRP Annual Business Plan 2010-2011* (2010).

SUMMARY OF FINDINGS AND RECOMMENDATIONS

- EGRP has chosen to delay facilitating an Aboriginal Service Committee as a means of community engagement in order to first build relationships with pre-existing community networks such as meetings held with the Aboriginal Justice Agreement (AJA) and other community representatives. EGRP is, nonetheless, engaging with the Department's monitoring of Aboriginal Service Committees, submits Prison Aboriginal Service Committee Bi-Monthly Reports, and pursues the strategies via key performance indicators as set out in the PASC. ^{xviii}
- Despite the positive recent developments, community engagement in relation to Mt Morgan's Work Camp has been insufficient. EGRP has not informed itself of community concerns regarding the lack of significant work done in the communities. There has also been inadequate processes for community consultation for Warburton Work Camp, although these have begun to improve recently.
- No Aboriginal Visitors Service (AVS) or Elders group currently visits EGRP and represents community views on the running of the prison. ^{xix}

Recommendation 7

Develop dynamic community engagement inside and outside the prison, including (i) a workable solution to the ongoing lack of an active Aboriginal Visitors Scheme and Elders program; and (ii) more structured and frequent consultation with relevant communities regarding the Warburton Work Camp.

FACILITY

- The restricted airflow, lack of air conditioning and lack of temperature control in Unit 2 cells is a significant health hazard. Cells are frequently too hot at night and prisoners are unable to sleep. Prisoners with heat-related health issues (including diabetics) are at particular risk. The buildings in Unit 3 are in need of repair.

Recommendation 8

Ensure that EGRP is fully maintained to an appropriate level, pending the new prison.

Recommendation 9

(a) Install suitable climatic controls to reduce air temperatures and to increase cool air circulation in Unit 2 and 3 prisoners' cells at EGRP.

(b) Explore and implement other management measures to reduce the impact of the harsh climate.

xviii See, DCS, *Prisons Aboriginal Service Guide* (May 2005), Strategy 5, 'Supportive Communities'.

xix DCS EGRP, Local Order B5, Aboriginal Visitor Scheme, Objective 1.2. The Local Order for AVS states that the scheme should be 'a means of ensuring that the Community is satisfied that prisoners are dealt with justly and humanely in centres of detention'.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

RECREATION

- Recreation has improved since the last inspection. The mixed-gender use of the oval appeared to be working well; however, the practice of handcuffing some (medium and maximum security) female prisoners was felt to be a cause of shame among Aboriginal prisoners at EGRP.
- Band equipment and access to band time were insufficient at this inspection.

RECEPTION AND ORIENTATION

- The new reception area is an improvement. The area now includes prisoner property storage, ablution facilities and a short-term holding cell for about ten prisoners at a time. Urine prevalence testing, body searches and processing of prisoners for transport to court or release are conducted in this area.
- The reception staffing levels are inadequate.
- Some prisoners are required to return to the prison after being released to retrieve their belongings. There is no system of support for such return.
- The new PowerPoint orientation presentation for male offenders is a positive development.

VISITS

- The external visits area has trees, shaded areas and many tables and chairs. It provides a pleasant, clean environment. EGRP lacks an internal visits area for minimum security prisoners. In hot or inclement weather the prison makes use of the maximum security internal visits area for such prisoners. This seems a workable arrangement until better facilities are available.
- Although visitors should ring and book in for visits, EGRP staff generally let people in if they have travelled a long way for a visit. The visits booking phone line is only available for a restricted time and is therefore over-burdened. During the inspection the Inspectorate was told that the new visits process is negatively impacting Aboriginal prisoners, families and communities.
- Public transport for visitors to the prison is not synchronised with visit times.

HEALTH AND WELLBEING

- The medical centre is significantly understaffed and currently only provides acute nursing care. This lack of resources creates pressures, service shortfalls and significant risk.
- There is no female or Aboriginal health staff and the centre lacks an Aboriginal-centred healthcare strategy.
- Support systems, such as the existing e-consult system, have not been effectively used, resulting in poor practices and poor care delivery to patients.
- Despite the lack of staffing, a systematic process of supporting and supervising staff had not been in place to ensure quality and to prevent poor practices developing. In light of the inspection, the Department is addressing this problem.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Recommendation 10

Ensure that health services, including comprehensive support in respect of chronic disease management, blood borne viruses, and alcohol and substance use, are commensurate with those provided in the metropolitan area.

Recommendation 11

Ensure the health centre is fully staffed and that the staff complement reflects the prisoner profile (i.e. includes female and Aboriginal staff).

Recommendation 12

Develop and implement an Aboriginal healthcare strategy that recognises the cultural and gendered needs of the local prisoner population.

Recommendation 13

Implement ongoing monitoring mechanisms with respect to health services to ensure compliance with procedures and standards, to identify opportunities for improvement, and to ensure staff accountability for their clinical practice.

SUICIDE AND SELF-HARM PREVENTION

- EGRP has a functioning suicide and self-harm prevention strategy and process utilising the At Risk Management System (ARMS) and Prisoner Risk Assessment Group (PRAG). However, the prison's management of suicide and self-harm risk suffers from health and counselling staffing problems and a failure to involve peer support prisoners and the Aboriginal Visitors Scheme. There is also a lack of Aboriginal-specific mental healthcare training.

Recommendation 14

The Academy should facilitate delivery of First Aid Mental Health Training for Aboriginals and Torres Strait Islanders for all staff working with Aboriginal prisoners.

STAFFING, SYSTEMS, AND SECURITY

Custodial staff

- The new Unit Plans, Policy Directives, and Written Orders are leading to more-consistent practice across the units and between officers. This is a credit to EGRP's new management.
- Although there are a number of less-experienced officers at EGRP at present the numbers make it easy for the more-experienced officers to mentor them.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

- Staff were happy with the training received at EGRP, but felt poorly supported in terms of access to Academy training. While some senior officers valued cultural awareness training it was worrying that most custodial officers could not see any value in further cultural awareness training (beyond the initial Academy-based course). The prison has committed to providing all staff with cultural awareness training in the current financial year (2010–2011).
- The Performance Appraisal Development System (PADS) is being operated in a manner that lacks meaning for staff as their performance on PADS has no effect on the employment promotion process.
- While the five Aboriginal staff members currently working at EGRP represent an improvement since the last inspection in 2008, Aboriginal people continue to be grossly under-represented in the staffing of EGRP. This is particularly disappointing given the emphasis on inadequate Aboriginal representation made in the last inspection.^{xx}

Recommendation 15

Ensure adequate delivery of Academy courses to EGRP staff.

Safety and Security

- The razor wire on Unit 2 and the lack of fence retrieval from razor wire training endangers the safety of prisoners, officers and the public and poses a risk to the Department.
- Prisoners in minimum security are not left unsecured in their cells.
- The risk management of female prisoners is good.
- The reduction in the number of escapes appears to be due to improvements in security procedures and physical security, and also to changes in the tool for assessing prisoner's security ratings which was introduced in 2009.^{xxi}

Recommendation 16

Provide equipment, extraction training, and a rapid response capacity for the use of razor wire, or provide alternative security measures.

Procedures

- Work has begun on reviewing and renewing procedures throughout the prison and communication between local management and staff is good. There is good staff support for the procedural changes needed to transition to the next prison. EGRP has a good practice of placing the date of review and next review date on documents.

xx OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [5.20].

xxi New security assessment tool introduced by DCS after combined development with OICS.

Fact Page

NAME OF FACILITY

Eastern Goldfields Regional Prison

ROLE OF FACILITY

Eastern Goldfields Regional Prison (EGRP) is a recognised Aboriginal prison, averaging 85 per cent Aboriginal and 15 per cent non-Aboriginal prisoners. The prison manages male and female prisoners and services courts and lock-ups throughout the Goldfields/Ngaanyatjarra region. Its current role is to focus on rehabilitation and reparation and 'give back' to the region's communities.

LOCATION

EGRP, located in Boulder, replaced the old Kalgoorlie Regional Prison in 1980. The prison is 596 km northeast of Perth.^{xxii} The prison and the associated work camps – Mt Morgan's and Warburton – service the Goldfields/Ngaanyatjarra region.

The prison's work camps are located north of Kalgoorlie. The Mt Morgan's Work Camp is located approximately 300 km north of Kalgoorlie – between Leonora and Laverton. The new Warburton Work camp is located 924 km north of Kalgoorlie.

ABORIGINAL PEOPLES OF THE REGION

The region's traditional owners of the land are the Wongi peoples, including:

- The Spinifex people (residing in the Spinifex native title claim in Western Australia) – including the Coonana, Cundeelee and Tjuntjunatjarra communities.
- The Ngaanyatjarra people – constituted by 11 Aboriginal communities in the Central Desert, including Warburton.
- People living in the former Mulga Mallee ATSIC region – including Esperance, Norseman, Kalgoorlie, Coolgardie, Menzies, Leonora, Laverton, Mt Margaret and Mulga Queen.

Traditional lifestyles and Aboriginal language as a first language are common. Many of the region's Aboriginal people are not proficient in English.

ABORIGINAL INCARCERATION^{xxiii}

The total number of Aboriginal people in Australia's prisons increased from 4100 in 1990 to 7580 in 2010. Aboriginal people now represent over 26 per cent of the total prison population compared with 14.3 per cent in 1990. Aboriginal people are 14 times more likely to be incarcerated than non-Aboriginal people.

Western Australia has one of the highest incarceration rates for Aboriginal people in Australia. Of a state prisoner population of 4772 in 2010, 1861 were Aboriginal (39 per cent). The 2010 incarceration rate of one out of every 30 Aboriginal people is 19 times higher than that for non-Aboriginal people. The over-imprisonment has been steadily worsening. At the time of the *Royal Commission into Aboriginal Deaths in Custody* 20 years ago, one out of every 37 Aboriginal people was in custody in Western Australia.

xxii Distances given by most direct road routes.

xxiii Statistics derived from Australian Bureau of Statistics, *Prisoners in Australia 2010* (9 December 2010); *Royal Commission into Aboriginal Deaths in Custody, National Report of the Royal Commission into Aboriginal Deaths in Custody*, (Canberra: Australian Government Publishing Service, 1991).

Aboriginal men are imprisoned at a greater rate than Aboriginal women and approximately one out of every 16 Aboriginal men were in custody in Western Australia in 2010. This figure is nearly twice the national ratio of one out of every 28 Aboriginal men.

The rate of imprisonment for non-Aboriginal people from the Goldfields/Ngaanyatjarra region is around 1.2 prisoners per 1000 population. The rate for Aboriginal imprisonment for the region is approximately 32 per 1000. That is more than the state rate of 1.88 per 1000 Aboriginal persons and approximately 27 times the region's non-Aboriginal rate.

REGIONAL PRISONER DEMOGRAPHICS

Typically, there are between 200 and 280 prisoners in the Western Australian prison system who are normally resident in the regions serviced by EGRP. Approximately 80 of the total prisoner numbers for the region would be minimum security prisoners and around 60 non-Aboriginal.

At the time of the inspection the Superintendent informed the team that:

- 172 prisoners from the Goldfields/Ngaanyatjarra region were being held elsewhere.
- Minimum security prisoner numbers had decreased from 70 in January 2010 to 40 in November 2010. A similar reduction had been recorded at the work camp.
- 43 per cent of the prisoners at EGRP had sentences of less than 12 months.

Analysis of prior admissions also showed that:

- 19 of 102 (19 per cent) were first time prisoners;
- 11 of 102 (11 per cent) were first return prisoners;
- 22 of 102 (22 per cent) were second or third return prisoners; and
- 9 of 102 (9 per cent) had returned to the prison more than 20 times.

Approximately half of all prisoners from the region have commit a crime that has caused some form of personal injury and these prisoners require a specific intervention designed to reduce the likelihood of them committing similar offences when released.

LAST INSPECTION

February 2008

OTHER PRISON BUILDINGS

The prison has three units with a combined design capacity of 96. With Mt Morgan's Work Camp its capacity rises to 116. With both the Work Camps, its capacity will rise to 150.

NUMBER OF PRISONERS HELD AT TIME OF INSPECTION

The population was 86 at the time of the inspection, having risen to 105 in the previous week.

DESCRIPTION OF RESIDENTIAL UNITS

Unit 1 is a secure unit for male prisoners. It contains 14 single cells (now double bunked), two observation cells and four multipurpose cells. The unit has 22 berths across 13 cells, with some cells arranged in a four single-bed configuration. This unit regularly has in excess of 30 prisoners. Unit 2 is a male minimum security unit. The unit was designed with 70 berths across 32 cells. Most cells now contain double bunks of varying designs. Unit 3 is a secure female unit which may hold long-term medium and maximum security rated females. It has 20 standard berths.

Chapter 1

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED REGION-SPECIFIC THROUGH-CARE PRACTICE

BACKGROUND

- 1.1 The February 2011 inspection was the fifth time in just over nine years that Eastern Goldfields Regional Prison (EGRP) had been the subject of a full inspection. The prison has continually improved over the years since an unannounced inspection was carried out in light of complaints of structural and overt racism in 2001. During the last inspection (2008) the inspectorate noted that the prison had ceased to be a racist environment. In fact, the 2008 Inspection found the prison was beginning to accept its responsibility to respect Aboriginal culture and understand the disadvantaged situation of the communities it serviced.
- 1.2 The need for an Aboriginal-centred approach to the Goldfields/Ngaanyatjarra region is evident in the imprisonment figures. Western Australia has one of the highest rates of imprisonment of Aboriginal people in Australia and rates for the region are even higher than the state average.¹ The average recidivism rate for Aboriginal prisoners at EGRP is 69.76 per cent, more than twice the rate of 30.33 per cent for non-Aboriginal prisoners.²
- 1.3 Despite good intentions, strategic direction and performance monitoring and evaluation for Aboriginal issues in the state's prisons was previously found to be lacking. During the 2008 Inspection the Inspector noted that:

In the past, the government and the Department have made strong statements around Aboriginal imprisonment in documents such as the Western Australian Aboriginal Justice Agreement³ and the Strategic Plan for Aboriginal Services.⁴ Repeatedly these aspirations have failed to be substantively reflected in the Department's business planning or in the resources and support of its predominantly Aboriginal prisons.⁵
- 1.4 At the same time, the Inspector recommended '[T]hat EGRP management, in conjunction with its community, be supported in efforts to explore and set a new custodial management focus for the prison'.⁶ In the context of local Aboriginal over-representation, the Inspector noted that the strategic direction for the prison should move towards a specific concern for the prison's predominantly Aboriginal population.
- 1.5 An Aboriginal-centred approach should be placed within the Department's commitment to throughcare.⁷ Throughcare is a comprehensive approach to offender management that involves the co-ordinated, integrated and collaborative approach to reducing the risks of re-offending. It covers all people who are managed by the Department of Corrective Services from their first point of contact with the department to their completion of their legal orders and their transition to law-abiding community living.⁸

1 See the Inspector's Overview and the facts pages at the front of this Report for relevant figures.

2 Department of Corrective Services (DCS), Strategic Services Directorate, *Performance and Statistics, Prison Recidivism, (adults only)*, based on prison exits two years prior to the period 1 July 2005 to 30 June 2010.

3 Aboriginal Justice Agreement, *Western Australian Aboriginal Justice Agreement: A partnership between Justice-related State Government Agencies and the Aboriginal and Torres Strait Islander Commission* (March 2004).

4 Department of Justice, *Prisons Division Strategic Plan for Aboriginal Services, 2002-2005*.

5 Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008).

6 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008), Recommendation 8.

7 The term 'throughcare' was adapted for prisons from social welfare and medical models, see Victorian Department of Justice, *Review of Community Correctional Services in Victoria* (2000).

8 New South Wales Department of Corrective Services, 'Throughcare' (March 2008).

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED
REGION-SPECIFIC THROUGH-CARE PRACTICE

- 1.6 Throughcare is ‘widely recognised as a “best practice” approach to working with offenders to reduce recidivism and assist community integration’.⁹ A defining feature of throughcare is continuity of care from commencement of a prisoner’s sentence through to the period of his or her re-entry back into the community. In Western Australia, re-entry service providers are required to continue their engagement with a prisoner for a period of up to 12 months after their release.¹⁰ Although the Department’s operational philosophy is imbued with throughcare principles and practices, it has yet to articulate a throughcare model.¹¹
- 1.7 While the Inspector had advocated an Aboriginal-centred approach, at the time of the last inspection the Department had not publicly indicated a specific role for EGRP beyond that of providing local imprisonment. In the background however, the Department had been proactive. Amongst a raft of initiatives, it had commenced a consultation process in 2006, commissioned the *Goldfields Custodial Plan* in 2007, and developed business plans which laid out cogent arguments for a new prison and guidelines for its operation in the region.¹²

TRANSITION: STRATEGIC DIRECTION FOR EGRP’S NEW ROLE

- 1.8 The EGRP Mission Statement, dated January 2011, provides:
- EGRP encourages and assists prisoners to develop skills and modify behaviours to prepare them for re-entry into the community. The Prison provides a positive and safe environment that enables prisoners to develop respect for themselves and for others, leading to a reduced risk of reoffending. EGRP encourages the interaction and involvement of the community, providing enhanced services that assist in the effective re-entry of prisoners into the community.
- 1.9 EGRP identifies itself as an Aboriginal prison and commits to ‘integrate an Aboriginal perspective into all [its] endeavours’.¹³ The Superintendent described the role of the EGRP as ‘to provide a service to the traditional people of this area’.¹⁴ The prison is attempting to step up to the ambitious task of addressing Aboriginal recidivism in the Goldfields/Ngaanyatjarra region via effective rehabilitation measures, cultural sensitivity, and cooperation with community partners. Although the Inspectorate observed many promising developments, the prison’s current practice does not yet achieve these goals.

9 Baldry E, ‘Throughcare, making the policy a reality: the throughcare context in Australia’, paper presented at the Reintegration Puzzle Conference, Deakin University (2011) 2; Borzycki M, ‘Interventions for Prisoners Returning to the Community: A Report prepared by the Australian Institute of Criminology for the Community Safety and Justice Branch of the Australian Government Attorney-General’s Department’ (Canberra: Australian Government Attorney General’s Department, 2005).

10 DCS, Re-entry Co-ordinator, meeting with OICS (18 March 2011).

11 The DCS is currently developing an Integrated Offender Management Review.

12 DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 1, (2008); DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2, (2008) appendices; DCS, *Goldfields Custodial Plan* (June 2007); DCS, *Eastern Goldfields Regional Prison Redevelopment 2011: Developing a Change Management Plan* (January 2011); DCS, *EGRP Draft Mission Statement* (January 2010); DCS, *Review of Business Case for Eastern Goldfields Regional Prison Redevelopment* (14 January 2011).

13 DCS EGRP, Adult Custodial Division, *Eastern Goldfields Regional Prison, Annual Business Plan 2010-2011*, Strategic Priority K2,5.

14 DCS EGRP, *EGRP Superintendent’s Briefing*, OICS Inspection (31 January 2011).

- 1.10 While some of the Department's new strategy for EGRP relates specifically to the proposed new prison build in 2015, the prison is already developing its new role during the transition phase. This inspection report therefore approaches EGRP as a prison in transition. The principles and standards set out in the Department's plans are briefly outlined below as they provide a means of assessing the prison's current practice and future development.
- 1.11 The *Goldfields Custodial Plan* is the primary strategic document that the Department of Corrective Services ('the Department') has followed as it adopts its new role in the region.¹⁵ The *Goldfields Custodial Plan* (2007) states that:
- the whole Prisoner Program/Prison-based Therapeutic Community model must be administered under the Through-Care concept. It is recommended that every Goldfields Aboriginal prisoner be engaged in comprehensive prisoner programs whilst in prison and carefully planned, managed and resourced post-prison continuation of programs, including adequate follow up support.¹⁶
- 1.12 The planned transition aims to reduce recidivism rates in the region from 55 per cent to 40 per cent over the next ten years and then stabilize at that level.¹⁷ The *Goldfields Custodial Services Philosophy* is intended to 'set new standards in custodial infrastructure and services for Aboriginal people in Western Australia. It will maintain, reinforce and respect the retention of cultural identity for Aboriginal people in the region.'¹⁸
- 1.13 Intended outcomes include:
- [P]ractical reparation, rehabilitation and successful re-entry; reducing the incidence of offending and the rates of recidivism; EGRP changing to become vehicles for positive individual behavioural change, which can underpin social and economic growth and well-being for the Goldfields community as a whole.¹⁹
- 1.14 These aims are to be achieved by the development of a second work camp within the Ngaanyatjarra Lands;²⁰ providing appropriate education courses, skills development programs and facilities, and reparation, rehabilitation, and re-entry programs and facilities; designing services and programs specifically for Goldfields Aboriginal prisoners, taking into account their offence, culture, language and the circumstances of life in their home communities; planning and delivering services and programs in partnership with the Goldfields Aboriginal communities from which they come; and where possible, utilising Aboriginal service providers.

15 As noted in DCS, *Eastern Goldfields Regional Prison Redevelopment 2011: Developing a Change Management Plan* (January 2011).

16 DCS, *Goldfields Custodial Plan* (June 2007), in DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2, (2008) appendices, [5.2].

17 DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2, appendices.

18 DCS, *Eastern Goldfields Regional Prison Redevelopment 2011: Developing a Change Management Plan*, (January 2011).

19 DCS, *Goldfields Custodial Plan* (June 2007), in DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2, (2008) appendices, 5.

20 This has been achieved with the new Warburton Work Camp.

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED
REGION-SPECIFIC THROUGH-CARE PRACTICE

- 1.15 Emphasising the Aboriginal character of the region and its custodial services, the Department has set out the following EGRP-delivered outcomes for the individual and community:
- **Self determination/self management** – through the promotion of opportunities for economic development and improvement in health, housing, education and employment opportunities.
 - **Indigenous human rights** – through the commitment of resources through well-targeted programs directed at overcoming Indigenous disadvantage.
 - **Embracing diversity** – by taking account of Aboriginal law and health practices.
 - **Coexistence of Indigenous values, cultures and traditions** – through recognition of cultural identity, recognition of cultural differences and implementation of special measures to overcome inequalities.
 - **Protecting culture and identity** – through recognition of kinship ties and reciprocal obligations. Recognition of traditional law and family and kinship obligations.
 - **Effective participation in decision-making** – by the involvement of Aboriginal people and communities in deciding the parameters of those correctional decisions which directly affect them.²¹
- 1.16 The Department's region-specific and Aboriginal-centred plans correspond to its development of the *Prisons Aboriginal Service Committee Guide (PASC)*,²² which sets out strategies and performance indicators for prisons with significant Aboriginal populations. According to the PASC, each prison is required to maintain an Aboriginal Service Committee dedicated to overcoming Aboriginal disadvantage. The Guide sets out the following key objectives:
1. Strong governance within Aboriginal communities.
 2. Enhancing education levels of Aboriginal prisoners.
 3. Enhancing employment levels for Aboriginal people in custody and in the community.
 4. Improving the health of Aboriginal people.
 5. Developing supportive Aboriginal communities.
 6. Improving the quality and ownership levels of housing for Aboriginal people.²³
- 1.17 Each of the objectives requires the prison to work with the communities which EGRP's prisoners predominantly come from and return to. This requirement recognises that the region's high recidivism rates are best addressed by cooperation between the prison and community groups to address the underlying disadvantages that lead to high imprisonment rates.

