



REPORT OF AN ANNOUNCED INSPECTION OF
BROOME REGIONAL PRISON

77

MARCH 2012
REPORT

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OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

**Report of an Announced Inspection of
Broome Regional Prison**

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The Inspector's Overview

BROOME REGIONAL PRISON: PROGRESS HAMPERED
BY AN UNCERTAIN FUTURE

INTRODUCTION

This is the report of an announced inspection of Broome Regional Prison (Broome) conducted in September 2011. Previous inspection reports by this Office have raised serious concerns about Broome's ailing physical infrastructure and its general performance and 'culture'.ⁱ This report is rather more positive in that we found evidence of some improvements in both infrastructure and culture, but there remained several areas of concern.

At the time of the inspection, however, I was very concerned at the unmistakable fragility of the progress which had been achieved.ⁱⁱ There were three main reasons for this fragility. First, many of the management and cultural changes had been prompted by the appointment of a new superintendent in 2010 and needed more time to bed in. Secondly, some infrastructure and maintenance problems remained. Last but not least, Broome's future was clouded in uncertainty given the scheduled opening of the new West Kimberley Regional Prison (Derby Prison) in mid-2012.

These factors not only affected the prison at the time of the inspection but also increased the risk that performance would slip back and that staff would become progressively more disillusioned or disengaged.

INFRASTRUCTURE AND OVERCROWDING

There has been significant investment in Broome's physical infrastructure since 2007, totalling more than \$11 million. A demountable 'earned privilege' unit has been installed for minimum security male prisoners and the other male minimum security units have undergone some renovation. The female unit and the male maximum security unit have been substantially upgraded, with improvements to the facilities themselves and the installation of air conditioning. New health, and education centres have been opened and a new perimeter fence and new administration buildings have been constructed.

However, despite these investments and improvements, the options for further redevelopment are limited given the small size of the site. Conditions at the prison also remain confined and restrictive. In the male minimum security area, which is the least restrictive but most overcrowded part of the prison, it is not uncommon for six and sometimes more prisoners to be sharing hot, cramped cells, the maximum decent capacity of which would be three people. Fortunately, some of the minimum security prisoners are able to engage in work and recreation out of the prison and the relaxed arrangements for visits also helped to alleviate the situation. The women's unit and the maximum security unit still have serious limitations: despite their upgrades, they offer a cage-like and listless environment, with only limited opportunities for positive activity.

i This Office is not alone in having held concerns about accountability and other practices at Broome Prison. For example, the Ombudsman has also investigated and made recommendations with respect to complaints handling processes, with particular reference to Broome: see Ombudsman Western Australia, *Annual Report (2003-2004)* 33 and *Annual Report (2007-2008)* 19.

ii These concerns were expressed in the exit debrief at the prison on 23 September 2011. Exit debriefs are circulated to the Department of Corrective Services and the Minister's office.

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Unfortunately, the new health centre and education centre have suffered from poor design and/or construction. Both have been affected by rain damage and the health centre has had to be closed on occasions due to mould. We also found that many of the bunk beds failed to meet the Department's own safety standards and posed a risk of injury from a fall and consider this to be something which can be remedied with minimal cost.ⁱⁱⁱ

CULTURE AND ACCOUNTABILITY

It was clear from previous inspections and regular visits that by 2010, the vast majority of staff were keen for change and that they welcomed the new superintendent's appointment. This report found improvements in management processes and in the general culture of the prison. Most notably, allegations of bullying and racism, previously made by both prisoners and staff, had reduced markedly since 2008.

By the time of the inspection, however, several staff complained that the new management practices had gone too far and constituted unnecessary 'micro-management'. We examined these claims and were satisfied that, for the most part, the changes represented good management and involved a genuine attempt to ensure that past mistakes were not repeated. Overall, clarity, consistency and accountability had undoubtedly improved.

PLANNING FOR BROOME PRISON AND KIMBERLEY CUSTODIAL SERVICES

Broome's future is inextricably tied up with the opening of the new prison at Derby and at the time of this inspection, Derby's scheduled opening was only nine months away. Broome's infrastructure issues, its location on valuable land in the centre of town, and its relatively high cost per prisoner raised obvious questions with respect to its future role and viability. Given these factors, it was reasonable to anticipate that we would find or be provided with evidence of the following:

- (i) An operating philosophy and operational plans for Derby, including a staffing model;
- (ii) A vibrant proactive engagement with Broome Prison so that Derby could draw on its experience of delivering services in the Kimberley to predominantly Kimberley prisoners, including the development of strong community links;
- (iii) A plan for the future of Broome or a set of options for consideration;
- (iv) Meaningful engagement with staff at Broome with respect to the future role of the two prisons and potential employment opportunities at both;
- (v) A 'custodial plan' for the Kimberley region, articulating the functions of Derby and Broome Prisons and the Wyndham Work Camp in delivering services to the region;
- (vi) Strong engagement with Kimberley Aboriginal organisations; and
- (vii) Detailed analysis of the 'knock on' effects of the new Derby Prison for the rest of the prison system (especially those prisons such as Greenough and Casuarina which have hitherto held significant numbers of Kimberley prisoners).

iii See Recommendation 7 and the Department's response to that recommendation.