21 DCS, *Review of the Business Case for the Eastern Goldfields Regional Prison Redevelopment* (14 January 2011) [1.4].

22 DCS, *Prisons Aboriginal Service Committee Guide* (May 2010).

23 DCS, *Prisons Aboriginal Service Committee Guide* (May 2010), 7-12.

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED
REGION-SPECIFIC THROUGH-CARE PRACTICE

- 1.18 The PASC system is a positive development methodologically as it involves departmental monitoring and evaluation. Each objective corresponds to six key strategies, measured by key performance indicators (KPIs) and progress reports. Prisons are required to report to the Reform Coordinator on a bi-monthly basis and the Department reviews the reports on a trimester basis. EGRP has incorporated the process into its annual business plan.²⁴ This system allows for clearly delineated aims to be regularly measured by methods and outcomes.
- 1.19 An example of this process in practice can be drawn from EGRP's most recent report.²⁵ The prison addressed Strategy 1.6 which requires the prisons 'to establish strategies that enable offender labour to be used to improve the accommodation and living conditions for Aboriginal people within the community'.²⁶ For this strategy, EGRP's KPI was that it should liaise with the Goldfields Indigenous Housing Organisation, the Department of Housing and Works and the Department of Indigenous Affairs on work that could be conducted by work camp prisoners based at the Warburton work camp.²⁷
- 1.20 In this example, the principle of Aboriginal-centred throughcare can be seen from work in the prison, through to the work camp and then in the community (working on housing for Warburton community). Not only will the prisoners contribute to improved housing in the community, but they will develop skills that will be advantageous to the community once they are returned. The outcomes in this example are yet to be achieved, as the Warburton work camp will only become operational later in 2011. However, the PASC process does offer some assurance that such initiatives will be developed and evaluated better over time.
- 1.21 There is coherence between local management and the Department's strategic direction, which states that 'the primary goal of the facility is the successful reintegration and release of prisoners'.²⁸ The prison's *Pathways to Work Camps* philosophy aims 'to set the whole of the prison and its outposts up to progress the prisoner from Unit 2 to skills, s 95, work camp and then freedom'.²⁹ The prison's philosophy accords with Strategy 3.6 of the PASC, which requires prisons to 'develop effective strategies to promote the importance of, and pathways to, meaningful employment within Aboriginal communities'.³⁰

24 DCS EGRP, Adult Custodial Division, *Eastern Goldfields Regional Prison, Annual Business Plan 2010-2011*, (2010) strategic priority K2.5, 'Integrate an Aboriginal Perspective into all our endeavours'; and D2.5.4.2, 'Ensure the ongoing maintenance of the Indigenous Service Committee within prisons'.

25 DCS EGRP, *Prisons Aboriginal Service Committee Bi-monthly Report* (February 2011).

26 DCS, *Prisons Aboriginal Service Committee Guide* (May 2010) Strategy 1.6.

27 DCS EGRP, *Prisons Aboriginal Service Committee Bi-monthly Report* (February 2011).

28 DCS, *Review of Business Case for Eastern Goldfields Regional Prison Redevelopment* (14 January 2011), 'Development Principle 9'.

29 DCS EGRP, *EGRP Superintendent's Briefing*, OICS Inspection (31 January 2011).

30 DCS, *Prisons Aboriginal Service Committee Guide* (May 2010) strategy 3.6.

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED
REGION-SPECIFIC THROUGH-CARE PRACTICE

- 1.22 EGRP has made considerable improvements in targeting needs specific to the region's Aboriginal prisoners and their communities. The Department's Education and Vocational Training Unit supports this direction, and there is recognition that a focus on 'usefulness' rather than just 'employability' is appropriate.³¹ There is a focus on courses that develop prisoners' skills for employment prospects upon release and build their confidence to undertake minor projects within their own communities on return. This approach recognises the social conditions in many communities where employment has not been and may not be readily available; in such cases, communities appreciate having people return to contribute their skills and labour to the community regardless of whether they are able to find paid employment.
- 1.23 Linked to the furthering of Aboriginal improvement, the Inspectorate noted that other areas of throughcare were also being monitored and measured. For example, the EGRP Business Plan provides an outline of practices and plans for service delivery for 'Women Indigenous Prisoners', noting that 'previous audits and reviews identify that women at EGRP have been disadvantaged through the lack of structured services, skills training, and availability of treatment programs'. The prison's commitment to 'review progress monthly and evaluate success' provides accountability. The key areas of action include recreation planning, education and training planning, co-operation with NGOs and volunteers for yearly life-skill planning, and review and implementation planning for women's health improvement.³²
- 1.24 Throughcare is being pursued at the local level (e.g. in progressing indigenous women) and at the departmental level. A good example is the development of the Aboriginal Health Transitional Officer roles, which oversee the continuity of pre- and post-release health care for prisoners.³³
- 1.25 Such initiatives exemplify the planned and purposeful input into the offender which is central to the notion of throughcare. They are consistent with the Inspectorate's previous recommendation that DCS 'adopt an integrated through-care approach to the management of offenders through each stage of the criminal justice system'.³⁴
- 1.26 At the beginning of this chapter it was noted that the prison had previously lacked strategic direction, and that the Inspector had recommended that it pursue Aboriginal-centred throughcare. It is commendable that the Department and EGRP management now seem to be pursuing this course.

31 Summary of comments made during meeting with DCS Education and Vocational Training Unit management (17 March 2011).

32 DCS EGRP, Adult Custodial Division, *Eastern Goldfields Regional Prison, Annual Business Plan 2010-2011* (2010) 16.

33 There is currently one Aboriginal Health Transitional Officer at Albany prison, and plans to employ such officers throughout the WA prison estate, under the *Aboriginal Prisoner Health Re-entry Program*.

34 OICS, *Directed Review of the Management of Offenders in Custody*, Report No. 30 (November 2005) Recommendation 6.89.

STRATEGIC DIRECTION: TOWARDS AN ABORIGINAL-CENTRED
REGION-SPECIFIC THROUGH-CARE PRACTICE

- 1.27 To be viable, however, throughcare requires a strong community component.³⁵ It involves the custodial estate in engagement beyond the prison into the communities, and requires a consultative approach to community needs. This is particularly necessary in the Eastern Goldfields/Ngaanyatjarra region. In 2005, the Inspectorate commented that this community focus should involve ‘full integration of custodial services with community justice services (adult and juvenile) so as to provide enhanced opportunities for non-custodial alternatives, improved pre-release planning and effective post-release through-care’.³⁶ Although there have been moves in the right direction, it is clear that this is still a ‘work in progress’.

Recommendation 1

Develop and implement processes for region-specific and Aboriginal-centred throughcare, together with a detailed monitoring and evaluation plan.

35 Baldry E, ‘Throughcare, making the policy a reality: the throughcare context in Australia’, paper presented at the Reintegration Puzzle Conference, Deakin University (2011) 2.

36 OICS, *Directed Review of the Management of Offenders in Custody*, Report No. 30 (November 2005) recommendation 3.150. Note that the range of released prisoners that throughcare applies to is currently limited. EGRP only has a legal responsibility to prisoners released under statutory supervision, as many prisoners are released from EGRP without statutory supervision. It is important that EGRP should explore avenues of support for all released prisoners.

Chapter 2

REHABILITATION AND RESETTLEMENT

- 2.1 Since the last inspection EGRP has made notable improvements in transition management, education and training, and through the prison's *Pathways to Work Camps* commitment. However, the prison has limited ability to focus long term energy on the needs of prisoners from the region. There are three main, and related, reasons for this. First, the prison is designed primarily for minimum security prisoners, but there is a limited supply of such prisoners from the region. Secondly, many prisoners are only at EGRP for a short period of time. Thirdly, the prison has little control over the system's assessment of and sentence planning for prisoners from the region, with these assessments generally being undertaken at Hakea Prison in Perth.

ASSESSMENT

- 2.2 EGRP's rehabilitation and reparative focus suffers from an insufficient supply of minimum security prisoners. There are typically between 200 and 280 prisoners from the Goldfields/Ngaanyatjarra region, of whom approximately 80 are rated minimum security. At the time of the inspection there were 285 prisoners from the region held throughout Western Australia in 12 different prisons: 172 of these were imprisoned out-of-country, and 113 in EGRP. During 2010, the numbers of minimum security prisoners in EGRP dropped from a high of 70 to a low of 40.³⁷ Because of the low numbers of minimum security prisoners, the prison is not able to plan for full utilisation of Mt. Morgan's work camp in the current period.³⁸ For example, the current number of minimum security prisoners is 83, but not all of these are eligible or suitable for work camp placement and the prison has only been able to fill 9 of the possible 20 positions the camp.³⁹ If this trend continues, EGRP may struggle to maintain its *Pathway to Work Camps* commitment. It also raises very real concerns about the viability of the new Warburton Work Camp, with its intended capacity of 24.
- 2.3 Associated with this is the problem of the short-term duration of many medium and maximum security prisoners' stay at EGRP, as well as remandees and unsentenced individuals. At the time of writing 93 per cent of Aboriginal prisoners had been at EGRP for less than 12 months and 81 per cent less than six months.⁴⁰ Moreover, 23 per cent of Aboriginal prisoners at the prison were on remand.⁴¹ Significantly more Aboriginal males had spent less than six months at EGRP than Aboriginal females (83 per cent compared to 53 per cent.)
- 2.4 The current assessment tools limit local management options at EGRP. The prison does not control the assessment process for any of its prisoners who commenced their sentences as medium or maximum security. Medium and maximum security prisoners from the Goldfields/Ngaanyatjarra region are generally processed in the metropolitan area and Hakea Prison completes the initial assessment and sentence management planning. While EGRP has custody of many medium or maximum security rated prisoners for a short period at the end of their sentence, these prisoners spend the majority of their time in the metropolitan prisons. This hampers EGRP's ability to plan for and implement region-specific Aboriginal-centred throughcare.

37 DCS EGRP, *EGRP Superintendent's Briefing*, OICS Inspection (31 January 2011).

38 Discussion with DCS EGRP Superintendent (06 May 2011).

39 Data taken from 'Total Offender Management Solution' (TOMS), (11 May 2011).

40 Data taken from a snapshot analysis of prisoner time in custody at EGRP on 20 April 2011 using TOMS.

41 Ibid.

- 2.5 The consequences can also be seen in inadequacies of the management of prisoners from the Goldfields/Ngaanyatjarra region in Casuarina prison.⁴² At the time of the most recent Casuarina inspection, the inspection team observed that the out-of-country prisoners were keen to get work, and to gain skills that they could utilise when they return to their communities. Despite this, these out-of-country prisoners are rarely employed and lack appropriate forms of training to prepare them for re-entry. In particular, the Displaced Aboriginal Program was found to be inadequate.⁴³
- 2.6 Sentence management planning is obviously directly influenced by the current scope of the Department's education and training service providers. However, these are not necessarily focused on delivering outcomes best suited to the specific needs of prisoners from communities in the Goldfields/Ngaanyatjarra regions and of the communities themselves. For example, the metropolitan secure prisons offer training in areas such as vegetable preparation, concrete products, boot making, printing, industrial laundry and clothing manufacture, and education courses in computing, modern art and university entrance subjects.
- 2.7 EGRP has adapted to meet these problems where possible. Advancement has been made in the progression of prisoners through the hierarchy of the system; where possible, prisoners are moved from medium and maximum to minimum where they can access a fuller and more appropriate range of programs and employment opportunities. Overall, however, there needs to be greater system-wide coordination and planning if the aims of throughcare and of the prison are to be achieved,

Recommendation 2

Implement measurable strategies to increase the number of Aboriginal prisoners from this region who are eligible for minimum security status and associated programs and treatments.

AN INTEGRATED APPROACH TO THROUGH CARE

- 2.8 EGRP's management group is driving the progression of eligible prisoners through the *Pathways to Work Camps* framework. Management aims to prioritise, promote and resource activity in line with this objective without neglecting other necessary activities. Positive developments observed at this inspection include:
- an improved focus on skills training and the development of a skills workshop;
 - the addition of extra program rooms to meet projected demands for the Building on Aboriginal Skills (BOAS) and life skills programs;
 - a commitment to moving prisoners to section 95 activities and the work camp as soon as they are ready; and
 - cooperation with Community Justice to deliver programs.

42 Goldfields/Ngaanyatjarra region prisoners are predominantly held in Casuarina, Acacia, and Hakea prisons in the metropolitan area.

43 OICS, *Report of an Announced Inspection of Casuarina Prison*, Report No. 68 (November 2010) [7.37] - [7.43] and Recommendation 5.

- 2.9 Leadership from the EGRP management group has invigorated the non-custodial and custodial staff. Education staff are enthused and looking at new approaches to increasing the relevance of education and integrating education with employment to achieve throughcare goals. For example, the education unit is moving to predominantly part-time and skills-focused education. The programs team and the Transitional Manager are examining ways to increase delivery through community engagement. The industrial officers are promoting skilling and formal training and facilitating the flow of good workers to the work camps. The senior officer group is motivated and eager to consider ways to facilitate the progression of prisoners.
- 2.10 Coordination of the inter-related activity and communication remain of concern. The Education Centre Manager and programs team reports to the Department's head office, while the activities of the Transitional Manager and the re-entry service provider (Centrecare) are controlled via a contract managed by head office. The senior officers report to the Principal Officer or the Superintendent and the industrial officers to the Business Manager. While EGRP conducts meetings of involved parties to coordinate activity, there is a perceivable lack of departmental direction for cooperation, performance targets and communication with the prisoner and custodial group.
- 2.11 Quality education, training and employment are highly valued by prisoners and have been found to be effective in reducing recidivism.⁴⁴ Historically, there has been a division within prisons, with education and formal training being treated as rehabilitation, employment as reparation, and skilling as something that may or may not happen. However, EGRP aims to integrate education, employment and skilling as key components of a prisoner's development. There is strong management and staff support for this approach and the discrete spheres of activity are beginning to coalesce.
- 2.12 Through the *Pathways to Work Camps* approach, EGRP is active in promoting section 95 and work camp places and is prioritising eligible workers out to the work camp. However, this does mean that the prison has been at risk of having too few good workers inside the prison for industries, kitchen and maintenance work. To address this issue, EGRP has taken a group of Indonesian prisoners from Albany Regional Prison. These prisoners will also be supported in moving to the work camps as they become eligible, but will be encouraged to establish market gardens in the camps, thus providing a valuable resource while allowing regional prisoners to work in the communities where they can be seen to be making a positive difference. The Department has found, to date, that its Indonesian prisoner population has a good work ethic and enjoy working together. Members of EGRP's senior management team stated that they were drawing upon previous successful experience in ensuring the welfare of Indonesian prisoners at EGRP (see also 4.24).⁴⁵

44 Parliament of Western Australia Parliament, Community Development and Justice Standing Committee, *Making our prisons work: an Inquiry into the efficiency and effectiveness of prisoner education, training and employment strategies*, Report No. 6 (November 2010) 15.

45 EGRP senior management team, OICS EGRP inspection, January 29 to February 4, 2011.

- 2.13 The prison management is actively pursuing expansions to work camps and cooperating with external agencies to expand section 95 activities, including a large work program for the building and maintenance of the new *Indigenous Visitors Accommodation Centre*. The Centre will provide short-stay accommodation for Indigenous visitors to Kalgoorlie, enabling them to access services including healthcare as well as enabling people to visit prisoners at EGRP. Preparatory horticulture work began in April 2011, and prisoners are due to commence work on the centre's fence later in the month. EGRP is also exploring possible mobile work camp schemes enabling prisoners to work in remote communities on building maintenance for the Goldfields Indigenous Housing Organisation.
- 2.14 Considerable resources have been placed into skills development to facilitate these initiatives while investment in industries has been maintained. The prisoners' daily regime has been restructured to facilitate greater education and skilling input.

Education

- 2.15 The recently appointed Education Centre Manager is restructuring, reorganising and revitalising EGRP's education activity. The education centre has only one full-time staff member (the manager) and one part-time administrative officer (who is also the Prisoner Employment Program (PEP) coordinator). It is therefore heavily reliant on the commitment of sessional staff.⁴⁶ The Department has committed to supplying more administrative support to the Education Centre Manager in recognition of the increased administrative workload that the expansion of programs is bringing.
- 2.16 One result of the new direction of the centre has been the evident motivation and commitment shown by part-time staff and the sessional tutors. Prisoners reported getting on well with the education staff and the Inspectorate witnessed numerous examples of positive pro-social interactions and mutual respect.
- 2.17 EGRP has shifted from a traditional education model built around full-time students to a predominantly part-time model designed to broaden access and enable a fuller constructive day for prisoners. From July 2010 to the date of the inspection (February 2011), the education centre moved from having 11 full-time students and several part-timers, to having four full-time and 81 part-time students. All eligible prisoners were receiving education. Traineeships had increased to six in August 2010 and TAFE tuition hours had risen from 584 in July 2010 to 823 in August 2010 and had continued to rise through to the inspection.
- 2.18 The education centre is run as mixed gender and is well supervised. Maximum security female prisoners are attending the centre for literacy and numeracy training. This is a significant change because the education staff had previously only attended Units 1 and 3 to provide maximum security prisoners with information on education that would be available to them once they were reclassified as minimum security.

46 The Inspectorate is advised that the education centre will soon be allocated more administrative support, but given their expansion in activity an increase in the number of full-time teachers would also seem warranted.

- 2.19 In addition to increasing prisoner access, the move to part-time education reflected an attempt to complement the learning styles and educational experience of the predominantly Aboriginal prisoner group. Appropriately, the prison now provides shorter, more focused sessions with the chance for prisoners to practice or consider the lesson before beginning the next topic.
- 2.20 Tying education into employment has been part of the integrated EGRP approach. Prisoners in education also had jobs and substantial components of the education were aimed at the jobs available in the prison and work camp as well as post-release trade or employment.
- 2.21 Strategic direction from both DCS (the Education Centre Manager) and local EGRP management supports the objective of skills development to meet the needs of the region's communities by integrating skilling and employment. A considerable range of courses and course-components had been identified by various communities as potentially useful. For example, six male prisoners were doing units from a certificate in Indigenous public health. These were units they had selected as valuable for their return to their communities and prisoners were approaching the content enthusiastically.

Training

- 2.22 The industrial and vocational support officers (VSOs) felt well supported by the Superintendent and the Business Manager. The education and skills development areas within EGRP have been proactively working together to develop integrated services. An agreement between industries and education defines their shared objectives, responsibilities and time frame.⁴⁷ The agreement is broken down into the various work areas and the work camp has its own agreement.
- 2.23 Although it was clear that the relevant management areas understood the integration strategies defined by the agreement, communication had not been adequately made to the VSOs as a group. It may be useful to hold regular meetings chaired by senior management (including the Business Manager and the Acting Assistant Superintendent Prison Management (ASPM)) to enable VSOs to discuss any difficulties they may be having coordinating activity for individual prisoners.
- 2.24 The lack of program and training room space observed at the last inspection has largely been addressed. The previous skills development space was redeveloped as a room for program delivery and training. The skills development facilities have been moved out to the workshop area, which has been expanded. At the time of the inspection the workshop and the skills development area were not yet at full operational standard, but nevertheless had delivered a significant amount of skills training.
- 2.25 Traineeships had been re-introduced for both male and female prisoners and trainees were present in the kitchen and laundry. Section 95 activity had expanded and was centred on regular activity at the Women's Refuge and the Mining Hall of Fame. It was apparent that the prison had developed a positive relationship with both entities.

47 DCS EGRP, *Eastern Goldfields Regional Prison Industries Action Plan 2010-2011* (2010).

-
- 2.26 EGRP's part-time Aboriginal Education Worker (AEW) supports Aboriginal prisoners in their educational needs. The AEW assists with course provision including food and business courses. The AEW also provides advice on the cultural appropriateness of course content and delivery. This accords with Objective 2.3 of the PASC, which requires prisons to ensure the cultural appropriateness of the content and delivery of educational curriculum for Aboriginal prisoners.
- 2.27 The AEW also assists with Abstudy applications and organises Indigenous Vocational Education and Training. This accords with Objective 2.5 of the PASC, which requires prisons to 'establish strategies that monitor and encourage the participation and retention rates of Aboriginal people whilst in prison and following their release back into the community'. Another positive development is the education staff's (including the AEW's) identification of a need to introduce the Keep Your Culture Keep Your Job unit in the first semester of 2011.

Employment

- 2.28 Despite the increased participation in education, employment levels had not changed significantly, with the average working hours per day remaining steady. Overall constructive activity (including employment and education), however, had increased and involved more prisoners for longer periods (approximately six hours per day).⁴⁸ This was monitored on a monthly basis by each employment area reporting to the Business Manager who had established activity targets. Employment levels in Units 2 and 3 were particularly high, though the utility of some of this work was not always clear to the prisoners. Around half of the respondents to the pre-inspection prisoner survey did not think that the work they undertook would assist them in employment post-release. In the workshop, the provision of necessary maintenance dominates activity around the prison, accounting for 2775 prisoner work hours over a 12 month period.
- 2.29 Since the last inspection the prison has sought to develop a Prisoner Employment Program (PEP).⁴⁹ The program supplements existing employment activities, by providing minimum security prisoners with 'meaningful and sustainable paid employment, work experience, vocational training and education in the community prior to their imminent release from prison'.⁵⁰ Although originally a full-time position, the PEP coordinator role at EGRP has been made part-time, and reduced to four days a week. Despite a proactive approach to the program the current coordinator will be curtailed by the lack of hours and valuable PEP opportunities may be lost. Nonetheless, there has been a considerable increase in PEP applications compared to previous years. In the last 12 months, 13 prisoners were identified as being eligible for PEP. Six were withdrawn by the prison or the prisoner some time into their application. Two applicants were female and five were Aboriginal. Only three of these were successful. Of the successful applicants, one was an Aboriginal female and the others both non-Aboriginal males. Currently the prison has a further 10 applicants, the majority of whom are Aboriginal. This potentially represents a step in the right direction in terms of progression Aboriginal prisoners to the PEP.

48 According to data from the pre-inspection prisoner survey.

49 The Department introduced the PEP in September 2008: see, DCS, Policy Directive 68.

50 Parliament of Western Australia, Community Development and Justice Standing Committee, *Making our prisons work: an Inquiry into the efficiency and effectiveness of prisoner education training and employment strategies*, Report 4 (Interim Report, June 2010) 55, [6.2].

- 2.30 The laundry area was much improved since the last inspection; it was clean, well laid out and chemical-use had been reduced. The net result was a better laundry service. This was a remarkable turn around from one of the worst rated areas three years ago to the best rated (64 per cent of prisoners surveyed said they were mostly happy with the laundry service). Significant advances had also been made in other areas of employment. For example, the cook instructors had organised the kitchen to cater for a number of functions. However, there appeared to have been a decline in the gardens area.
- 2.31 The length of the workday has been shortened by the excessive number of counts of prisoners and the midday non-movement period where prisoners are moved back to their unit. Senior management is examining ways to deliver a more realistic workday by reducing the number of counts..

PROGRAMS

- 2.32 Successful programs assist prisoners to develop new skills and coping mechanisms. The ultimate goal is to reduce recidivism and enable successful re-entry into society. The programs area for EGRP had shown real improvement since the last inspection. A number of factors have contributed to this:
- the commitment of the Programs Officer (in place since 2009);
 - the recent re-funding of program activity by the Department;
 - the prison’s prioritising of program delivery and provision of an adequate number of program rooms;
 - the prison’s cooperation with Community Corrections for delivery of the BOAS program with mixed prison and community involvement; and
 - the prison’s efforts to improve non-criminogenic program delivery through the Transitional Manager and the re-entry contract.
- 2.33 EGRP has increased criminogenic program delivery, cognitive skills delivery and life skills type (non-criminogenic) programs. This accords with the commitment to progress prisoners to eligibility for work camp placement and to ensure that, where possible, no prisoner returns to the community with unaddressed program needs.

	2008	2009	2010	2011
Programs	1	6	6	10
Attending programs	9	59	51	N/A
Attending cognitive skills		27	23	N/A

- 2.34 Program delivery and content issues have also been addressed. In particular, Aboriginal-centred elements within program delivery have increased. Program delivery now includes the BOAS course (jointly delivered with Corrective Service in the community); the Indigenous Men Managing Anger and Substance Use program; the Indigenous Family Violence; and the Keep Your Culture Keep Your Job program. These changes are in keeping with community expectations about the cultural relevance of programs and their usefulness to the communities to which prisoners return.⁵¹ Moreover, this redirection of course delivery has seen an increase in prisoners' ratings of the utility of programs.
- 2.35 Given the number of Goldfields/Ngaanyatjarra Aboriginal prisoners accommodated at EGRP, their high rates of recidivism and social disadvantages, the prison must offer a range of programs specifically targeted to the needs of Aboriginal prisoners and their communities.⁵² A region-specific Aboriginal-centred throughcare approach requires that this should be provided through joint programs with community partners, Aboriginal-led programs, and that program provision is extended out into the community.
- 2.36 In line with this philosophy, EGRP is actively seeking to identify and develop community partnerships in order to provide a wider range of options in joint program provision. Positive developments include the Department's commitment to fund a second Programs Officer in the first half of 2011 and the furthering of joint program delivery with Community Corrections. Planned activities include joint Drug and Alcohol and Violence programs, and further collaboration with Bega Garnbirringu Health Services. These initiatives will accord with the PASC Strategy 5.6, which requires prisons to 'actively work with drug and alcohol as well as family and domestic violence groups within the community to address the needs of Aboriginal people'.

MINIMUM SECURITY PRISONERS AND THE HIERARCHICAL SYSTEM

- 2.37 The Inspection Standards state that 'those who are in the last few months of their sentences prior to release, should be placed at minimum security and preferably in work camps or other pre-release centres'.⁵³ The environment at these facilities is considered to be more appropriate for the development of skills and knowledge conducive to a more successful return to the community.
- 2.38 Minimum security prisoners 'earn' or deserve their lower security status through good behaviour or through their lower risk status, and thereby receive the benefits of a minimum security environment. These benefits generally include better visits facilities for families, more self-determination in prisoners' day-to-day living and access to better living conditions.
- 2.39 While EGRP is making progress in terms of minimum security prisoners accessing education, training, employment, and programs, the physical facilities in Unit 2 (the minimum security unit) are substandard. Further, through a combination of factors including regular cell

51 OICS, *Directed Review of the Management of Offenders in Custody*, Report No. 30 (November 2005).

52 The PASC aims include that prisons should 'identify and develop appropriate programs and services to address the needs of local Aboriginal people': DCS, *Prisons Aboriginal Service Committee Guide* (May 2010) 6.

53 OICS, *Code of Inspection Standards for Adult Custodial Services* (April 2007), 131.

lock-downs and the presence of razor wire on the roof, Unit 2 appears more like a maximum security unit. A typical comment from prisoners was that prisoners were ‘coming out of this unit more depressed than when they came in’. At the time of the inspection EGRP lacked a hierarchical system or a sufficiently varied incentive structure. The Inspectorate understands that EGRP senior management is exploring a wider range of meaningful incentives.

RESETTLEMENT

Re-Entry services

- 2.40 Re-entry services are vital in preparing prisoners for their successful return to the community. The re-entry services offered by the Department are provided in the six months prior to the prisoner’s release and may extend to up to 12 months post-release. Re-entry services are provided both to prisoners approaching parole and those serving a finite sentence. Within prisons, the responsibility for providing re-entry services is shared between the external contracted service provider (in this case, Centrecare) and the prison-based Transitional Manager.
- 2.41 Services provided include housing, transport home once released, employment and social services, linkage with external supports such as drug and alcohol services, drivers licence applications, and life skills. Engagement is not compulsory and prisoners are required to self-identify for assistance. The offer of assistance is made six months prior to a prisoner’s release and again three months from that date.⁵⁴ EGRP staff routinely see prisoners on admission and identify their needs, often including outstanding fines and drivers licence problems. The Transitional Manager attends the reception process in order to direct prisoners to Centrecare and Homeswest for help with housing as necessary.
- 2.42 The Transitional Manager at EGRP appeared to be doing a good job coordinating re-entry services and linking with external service providers. Service providers reported they enjoyed a good rapport with staff at the prison, felt supported and were provided with relevant prisoner information. They perceived prison management as receptive to offers to provide services, and appreciated the Superintendent’s involvement in community panels. Service providers enjoyed the Transitional Manager’s facilitation of networking on re-entry issues, but felt that more could be done to facilitate networking among community organisations (including service providers) throughout the region.
- 2.43 Program design was based on a consultative approach with prisoners, community representatives, and departmental stakeholders. A good example of co-operative development was the Eradicating Violence Against Women program. This program was initiated and developed through consultation with the Transitional Manager at Bandyup.
- 2.44 Despite some progress, only 47 per cent of the staff who responded to our survey felt that the prison provided adequate re-entry services. However, the inadequacy of re-entry services is likely to be due to systemic issues, rather than problems within the prison.

54 In practice, the Transitional Manager at EGRP takes self-referrals at any time within the six-month period.

-
- 2.45 Medium and maximum security rated prisoners, including those on finite sentences, are frequently sent to EGRP for release. The short duration of their stay in EGRP, typically a few days to two weeks, only allows for limited re-entry work. The re-entry model is intended to ensure that there is a smooth transition of responsibility for those prisoners moving between prisons. In theory, a prisoner's re-entry needs should be addressed at the sending prison prior to their transfer; the role of the local Transitional Manager is then to ensure a smooth transition.
- 2.46 Prisoners who had been transferred from the metropolitan prisons told the inspection team that they were arriving at EGRP without their re-entry needs having been addressed. For example, during the inspection there were five prisoners in the secure wing of the prison who had arrived at EGRP for their release, and none appeared to have adequate re-entry plans in place. This is particularly the case with prisoners serving finite sentences.⁵⁵ These prisoners are unable to access the full range of re-entry services because there is no legal 'hold' over them on release and therefore little opportunity for supervision, monitoring and assistance in the community.
- 2.47 Overall, it is clear that there is room for improved practice in this area, including better coordination and allowing prisoners a longer stay at EGRP prior to release. The Department also seems to have limited data (and therefore limited accountability mechanisms) for re-entry services. Information is restricted to the number of prisoners contacted or engaged and the services used. There is no regional analysis of service use and, as a result, the Department is not able to assess if regional prisoners are accessing re-entry services when out-of-country. The Department has agreed to look at how they can better identify and manage the engagement of out-of-country prisoners and the Inspectorate will monitor progress.
- 2.48 An outcome-based assessment of the Department's programs at EGRP and elsewhere, in terms of successful re-entry and reduced recidivism, still awaits development.⁵⁶ The effectiveness of treatment programs at EGRP certainly needs to be examined as the recidivism figures do not suggest that they are having sufficient effect. An average of 70.3 per cent of EGRP prisoners who had not completed program(s) returned to prison, but the figure only dropped to 67.44 per cent for those who had.⁵⁷
- 2.49 Local re-entry problems included a perception of poor communication. Several prisoners reported a lack of communication about transport home after release. Prisoners felt that it was difficult to access support staff including the Transitional Manager. Although the Transitional Manager did practice 'walk-arounds', prisoners did not feel that the Transitional Manager was sufficiently available. There was general dissatisfaction with the requirement to fill out a form to initiate a meeting. Several prisoners wanted improved links with Homeswest,

55 Or where prisoners are denied parole and re-entering the community having served the whole term of their sentence.

56 The Aboriginal Legal Service similarly recently suggested a need for critical assessment of the effectiveness of programs on recidivism: Aboriginal Legal Service Inc (WA), Submission to the Parliament of Western Australia, Community Development and Justice Standing Committee Legislative Assembly, *Making our prisons work: Inquiry into the efficiency and effectiveness of prisoner education, training and employment strategies* (April 2010).

57 DCS, Strategic Services Directorate, *Performance and Statistics, Prison Recidivism (adults only)*, based on Prison Exits two years prior to the period 1 July 2005 to 30 June 2010.

Centrelink and other key agencies. The impact of these deficiencies is heightened by the short period that many prisoners spend in EGRP prior to their release.

Fines and Licences

2.50 The majority of fines are being dealt with in prison. Drivers licence issues are also being progressed; however, because of the large number of prisoners with life bans, the Transitional Manager is only able to help a minority. Nonetheless, the licence education provided is potentially useful as some prisoners obtain their learner's permit while in EGRP and may obtain a licence after release.

Transport Home

2.51 The region has complex transport needs, partly because of the long distances involved in travelling to some of the remote communities. Transport to the remote parts of the region is an issue for the wider community. The Inspectorate found that there is a need for great service flexibility on returns. It may be that inter-agency and other cooperative ventures are required to better facilitate the return of prisoners and visitors⁵⁸

2.52 Since the last inspection the Transport of Prisoners Scheme (TOPS) has improved. However, the Inspectorate found that the management of the TOPS program funding was an issue of concern.⁵⁹ A DCS representative spoke of prisoners being released prior to transport arrangements because of insufficient TOPS funds. The representative cited recent cases of reoffending because of delays with accessing TOPS. At the time of the inspection DCS was working on the funding problem with the EGRP Transitional Manager.

Recommendation 3

Put better systems and resources in place for release planning and re-entry into the community for all prisoners from the Goldfields/Ngaanyatjarra region. In particular, where security allows, displaced prisoners should be given more time at EGRP before release.

58 For example, the Member for Kalgoorlie recently suggested there should be a shuttle service to take displaced residents back to their homes in the Tjuntjuntjara lands. This service could also be employed for TOPS and family or community visits. See ABC online, *Bowler fights for Tjuntjuntjara shuttle service* (10 March 2011) <<http://www.abc.net.au/news/stories/2011/03/10/3160512.htm?site=news>>.

59 A DCS representative estimated that the \$50,000 allocated to TOPS should be adequate, and include payments for community groups providing transport back home. However, funding shortfalls had occurred and negatively affected service provision.

WORKCAMPS

Mt Morgan's Work Camp

- 2.53 Work camps are central to the *Pathways to Work Camps* philosophy. Unit plans for both work camps have been reviewed.⁶⁰ The Department's Education and Vocational Training Unit provides some on-site vocational training. Education courses are generally not provided, so education needs should be met prior to the prisoner's progression to the work camp.⁶¹
- 2.54 Since the last inspection the prison has not been able to progress sufficient numbers of prisoners through to Mt Morgan's Work Camp. For example, while Mt Morgan's has a capacity of 20 prisoners, camp prisoner numbers fluctuated between 9 and 12 at the time of writing.⁶² As noted previously, part of the difficulty lies in the undersupply of eligible prisoners, linked to restrictive assessment criteria.⁶³ Prison management is taking some steps to address the undersupply,⁶⁴ but faces constraints as a result of the restrictive assessment practices.
- 2.55 Unfortunately, the Inspectorate found that Mt Morgan's had not been running in an acceptable manner since the last inspection, and particularly over the last two years. Prisoners were spending an inordinate amount of time sitting around the camp due to a lack of planned work. Rather than doing program work prisoners were often doing unskilled menial tasks, such as picking up rubbish and mowing lawns. Prisoners at the camp felt that they should be doing skill-based work with communities or working in training programs.⁶⁵ The Inspectorate's examination of the record of projects undertaken by the work camp confirmed that there had been a limited number of projects and that much of the work had been menial or insubstantial, and not directed at training and skill development.
- 2.56 Communities in the Mt Morgan area expressed a desire for project work to be done by work camp prisoners. The Mt Margaret community had potential work for two or more prisoners on a daily basis. Some of the projects identified were: resurrection of the vegetable garden; dining hall maintenance; painting and gardens; building of local stone BBQ, seats and tables; restoration of the heritage stone house and gardens; reticulation of the school grounds; work on the school gardens; work on the park gardens and skate ramps (including construction work).
- 2.57 Senior management at EGRP are aware of the problems at Mt Morgan's and have established processes to address the faults as part of the *Pathways to Work Camps* strategy. Prison management have been seeking links with potential employers in the region, including mining companies, but with little success to date.⁶⁶

60 DCS Adult Custodial Division, *EGRP Annual Business Plan 2010-2011* (2010) 'local prison priorities'.

61 This is also the Education and Vocational Training Unit's plan for Warburton Work Camp.

62 Data derived from the TOMS database.

63 See [2.2] - [2.3].

64 See [2.12].

65 The DCS Adult Custodial *EGRP Annual Business Plan 2009-2010* (2009) indicates work on reticulation for Mt Margaret's Mission School was planned.

66 Because of financial problems in the local mining industry, it has been difficult to develop partnerships with companies such as the Work Ready program run by Rio Tinto with Roebourne prisoners. See OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No 70 (April 2011), [7.30], [7.33], [7.35], [7.42].

Warburton Work Camp

- 2.58 Warburton Work Camp is planned to open in August 2011, and the building was near completion at the time of the inspection. The new cells appear well designed, although unlike Wyndham Work Camp, air-conditioning has not been built into the prisoners cells.⁶⁷
- 2.59 The work camp will accommodate 24 minimum security prisoners, and a security unit will accommodate a further six prisoners.. The provision of the secure lock-up is a welcome development because it may allow more short term or transitory prisoners to stay in-country.
- 2.60 A constructive day schedule is being developed for the work camp.⁶⁸ EGRP is collaborating with the Goldfields Indigenous Housing Organisation, the Department of Housing and Works, and the Department of Indigenous Affairs to develop work for the work camp prisoners addressing the housing needs of the Warburton community. This work should satisfy PASC Strategy 6.1 that prisons should 'establish strategies that enable offender labour to be used to improve the accommodation and living conditions for Aboriginal people within the community'.

67 It would be premature to express a concluded opinion before the camp has commenced. However, given the extreme summer heat at Warburton and the well-known health problems faced by many Aboriginal prisoners, the failure to provide air-conditioning may cause foreseeable health and safety risks.

68 DCS Adult Custodial Division, *EGRP Annual Business Plan 2010-2011* (2010) 'local prison priorities'.

Chapter 3

WOMEN IN EGRP

BACKGROUND

- 3.1 In 2002, in response to the Inspectorate’s recommendations, the Department substantively demonstrated its recognition of the unique needs of female offenders. It created the senior management position of Director of Women’s Corrective Services to drive the implementation of a women-centred philosophy and practice within prisons accommodating females. Although dismantled in 2010, this directorate’s achievements had been considerable. Those particularly impacting upon EGRP included the creation and funding of Women’s Support Officer (WSO) positions in regional prisons, and the development of the strategic plan for women, *Women’s Way Forward 2009-2012*.
- 3.2 In 2008 the Department assessed the conditions for women in EGRP as ‘inappropriate and unsafe’.⁶⁹ Nonetheless, EGRP had been making improvements and at the last inspection (February 2008)⁷⁰ the Inspectorate found that female prisoners’ access to services had improved since the previous inspection in February 2005.⁷¹ This was attributed to the increase in the number of female custodial officers, procedural changes, and the appointment of a part-time Women Support Officer (WSO).⁷² Although the prison had some way to go, the Inspectorate concluded that management and staff were committed to and capable of bringing about a women-centred approach to the custodial management of female prisoners.
- 3.3 The loss of the position of Director of Women’s Corrective Services has exacerbated the sense of isolation from head office felt by prison management.⁷³ Nonetheless, and despite some other significant challenges (see below), this inspection found that EGRP has continued to make progress, notably in the areas of education, training, employment, recreation, re-entry, and treatment program services to women. This is testament to the commitment of local management and staff. EGRP’s business plans demonstrate that the prison has adequately responded to the Inspectorate’s previous recommendation ‘that local management, with support from the Women’s Custodial Directorate, develop a local action plan – with measurable outcomes and clear timeframes – for the coordinated delivery of services and programs for women for EGRP’.⁷⁴

69 DCS, *Eastern Goldfields Regional Prison Redevelopment Business Case*, vol 1, (2008) Risks, 25.

70 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [2.12].

71 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 34 (June 2006).

72 Women’s Corrective Services had provided funding for women’s support officer positions for all regional prisons. The Inspectorate welcomed this initiative, as it indicated a substantive commitment to a women-centred custodial philosophy.

73 This point relies on views strongly expressed to the Inspectorate staff during the Inspection of EGRP for this report. The Inspectorate acknowledges that the prison and head office do not currently accept this representation of the views expressed during the inspection.

74 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) Recommendation 2.

STRATEGIC DIRECTION

- 3.4 The *Women's Way Forward 2009-2012* document sets out the Department's strategic direction for the management of women prisoners. Underpinning this strategic plan are a number of important principles that should influence the way all prisons (including EGRP) provide services to women prisoners. These include the principles that 'Aboriginal women are the most victimised group in our community'⁷⁵ and that 'women prisoners are a distinct and unique cohort'.⁷⁶ The plan specifies outcomes of success against which progress can be measured.⁷⁷ Indicators of successful service delivery include that women in regional prisons are provided services commensurate with those in metropolitan facilities and that an increased number of women are participating in education, employment and training programs.⁷⁸
- 3.5 Drawing upon the strategies outlined in the *Women's Way Forward* document, and as part of the business planning process tied to the key result area of 'Improved Focus on Women', prisons accommodating females must identify, implement, and evaluate actions which will improve outcomes for women. EGRP's business plan for 2010-2011 accordingly sets out actions aimed at meeting this requirement.⁷⁹ Commentary regarding the prison's progress against these actions is provided below.

STAFFING ISSUES: SLOWING THE IMPLEMENTATION OF A WOMEN-CENTRED APPROACH

- 3.6 The introduction of the WSO positions into all regional prisons represented a significant achievement. The WSO position serves to advocate for the women and act as a liaison between them and the various service areas of the prison.
- 3.7 Although only new to the position at the time of the last inspection, the WSO had already implemented a range of initiatives for the women, including an Aboriginal-specific 'Deadly Tucker Food Cents' course delivered by the Red Cross, and regular visits by a hairdresser.⁸⁰ The Office was keen to see this position develop into a leading role in the coordinated and integrated delivery of all services to women at EGRP.
- 3.8 Unfortunately, the incumbent left the position in 2010 and since an official resignation or termination had not been processed, the prison has been unable to advertise for a prospective employee. Although a temporary appointment was made to fill the WSO position, the inspection team was advised that the appointee had never attended EGRP. At the time of this inspection, management advised that they will shortly be able to advertise the position. However, feedback from community groups in Kalgoorlie-Boulder suggests that keen interest in the work is limited by the position not being offered on a full-time basis. In spite of the position being non-functional for well over 12 months at the time of this inspection, some of the initiatives have continued (for example, the Deadly Tucker Food Cents course), with responsibility for coordination assumed by other members of staff, such as the Transitional Manager.⁸¹

75 DCS, *Women's Way Forward: Women's Corrective Services Strategic Plan 2009-2012* (July 2009) 2.

76 Ibid, 3.

77 Ibid, 6 & 9.

78 Ibid, 4.

79 DCS, *Adult Custodial Division Eastern Goldfields Regional Prison Annual Business Plan 2010-2011* (2010) 16.

80 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [2.15].

81 This course was run up to and including 2010, but is currently unavailable to prisoners due to OSH concerns within the education centre and security concerns: see DCS, *Education and Vocational Training at EGRP January 2011 Overview* (2011) 9.

-
-
- 3.9 The vacant WSO position may not have been quite so significant had a number of other positions not been vacant or lacking Aboriginal or non-Aboriginal female representation. In some cases, this has resulted in a layering of additional responsibilities onto some staff, and in other cases service delivery deficits. Some examples follow.
- 3.10 The Medical Centre is carrying two clinical nurse vacancies and lacks Aboriginal or non-Aboriginal female primary health care staff. Formerly, the WSO acted as a liaison between the women and the health care staff. Although, a female nurse from Kalgoorlie Boulder Population Health Unit attends the prison once a month, a number of the women stated they preferred to attend to health concerns upon their release. Untreated health concerns can pose a risk not only to prisoners, but also to staff.
- 3.11 There is only one Aboriginal woman employed as a custodial officer at EGRP, and frequently, there may not be any female officer staff present in the women's unit. In the Inspectorate's experience, women prisoners can feel uncomfortable approaching a male officer with particular concerns. Male officer staff also described anxieties about working with women alone, including vulnerability to vexatious allegations by the women when working on their own in the unit.
- 3.12 A programs/Prison Counselling Service (PCS) position has been vacant since November 2009 and has only been filled for 12 months during the last three years. Within the prison, PCS performs an essential role in the management of at-risk prisoners. The Senior Programs Officer (who is also an Aboriginal woman) performs multiple functions, including prisoner counselling. However, given the breadth of her role, and the PCS vacancy, the Nurse Manager, who is a registered mental health nurse, takes on counselling as an additional responsibility, by proxy and as required. Despite his credentials, the fact that the mental health nurse is male may be a deterrent to seeking help for some women, particularly if they are victims of abuse, which is a common characteristic of women offenders.⁸²
- 3.13 The Aboriginal Visitor Scheme (AVS) position has also been vacant for close to 12 months, since the incumbent was appointed to the Prisoner Support Officer (PSO) role. The PSO and AVS roles play a key role in suicide prevention and with one position vacant, and the other occupied by an Aboriginal male, some of the women were disinclined to seek his support. This was particularly the case with some Aboriginal women who were unable to speak to the Aboriginal male PSO because of cultural prohibitions.
- 3.14 None of the staff (including women) who had applied to attend the *Working with Female Offenders* course and with whom the inspection team spoke had been approved for the course, despite several repeated applications. Senior management verified that accessing courses in Perth posed a major challenge because of the resource implications (eg. the cost of flights, accommodation, covering the position in the incumbent's absence etc).⁸³ This course should be mandatory for all staff working with female offenders.

82 DCS, *Profile of Women in Prison 2008* (2009).

83 See also the section on staff training below for similar problems with access to academy training courses.

Recommendation 4

Ensure all staff who work with female offenders attend the five-day Working with Female Offenders training course.

- 3.15 The Inspectorate notes that this recommendation is consistent with *Women's Way Forward's* Key Result Area 1, service strategy 1.3, which states: 'Staff to be trained in implementing a woman-centred approach in all their work'.