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Unfortunately, the Department of Corrective Services declined our requests to provide an advance briefing on such matters. On the ground, we found little or no evidence that they were being actively pursued or adequately progressed.

Inevitably, the resulting uncertainty was having a detrimental impact on morale and confidence at Broome. Staff felt undervalued and displayed a dishearteningly flat and fatalistic attitude. Despite their many years of experience, they offered few concrete suggestions for Broome in the future. The majority believed that in the short term it would operate as a place to hold people facing court appearances in Broome and that it would close completely within a relatively short timeframe.

BROOME'S FUTURE

Six months on, the Derby project has made tangible progress. An experienced project team was appointed during our inspection to get the project back on track and it is a tribute to the members of that team that Derby should be able to receive its first prisoners in the second half of 2012. However, it will undoubtedly take a good deal of time before Derby will meet its potential and promises in terms of innovation, community engagement and 'new ways of doing business'.^{iv}

However, there has been no announcement with respect to Broome's future role and, unfortunately, recent visits suggest that morale and confidence have slipped further in the last six months.^v

The prisoner profile will obviously change at Broome, and I am very pleased that the Department accepted our recommendation that the female prisoners be transferred to Derby as a priority.^{vi} However, one of the more interesting logistical challenges arising from the decision to build the new prison in Derby is that the main West Kimberley court is still in Broome.

Until recently, the Department's view appeared to be that Broome's future role would be that of a small short term holding place for people appearing in the court. However, I believe that there are other options and that, with Derby not yet open, it would be premature to cut back significantly on Broome's operations, until a decision has been taken on its long term future. In the short term, if the prison was to be run solely for remandees, we would likely see a rapid deterioration in the physical infrastructure in which investment has so recently been made. Broome's positive community based achievements, including the opportunities for prisoners to acquire useful skills, would also be lost.

In my view, possible options for a broader operation – at least over the next few years – include housing selected minimum security prisoners (including Aboriginal men from the Broome area and Indonesian prisoners) who are approved for external community work at the prison. This has particular pertinence given that it seems unlikely that there will be significant community work options out of the new Derby Prison until, at the earliest, the latter part of 2013 or 2014.

iv See, for example, Recommendation 4.

v The WA Prison Officers' Union has also voiced its concern at the additional stress generated by the uncertainty: see *Broome Regional Prison's Future in Jeopardy*: media release, WAPOU, 22 February 2012.

vi See Recommendation 8

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BY AN UNCERTAIN FUTURE

The Department is currently undertaking a more rigorous analysis of the potential options and their costs. Although this is overdue, and an announcement does need to be made at the earliest opportunity with respect to Broome's future, it is also important not to rush a decision simply to compensate for belated planning.

WORK CAMPS

Work camps, not just prisons, play an important part in the management and reintegration of prisoners, especially in the regions. In March 2011, Bungurun Work Camp near Derby was closed. While Bungurun had undertaken some valuable community work the facilities themselves were poor and the opportunities for skill development were limited.

The only work camp in the Kimberley is now at Wyndham. The facilities at Wyndham are excellent – modern, purpose built and high quality. Wyndham has capacity for up to 40 prisoners but it has been operating well below capacity. From January to October 2011, numbers were generally between 14 and 19. From November 2011 to February 2012, there were 11 prisoners there. Currently, numbers have dropped to just 9.^{vii}

There are two main factors behind this under-use. The first is inadequate staffing and the second relates to the criteria and assessment processes for prisoners to be placed at a work camp. The Department has accepted our recommendations on both these matters and states that it is assessing the situation.^{viii} The issues have been known for some time: it is time for action, a better return on the investment of public funds, and more holistic planning for Kimberley prisoners.

Neil Morgan
16 March 2012

vii Similarly, Warburton Work Camp has a capacity of 30 but has held no more than seven prisoners since it opened in September 2011: see Department of Corrective Services, *Weekly Offender Reports* (<http://www.correctiveservices.wa.gov.au/about-us/statistics-publications/statistics>).

viii See Recommendations 11 and 12.