WOMEN'S PROFILE: IMPLICATIONS FOR INTERVENTION PROGRAMS AND RE-ENTRY

- 3.16 During this inspection there were 16 women accommodated at EGRP,⁸⁴ which is similar to the numbers accommodated during the 2008 inspection. Of these 16 women, the majority (10) was classified minimum security. One woman, who was newly remanded and had not yet been assessed, was classified maximum security.⁸⁵ Only one woman had been sentenced to a period longer than two years (30 months), and the majority (nine) was sentenced to between one and two years.⁸⁶ Ten of the women had previously been in prison on more than one occasion, with seven having been imprisoned on more than five occasions, and four on more than nine occasions; two had been in prison 19 and 29 times respectively. Fourteen of the 16 women were Aboriginal.
- 3.17 As an Aboriginal prison, designated as minimum security with provision for short-term accommodation of medium and maximum security prisoners, EGRP generally accommodates those with shorter sentences who pose a lower risk to the community. However, according to the Department's procedures, prisoners have to have been sentenced for a year or more (i.e. an effective sentence of six months or more)⁸⁷ in order to be eligible for offending behaviour/treatment programs. Significant numbers of women who are accommodated at EGRP are therefore excluded from such programs.⁸⁸
- 3.18 Departmental research has found that women prisoners as a group have clear treatment needs, particularly in relation to substance use.⁸⁹ The Department is committed to overcoming substance abuse through addressing health disadvantages for Aboriginal prisoners.⁹⁰ Given the revolving-door characteristic of (predominantly Aboriginal) women's imprisonment at EGRP, the Department should consider reviewing its program

84 The reader should not be misled by these figures. Consistent with national and international trends the numbers of women from the region who are imprisoned is actually increasing at a rate of 12.5 per cent per annum (see Business Plan for the EGRP Redevelopment). However, many are classified as medium or maximum security and are being imprisoned out of country.

85 DCS, Total Offender Management Solution (TOMS) Count Control All – Facility EGRP.

86 DCS, Total Offender Management Solution (TOMS) Prisoner Sentence Demographics – Facility EGRP as of 4 February 2011.

87 DCS, Adult Custodial Rule 18, 'Assessment and Sentence Management of Prisoners'.

88 For example, on the 20/04/2011, only 1 of 17 women had been in EGRP for a year or more. Data taken from a snapshot analysis of prisoner time in custody at EGRP on 20/04/2011, using TOMS raw data.

89 DCS, *Profile of Women in Prison 2008* (2009). Eighty-one per cent of women's offending was found to be related to substance use. While findings indicated that Aboriginal and non-Aboriginal women presented different offending behaviours and imprisonment histories, 78 per cent of Aboriginal women offenders had a substance abuse issue.

90 DCS, *Prisons Aboriginal Service Committees Guide* (May 2010) strategy 4.

eligibility criteria to ensure that women with sentences of less than 12 months are able to access programs. While program interventions cannot be a ‘cure all’, increasing their accessibility to women could assist the Department in its pursuit of its strategic objective: ‘reduction in the number of women returning to custody, particularly Aboriginal women.’⁹¹

- 3.19 Despite this, the program situation for women at EGRP would seem to be in a far healthier state than that of some of the other regional prisons, such as Roebourne.⁹² During 2010, a women-specific Building on Aboriginal Skills (BOAS) course and a Women’s Substance Use (WSU) program⁹³ were conducted, with a total of 15 completions. In 2011, there are three WSU programs scheduled and, of the four BOAS programs scheduled, a number may be women-specific dependent upon whether there is an eligible critical mass of women in prison at the time of delivery.
- 3.20 A major gap in program interventions for women across the prison estate is the lack of a program that specifically seeks to address violent offending. Eligible men can access the *Violent Offending Treatment Program* (albeit in other parts of the prison estate) or the *Indigenous Family Violence* program. However, no such course is available to women. This impacts in particular upon Aboriginal women who are more often convicted for acts intended to cause injury (41%).⁹⁴ One of the reasons given by the Parole Board when refusing applications has been the failure of applicants to complete relevant programs. Anecdotally, this Office has also heard from women who claim that their parole applications have been denied because they have failed to undertake a program addressing their violent offending. Consistent with service strategy 2.23 outlined in *Women’s Way Forward*,⁹⁵ the Department should explore the possibility of providing this sort of program for women as a matter of priority.
- 3.21 In addition to programmatic interventions, a range of non-program based interventions is coordinated through the re-entry, recreation, health and education service staff and constitutes a significant component of the rehabilitative efforts at EGRP. Management and staff should be congratulated on their efforts in this area.

91 DCS, *Women’s Way Forward: Women’s Corrective Services Strategic Plan 2009-2012* (July 2009), 4.

92 Documents provided for the recent inspection of Roebourne Regional Prison (September 2010) indicated that the only program that incorporated women for the time period requested was an eight-day Substance Use Program. A search of TOMS indicated that there were no intervention programs listed for delivery to women in 2011: OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No 70. (April 2011).

93 This is consistent with the ‘Effective Treatment and Support Services’ strategy outlined in the Department’s *Drug and Alcohol Agency Plan 2010-2014*.

94 DCS, *Profile of Women in Prison 2008* (2009).

95 Service strategy 2.23 states: ‘Address issues related to women’s criminal offences, such as particular types of violence, in a way that does not compromise their family and community relationships, or their own safety’.

- 3.22 Courses and services offered to women and facilitated by external/internal service providers include, but are not limited to:⁹⁶ a bi-monthly Lifeskills course; a three-day bi-monthly drug and alcohol course; a 60-hour (women-specific) Food Cents course; a monthly (women-specific) Health in Prison, Health out of Prison course;⁹⁷ and a regular six-week healthy lifestyle course with a range of themes (weight loss, quitting smoking etc). The provision of life skills programs indicates positive progress against one of the specified actions within the prison's 2010–2011 business plan to improve outcomes for women.⁹⁸

Recommendation 5

Provide programs to address the needs of all women who have been convicted of violent offending, including those at high risk of violent re-offending, both at Eastern Goldfields and at other prisons.

ACCOMMODATION AND FACILITIES

- 3.23 The women at EGRP are accommodated in Unit 3, which caters for all security classifications and therefore features razor wire around the roof area, configured to quadrangle design. The unit is accessible via an electronic grille and features single and shared mainstream cells, two management cells and one observation cell, a four-shower block, an unused mother and baby cell, a domestic style laundry, a communal kitchen and dining area, a unit office, and a recreation room.
- 3.24 The women expressed no strong views regarding the condition of their cells or the general presentation of the unit. While the communal areas presented as relatively clean, they were also somewhat degraded, as were the cells, which generally presented as neglected, featuring ripped and damaged window coverings, and damaged paint. The women made repeated complaints about the excessive heat in cells (despite ceiling fans). The overheating was not helped by the 7.00 pm lockdown in Unit 3.
- 3.25 Lack of sufficient phone access was a source of frustration for the women in Unit 3, as there is only one phone for the use of up to 20 women. It is generally accepted that women, and particularly Aboriginal women, play a pivotal role in the functioning of the family.⁹⁹ Responsibility for continuing to carry out this role to the extent they can while in prison is critically important to many of the women and their wellbeing.¹⁰⁰ Regular phone contact is

96 DCS, *Adult Custodial Performance Reporting, Eastern Goldfields Regional Prison Trimester Performance Report* (May & September 2010).

97 This is consistent with one of the prevention strategies contained in the Department's *Drug and Alcohol Agency Action Plan 2010-2014*. This mandatory education program covers topics such as blood-borne viruses, sexually transmitted infections and harm minimization practices in all adult prisons.

98 DCS EGRP, *Adult Custodial, Annual Business Plan 2010-2011* (2010) 16. The action specified is stated as follows: 'Provision of Life Skills development programs [by increasing] the use of NGOs and volunteers to have a yearly plan of life skills development.'

99 DCS *Profile of Women in Prison 2008* (2009) found that most of the women had children (67%). Of the women with children around three quarters (74%) were most likely to be caring for them prior to arrest.

100 See, Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2002* (Sydney, Human Rights and Equal Opportunity Commission, 2002) in DCS, *Female Offenders Policy*, Background Paper (2010), which states that 'The imprisonment of Aboriginal women has a significant impact on broader Aboriginal community as they often bear great responsibilities to their families and communities even while in custody.'

one of the key mechanisms (and, for those from remote communities the only mechanism), by which many of the women maintain family and community contacts and roles.

- 3.26 Only two of the four showers in Unit 3 can be used simultaneously, If only two showers are working, the available time for each woman to complete personal care activities, between unlock in the morning and going to work or education, is particularly limited. This has the potential for elevated stress levels. Management explained that this problem is unlikely to be resolved prior to the commissioning of the new prison. However, for this situation to continue for a protracted period of time is unacceptable.
- 3.27 The recreation room is air-conditioned and furnished with two sofa beds and free-standing chairs. There are also four static exercise machines, a television, a collection of books, and a pool table. At the time of our inspection, the television did not work because there was no antenna. The cloth on the pool table was ripped, and there were no balls or cues available. Members of the inspection team were told that the women did not play pool for recreation and preferred activities such as beading. In addition, the visual display units on three of the four exercise machines did not work.
- 3.28 The inspection team encountered a lack of clarity around women's access to food preparation facilities and services. According to the staff, women were not permitted to use the kitchen unless as part of a structured and supervised activity, such as Food Cents, although they did not know the rationale for this rule. Management advised that last year they had offered the women the option of self-care; however, at that time the women were not interested. Given that many women have been attending Food Cents and other healthy lifestyle activities, opening up the kitchen and enabling ongoing application and continued development of such independent living skills could go some way to assisting in their re-entry back to the community.
- 3.29 The lack of CCTV coverage in the unit (other than in the observation cell) added to officers' sense of vulnerability when working alone in Unit 3. Officers talked about the need for an 'eye witness' record in the event of an incident; currently, the only evidence of what occurred is one person's word against another's.
- 3.30 Officers also pointed out the lack of an area in which they could discuss matters with the prisoners in private as required. A sensible, yet temporary, solution was to use the absent WSO's office. However, once the new WSO commences an alternative area should be identified to afford the women privacy and safety in which they can discuss issues freely.
- 3.31 Unlike the minimum security male prisoners who are locked up at 9.30 pm, the females are locked up at 7.00 pm, regardless of their security rating. Unit 3 is a mixed Unit, housing females of all security classifications. Nonetheless, minimum security female prisoners should be secured at the same time as the minimum security men. While it is understood that this may create cell-sharing issues (i.e. where different security-rated prisoners share cells), a review should examine sensible ways of allowing minimum security female prisoners to have the benefit of a later lock up. This change would augment EGRP's efforts to introduce a functioning hierarchical system.

-
-
- 3.32 The mother and baby cell has not been used since 2006. Unlike the cell at Roebourne Regional Prison, there is no barrier between the mother and baby cell and the other women's cells. In view of the range of classifications which can be held within the unit at any one time, this poses a security risk. Furthermore, the accommodation, amenities, and services at EGRP are not currently set up in any way that could ensure that the best interests of the child are catered for. However, in future, and consistent with a women-centred philosophy, particular consideration needs to be given to 'Support[ing] women to build and maintain positive relationships with their children, families, and community to maximise their potential for successful reintegration.'¹⁰¹ This should be an area of service development that is subject to rigorous Aboriginal community consultation and input in planning for the new prison.

STRUCTURED DAY IN A MIXED PRISON: AN EXAMPLE OF SUCCESSFUL INTEGRATION

- 3.33 Across the regions different practices have developed in respect of the degree to which male and female prisoners are integrated or separated. In practice, for the minority group of women within a regional prison this has often meant inequity of access to recreation, employment and education. At EGRP, however, a healthy level of integration in relation to employment, recreation, and education is facilitated and this has enabled increased levels of participation in all activities (see below).
- 3.34 Integration bears risks, and is not appropriate for all people and all cultures all of the time. However, if assessments take account of individual needs and risks, which are then incorporated into sensible management plans, appropriate integration can ultimately and positively enhance the prisoners' chances of successful re-entry into the community.
- 3.35 It was positive to see women and men mixing freely during oval time. However, the risk management strategy of facilitating an integrated session – minimum male prisoners mixing with all security classifications of women – employs the use of identifying coloured tabards and handcuffs on women who are on remand, have not been assessed, or are rated medium or maximum security and have not had a waiver approved.
- 3.36 Since the perimeter fence of the prison is rated for minimum security prisoners, the practice of allowing female medium and maximum security prisoners to participate in recreation on the oval was only previously undertaken if they were handcuffed. The Inspectorate had criticised the policy of shackling females on the oval during recreation time. This policy was discarded a few weeks before the 2008 inspection and since that time medium and maximum security female prisoners have been required to sign a 'contract' agreeing to good behaviour in return for non-shackling.¹⁰² This change was welcomed on the basis that the practice of shackling had ceased.¹⁰³

101 DCS, *Women's Way Forward Strategic Plan 2009-2012* (2009) Key Result Area 2, Service Strategy 2.22, 8.

102 DCS EGRP, Local Order C03.

103 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008), [1.6].

-
- 3.37 Current EGRP practice is that following assessment most medium and maximum security female prisoners are permitted to attend recreation free of handcuffs.¹⁰⁴ However, a number of ineligible prisoners continue to be handcuffed. In the previous inspection report it was noted that these women did not have access to the external recreation areas, so in one sense this form of risk management has been effective.¹⁰⁵ However, the inspection team also found that prisoners felt the handcuffing of Aboriginal women was an issue of deep shame and particularly insensitive in view of the historical mistreatment of Aboriginal people in incarceration in Western Australia. Therefore, the Inspectorate believes that more humane risk management strategies should be explored as a matter of urgency, without creating a loss of recreation access. It would be better for the prison to adopt appropriate staffing and dynamic security measures, including additional staff at recreation or facilities allowing staff better oversight of prisoners while they participate in recreation (eg. a shaded observation facility if necessary).
- 3.38 Women wanting to use the toilet during oval recreation time, regardless of security rating, are prohibited from returning to the oval. The security rationale is to prevent trafficking. In terms of the promotion of a women-centred philosophy, recognition needs to be given to women's menstrual needs and to their increased potential for continence management issues. More appropriate risk management strategies, which enable women to continue their oval recreation time following a visit to the toilet, should be developed.

EDUCATION, EMPLOYMENT AND RECREATION

- 3.39 Actions to improve outcomes for women that have been identified within EGRP's 2010-2011 business plan include:
- equal access to education facilities and/or programs;
 - an increase in the education levels of women during imprisonment;
 - equal access to recreational activities; and
 - provision of employment skills development.
- 3.40 The following snapshot provides an indication of demonstrated progress towards achieving these goals:
- According to the Campus Manager, all women prisoners had been engaged in some form of education during the fortnight prior to the inspection. Women have not been offered the White Card course,¹⁰⁶ but it may be offered in future. This may also enable women to pursue less gender-stereotyped work opportunities upon release.
 - All women were either engaged in full-time education or education and work, with only four confined to working within the unit. Three women were approved s 95 workers and attended work together with male prisoners; the other women also worked alongside male prisoners in the kitchen, laundry, gardens, and reception. Two women are also enrolled to participate in PEP programs.

104 DCS EGRP's Unit 3 Unit Plan 11 also outlines the procedures surrounding recreation of medium and maximum security rated female prisoners.

105 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008), [1.6].

106 The White Card course delivers basic construction-specific OSH training.

Chapter 4

DECENCY AND RESPECT

DECENCY

4.1 EGRP's longstanding focus on decency is a vital starting point for developing Aboriginal-centred throughcare.¹⁰⁷ At the time of the last inspection the prison had already established a strong practice of ensuring decent services and conditions for prisoners and staff at EGRP.¹⁰⁸ The current inspection's staff surveys and discussions with staff demonstrated that non-custodial staff and most custodial staff generally support the decency agenda. Despite progress however, there is room for improvement: pre-inspection surveys with staff indicated that working with prisoners was not commonly seen as a particularly satisfying aspect of their work and many officers had mixed relations with and limited knowledge of the prisoner group.¹⁰⁹

RESPECT FOR ABORIGINAL CULTURE, VALUES, AND PRACTICES¹¹⁰

Symbolic Respect

For years management have been resistant to flying the Aboriginal flag at EGRP. After the last inspection they erected a third flag pole, subordinate to the state and commonwealth poles, and began flying the flag. When the new Superintendent arrived he directed that, as an Aboriginal prison, all flags should fly in the same position (have the same credence). This clearly signalled their valuing of and commitment to prisoners and the community.



Symbolic Respect

107 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008), [5.3]-[5.4].

108 Ibid.

109 Some of the current staffing group has limited experience working in prisons and with Aboriginal prisoners.

110 Most of the points made below are made elsewhere in the relevant sections of this report but have been summarised here in order to highlight the degree to which the Department and prison is providing an Aboriginal-centred service.

-
-
- 4.2 Respect for Aboriginal culture, values, and practices involves more than the obvious provision of meeting places, use of Aboriginal art, supply of appropriate food and cooking facilities, and, where possible, open views to the horizon and sky. Although all of these are important cultural services, respect needs to be embedded throughout the philosophy and operational practice of the prison and wider custodial estate.
- 4.3 The intention of the prison as it redevelops into a service providing Aboriginal-centred region specific throughcare, is to place respect for Aboriginal culture, values, and practices at the heart of the institution. As stated in Chapter 1¹¹¹ the strategic direction, monitoring and evaluation given in PASCg represents a useful guide for making the aim of provision of an Aboriginal-centred service operational. Key to this is the PASCg accountability, upheld by bi-monthly reporting against key performance indicators, and their reflection in the prison's annual business plans. In conjunction with this, the Department's *Goldfields Custodial Plan* and the plans for redeveloping EGRP's regional role give locally relevant guidance for EGRP as an Aboriginal-centred prison.
- 4.4 There is a need for the further development of an Aboriginal-centred service at EGRP, primarily because of the urgent needs of the region's over-incarcerated Aboriginal population. The Inspectorate witnessed substantial positive policy and action at EGRP; however, the majority of prisoners did not feel that their culture was respected or understood by EGRP staff. This perceived lack of understanding and respect was rated as the second worst element of their time at EGRP.¹¹² Female prisoners at EGRP observed that the prison and officers failed to show adequate understanding of skin groups, language differences and family cultural obligations.¹¹³ For example, prisoners felt that staff failed to understand that requests to attend funerals should not be limited to immediate blood relations because skin group affiliations and cultural obligations within Aboriginal law were equally important. However, the inspection team witnessed consultative communication practices for funeral visits by EGRP prisoners. Such practices demonstrate the prison's potential to develop comprehensively good cultural understanding.
- 4.5 It is regrettable that the majority of custodial officers (excepting senior officers) did not recognise the need for further cultural awareness training. However, the prison has committed to providing all staff with *local* cultural awareness training in the current financial year (2010-2011).¹¹⁴ This is to be provided as a supplement to the general Academy cultural awareness course because this is viewed as insufficiently specific for the Goldfields/ Ngaanyatjarra region. The Department's Education and Vocational Training Unit (EVTU) management also recognise the need for specificity and is developing future cultural

111 See [1.16] - [1.20].

112 Views expressed in the pre-inspection prisoners' survey. Thirty-three per cent felt staff understood their culture; 38 per cent felt staff respected their culture. However, 74 per cent of staff felt that they had respect for and recognised Aboriginal culture. This might not contradict the view of prisoners, but rather point to a lack of adequate knowledge about what constitutes acceptable levels of cultural awareness among staff. Prisoners viewed food as the worst aspect of their experience at EGRP, and inadequate recreation (including the lack of gym equipment) as the third worst aspect.

113 Prisoners' views expressed to the inspection team during the inspection.

114 This commitment is given in DCS, Adult Custodial Division, *EGRP Annual Business Plan, 2010-2011* (2010) 5.

awareness courses with regional specificity in mind.¹¹⁵ There may be a need for ongoing monitoring of the cultural awareness levels of custodial officers and all EGRP staff.

- 4.6 Although only a minority of staff (32%) felt the provision of culturally appropriate programs for Aboriginal prisoners was good, provision has increased since the last inspection, and current plans indicate further expansion.¹¹⁶ The prison has also expanded its effort to develop partnerships for provision of Aboriginal-centred programs jointly in the community and with community service providers.¹¹⁷ These developments accord with the requirements of the PASC Objective 5, which requires that prison should ‘actively assist in the development of supportive Aboriginal communities’.
- 4.7 Wongi prisoners reported that they were unable or unwilling to fully engage with Family Violence programs when these were facilitated by non-Aboriginal officers. As similar views were expressed to the inspection team during the recent Acacia inspection, it may be useful for the Department to undertake evaluation of the cultural effectiveness of modes of program delivery.¹¹⁸ There is also still a need to provide Aboriginal women with more relevant programs. In particular, there is a need for a program specifically addressing violent offending.¹¹⁹
- 4.8 The education section of this Report¹²⁰ refers to greater prisoner access to education, and notes that the provision of part-time education reflected the learning styles and capacity of the predominantly Aboriginal prisoner group. The work of EGRP’s Aboriginal Education Worker who, among other things, supports Aboriginal prisoners in their educational needs and provides advice on the cultural appropriateness of course content and delivery, is commended. These developments accord with Strategies 2.3 and 2.5 of the PASC.
- 4.9 The Inspectorate also approves of the consultative approach to skills development of both the Department’s Education Manager and local management. The prison’s facilitation of the considerable range of courses and course-components identified by various Aboriginal communities as potentially useful is commendable. To an extent, these developments accord with the requirements of the PASC Strategy 2.3, that prisons should ‘establish strategies to ensure the cultural appropriateness of the content and delivery of educational curriculums for Aboriginal prisoners’, and Objective 5, which requires that prisons should ‘actively assist in the development of supportive Aboriginal communities’. However, as discussed earlier, there are still not sufficient Aboriginal-focused courses available to meet the needs of the Goldfields/Ngaanyatjarra region’s communities.
- 4.10 The EVTU describes limits on its ability to provide of culturally appropriate courses for Aboriginal, and particularly out-of-country Aboriginal, prisoners due to an overall pressure on resources. This negatively impacts on the cohort of prisoners from EGRP’s catchment areas located in out-of-country prisons.¹²¹ EVTU senior management observed that many

115 DCS, EVTU Education Manager, discussion with OICS (17 March 2011).

116 See [2.34].

117 See [2.36].

118 Inspection team comments following OICS, *Report of an Announced Inspection of Acacia Prison*, Report No. 71 (March 2011).

119 See [3.20].

120 See [2.18] - [2.19].

121 That is the majority of prisoners from these catchment areas.

resources provided in the community are not available once individuals are incarcerated. The PASCG requires prisons to pursue interdepartmental opportunities to overcome indigenous disadvantage. It may be useful, therefore, for the prison and Department to vigorously pursue more cooperative arrangements with other agencies.

- 4.11 Key elements of Aboriginal representation are inadequate at EGRP, contravening OICS Standard A39, that ‘prisons with a predominantly Aboriginal prisoner population, should give a high priority to facilitating Aboriginal community involvement in the operation of the prison.’¹²² At the time of the inspection, the Aboriginal Visitor Service (AVS) was non-functional at the prison. The reasons for the failure of the scheme at EGRP since the previous Inspectorate’s report in 2008 are primarily structural, as discussed further below.¹²³ Similarly the AVS scheme has only functioned sporadically, if at all, over recent years at other Aboriginal prisons.¹²⁴ The gap between the promises about AVS contained in Departmental policy documents and actual service delivery is unacceptable.
- 4.12 The AVS was established in response to a recommendation of the *Western Australian Interim Inquiry into Aboriginal Deaths in Custody*¹²⁵ and seeks to ensure that: culturally appropriate counselling is provided to Aboriginal detainees or prisoners; Aboriginal detainees and prisoners are given adequate support and a referral service; and the Aboriginal community is satisfied that detainees and prisoners are treated in a fair and humane manner whilst incarcerated.¹²⁶
- 4.13 Although the AVS was originally intended to alleviate suicide and self-harm in prisons, prisoners and community members justifiably expect more from the scheme. The Department’s AVS Manager acknowledges suicide and self-harm prevention as the primary aim of the AVS, but adds that key aims of the service include efforts ‘to improve the conditions of those in custody through consultation, advice and information to decision makers; and provide the community with information about the needs of Aboriginal detainees and prisoners’.¹²⁷ This Departmental definition shows that the AVS is being understood as a conduit for community views into the prison, and for information from the prison out into the community.

122 OICS, *Inspection Standards for Aboriginal Prisoners* (July 2008).

123 The structural problems at EGRP are replicated throughout much of the custodial estate. Note also that the Department has recently engaged two AVS visitors at EGRP, but that this engagement has occurred outside the reporting period of the report.

124 Note the Inspectorate defines an ‘Aboriginal prison’ as one that normally contains an Aboriginal population of 75 per cent or more. The findings of recent inspection reports for Roebourne, Greenough and Broome all support this point about the inadequacy of the AVS. OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (April 2011) [4.2] – [4.4]; OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010) [8.39] – [8.40]; OICS, *Report of the Short Follow-Up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) [3.4] – [3.6]; *Report of an Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) [2.48] – [2.52]. A number of these reports also contained specific recommendations with respect to AVS services.

125 Vincent P, *Interim Inquiry into Aboriginal Deaths in Custody in Western Australia* (1998) Recommendation 20.

126 Prosser P, *Aboriginal Visitors Scheme*, paper presented to the Australian Institute of Criminology Best Practice Interventions in Corrections for Indigenous People Conference, Adelaide (13–15 October 1999).

127 DCS, AVS Manager, Press Release, ‘AVS’, *DCS News*, (18 March 2011).

-
- 4.14 Given the Department's rhetorical support for Aboriginal peoples and the AVS in particular, the Inspectorate was disappointed to see that in its response to Recommendation 7 of this report (see Appendix 1), it has sought to limit the role of the AVS to suicide prevention and to exclude it from a broader community role. This response also contradicts the definition of the AVS role given by the Department's own AVS Manager (see 4.13 above). Confusion within the Department over the scope of the role of the AVS is at best unhelpful and at worst disingenuous.¹²⁸
- 4.15 Both AVS and Elders programs should serve as conduits of community views into the prison, as well as strengthening the practice of Aboriginal culture and the reinforcing the respect that it carries in the prison and community.¹²⁹ There is no Elders program at EGRP: this contravenes both the community views expressed in the *Goldfields Custodial Plan* and OICS Aboriginal Standard 42 requiring that 'prisons with a predominantly Aboriginal population should establish an Aboriginal Elders program'.¹³⁰ Consultations with the Ngaanyatjarra communities in 2007 suggested that Elders should attend EGRP to educate staff in Yarnangu¹³¹ cultural practice, and provide traditional support for prisoners. On the positive side, prison management recognise the work of Elder inmates where they assist with cultural phenomena and spiritual matters.
- 4.16 Senior Management at EGRP is well-informed of the needs of the prisoner population and the community in the Goldfield/Ngaanyatjarra communities. During the inspection the senior management group at EGRP took a positive view, in principle, of the idea of an Elders program at the prison. The Inspectorate is disappointed to see that the Department has rejected the idea of an Elders program as a form of 'dynamic community development' at EGRP, and that it has done so without giving any explanation (see the Department's response to Recommendation 7 in Appendix 1). As with the confusion over the role of the AVS, it is difficult to reconcile this response with the Department's own promises for the PASC.
- 4.17 The PSO's plans to have peer support team members recognised as interpreters is a valuable development, as many of the prisoners in EGRP have English as their second language (ie, remote community Aboriginal peoples and Indonesians).
- 4.18 The proportion of staff at EGRP with an Aboriginal background has increased since the last inspection, but still remains inadequate. In the last report, the Inspectorate observed that 'there was only one Aboriginal female member of staff, and two males. There had not been an Aboriginal Prison Officer recruited from the Goldfields region since 2005'.¹³² There are currently five Aboriginal staff, including a senior prison officer, prison officer, PSO, senior programs officer, and an education tutor. Three of the Aboriginal staff are female, and one of them is a prison officer.

128 The Department's response further confuses matters by implying the Inspectorate is linking the AVS community role only to 're-entry' issues, rather than the more general idea of issues of concern for prisoners.

129 See OICS, *Inspection Standards for Aboriginal Prisoners* (July 2008) standards A41.1, A42 and A41.1 states that 'Aboriginal prison visitors should be one of the main links to the Aboriginal community for Aboriginal prisoners'. The preamble for standard A42 states that 'In order to ensure the links and communication with Aboriginal people and communities are as effective as possible, it is important that the prison have a number of such influential Elders to advise on cultural matters and where appropriate to use such Elders to speak to and counsel Aboriginal prisoners'.

130 OICS, *Inspection Standards for Aboriginal Prisoners* (July 2008).

131 'Yarnangu' is an Ngaanyatjarra term for Aboriginal people.

132 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [5.20] - [5.21].

4.19 Despite the improvements, Aboriginal people continue to be significantly under-represented in the staffing of EGRP. This is particularly disappointing given the emphasis on inadequate Aboriginal representation made in the last inspection. With five Aboriginal staff members, EGRP falls far short of the 50 per cent that the *Goldfields Custodial Plan* sets out as a benchmark to be achieved in the planned new facilities.¹³³ Previously, the Inspectorate has advised that the Department review its recruitment practices in light of the following faults:

a lack of culturally appropriate selection tools and processes; the small size of the Aboriginal workforce pool; an over focus on process resulting in an unnecessarily rigid adherence to past human resource practices; a lack of support for locally driven recruiting practices; the failure of the Department to adequately engage with their target audiences; the requirement for the prison officer recruits to spend months in the metropolitan area for training.¹³⁴

4.20 The Inspectorate reiterates these concerns. In addition, the broader culture and history of Aboriginal incarceration must be considered as the relevant context for recruitment. Put simply, many Aboriginal people do not want to engage with a system they have experienced as persecutory. Given the prison's redeveloping role as a provider of Aboriginal-centred throughcare, it might be appropriate to focus recruitment on work in areas relating to rehabilitation, reparation and re-entry.

Recommendation 6

Implement an intensive recruitment drive for Aboriginal staff, with a strong focus on employment relating to rehabilitation, reparation and re-entry.

4.21 There are no Aboriginal Health Workers at EGRP.¹³⁵ There remains a need to develop and implement an Aboriginal healthcare strategy that recognises the cultural and gendered needs of the local prisoner population and is consistent with the PASC Objective 4. Having an Aboriginal Health Worker would be a key means of driving that strategy forward.

4.22 Despite the prison's Aboriginal-centred agenda, some of the routine practices tolerated at EGRP diminish respect for Aboriginal culture. These include some denigrating communication where prisoners are raising issues (eg. instances of telling female prisoners they should 'shut up and just do their time');¹³⁶ holding prisoners in conditions lacking adequate temperature control; handcuffing women in public (on the recreation field) and thereby causing feelings of shame; restricting prisoners from having adequate musical expression;¹³⁷ locking minimum security prisoners in their cells at night instead of allowing them access throughout the unit;¹³⁸ and failing to provide adequately Aboriginal-centred

133 DCS, *Goldfields Custodial Plan* (June, 2007), in DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2 (2008) appendices, [5.2].

134 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [5.21].

135 See [5.9] and Recommendation 11.

136 This and comparable instances were reported to the inspection team during the inspection

137 Band time and musical equipment is limited at EGRP, see below [4.75].

138 Openness to the sky and horizon, and unlocked cells are recognised as important elements of good design for Aboriginal prisons. In a hierarchical system, it is unproductive to confine Aboriginal people in culturally inappropriate conditions. See Memmott P, 'Cultural issues in the architectural design of indigenous custodial facilities', paper delivered to the Best Practice Interventions for Indigenous People Conference, Adelaide (1999).

healthcare (including appropriate staffing). Such practices cumulatively contribute to an undermining of the positive efforts being made to redevelop EGRP as an Aboriginal-centred service provider.

- 4.23 Cultural food days are programmed into the cyclic menu including periodic kangaroo days. At the time of the inspection prisoners could not cook kangaroos in the pit outside because of a fire ban. EGRP intends to examine the possibility of using closed roast spit containers to overcome the risk of fire.
- 4.24 The policy and practice of cultural respect is particularly relevant for Aboriginal people given that EGRP is an Aboriginal prison. Nonetheless, it is important that the prison has clear policies and procedures for the treatment of other groups, including, for example, Maoris and Indonesians. These must include strategies for minimising inter-cultural conflict and promoting integration. During the inspection, the inspection team observed conflict and discontent between Aboriginal and Maori prisoners, and underlying resentment of the new Indonesian prisoner intake. The Department's development of standards for the treatment of Foreign National Prisoners – due to be published in July 2011 – is a potentially constructive response to the Inspectorate's recommendation in the 2010 Hakea inspection report.¹³⁹ Clear guidelines and training about the management of inter-cultural integration may be required at EGRP, where the prison contains several different groups and the potential for conflict.

COMMUNITY ENGAGEMENT

- 4.25 The Inspectorate observed that EGRP management is prioritising the prison's ability to 'give back' to the regional communities and pushing for developments and opportunities with community groups and service providers outside the prison.¹⁴⁰ EGRP employs various means of community engagement in a country regional context and is generally pursuing its aims effectively.

Background

- 4.26 At the time of the last inspection the Inspectorate wrote that:

Regardless of where the prison heads in the future, it should do so with its local and regional communities. Local communities are likely to have valuable insight into the management of its prisoners and ultimately their rehabilitation and this Office views community consultation as fundamental for a prison with such a large catchment area of diverse language groups ... consultation surfaced pockets of perception that the Department as a whole, but also local management, were not as responsive as they could be ... since the last inspection, there has been insufficient development of the capacity of the community to input into custodial management practice.¹⁴¹

139 See OICS, *Report of an Announced Inspection of Hakea Prison*, Report No 63 (April 2010) Recommendation 15.

140 This accords with OICS *Inspection Standards for Aboriginal Prisoners*, standard 32 and OICS *Inspections Standards for Adult Custodial Prisoners*, standard 151.

141 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [5.14].

4.27 The Inspectorate's community consultations in the Goldfields/Ngaanyatjarra region in 2005 revealed that:¹⁴²

- Aboriginal people wanted to engage with government and take responsibility for the management of Aboriginal offenders, including their rehabilitation and measures for reducing the number of Aboriginal people in prison. Such management must prioritise Aboriginal views over government views.
- Participants at the community consultations were interested in community representation on what was called the 'Prison Board' (an advisory group for the local EGRP).
- There was a feeling that there was very little public knowledge about prisons, prison staff, or their work and that it is important that the public has a stake in regional justice administration. Participants felt that there was a need for enhanced accountability and community involvement in corrections.
- Participants at community meetings felt that prison staff required more intensive cross-cultural training including an understanding of Aboriginal extended families, grieving, communication, Aboriginal history (including the impact of colonialism, dispossession, disadvantage, discrimination, and contact with the justice system), and appreciation of Aboriginal values.

4.28 The Law Reform Commission of Western Australia made similar findings in its wide-ranging review of Aboriginal Customary Law.¹⁴³

4.29 The Department subsequently engaged in consultations with the Ngaanyatjarra communities for the *Goldfields Custodial Plan*.¹⁴⁴ A key view was that elders should attend EGRP to educate staff in Yarnangu cultural practice, and provide traditional support for prisoners. The concurrent Kalgoorlie consultations contained the following views:

- EGRP should access ongoing Kalgoorlie community initiatives.
- It was good that incorporation of services from 'outside' EGRP were generally accepted by staff.
- More Aboriginal people from the community should be facilitated to engage with the prison system.
- The new EGRP should appoint an Aboriginal cultural adviser, and call on that expertise in all instances.
- It would be good to tailor training/cadetships to the actual requirements of the desert communities.
- Improved interaction between Aboriginal communities and agencies is required.

4.30 One of the key changes in direction advocated by community members and subsequently in the PASC was that the prisons should become outward-looking and this is evident at EGRP at present and within departmental directions.¹⁴⁵

142 OICS, *Review of the Management of Adult Custodial Services*, Report No. 30 (November 2005).

143 Law Reform Commission of Western Australia, *Aboriginal Customary Laws: Final Report* (September 2006) Chapter 5 and the associated community consultations.

144 DCS, *Goldfields Custodial Plan* (June 2007), in DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2, (2008) appendices.

145 DCS, *Prisons Aboriginal Service Committee Guide* (May 2010).

-
-
- 4.31 The new management's re-invigoration of EGRP's community engagement seems promising. There has been significant community engagement with other agencies and with local service providers and community groups, particularly those based in Kalgoorlie. It seems that EGRP is moving towards taking a leading role in the regional custodial strategies laid out by the Department, and a strong supportive role in efforts to overcome regional Aboriginal disadvantages.
- 4.32 The Superintendent's decision to develop regional-specific networks for the PASC requirements is a promising development. However, it is still questionable whether Aboriginal community groups and other community actors have a sufficient role in helping to set directions for EGRP, the work camps, and wider regional justice strategies (including measures designed to overcome disadvantage and reduce recidivism). Recording meetings and distributing minutes between the prison and community groups should enable the Department's Reform Coordinator to assess community agency and progress against the strategies and KPIs in PASC Reports.
- 4.33 The Inspectorate previously recommended that '[T]he Superintendent should ensure that a high priority is given to facilitating community involvement in the operation of the prison by a range of community groups and agency representatives of the prisoner population'.¹⁴⁶ As noted above, the prison is making some good progress in this regard; however, as discussed further below, there are also significant areas of concern, including the lack of an AVS and Elders program, and failure to engage sufficiently with remote communities.

Community Representatives in EGRP

- 4.34 The OICS *Inspection Standards for Aboriginal Prisoners* states that '[P]risons with predominantly Aboriginal prisoner population should establish an Aboriginal Elders program' (Standard 42). Elders are insufficiently recognised at EGRP at present; during the inspection one active Elder in the maximum security unit asked if he could have some form of recognition for the role he plays in the prison. EGRP management's discussion of possible promotion of the roles of significant Elders in EGRP is ongoing (at minimum including one Elder in the Peer Support Team).
- 4.35 The AVS role is important for community relations, but non-functioning at EGRP. Key aims of the service include 'to improve the conditions of those in custody through consultation, advice and information to decision makers; and provide the community with information about the needs of Aboriginal detainees and prisoners'.¹⁴⁷ As with other Aboriginal prisons, the AVS system does not work at EGRP and there currently are no AVS visitors. The AVS position is structurally weak, combining a relatively poor income with inflexible scheduling. It is therefore not a viable position for many people who might otherwise consider it.

146 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008), Recommendation 7.

147 DCS, AVS Manager, Press Release, 'AVS', *DCS News*, (18 March 2011).

-
- 4.36 EGRP is considering other means of community engagement given the ongoing structural difficulties maintaining an AVS. Local management intends to liaise with the Department on this systemic issue. It may be that an Elders program as suggested above would prove a successful supplement to the AVS program; the existence of the new Indigenous Visitors Accommodation Centre close to EGRP might facilitate an Elders program as more people from remote communities will be able to come and stay in Kalgoorlie.

Knowledge of Communities and their Cultures

- 4.37 PASC Strategy 5.1 states that prisons should ‘confirm the identities of the various Aboriginal communities (nations within your district) and gain a comprehensive understanding of their specific needs’. EGRP claims knowledge of the prisoner population, including Ngaanyatjarra lands people from the north, local Kalgoorlie residents, and members of the Coonanna and Tjuntjuntjarra lands to the east. Prison management is awaiting developments at the Kalgoorlie branch of the Department of Indigenous Affairs (DIA) which will provide facilitation for stronger community relations. This lack is important in terms of program delivery; for example, Warburton community lacks ‘community-based alcohol and drugs programs, petrol-sniffing programs, domestic violence programs or diversionary programs run by DCS’.¹⁴⁸
- 4.38 EGRP has not been able to gauge the level of support required in remote communities as required by the PASC Strategy 5.1 until DIA is able to facilitate. Similarly, while the Transitional Manager values community input into re-entry issues she has been unable to get out to the remote communities and, as a consequence, does not have working relationships with them.

External Community Developments and Aims

- 4.39 A positive development is the EGRP Superintendent’s participation in several local community panels. The Transitional Manager is also well integrated in the local (Kalgoorlie) community, participating, for example, on the Health and Shelter Board.
- 4.40 PASC Strategy 5.2 requires that prisons ‘establish a community reference forum comprising of key external stakeholders to specifically address the support needs for Aboriginal people’. EGRP is participating in the initial development of the local Aboriginal Justice Agreements (AJA) and Menzies, Leonora, Esperance and Kalgoorlie reviews. EGRP management enjoy a good working relationship with the AJA Coordinator and are progressing issues such as licence problems and offender demographics. Ideally, the EGRP-AJA relationships should lead to consideration of change issues identified in the *Goldfields Custodial Plan* including Aboriginal community involvement in offender management and community-based facilities.¹⁴⁹
- 4.41 PASC Strategy 5.3 requires that prisons ‘develop an effective framework to monitor the various indicators of dysfunctional local Aboriginal communities’. EGRP is involved in monitoring various indicators of Aboriginal disadvantage through its participation in a Kalgoorlie-based committee established between government and non-government

148 Aboriginal Legal Service Inc (WA), Submission to the Parliament of Western Australia, Community Development and Justice Standing Committee Legislative Assembly, *Making our prisons work: Inquiry into the efficiency and effectiveness of prisoner education, training and employment strategies* (April 2010).

149 DCS, *Goldfields Custodial Plan* (June, 2007), in DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 2, (2008), appendices, 6–8.

agencies. This committee meets monthly and plans and develops strategies to address community-based issues and identification of future trends in the Goldfields region.

- 4.42 The prison is proactively engaged in local community issues generally. For example, it undertook extensive sandbag production for the recent expected Kalgoorlie floods,¹⁵⁰ and utilised Mt. Morgan's work camp labour for the post-flood clean up at Laverton.
- 4.43 EGRP is also actively pursuing cooperative program delivery for both the inmate population and the local Aboriginal community. EGRP and local Community Youth Justice Service (CYJS) jointly delivered a BOAS program in the community. Five prisoners and two community members attended.
- 4.44 PASC Strategy 5.6 requires that prisons 'actively work with drug and alcohol as well as family and domestic violence groups within the community to address the needs of Aboriginal people'. EGRP is actively investigating joint program possibilities addressing drug, alcohol and violence problems, including cooperation with CYJS. The Superintendent and the CYJS Kalgoorlie Manager have also developed cooperation with Bega Garnbirringu Health Services for the delivery of re-entry health services.¹⁵¹
- 4.45 EGRP is planning to collaborate with the Department of Housing, the Vocational Training and Education Centre (VTEC) and other agencies in relation to the Kalgoorlie-Boulder Indigenous Visitor Accommodation Centre project. This will facilitate remote communities' ability to access Kalgoorlie-Boulder facilities including EGRP, and help promote a positive relationship between EGRP and the communities.

Work Camps and Community Engagement.

- 4.46 EGRP currently has inadequate working relations with the communities serviced by the Mt Morgan's Work Camp, and therefore the community is not involved in an effective decision-making partnership with the work camp.¹⁵² As discussed earlier, Mt Margaret community has a strong need for community work but has had little or no contact with the work camp for the last two years. Shires and communities appear to have accepted an inadequate level of participation from the work camp, yet EGRP senior management were not aware of community concerns.
- 4.47 The Superintendent discussed the direction of the Warburton Work Camp with representatives of the Warburton community in January 2011. Following discussions with community councils, EGRP is seeking to develop work camp project work on local Aboriginal accommodation. This work will address PASC Strategy 6.1 requirement for offenders to give back to communities by working on their accommodation and living standards.

150 Severe flooding hit Warburton and other areas in the region in late February and early March 2011.

151 DCS, *Memorandum of Understanding between Eastern Goldfields Regional Prison and Bega Gambirringu Health Services in relation to Aboriginal Prisoner Re-entry Health Service*, MOU Ref no: AF3463, 28 April, 2011.

152 Effective partnership is a requirement of the DCS, *Review of Business Case for Eastern Goldfields Regional Prison Redevelopment* (14 January 2011), Outcome 6.

4.48 The Department has made increasing efforts to consult with the Ngaanyatjarra Council and other community representatives about the role and scope of the Warburton work camp since the time of the inspection. However, community members and members of the Ngaanyatjarra Council told the Inspectorate in March 2011 that there had been little communication and no meaningful consultation since the spring of 2009. The Department's own records confirmed this.¹⁵³ Community members told the Inspectorate they did not know when the work camp was expected to open, the scope of its operations and the likely work projects.¹⁵⁴ Moreover, while the Inspectorate repeatedly sought documented evidence of the content of consultations undertaken by the Department, little such evidence was forthcoming.¹⁵⁵ In summary, at the time of the inspection, more work needed to be done in terms of community consultation and engagement. Fortunately, processes appear to have improved subsequently but the results of such work need to be clearly documented.¹⁵⁶

Other Local Community Issues

4.49 The PSO makes a weekly visit to local community families with a prisoner engaged in a pre-release program in order to facilitate the prisoner's re-entry onto the community; this seems an effective means of keeping informed of grassroots community views in the local area, but it is not clear that this information is being used and monitored by EGRP management. Information from the PSO's community engagement should be documented and monitored.

Recommendation 7

Develop dynamic community engagement inside and outside the prison, including (i) a workable solution to the ongoing lack of an active Aboriginal Visitors Scheme and Elders program; and (ii) more structured and more frequent consultation with relevant communities regarding the Warburton Work Camp.

153 Email from DCS to OICS, 20 June 2011.

154 Community views presented during an OICS liaison visit to Warburton March 18 to 20.

155 For example, the Inspectorate sought minuted records of EGRP consultations with community representations on 16 February and 23 March. The Department did not respond to these requests.

156 The Department has provided evidence of meetings with Ngaanyatjarra Council and other community representatives between 12 August 2008 and 28 January 2011. During the whole of 2010, only one visit was documented as having been made to Warburton. The Department claims that lack of community interest thwarted its efforts at consultation in 2010.

STAFF-PRISONER RELATIONS AND COMMUNICATION

- 4.50 The Inspectorate observed that communication at EGRP is often poor and there are many areas for improvement. During the inspection the Superintendent acknowledged this issue. Communication is limited at present because:
- EGRP management are directing the peer support group to focus on suicide and self-harm prevention rather than representing prisoner interests. While this is a valid approach based on the recommendations of the Royal Commission into Aboriginal Deaths in Custody, it has the side effect of reducing perceived means of prisoner's self-representation.
 - Although they appeared to have been adequately run when they occurred, prisoners stated that unit meetings had not been occurring consistently and staff acknowledged that they failed to provide adequate feedback to prisoners.¹⁵⁷
 - As noted above AVS and Elders programs are not present at EGRP and therefore these conduits for prisoner views are not being used.
 - The request parade (see below) is an inadequate form of communication, especially for illiterate prisoners who need help with the request form
 - Prisoners perceived custodial officers as being disinterested in hearing their views.
 - There is a perception that some EGRP staff are not interested in dealing with prisoner issues raised by the PSO.
- 4.51 EGRP might also usefully look to the Acacia model, where forums have been established in which prisoners can provide feedback to prison staff and management on their experiences of various aspects of prison life.¹⁵⁸
- 4.52 The Inspectorate gained the strong impression that prisoners generally felt that communication from custodial staff was very poor at EGRP. EGRP still tolerates forms of address that might negate the dignity and throughcare approaches; for example, prisoners referring to staff as 'boss' which sets an inferior-superior relationship and the potential to view all actions as unfair. Prisoners reported a perception that some custodial officers could be lazy, unhelpful and rude. There remains a strong need for management to ensure that policy is implemented consistently and that adequate communication is achieved between staff and prisoners.
- 4.53 The inspection team observed a dissonance between positive features of staff-prisoner relations and a lack of communication and respect. On one hand, there were positive staff-prisoner interactions and evidence that officers were regularly sought out as supports.¹⁵⁹ Senior officers felt that there were good staff-prisoner relations and a culture of care was evident in the practices observed. Care was evident in the sensitive way that some custodial staff spoke of their engagement with prisoners. On the other hand, almost half of the prisoners felt staff-prisoner relationships were mostly poor, and only a minority felt that officers treated

157 Prisoners from Unit 2 believed that the last Unit meeting was held in October 2010, and that it had been unproductive.

158 OICS, *Report of an Announced Inspection of Acacia Prison*, Report No. 71 (March 2011) [4.23] - [4.24].

159 Pre-inspection prisoner and staff surveys.

them with dignity, and understood and respected their culture.¹⁶⁰ Only a minority (10%) of staff thought that staff working with prisoners was one of the most satisfying elements of their job.¹⁶¹

- 4.54 On balance, these perceptions raise the question of whether the dignity agenda and Aboriginal-centred throughcare approach is consistently understood by and communicated to all EGRP staff.

COMPLAINTS AND REQUESTS SYSTEMS

- 4.55 EGRP channels requests from prisoners through a half-hour 'request parade' in which prisoners submit forms stating their requests or complaints. The concept is well intentioned but prisoners still needed to fill out and submit forms whenever they can find an opportunity. Prisoners generally reported that staff were dismissive of their efforts to pursue complaints, and some of the confidential forms for making complaints were not accessible. There is a corresponding risk that the parade may have deteriorated into an opportunity to make the officer's job easier as it limits requests to this once-a-day event.
- 4.56 Prisoners repeatedly complained about the need to fill out forms. One officer stated that if prisoners came to the office with a verbal request he would encourage them to put the request on a form; however, if a prisoner had difficulty writing he would assist him to write the form out or write it himself. However, prisoners reported that staff practice was inconsistent and the writing requirement still presents a significant hurdle.

ACCOMMODATION AND CONDITION OF CELLS

- 4.57 Unit 1 is a secure unit for male prisoners. The unit contains 14 single cells. This unit regularly has in excess of 30 prisoners. Prisoners are generally in this unit only for short stays (up to two weeks) for court, imminent release, visits or funerals. However, it is not unusual for prisoners with complex court issues to spend two months in the unit. Numbers typically peak on a Wednesday with the arrival of the metropolitan transport. During peak periods prisoners may sleep on mattresses on cell floors.
- 4.58 Unit 2 is a male minimum security unit. The unit was designed with 70 berths across 32 cells. Most cells now contain double bunks of varying designs. The outside exercise area for the prisoners in this unit is subject to the elements and lacks shade. Consequently, prisoners are unlikely to spend any length of time outside. There are small shade type shelters but the shade is rarely over the fixed seats, which are often in full sun with the shade some metres away. Although there are structural difficulties with supplying shade without compromising the security of the area, the Department should find a solution that allows the unit's prisoners to enjoy being outside.
- 4.59 Unit 3 is a secure female unit which may hold long-term medium and maximum security rated females. The unit has 20 berths across 13 cells, with some cells arranged in a four single bed configuration. The Unit also has a safe cell, and a punishment cell.

160 Pre-inspection prisoner survey.

161 Pre-inspection staff survey.

Temperature Control in Unit 2 and Unit 3

- 4.60 The cells in Unit 2 have little airflow. During the inspection the prisoners spoke of nights where they could not sleep because of the heat retained in the cells overnight. The prison has supplied a freezer for prisoners to freeze water bottles in so they can take them to their cells at night. This is an acknowledgement of the issue.
- 4.61 Staff also raised concerns for the welfare of the prisoners and noted that just a few days prior to the commencement of the inspection the temperature in Kalgoorlie had reached 45 degrees. Officers stated that at lockup (9.30 pm) the temperature was still at 39 degrees and after lockup the power failed. Although the generator was available to provide power for lights, prisoners were without electric fans¹⁶² for a period of three hours.¹⁶³
- 4.62 EGRP inmates are predominantly Aboriginal and many have significant health problems. Poor temperature control in cells is a particular health risk for people suffering from diabetes (which impairs the body's ability to naturally cool itself by sweating). Overheated and airless cells are liable to provoke heatstroke among prisoners suffering conditions including diabetes, heart disease and kidney disease.¹⁶⁴
- 4.63 Prisoners compared the conditions in cells to the fatal conditions suffered by the Aboriginal Elder Mr Ward in the over-heated G4S van in January 2008.¹⁶⁵ Although there are significant differences between the heat-related death of Mr. Ward, and the risks posed by over-heated cells, the Department runs the risk of allowing another fatality or other serious incident through neglect. Were a serious incident to occur, the Department could be found to have breached its duty-of-care to prisoners.
- 4.64 Staff suggested that the cells in Unit 2 should have air conditioning and questioned why cells needed to be locked with minimum security prisoners. Unlocking cells would be a cheaper and culturally appropriate option, since many Aboriginal prisoners may prefer sleeping outside where they can be in the open and catch a breeze.
- 4.65 The inspection team observed that cell conditions in Unit 3 are similar to those in Unit 2. At certain times of the year the cell conditions at EGRP are not dissimilar to those of Roebourne Regional Prison and like that prison, there is a clear need for temperature controlled airflow in the cells.¹⁶⁶

162 The Inspectorate notes that because each cell has only three power points, which may be used by televisions and other appliances, not all prisoners will have access to a fan – especially in multiple use cells.

163 Raised by staff interviewed in Unit 2 and other staff throughout the inspection week, and supported by prisoners.

164 For further discussion and references to relevant literature, see *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (April 2011) 13; OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 52 (April 2008) 11.

165 State Coroner, *Record of an Investigation into Death (Mr Ward)*, Coroner's Court of Western Australia (12 June 2009).

166 OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011) 15.

DECENCY AND RESPECT

Recommendation 8

Ensure that EGRP is fully maintained to an appropriate level, pending the new prison.

Recommendation 9

(a) Install suitable climatic controls to reduce air temperatures and to increase cool air circulation in Unit 2 and 3 prisoners' cells at EGRP.

(b) Explore and implement other management measures to reduce the impact of the harsh climate.

RECREATION

- 4.66 A good recreation program reduces stress and boredom in the prisoner group, promotes physical and mental activity and encourages positive association between prisoners. Recreation needs to be culturally appropriate and adapted to prisoners' physical capacities and motivational levels.
- 4.67 Since the last inspection recreation has improved: a little under half of prisoners were content with recreation at the time of this inspection. Some of the lack of complaint may be due to low expectations or low desire for recreation.
- 4.68 Minimum security prisoners and women prisoners have access to an external area (the oval) for recreation. Maximum security male prisoners have recreation facilities within their unit and a small fenced external area. Prisoners also have limited access to a small library, located next to the dining room.
- 4.69 The recreation schedule indicates equality of opportunity to participate in a range of structured activities, including daily mixed-gender sporting activities, although male minimum security prisoners enjoy an additional hour of recreation. Provided they attend the requisite training sessions, section 95 approved prisoners can participate in a community-based, weekly evening volleyball game.
- 4.70 The oval is well used but there are no shade structures to protect officers from the sun. Such structures should be placed to ensure adequate sight and supervision. A water fountain on the oval could service both staff and prisoners.
- 4.71 Mixed gender usage appears positive and well managed, despite the practice of handcuffing.¹⁶⁷ There were questions about the degree to which both the passive and active recreation being provided was culturally appropriate for the predominantly Aboriginal women at EGRP. For example, the pool table and exercise equipment in Unit 3 were not well used by the women. Apart from the poor condition of the equipment, women preferred other kinds of activity – the pool table, in fact, was used for beading. Women in the external recreation area enjoyed yarnning. The recreation officer has sought to encourage the women to play sports such as volleyball, but the take-up has been slow.

167 See [3.34] - [3.37].

- 4.72 There is a great deal of boredom among the men at EGRP, especially in Unit 1 where some of the younger men especially showed signs of frustration. Although there is no gym at EGRP, the prison has ordered isometric equipment from Greenough prison.
- 4.73 The Inspectorate observed a need to increase the amount of organised recreation. The introduction of isometric equipment should be helpful, but prisoners identified other recreation possibilities. Prisoners wanted the opportunity to have mixed recreation between units including unit competitions in active (eg. basketball, badminton and bowls) and passive (eg. quiz nights, darts and board games) recreation.
- 4.74 Well-functioning recreation services in other Western Australian prisons employ prisoners in a constructive way to assist with organising recreation. Such employment could be valuable from a cultural point of view as well as giving some degree of ownership to the prisoners.

Musical Recreation and Library Facilities

- 4.75 The band equipment is in a poor condition and lacks basic items such as guitar straps and speakers. EGRP management have decided to limit band equipment to acoustic guitars because of previous mistreatment of electric equipment. Band members are only permitted to use the band equipment in the dining room, in order to limit perceived noise disturbance,¹⁶⁸ and practice times have been limited.
- 4.76 The restriction of band equipment and access affects all of the prison population. Music is particularly important in Aboriginal culture, and both participating in and listening to music are likely to have a positive effect on prisoners' wellbeing. The opportunity for prisoners to enjoy music may offset some of the constraints of the otherwise oppressive physical environment.

Reception and Orientation

- 4.77 The new reception area is an improvement. The area has multiple uses including prisoner property storage, urine testing, ablution facilities, body searches and processing of prisoners for transport to court, release of prisoners and assessment of prisoners' medical conditions. It also includes a short-term holding cell for about ten prisoners at a time.
- 4.78 However, the staffing levels in reception are inadequate. One permanent VSO is stationed at reception weekdays from 7.00 am to 3.00 pm. The sally port officers act as reception officers when it is busy, when the VSO is away, daily after 3.00 pm and throughout the weekend. Custodial officers are required to attend reception at night after 7.30 pm, and local police are allowed to deliver prisoners after 9.45pm.¹⁶⁹
- 4.79 Reception officers are overburdened with multiple duties. The inspection team observed urine testing, reception of a vehicle and prisoner, visits and preparation for another intake. Although it looked chaotic, staff handled each process professionally. Officers and GS4 staff were observed to be kind and considerate towards prisoners in their care.

168 Senior management figures spoke of the need to reduce noise; no prisoners referred to musical sound as an intrusive noise.

169 A Memorandum of Understanding between EGRP and Kalgoorlie police requires police to abstain from delivering prisoners between 12.00pm - 1.00pm and 6.30 - 9.45pm.

DECENCY AND RESPECT

- 4.80 The inspection team observed that urine testing procedures were well conducted, but the area used was not fit for purpose. Urine testing was conducted in a toilet cubicle at the far end of the shower area of the reception room.
- 4.81 The new PowerPoint orientation presentation for male offenders is a positive development. The PowerPoint supplements the online tick-a-box electronic interview by the officers. It would be sensible if the orientation material were revisited early in a prisoner's incarceration, to allow the prisoner time to ask any questions or address any concerns.
- 4.82 Peer support prisoners are not currently a part of the orientation process. However, EGRP has plans to train and use peer support prisoners for orientation, and to make use of their translation and interpretation skills where relevant.
- 4.83 The reception induction of the individual prisoners is conducted simultaneously with other activities in reception. This may be a particular problem for those prisoners who suffer with poor hearing. The reception area also lacks privacy. This detracts from the ability of officers to deal sensitively with prisoners who may have problems that they do not want widely known. For example, it was apparent that some prisoners felt compelled to disguise their inability to read and as a result missed necessary information that could have been transmitted verbally rather than in writing.

VISITS

- 4.84 In the previous inspection the Inspectorate commended the prison's visits practice.
- EGRP does not conduct a formalised visits booking process. This is a good practice given that many Aboriginal visitors from the region are not used to western booking systems. It is clear that many of the behavioural norms, security and administrative procedures taken for granted in prisons appear strange and beyond the experience of many Aboriginal people ... many Aboriginal people from remote communities still live more traditional lifestyles governed by comparatively more circumscribed behavioural norms.¹⁷⁰
- 4.85 Since the last inspection the prison has introduced a formalised visits procedure, which requires the pre-booking of visits by telephone at particular hours during the normal working day. During this inspection the Inspectorate heard complaints about the procedure from prisoners, family and community members. The telephone booking system's limited period of operation appears to be restricting access to visits. In addition, prisoners' families sometimes arrive spontaneously at the prison when visiting from remote communities. Although EGRP staff generally let people in if they have travelled a long way, practices do not appear always to be consistent. Prisoners suggested that visitors had sometimes been turned away because they were not aware of the need to book or had not been able to book prior to arriving.

170 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [2.20].

- 4.86 Visits occur daily at EGRP for remand prisoners, but only on weekends and public holidays for sentenced prisoners. On Sundays, visitors for medium and maximum security prisoners come in the morning and visitors for minimum security prisoners come in the afternoon. EGRP has two visits areas, an internal area for medium and maximum security prisoners, and an external area for minimum security prisoners. The external visits area has trees, shaded areas and tables and chairs. It provides a pleasant, clean environment. The prison is addressing concerns that there are insufficient shaded areas and seats.



External Visits

- 4.87 EGRP lacks an internal visits area for minimum security prisoners. In hot or inclement weather, the prison therefore makes use of the maximum security internal visits area for minimum security prisoners. This seems a workable arrangement until better facilities are available.
- 4.88 There is a cool drink vending machine in the visits area. However, there is no opportunity for visitors to buy food and they are not permitted bring food into the prison. Prisoners are, however, permitted to take food into the visits area from the prison.
- 4.89 Minimum security prisoners, are strip searched when they come back into the prison from the outside visits area. Some of these are s 95 prisoners who are not strip searched when returning from work outside the prison and these prisoners complained about the inconsistent practice.

- 4.90 During the inspection a significant number of prisoners expressed a desire for intra-prison visits and access. Peer support prisoners, in particular, would like to be able to visit prisoners in other units. Senior management supported this position in principle, and implementation is under active consideration. Public transport for visitors to the prison is not synchronised with visit times. The Business Change Manager plans to liaise with transport companies to provide better service for the new prison. It would be sensible if these relationships were developed as soon as possible to serve the current cohort of prisoners and their visitors.

OTHER MATTERS

- 4.91 Because of staffing restrictions at EGRP, some prisoners leaving the prison have problems accessing their personal possessions at the time of release and subsequently need to return to prison at a later date to obtain their possessions. For many, travelling back to Kalgoorlie is not a viable post-release option. Although the prison stores the property, in cases where return to Kalgoorlie is not possible or desirable, the released prisoner has no access to his or her possessions.
- 4.92 Prisoners commented that the canteen lacked variety and the prison's town spending is poor and the range of choice insufficient. This may be one of the areas that could be addressed through better staff-prisoner communication, and particularly by the provision of a prisoner representative group or mechanism for communicating prisoner views and providing feedback.
- 4.93 EGRP has also moved to a portion-controlled diet that is suitable for diabetes sufferers.¹⁷¹ Some prisoners stated that the meals were too small and that they did not get the opportunity to have seconds to the extent they previously had. There were less complaints about the quality of the food than the quantity, although some prisoners thought there could be more salad in the summer. The prison calculates a saving of \$50,000 over the last financial year through implementation of portion control. As with canteen choice and town spends, this is an area in which better communication mechanisms should be provided.

171 The prison introduced portion control approximately six months prior to the current inspection.

Chapter 5

HEALTH AND WELLBEING

BACKGROUND

- 5.1 The previous inspection report stated that ‘the worst performing aspect of the prison was undoubtedly the health service’.¹⁷² This was not due to inadequacies on the part of staff, rather ‘the issues were of a structural and resourcing nature and largely pertained to the difficulty of providing adequate health services in the regions.’ Major deficiencies existed in general service coverage, dental care, psychiatry, indigenous health, health promotion and substance use. The appointment system was also a cause for concern as was the vacant Nurse Manager position.

STRATEGIC DIRECTION

- 5.2 The *Health Services Directorate Business Plan 2010-2011*¹⁷³ gives strategic direction to the custodial estate, while strategic direction for Aboriginal health is given in the Department’s PASC Objective 4, which requires prisons to actively assist in the improvement of Aboriginal health. The PASC requires prisons to adopt six key Aboriginal health strategies and measures their performance using key performance indicators. At the time of the inspection, EGRP was yet to enact this component of the PASC reporting requirements.
- 5.3 In a discussion following the inspection Health Services Directorate representatives were unsure why the medical centre staff were unaware of the *Strategic Directions in Health Care for Women and Girls 2008-2012*. The Directorate, however, acknowledged that to date it has not been used as a reference point for focusing on directions in the provision of health care to women.

STAFFING AND ITS IMPACT ON SERVICE DELIVERY

- 5.4 Notwithstanding ongoing advertising of vacancies, the health centre has failed to fill the two vacant full-time positions for clinical nurses. In practice, this means there have been no clinical nurses to carry the portfolio for alcohol and substance use, chronic disease management, and blood-borne viruses (BBV).
- 5.5 A female sexual health nurse and the physician from the Kalgoorlie-Boulder Population Health Unit attend the prison once a month, and review and update BBV care plans for the women and the men respectively. However, while all prisoners are offered BBV screening on admission, the take-up rate is very low. The Nurse Manager explained that Chlamydia is a major issue, but it is only when the condition becomes symptomatic that the prisoners will seek help and agree to a blood test. Occasional testing indicates that the prevalence of Chlamydia is likely to be very high.
- 5.6 The issue therefore is that with such little specialist input, the scale of the problem and the unmet need, while likely to be significant, are also unknown.

172 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [2.36].

173 DCS, *Health Services Directorate Business Plan 2010-2011* (2010).

HEALTH AND WELLBEING

TABLE 1 Summary of medical issues presented by the 122 prisoners accommodated at EGRP on 22 February 2011:¹⁷⁴

Medical Issue	Number of Patients/Prisoners
Asthma	23
Allergies	5
Epilepsy	4
Cardiac	12
Diabetes	15
Psychiatric	9
Self-Harm	16
Essential medications	35
Intellectual Disability	6
Physical Disability	8
BBV	1

- 5.7 The Nurse Manager explained EGRP operates within limited resources for the chronic disease management and alcohol and substance use portfolios. However, as Table 1 shows there were 50 diagnoses of chronic disease alone at the time of the inspection. It would therefore be particularly challenging for the nurses to maintain the Health Service Directorate's systems for comprehensive assessment, care plan development, review and evaluation in relation to chronic disease, let alone alcohol and substance use. Indeed, the Superintendent 'acknowledged the under-resourcing of health services and the difficulty for the medical staff to provide a full range of services'.¹⁷⁵

Recommendation 10

Ensure that health services, including comprehensive support in respect of chronic disease management, blood borne viruses, and alcohol and substance use, are commensurate with those provided in the metropolitan area.

- 5.8 This recommendation is consistent with the *Health Services Directorate Business Plan 2010-11* aim to 'improve access to services for offenders in regional and remote areas'.¹⁷⁶

174 Total Offender Management Solution Medical Status – Facility Run (22 November 2011). The Department acknowledges that some of the TOMS data is not accurate; this inaccuracy does not affect the Inspectorate's analysis.

175 DCS EGRP, Superintendent's Briefing (31 January 2011).

176 DCS, *Health Services Directorate Business Plan 2010-2011* (2010) K2.1.3.

- 5.9 There are no Aboriginal or female health staff on site. While there was, for example, a pap smear service offered by the female sexual health nurse from the Kalgoorlie-Boulder Population Health Unit, women would not access it while detained in prison because they believed male officers remained present during the procedure. The Nurse Manager, however, was unaware of such a practice occurring. A significant number of women prisoners interviewed during the inspection were determined that if they were to take up pap smears and other preventive care services at all, they would wait until their release. This constitutes a missed opportunity to address certain issues that may be much more challenging to address once back in the community. It also eschews PASCg strategy 1.4, which requires that the prison should ‘develop and improve strategies to enhance the quality of the health screening practices for Aboriginal prisoners upon reception as well as improve their health related management standards and services whilst in custody’ (emphasis added).
- 5.10 In the absence of a cleaner, the clinical nurse has been required to clean the clinic. The staff explained that the poor pay rate offered had failed to attract staff. Engaging prisoners for cleaning of the clinic had been tried previously, but was viewed as presenting unsatisfactory risks to security and clinical hygiene. Nonetheless, the use of a qualified clinical nurse to undertake cleaning on a long-term basis constitutes an inappropriate use of valuable resources.

Recommendation 11

Ensure the health centre is fully staffed and that the staff complement reflects the prisoner profile (i.e. includes female and Aboriginal staff).

- 5.11 This recommendation is consistent with the aim of the *Health Services Directorate Business Plan 2010-2011* to enact an investigation of ‘the feasibility of employment opportunities within Health Services for Aboriginal Health Workers’, and to ‘collaborate with Aboriginal Workforce Development within [the Department] for trainee placements throughout health service areas’.¹⁷⁷ It is also consistent with the *Women’s Way Forward* outcome that ‘the workforce should reflect the cultural diversity of the prison population.’¹⁷⁸

Recommendation 12

Develop and implement an Aboriginal healthcare strategy that recognises the cultural and gendered needs of the local prisoner population.

- 5.12 The enactment of this strategy should be consistent with the PASCg Objective 4. This strategy should include details of and commitment to developing and implementing culturally appropriate clinical assessment tools and screening practices; improving health-related case management standards; actively engaging Aboriginal healthcare organisations to provide in-reach services to the prison; actively promoting essential health self-care practices and continuing support after re-entry into the community; and providing training in the delivery of culturally sensitive health care.

¹⁷⁷ DCS, *Health Services Directorate Business Plan 2010-2011* (2010) K2.5.2, D2.5.2.5.

¹⁷⁸ DCS, *Women’s Way Forward, Strategic Plan for Women 2009-2012* (2009) 4.

CLINICAL ASSESSMENT AND SCREENING

- 5.13 The Department's Health Services Directorate's service delivery model recognises that prisoners' needs include the range of health conditions found in the general community. Standardised nursing assessments routinely screen for chronic disease conditions, such as diabetes, asthma, and kidney and cardiovascular disease.
- 5.14 Beyond that commonality, there are conditions that are more prevalent among prisoners than in the general community. Routine screening of mental health conditions, BBVs (mainly Hepatitis C), and drug and alcohol addiction is therefore also conducted.
- 5.15 These conditions should prompt the development of a specific care plan and the provision of education to patients with the clinical nurses in the prisons' health services holding portfolio responsibility for co-morbidity/alcohol and substance use, BBV and chronic disease management. However, with two vacant clinical nurse positions, an added focus on these conditions remains under-developed at EGRP.
- 5.16 In addition, EGRP's health service must take account of local Aboriginal people's high rates of a variety of physical and mental illnesses.¹⁷⁹ Clinical assessment and screening at EGRP should satisfy Strategy 4.1 of the PASC, which requires that the prison should '*Develop and improve strategies to enhance the quality of the health screening practices for Aboriginal prisoners upon reception as well as improve their health related management standards and services whilst in custody*' (emphasis added).
- 5.17 While the Department has committed to developing culturally appropriate assessment and screening practices, current assessment tools take no account of the predominance of conditions particularly affecting Indigenous people such as ear disease, hearing loss and dementia, which bring communication, coping, and behavioural problems.¹⁸⁰ The prevalence of ear disease and hearing loss among Indigenous people is well established, with particularly high levels among people living in rural and remote communities.¹⁸¹ Despite the fact that the Royal Commission into Aboriginal Deaths in Custody noted a connection between hearing loss and criminal behaviour, auditory testing and function does not yet form part of routine screening processes in Western Australian prisons, let alone in those prisons considered to be 'Aboriginal prisons'.¹⁸² Testing should be carried out so that prisoners' understanding is improved and their responses and behaviour can be better understood and managed.

179 Productivity Commission, Steering Committee for the Review of Government Services, *Overcoming Indigenous Disadvantage, Key Indicators 2009* (2009).

180 DCS, *Prisons Aboriginal Service Guidelines*, Objective 4, Strategy 1, 'Develop and improve strategies to enhance the quality of health screening practices for Aboriginal prisoners upon reception as well as improve their health related case management standards and services whilst in custody'. The incidence of dementia among Indigenous people in Western Australia is 12.4 per cent. In comparison, the Australia-wide rate for people over 45 years in 2008 was only 2.4 per cent, *Koori Mail*, edition 439, November 19th 2008, 53.

181 The overall frequency of ear disease among Indigenous people in Western Australia is not known, but the 2004-2005 National Aboriginal and Torres Strait Islander Health Survey found that one in eight Indigenous people reported ear diseases and/or hearing problems. Ten times more Indigenous people suffer from ear disease and hearing loss than non-Indigenous people: 'Injustices Linked to Poor Hearing', *Koori Mail* No 476 (May 19th 2010,) 9.

182 Royal Commission into Aboriginal Deaths in Custody, *National Report*, vol 2, (Canberra: Australian Government Publishing Service, 1991).

- 5.18 Screening for other conditions such as acquired brain injury, intellectual disability, or disorders on the autistic spectrum also does not occur.¹⁸³ Detection of these conditions depends upon informal diagnoses by the assessing doctor or nurse. It is likely that many cases go undetected, and as a result, prisoners may not necessarily be supported in their relative dysfunction, and associated behavioural issues may be misunderstood.

MEDICATION MANAGEMENT

Supplies and Ordering

- 5.19 The Department's pharmacy at Hakea supplies the public prisons in Western Australia. Medications are delivered each Friday provided orders are received by Thursday lunchtime. If new medications are ordered by a doctor in between delivery times, a supply can generally be sourced from the Imprest stock held onsite or from the local hospital. Prisoners moving between prisons are generally provided with Webster-packs by the releasing prison.¹⁸⁴
- 5.20 The GP only attends the prison once a week, for three hours. Prisoners are generally received into the prison outside of the GP's session time so nurses conduct the initial screening. If there is any cause for concern or the patient requires medication, the 'e-consult' facility (where the nurse e-mails a rostered departmental doctor for advice or prescriptions) is available at all times.
- 5.21 At the inspection, the Inspectorate was concerned that nursing staff were failing to take appropriate action to ensure newly received prisoners received appropriate medical attention as well as their prescribed medication. In particular, nursing staff seemed to be under-utilising the e-consult service with new patients where circumstances indicated it was appropriate.
- 5.22 One nurse stated that if, for example, the new patient is a diabetic who is known to be non-compliant with their medications in the community, and basic clinical observations (eg. blood pressure) are within normal ranges, he will wait for the visiting GP's next session time rather than utilise the e-consult facility. On this basis, a patient could be waiting up to a week to see the GP and then a further three days (if the medications are not available in the prison health centre's imprest stock) for their essential medications. Once received into the prison the health service assumes a duty of care to the patient and must ensure timely commencement or resumption of medical management and medication regimes. A patient's possible non-compliance with a treatment program and medication regime in the community is irrelevant.
- 5.23 Subsequently, one of the nurses provided further information to clarify the issue of medication management for new receivals.¹⁸⁵ He reported that if a prisoner is received into the prison direct from the community with a supply of medications, these will continue to be administered if a name, dose, and prescriber details are provided. However, this is also a concern because unless pre-dispensed into a Webster-pack, for example, the nurse cannot be sure of the authenticity of these medications, even if the nurse is able to obtain

183 See also OICS, *Report of An Announced Inspection of Casuarina Prison* Report No. 68 (September 2010) [9.14]; OICS, *Report of An Announced Inspection of Roebourne Regional Prison* No. 70 (February 2011) [6.23].

184 Information from DCS Health Directorate, March, 2011.

185 E-mail exchanges between this Office and the EGRP health service (3-24 February 2011).

confirmation from the prescriber.¹⁸⁶ As well as a health risk this practice may represent a security risk, for in the absence of the use of a Webster pack there is a possibility that contraband could be smuggled into the prison.

- 5.24 By way of testing the issue, the Inspectorate downloaded a list of prisoners (as at 23 February 2011) who were noted on TOMS as being prescribed essential medications. Extracted from this was a list of 13 prisoners who were received at EGRP between 1 October 2010 and 31 January 2011. None of these prisoners was admitted during a doctor's session time and yet of only six e-consults conducted during this same period, only one could be cross-referenced to the admission of one of these prisoners. All 13 prisoners had at least one, and often a number, of the diagnosed conditions including: diabetes, epilepsy, asthma, psychiatric, cardiac, physical disability and a history of self-harm.
- 5.25 The Inspectorate was therefore concerned on a number of fronts: e-consults were not being routinely conducted; patients with diagnosed health issues were being left for up to a week without medical attention; patients could be waiting up to ten days for their essential medications; and patients may have entered prison with inappropriate medications and not received appropriate medication as a result. This posed an unacceptable risk to the patients and it constituted a major breach of duty of care. The prevalence of such practices is unacceptable, especially in view of the findings and recommendations of the recent coronial inquiry into a death in custody of a prisoner at EGRP in November 2007.¹⁸⁷
- 5.26 The Department has subsequently followed up on the concerns raised during this inspection regarding e-consults and medications which EGRP will now be providing in line with departmental policies and under administrative supervision.¹⁸⁸ Medical treatment, safety and security will now be provided through a proactive and combined use of e-consults, the Imprest system, urgent supply packs and a process whereby approval can be sought for medications to be obtained from a local pharmacy.
- 5.27 Post-inspection discussions between the Inspectorate and the Department's Medical Director have led to the engagement of an additional acting clinical nurse for three days per week. The additional nurse will provide clinical and administrative governance and ongoing clinical support.¹⁸⁹ In the long term there is a Department commitment to the engagement of a nurse practitioner. In the meantime EGRP staffing levels and quality need to be kept under careful scrutiny.

186 The Health Services Directorate authorises this practice in recognition of the additional difficulties experienced in obtaining medications in a timely manner in the regional areas. However, and somewhat paradoxically, where a prisoner is transferred from one prison to another, they are not sent with their medications (even though the integrity and authenticity of such medications would be easier to maintain and verify because in large part they would be Webster-packed) and have to have their medications re-ordered by the receiving prison.

187 *Inquest into the Death of Hector Cedric Green* (6-7 December 2010); DCS, Coronial Recommendations 179-185 in relation to Health Services Directorate. Implementation of remedial actions has not been rapid enough in this area; for example, following the Department's own internal investigation, the Medical Director reported that he had issued certain directives, but to date this Office has not been provided with the directives or any further detail.

188 A series of meetings and discussions were held between the Medical Director, EGRP nursing staff, and the Inspectorate over the period 24 February to 4 March 2011.

189 Ibid.

-
-
- 5.28 The Inspectorate commends the swift and comprehensive response of the Health Directorate following the raising of these issues of concern. Not only did the Directorate communicate openly and fully, but it conducted its own research and then efficiently put in place adequate processes to address the issues. This type of open and constructive interaction could serve as a model for positive interaction between government agencies and the Inspectorate.
- 5.29 In addition, the Practice Principal at Kalgoorlie Hospital has committed to exploring the possibility of providing an extra GP session each week, and the attendance of a female GP once a month. He has also agreed to act as the nominated GP for prisoners which will ensure continuity of care when the patient is transported to hospital.

Recommendation 13

Implement ongoing monitoring mechanisms with respect to health services to ensure compliance with procedures and standards, to identify opportunities for improvement, and to ensure staff accountability for their clinical practice.

- 5.30 This recommendation is consistent with the aim of the *Health Services Directorate Business Plan 2010-2011* to ‘refine and review the standards and compliance frameworks’ and to ‘promote a culture of continuous quality improvement within the Health Service.’¹⁹⁰

SUICIDE AND SELF-HARM PREVENTION, MENTAL HEALTH AND EMOTIONAL WELLBEING

- 5.31 The Inspectorate took note of the PASCAG Strategy 4.5 which states that prisons must ‘develop effective strategies to address mental health issues and concerns for Aboriginal people in custody and in the community’. The Inspectorate was keen to understand the way in which suicide prevention was being pursued by EGRP, and particularly the extent to which an Aboriginal-centred approach is applied. The Inspectorate also considered the Department of Corrective Services’ *ARMS Manual* (undated), and the best practice guidelines canvassed in the Department’s business case for the EGRP redevelopment.¹⁹¹
- 5.32 EGRP has a functioning suicide and self-harm prevention strategy and process. The process involves assessment of new prisoners at reception for the At Risk Management System (ARMS) by a senior officer and review of this assessment by the Assistant Superintendent Prison Management (ASPM). The Prisoner Risk Assessment Group (PRAG) committee meets weekly (it includes the ASPM, PSO, medical and senior officers). The ASPM is able to rely on the PSO’s strong knowledge of and rapport with the prisoners and their communities. The EGRP is reviewed annually through a process that EGRP has developed from a pre-existing departmental model.
- 5.33 Until 2011 the prison lacked a prison counselling service (PCS) officer, and was carrying an elevated risk in the assessment of at risk prisoners. The prison has addressed the risk as the programs officer has undertaken PCS training and is now dual-badged.

190 DCS, *Health Services Directorate Business Plan 2010-2011* (2010) K4.3.2.

191 DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 1 (2008) 14-15.

-
-
- 5.34 The purpose of Prison Support Officers and peer support teams in Western Australian prisons is to help prevent suicide and self-harm. Similarly, the primary aim of the AVS 'is to reduce the likelihood of Aboriginal deaths and self-harm in custody through regular contact, advice and support'.¹⁹² The prison's management of suicide and self-harm risk and the promotion of mental health wellbeing suffer from a failure to involve peer support prisoners and the AVS.
- 5.35 The Inspectorate's previous report criticised the prison for its failure to develop a peer support team.¹⁹³ It is extremely disappointing to find that the situation had not improved at the time of the current inspection. Although an acting PSO has been in place since March of 2010, only two peer support meetings were held between that time and the date of the inspection. It was only at the time of the inspection that management at EGRP began to put in place the processes required to manage and facilitate a functioning peer support team.
- 5.36 The medical centre's lack of female and Aboriginal staff has impacted upon the mental health needs of female Aboriginal prisoners in particular. Moreover, as mentioned earlier, women prisoners stated that they would not discuss some issues with the PSO, because he is male and because of cultural taboos.
- 5.37 Staff at EGRP are insufficiently aware of the specific concerns and behaviour associated with Aboriginal mental health issues. This is an important area at EGRP, for mental health problems are prevalent among Indigenous people throughout Australia¹⁹⁴ and the associated range of behaviours manifest in culturally specific ways. The Department has yet to sufficiently support EGRP staff in this regard. For example, only one of four senior officers who applied to attend the Academy's *First Aid Mental Health Training for Aboriginals and Torres Strait Islanders* course was accepted. All custodial officers have Gatekeeper training and can elect to do a further five-day training course. It would be sensible for more officers to undertake the extended and culturally specific training. This should be particularly valued by staff given only 13 per cent of staff surveyed felt that the prison was providing adequate management of prisoners with mental health issues.

192 'DCS', AVS Manager, Press Release, 'AVS' (18 March 2011).

193 '[T]he involvement of peer support has been discussed with EGRP management for some time but to no avail': OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [1.15].

194 Data in indigenous mental health and incarceration is not adequate at present. However, some idea of the spoke and scale of the issue can be gained from discrete sources. For DCS Health Services data indicates that more than 25 per cent of offenders in Western Australia are being treated for mental illness. See DCS, *InsideOut*, Volume 13, Issue 2, April/May 2011. In 2004-05 Indigenous Australians were twice as likely as non-Indigenous people to be hospitalised for "mental or behavioural disorders. See Australian Bureau of Statistics & Australian Institute of Health and Welfare (2010). *The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples, Oct 2010*. ABS Cat. No 4704.

- 5.38 It was noted above (see 2.39) that conditions in Unit 2 were depressing, and similar comments would apply to the prison's other units. Given the links between mental health problems in the community and recidivism, this is counter-productive. Providing a depressing environment for minimum security prisoners contravenes the PASC Strategy 4.3, that prisons should 'develop effective strategies to address mental health issues and concerns for Aboriginal people in custody and in the community. It also runs counter to the Department's acknowledgement that the wider environment of mental health wellbeing in prisons must be taken into consideration when considering suicide and self-harm prevention strategies.¹⁹⁵
- 5.39 EGRP's partnership with Community Corrections is beneficial, allowing the programs officer/PCS more time for suicide risk management. EGRP typically has a low suicide risk profile and so while dual-badged, the ARMS and PRAG side of the programs officer's job requires little time. This is fortunate given the concurrent program delivery load. An expanded prison population in future may increase the ARMS responsibilities of this dual position, so teaming up with community corrections should prove increasingly beneficial.

Recommendation 14

The Academy should facilitate delivery of First Aid Mental Health Training for Aboriginals and Torres Strait Islanders for all staff working with Aboriginal prisoners.

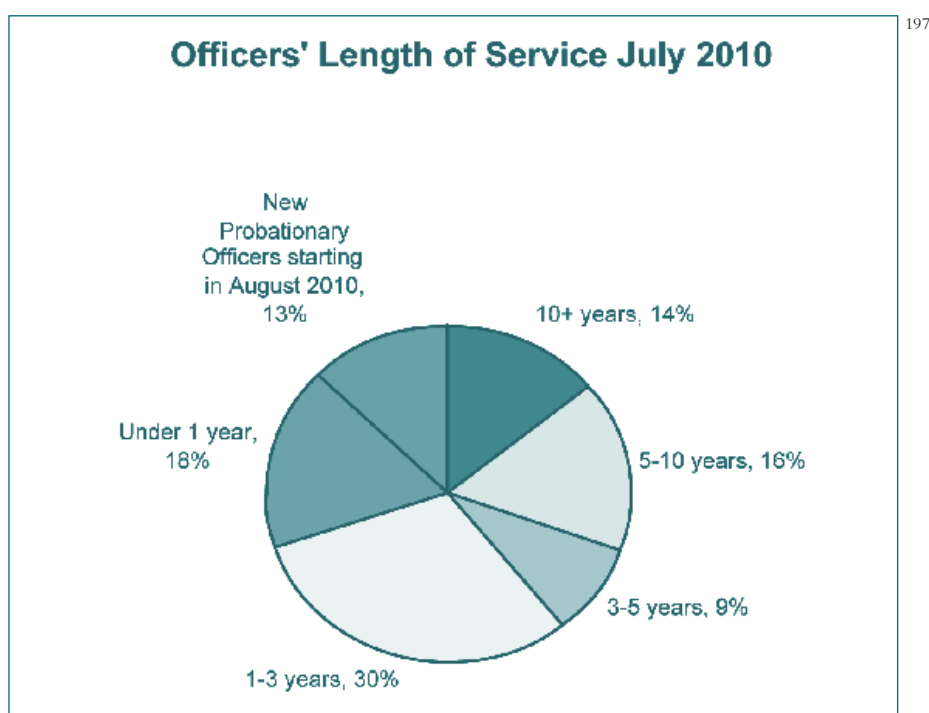
195 DCS, *Business Case for the Eastern Goldfields Regional Prison Redevelopment*, Volume 1, (2008) 13-15.

Chapter 6

STAFF, SYSTEMS, AND SECURITY

STAFF QUALITY AND QUANTITY

6.1 EGRP has a mix of experienced and inexperienced staff. Approximately 30 per cent of the staff have more than five years experience. At the time of the inspection EGRP had recruited seven officers with previous experience in New Zealand prisons.¹⁹⁶



6.2 The ratio of experienced and less-experienced staff at EGRP appears to be well balanced. Staff were content with the mix and stated that the ratio allows for mentoring of the less-experienced staff. There is usually an experienced staff member on shift, and some of the newer staff with previous experience in New Zealand only require minimal instruction rather than mentoring.

Principal Officer

6.3 The introduction of the Principal Officer since the last inspection has created another connection between the officers, senior officers and the prison administration. The role of the Principal Officer incorporates but is not limited to managing the Performance Appraisal and Development System, managing local investigations, monitoring staff effectiveness and compliance, making improvements where required and acting as officer in charge of the prison as required.

196 Email from the EGRP Acting ASPM (2 March 2011).

197 Pie chart supplied by EGRP.

Performance Appraisal Development System

6.4 Since the last inspection EGRP has introduced the Performance Appraisal Development System (PADS). PADS no longer allow the Principal Officer to make recommendations for or against promotion¹⁹⁸ and consequently, staff felt the system had lost credibility. They felt this could lead to unfairness in the selection process, and to a lack of staff motivation. Although PADS is primarily a tool for the management of staff performance, it was also introduced as a mechanism of measuring officers' performance for assessment. Unfortunately, without staff support, its accuracy and usefulness are now compromised. It would seem sensible to review the PADS process as a whole and so that the recruitment to internal positions takes account of the applicant's performance record. The EGRP findings largely replicate the findings of other inspections, including Casuarina (2010) in which the following recommendation was made:

In order to inspire confidence of all staff in the Performance Assessment Development System it should be reviewed and revised to ensure that (1) it facilitates accurate assessment of performance; and (2) it facilitates the identification of employee training needs and accordingly ensures provision of the requisite training.¹⁹⁹

Management and Communication

6.5 Custodial staff felt a much greater clarity of direction from local management than during the previous inspection.²⁰⁰ There was a staff perception that they were being provided with 'visionary' leadership. There is strong support for the direction set out in new Unit Plans and Local Orders, as well as the Department's Policy Directives. Together these are creating greater consistency. Staff also felt better supported by local management than during the last inspection. As with the previous inspection, it was felt that management were approachable. These developments augur well for leadership of the prison's transition towards an enhanced rehabilitative and reparatory role in the region.

Working Together

6.6 Camaraderie is evident among staff across the prison. Communication between management and senior officers, senior officers and custodial officers, custodial staff and administration, and custodial staff and other staff is in a generally good state.

6.7 However, as discussed earlier in Chapter 4, communication between custodial staff and prisoners, and management and prisoners needs substantial improvement. There was a strong perception among prisoners that custodial officers were unhelpful and that important information was not always being appropriately relayed to the prisoners.

6.8 Custodial staff currently demonstrate cohesion and job satisfaction. However, this appears to be more derived from working with colleagues than prisoners. Only 10 per cent of staff surveyed believed that assisting prisoners is the most satisfying aspect of the job while 80 per cent believed that staff from across the prison work well together.²⁰¹

198 The PADS system had been changed 10 months prior to this inspection.

199 OICS, *Report of An Announced Inspection of Casuarina Prison* Report No. 68 (September 2010) Recommendation 2.

200 In the pre-inspection staff survey, 58 per cent cited this as good in 2011 compared to just 21 per cent in 2007.

201 Pre-inspection staff survey.

- 6.9 New intakes of staff from the Academy were well integrated with existing staff. New staff members were finding EGRP to be a good learning experience and felt well supported by existing staff.

Gender Balance

- 6.10 At the time of the inspection the prison had a reasonable gender balance overall, with 25 female and 40 male staff. However, the lack of a female officer's presence in the female unit is a recurring problem at EGRP. Currently the roster often shows two male officers rostered in the female section of the prison. Where possible, the allocation of a female officer into the female unit should occur. This need not be on a rostered basis (selective rostering) but can be conducted by reallocating duties to the officer on the day. The filling of the vacant WSO position would help alleviate the need for this in some cases.

Training

- 6.11 Senior officers and custodial officers felt training at EGRP was good and responsive to their needs. However, senior officers felt access to Academy courses was inadequate. Senior officer's problems with access to Academy training particularly related to supervision and management courses. Officers stated that the Academy needs to run courses more frequently. It was generally felt that there was a need for more regional training. One custodial officer identified a problem in the lack of emergency response training which he stated needed to be given three times a year.

Recommendation 15

Ensure adequate delivery of Academy courses to EGRP staff.

Support

- 6.12 Custodial officers felt they had experienced positive staff and management changes in the past six months. Senior officers generally felt well supported and felt that they were enjoying a period of stable administration and that management was 'approachable'.
- 6.13 Senior officers complained about the lack of regional incentives and allowances for staff working at EGRP, particularly as rents are expensive because of the mining boom. There were particular concerns about the lack of an air-conditioning subsidy, lack of travel allowance for holidays, and lack of flight/mileage allowance. The EGRP redevelopment business plan cites regional incentives and allowances as costs to be factored into the redevelopment. The Department should therefore consider whether there are any options with respect to incentives or allowances for current staff during the transition period.²⁰²

202 DCS, *Capital Works Business Case, Eastern Goldfields Regional Prison Redevelopment*, vol 1, (2008), Risks, Option 1.4.

SECURITY AND SAFETY

- 6.14 The perimeter fence is appropriate for a minimum security prison, though past security reviews have recommended upgrading the fence to a standard equal to Wooroloo and Karnet.²⁰³



*Perimeter Fence*²⁰⁴

- 6.15 The fence is becoming old and appears to be constantly in need of repair. The maintenance of the fence is increasing, and holes are mended as soon as possible. Some sections of the fence have been renewed. Provided the fence is maintained as well as it is currently, it should be sufficient until the new prison is completed.
- 6.16 The prison has processes in place to assist with the monitoring and prevention of contraband being thrown over the fence into the prison through cameras, checks and patrols.²⁰⁵ These measures satisfy the Inspectorate's Inspection Standards for Adult Custodial Services 18.1 and 18.2.²⁰⁶
- 6.17 The women's unit houses minimum, medium and maximum security female prisoners. The layers of security for a maximum security unit are not present although good risk assessments of each prisoner appear to be undertaken upon arrival. Like the male minimum security unit, the female unit has razor wire around the roof securing access from the open quadrangle of the unit and onto the roof.

203 DCS, *Security Review Eastern Goldfields Regional Prison: Audit of Security and Emergency Management* (April 2006) 19–20.

204 Photograph taken during previous (2008) inspection. The fence, although deteriorating, appears much the same as depicted.

205 DCS EGRP, Local Order C03, 'Duty Statements Night' 1–3.

206 OICS, *Inspection Standards for Adult Custodial Services* (19 April 2007) standard 18.1 requires that 'security arrangements should be in place to detect and secure any contraband that may be left or thrown where prisoners may be able to retrieve it', and standard 18.2 requires that 'where low or minimum-security fences and gates are constructed around minimum-security prisons, these should be supplemented by robust procedural and dynamic security measures'.

Razor Wire

- 6.18 The previous report’s observation that ‘there are more grilles and razor wire around the internal areas of EGRP than any other comparable prison,’ remains true today.²⁰⁷ Razor wire is one of the most lethal items in the prison environment. It cannot be controlled by an officer and although it is thought to have a high deterrent factor, history has shown that prisoners will still try to escape through razor wire.²⁰⁸
- 6.19 Currently the low height of the roof in Unit 2 makes the razor wire easily accessible to prisoners. A recent escape involved a prisoner clambering onto the Unit 2 roof and crawling through wide gaps in the wire.²⁰⁹ This demonstrates that the razor wire is not effective in preventing escapes.
- 6.20 And although the prisoner was not significantly harmed, there was a risk that he would be caught in the wire. In these circumstances, EGRP staff would have faced the task of extraction – a task for which they have no adequate equipment or training. EGRP like other Western Australian prisons lacks officers trained in the extraction of a person from razor wire, particularly at height.²¹⁰ Untrained officers attempting extraction could increase the injuries of a person caught in the wire, or inflict injuries upon themselves.
- 6.21 The risk posed by razor wire has been a longstanding issue for EGRP. The Security Manager had been instructed to develop a MOU with the local Fire and Emergency Services Authority (FESA) group for the extraction of a person from the razor wire should it occur; however, FESA have responded that they lack capacity for this work.²¹¹ Despite the recommendations made by the EGRP Security Review of 2006, no adequate action has been taken to develop procedures for the extraction of a prisoner caught in the razor wire.²¹²



Razor wire on Unit 2 Minimum Security Roof
[Note how easy access to the wire is. Note basketball on the roof and garden shed making access even easier].

207 OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008) [1.5].
 208 For example, at Roebourne Regional Prison in June 2004 a prisoner attempting to escape was caught up in the razor wire. Information from TOMS, Incident Reports.
 209 EGRP prison escape on 8 April 2011.
 210 Particularly the regional prisons.
 211 Information provided to the inspection team by EGRP security staff.
 212 DCS, *Security Review Eastern Goldfields Regional Prison – Audit of Security and Emergency Management* (April 2006) 83.

Recommendation 16

Provide equipment, extraction training, and a rapid response capacity for the use of razor wire, or provide alternative security measures.

Emergency Management

- 6.22 The Emergency Management Plan for EGRP was reviewed and updated in 2009 in line with recommendations in the DCS Security Review of EGRP in 2006.²¹³ However, it appears to be a generic plan that has been adopted by the prison from another prison or head office with no or little adjustments made to reflect the local conditions and resources available.²¹⁴ For example, references throughout the plan to ‘fence retrieval’ give broad statements but no specific instructions.
- 6.23 The plan does however appear to meet the expectations of the OICS *Code of Inspections Standards for Adult Custodial Services* in that they address the potential for natural disasters such as cyclones, flooding and bushfires where relevant.²¹⁵ Existing EGRP emergency plans for earthquakes proved successful during the recent earthquake in the area.
- 6.24 There have been a number of emergency management exercises conducted at EGRP over the past 12 months with inclusions of outside agencies. One exercise conducted in May 2010 had three scenarios and several participants from outside agencies including Western Australian Police, FESA and Kalgoorlie Ambulance Service. In all there have been three desk-based exercises and seven live exercises conducted since January 2010. Debriefs and assessments of the exercise were undertaken and exercise reports filed.²¹⁶ It is commendable that there had also been an exercise run at the Mt Morgan’s Work Camp.²¹⁷

213 Ibid, Recommendation 197.

214 The Security Manager informed the Inspectorate that he was in the process of updating locally relevant new Emergency Management Plans for EGRP.

215 OICS *Code of Inspection Standards for Adult Custodial Services* (19 April 2007) Standard 62.

216 Copies of the Emergency Management Exercise Reports were supplied by the EGRP Security Manager.

217 Exercise conducted at Mt Morgan’s Work Camp 1 July 2010.

Appendix 1

THE DEPARTMENT'S RESPONSE TO THE RECOMMENDATIONS

Recommendation	Acceptance Level/Response
1. Develop and implement processes for region-specific and Aboriginal-centred throughcare, together with a detailed monitoring and evaluation plan.	Supported – existing Department initiative The Department's Integrated Offender Management project is a key priority over the next financial year. This project will look at establishing and improving systems in order to better cater for the throughcare of offenders transitioning between community and custody. Existing initiatives, such as joined-up corrections, service agreements with non-government agencies, and Aboriginal Services Committees ²¹⁸ (about to be established at EGRP) aim to reduce Aboriginal disadvantage within the Western Australian prison system.
2. Implement measurable strategies to increase the number of Aboriginal prisoners from this region who are eligible for minimum security status and associated programs and treatments.	Supported in principle The Department conducts a prisoner assessment process for all prisoners. Where a prisoner who historically predominantly resides in the Goldfields/Ngaanyatjarra region "scores" a minimum security rating they are transferred to EGRP via the earliest available escort. It is not appropriate to have a separate classification system for Aboriginal prisoners.
3. Put better systems and resources in place for release planning and re-entry into the community for all prisoners from the Goldfields/Ngaanyatjarra region. In particular, where security allows, displaced prisoners should be given more time at EGRP before release.	Supported – existing Department initiative The Department already has systems and resources in place for release planning and re-entry into the community for all prisoners. When the Warburton work camp is in operation this will increase the opportunity to provide displaced prisoners more time at EGRP before release. Further, the aim of Aboriginal Services Committees (about to be established at EGRP), mentioned in Recommendation 1, is to reduce Aboriginal disadvantage within the Western Australian prison system.

218 Aboriginal Services Committees aim to reduce Aboriginal disadvantage within the Western Australian prison system and effectively manage Aboriginal prisoners. Strategies to achieve this are framed around the areas of governance, education, employment, health, supportive communities and housing. Each prison is expected to have an Aboriginal Services Committee. EGRP will establish an Aboriginal Services Committee in the near future.

THE DEPARTMENT'S RESPONSE TO THE RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>4. Ensure all staff who work with female offenders attend the five-day <i>Working with Female Offenders</i> training course.</p>	<p>Supported</p> <p>The <i>Working with Female Offenders</i> program is currently a two day course delivered by the Department's Training Academy. This training can be delivered by a Satellite Trainer to staff at regional prisons.</p> <p>The Department is supportive of providing <i>Working with Female Offenders</i> training to staff who work with female offenders. This training will be made a priority.</p>
<p>5. Provide programs to address the needs of all women who have been convicted of violent offending, including those at high risk of violent re-offending, both at Eastern Goldfields and at other prisons.</p>	<p>Not Supported</p> <p>To date, there have been no programs for high risk violent women developed or delivered in Australia, nor have there been criminogenic programs targeting regional, traditional Aboriginal female offenders. There are several reasons for this, including the demand not being sufficient and that the needs of female offenders are unique and complex.</p>
<p>6. Implement an intensive recruitment drive for Aboriginal staff, with a strong focus on employment relating to rehabilitation, reparation and re-entry.</p>	<p>Supported</p> <p>Culturally appropriate recruitment, selection and assessment tools are being piloted for the West Kimberley Regional Prison which are intended to be utilised for EGRP recruitment associated with the redevelopment of the prison. Local recruitment and training, including pre-employment training will be undertaken to enhance the prospect of recruiting a high number of Aboriginal people from the region.</p>

THE DEPARTMENT'S RESPONSE TO THE RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>7. Develop dynamic community engagement inside and outside the prison, including (i) a workable solution to the ongoing lack of an active Aboriginal Visitors Scheme and Elders program; and (ii) more structured and more frequent consultation with relevant communities regarding the Warburton Work Camp.</p>	<p>Supported in part</p> <p>The Department supports dynamic community engagement inside and outside the prison. However, it does not support the examples highlighted in the recommendation. The AVS does not perform a community re-entry role. The service was established with its principal role being suicide prevention.²¹⁹ Aboriginal Services Committees (about to be established at EGRP) facilitate consultations with community based stakeholders (refer to Recommendation 1).</p> <p>Two Aboriginal visitors have been employed at EGRP since the inspection. In addition, the project manager and prison staff (including the Commissioner on two occasions) have regularly briefed the Warburton community.²²⁰</p>
<p>8. Ensure that EGRP is fully maintained to an appropriate level, pending the new prison.</p>	<p>Supported in part</p> <p>The Department is committed to the provision of a safe and secure environment for staff and prisoners at an appropriate level. A new prison will be established in the Goldfields and until the new prison is fully operational the Department will ensure the current facility remains at a standard to deliver the current level of service.</p>

219 While the immediate purpose for the establishment of the AVS following the Royal Commission into Aboriginal Deaths in Custody may have been suicide prevention, this has expanded considerably over the years, a fact that has repeatedly been stated by the Department through its own materials, policies and public press releases. For example, just this year the AVS Manager publically stated that its role included being a conduit into the community (see [4.12] - [4.14] of this Report). The Department's response is therefore confusing and unhelpful.

220 Some consultations occurred in 2009 but in March 2011, local people clearly and universally communicated to the Inspector that they felt excluded from the process and that, to the extent that there had been 'visits' by people from the Department, there had been no real engagement. This was further evidenced by the fact that they had no idea of the projected opening date, little sense of the potential role of the work camp in the communities and, in many cases, a false sense of how many prisoners would be able to access the camp. In addition, information subsequently provided in response to the draft of this Report confirmed that no effective engagement had occurred during 2010 (see [4.25] - [4.32] and [4.46 - 4.48]). We have been informed that consultation processes have been strengthened since our concerns were raised and that one of the discussions occurred only in June 2011.

THE DEPARTMENT'S RESPONSE TO THE RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>9. (a) Install suitable climatic controls to reduce air temperatures and to increase cool air circulation in Unit 2 and 3 prisoners' cells at EGRP.</p> <p>(b) Explore and implement other management measures to reduce the impact of the harsh climate.</p>	<p>Supported in part</p> <p>(a) Not supported. The existing prison is scheduled for demolition. The new prison will have climate control.</p> <p>(b) Each cell in Units 2 and 3 is provided with a fan. Some fans are ceiling mounted while others are a pedestal design. EGRP will consider how changes to the daily routine can reduce the impact of the harsh climate. The design of the new prison will include climate control measures.</p>
<p>10. Ensure that health services, including comprehensive support in respect of chronic disease management, blood borne viruses, and alcohol and substance use, are commensurate with those provided in the metropolitan area.</p>	<p>Supported – existing Department initiative</p> <p>Inaccurate medical information was obtained from the Med Status Update screen on TOMS and not from accurate information obtained from ECHO.²²¹</p>
<p>11. Ensure the health centre is fully staffed and that the staff complement reflects the prisoner profile (i.e. includes female and Aboriginal staff).</p>	<p>Supported</p> <p>The Health Services Directorate is currently recruiting in EGRP and the process should be finalised by the end of June 2011. There are currently two vacant full-time FTE for which suitable applicants have been identified including a female clinical nurse of Aboriginal descent.</p>

²²¹ The Inspectorate acknowledges the disparity between the Department's TOMS and ECHO databases (see [5.7]). However, that disparity does not affect our analysis and recommendation. Unfortunately, the Department has not addressed the substance of the recommendation.

THE DEPARTMENT'S RESPONSE TO THE RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>12. Develop and implement an Aboriginal healthcare strategy that recognises the cultural and gendered needs of the local prisoner population.</p>	<p>Supported – existing Department initiative The Department is currently consulting and benchmarking with various government agencies interstate to inform the development of an Aboriginal healthcare strategy that recognises the cultural and general needs of the local prisoner population. In addition, the Department is consulting with Edith Cowan University on its Review of Indigenous Offender Health publication, produced to give an overview of health issues facing the Indigenous offender population.</p>
<p>13. Implement ongoing monitoring mechanisms with respect to health services to ensure compliance with procedures and standards, to identify opportunities for improvement, and to ensure staff accountability for their clinical practice.</p>	<p>Supported – existing Department initiative The Health Services Directorate (HSD) has a number of internal and external monitoring mechanisms to ensure compliance in the workplace. The HSD has been formally accredited by the Australian Council on HealthCare Standards (ACHS) until March 2013, following an external inspection. The Council awards Accreditation status to those that demonstrate compliance with performance standards based on legal requirements and codes of practice. In addition, HSD have an ongoing Clinical Governance Program which assesses compliance to clinical standards. As part of this program a Senior Medical Officer conducts ongoing medical record audits and follows up on any issues where necessary. HSD has also increased the frequency of visits by senior clinical staff to regional sites to provide oversight.</p>
<p>14. The Academy should facilitate delivery of First Aid Mental Health Training for Aboriginals and Torres Strait Islanders for all staff working with Aboriginal prisoners.</p>	<p>Supported – existing Department initiative Mental Health First Aid for Aboriginal and Torres Strait Islanders is currently offered by the Academy and where possible through local providers. The demand for this course is significant and places are awarded to officers and staff throughout the state.</p>

THE DEPARTMENT'S RESPONSE TO THE RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>15. Ensure adequate delivery of Academy courses to EGRP staff.</p>	<p>Supported – existing Department initiative All courses related to supervision and management scheduled on the Academy’s calendar are available to staff throughout the state. In 2010, 53 courses related to these topics were made available through the Academy in the metropolitan and, where available, in regional areas.</p>
<p>16. Provide equipment, extraction training, and a rapid response capacity for the use of razor wire, or provide alternative security measures.</p>	<p>Supported The Manager Emergency Management with the Security Manager will review current emergency practices at EGRP to ensure appropriate arrangements are in place for incidents involving razor wire. During June 2011, the Department will meet with FESA to confirm the nature of assistance that can be provided by local emergency services to EGRP for incidents involving ‘at height’ razor wire retrieval.</p> <p>It is the Department’s intention to eventually eradicate razor wire from Western Australian prisons. In regards to EGRP, the Department’s Director for Security has authorised for razor wire to be removed from certain areas within the prison.</p> <p>This process will involve further discussions between the prison Superintendent and Director for Security.</p> <p>The new prison will not have razor wire.</p>

Appendix 2

PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation	Acceptance Level/Response	Current Status
1. A firm commitment be made to commencing the construction of a new prison for the region within the next two years.	<p>Supported, Subject to Funding</p> <p>The Department recognises the need to replace EGRP and has submitted a business case to Treasury for funding. At this point funding has not been received.</p> <p>The Department has received funding for planning and is using this funding to develop schematic designs for Phase One – the Male secure unit. A revised business case incorporating these schematic designs will be forwarded for funding in the 2009/2010 Capital Investment Plan submitted in October 2008. The Department is participating in a Gateway Review to ensure all required information is available for Treasury. This project is part of the Major Government Projects Taskforce list. Without funding for capital works the Department is unable to undertake further development of the new facility.</p>	Satisfactory
2. That local management, with support from the Women's Custodial Directorate, develop a local action plan – with measurable outcomes and clear timeframes – for the coordinated delivery of services and programs for women for EGRP.	<p>Supported in Principle</p> <p>The Women's Way Forward Strategic Plan, currently being developed by the Director Women's Custodial Services and Prison Farms, will enable EGRP to identify actions in their Business Plan for the delivery of appropriate women's centred services.</p> <p>The Business Plan reports on outcomes on a quarterly basis and identifies the persons responsible for directing the actions.</p>	Satisfactory

PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation	Acceptance Level/Response	Current Status
<p>3. That management investigate and develop a comprehensive strategy to ensure that all its prisoners achieve an adequate level of quality contact between them and their family and community.</p>	<p>Supported Prisoners at EGRP are provided writing material free of charge on request as well as increased free telephone calls to their families and communities as per the requirements of PD 36. This has been verified through the recent post inspectorate liaison visit. Additionally, tea and coffee making appliances will be re-installed in the maximum visits area sometime in 08/09. Cold drink machines are accessible in both visit areas. Play ground facilities for children will be considered in 08/09.</p>	<p>Less than satisfactory</p>
<p>4. It is recommended that the Department fund health services to a level that enables prisons to provide services commensurate with their identified needs.</p>	<p>Supported in Principle The Department is currently provided a level of service which can best be achieved at this time, given the current infrastructure; funding available and availability of staff in remote and rural areas. Health Services currently competes with other priorities in the Department, and like other government agencies is experiencing difficulties in attracting and retaining staff in rural and remote areas. Notwithstanding these difficulties, the Department has a model in place to bring Health Centres in line with community standards of health care.</p>	<p>Less than satisfactory</p>

PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation	Acceptance Level/Response	Current Status
<p>5. That the Department markedly increase the availability of and access to programs to a level such that prisoners are not detained in prison solely due to the unavailability of programs addressing their offending behaviour.</p>	<p>Supported The Department agrees with Recommendations 5 and recognises the need to increase the availability of programs to prisoners. A range of initiatives is currently underway to achieve this goal. These include a review of the business model for the provision of offender services and the establishment of a clinical governance unit to develop and monitor a range of programs to meet prisoner needs. Increasing programs for indigenous offenders at EGRP has been a historically challenging task and the Department recognises the need to develop culturally appropriate and responsive programs that are relevant to Indigenous meaning making systems while also having the strongest potential to lead to offender behaviour modification and rehabilitation. Initiatives are also underway to address this need and include an increased focus on the recruitment of staff for EGRP and the proposed establishment of an Indigenous Clinical Interventions Unit to enhance program delivery in regional locations.</p>	<p>More than satisfactory</p>

PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation	Acceptance Level/Response	Current Status
<p>6. That the Department expeditiously research and make available a range of non-program interventions that go at least some way to assisting an offender reintegrate into the community.</p>	<p>Supported The imminent introduction of the Prisoner Employment Program scheduled for August 2008 will see an Employment Coordinator at Eastern Goldfields. The Prisoner Employment Program (PEP) provides minimum security prisoners with the opportunity to engage in meaningful and sustainable paid employment, work experience, vocational training and education in the community 3 months prior to release. The role of these coordinators will be to assess a prisoners needs and develop a program which includes skills training and job seeking techniques as well as any other personal development training such as literacy/numeracy etc. This in itself prepares prisoners for meaningful employment. It is expected that the prisoner will continue with the employer after release. The Prisoner Employment Program will allow prisoners opportunity for rehabilitation and reintegration into the community in anticipation of their imminent release.</p>	<p>More than satisfactory</p>
<p>7. The Superintendent should ensure that a high priority is given to facilitating community involvement in the operation of the prison by a range of community groups and agencies representative of the prisoner population.</p>	<p>Not Supported EGRP has recently joined with the Aboriginal Justice Agreement representative and organised and attended meetings at Laverton Community. In the near future, it will conduct further meetings at Leonora, Wiluna and potentially Warburton Community to facilitate community consultation in the management of prisoners. This is in addition to other regular meetings with various stakeholders. As part of the planned prison re-development, EGRP along with departmental representatives and other consultants meet and engage with community representatives from a number of regions in relation to prison design and potential operation.</p>	<p>Satisfactory</p>

PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation	Acceptance Level/Response	Current Status
<p>8. That EGRP management, in conjunction with its community, be supported in efforts to explore and set a new custodial management focus for the prison.</p>	<p>Supported EGRP in conjunction with the Regional Prisons Project Team for the proposed construction of a new facility has commenced engaging the community with a view to identify and establish a new custodial management focus of working with aboriginal prisoners. This approach will include collaborating with aboriginal people to provide culturally appropriate services and programs as well as establishing and maintaining strong links between aboriginal prisoners and their families and home communities. It is hoped that by engaging aboriginal people from the Goldfields Region that improved and sustainable custodial services to Goldfield Aboriginal prisoners will be attainable.</p>	<p>More than satisfactory</p>
<p>9. That the Department ensure that EGRP's business planning and any service level agreement or resource arrangement enable the prison to deliver to its role and function. In making this recommendation, this Office rejects the view that the Department's current arrangements are sufficient to enable advancement of custodial management in the Goldfields region.</p>	<p>Supported The Department is currently examining the resources allocated to management teams in all prisons. Once the new custodial management options have been identified, EGRP will incorporate these options into the annual business planning process and budget for required resources accordingly.</p>	<p>Satisfactory</p>

PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation	Acceptance Level/Response	Current Status
<p>10. That the Department fundamentally review and change its whole strategy for attracting, recruiting, training and retaining Aboriginal staff.</p>	<p>Supported</p> <p>The Department of Corrective Services in partnership with Challenger TAFE have developed an Indigenous pre-employment training program that will be piloted this year in the metropolitan region. The training program will then be delivered in the Eastern Goldfield and Kimberley regions targeting local Indigenous people. The program has been designed to overcome the barriers Indigenous people experience in the recruitment process, in particular Prison Officers. The training will provide Indigenous people with the necessary skills to meet the minimum standards required by the Department for Prison Officers, which in turn will increase the number of Indigenous people within the Department in regional areas. It is anticipated that the pre-employment training program will be delivered in the Goldfield region next year.</p>	<p>Less than satisfactory</p>

Appendix 3

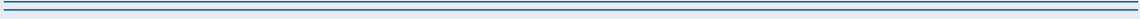
THE INSPECTION TEAM

Professor Neil Morgan	Inspector
John Acres	Principal Research and Strategy Officer
Janina Surma	Research and Inspections Officer
Joseph Wallam	Community Relations Officer
Jim Bryden	Research and Inspections Officer
Matt Merefield	Research and Inspections Officer
Elizabeth Re	Research and Inspections Officer

Appendix 4

KEY DATES

Formal notification of announced inspection	5 October 2010
Pre-inspection community consultation	13 January 2010
Start of on-site phase	30 January 2011
Completion of on-site phase	4 February 2011
Inspection exit debrief	4 February 2011
Draft Report sent to the Department of Corrective Services	13 May 2011
Draft Report returned by the Department of Corrective Services	3 June 2011
Declaration of Prepared Report	21 June 2011



THIS PAGE LEFT INTENTIONALLY BLANK



THIS PAGE LEFT INTENTIONALLY BLANK



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

www.oics.wa.gov.au

Level 27, 197 St George's Terrace, Perth, Western Australia, Australia 6000
Telephone: +61 8 9212 6200 Facsimile: +61 8 9226 4616