Fact Page

NAME OF FACILITY

Broome Regional Prison

LOCATION

Broome Regional Prison is located approximately 2174 kms north of Perth.

ROLE OF FACILITY

Broome is predominantly a minimum security facility which also caters for short term medium and maximum security prisoners, both male and female. Aboriginal prisoners represent 80 per cent of the Broome prisoner population. Broome Regional Prison also manages the Wyndham Work Camp.

BRIEF HISTORY

Broome Regional Prison is the oldest operating prison in Western Australia and was opened in 1945. The prison is located in the main street of the township of Broome. Broome Regional Prison at the time of the inspection was the only prison serving the Kimberley area.

LAST INSPECTION

Announced Inspection – March 2007

Announced Follow-up Inspection – May 2008

DESIGN CAPACITY OF PRISON

66

NUMBER OF PRISONERS HELD AT TIME OF INSPECTION

121 – including 11 prisoners at Wyndham Work Camp.

Chapter 1

SETTING THE SCENE

BROOME REGIONAL PRISON – INSPECTION HISTORY

- 1.1 Broome Regional Prison (Broome) is the oldest prison in the state and is located in the heart of the Broome township on the main road. Broome was originally one of two prisons in the Kimberley, the other being Wyndham Regional Prison which served the East Kimberley. In 1993 Wyndham Regional Prison was closed and Broome became the only prison in the Kimberley region. Broome is predominantly a minimum security facility which also caters for short term medium and maximum security prisoners, both male and female. Aboriginal prisoners represent 80 per cent of the Broome prisoner population.
- 1.2 Broome has had four previous inspections, the first of which was conducted in June 2001. Subsequent inspections occurred in May 2004, March 2007 and May 2008. In September 2011, the Office of the Inspector of Custodial Services (the Office) carried out the fifth announced inspection of Broome, which is the subject of this Report.
- 1.3 Between the first and second inspections of Broome, two work camps (operated by the prison) were established in the Kimberley. Bungarun Work Camp (located just outside Derby) and Wyndham Work Camp (located just outside Wyndham) opened in March 2001 and July 2002 respectively. The work camps increased the capacity of Broome, enabling it to retain more prisoners from the Kimberley.
- 1.4 The 2001 inspection found Broome to be an ageing facility which was grossly overcrowded with the basic accommodation at the prison well below acceptable national standards.¹ This inspection also found problems with the way the women prisoners were treated. On the other hand, the inspection noted that some good work was being conducted by the prison in the community.
- 1.5 On 7 July 2001, eight days after this first inspection, the then Justice Minister announced the construction of a new \$50 million prison for the Kimberley. The Office welcomed this announcement, particularly given the closure eight years previously of Wyndham Regional Prison which had left Broome as the only prison to service an area of over 421,000 square kilometres.
- 1.6 When the Office returned to Broome three years later to inspect the prison a second time, however, the new Kimberley prison project had not been progressed. The 2004 inspection report noted that little progress had been made to address the problems identified in the previous inspection report and that the prison remained severely overcrowded despite the opening of the work camps.
- 1.7 The Office actively advocated that any new facility in the Kimberley be shaped by a Kimberley-wide correctional strategy and therefore was involved in creating the Kimberley Aboriginal Reference Group to consult Kimberley communities to develop such a strategy. In 2005, the then Minister of Justice appointed nine members to the Kimberley Aboriginal Reference Group to consult with Aboriginal people throughout the Kimberley region of Western Australia to inform the development of the state government's Kimberley Custodial Plan.²

1 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 6 (June 2001).

2 Kimberley Aboriginal Reference Group – *Kimberley Aboriginal Reference Group's initial recommendations toward the Kimberley Custodial Plan* (October 2005) 1.

SETTING THE SCENE

- 1.8 In March 2007 the Office inspected Broome for a third time. Despite the 2001 announcement of a new Kimberley prison and this Office's subsequent recommendations for two new 'full service' prisons located in the East and West Kimberley, there had been no developments in this regard.³ In April 2007, the Western Australian Government announced a major upgrade of infrastructure for Broome.⁴
- 1.9 The third inspection uncovered heightened levels of anxiety amongst staff at Broome about their place in the system should a new prison be built in Derby. The announcement of the \$11.2 million refurbishment of Broome provided relief to staff who took this investment to signify that Broome still had a major role to play in the prison system.
- 1.10 The inspection found that, although there had been improvements in many areas, overcrowding was still a concern. Further, some staff showed inappropriate racist and punitive attitudes towards some of the prisoners and allegations of bullying among staff, among prisoners and staff to prisoner were rife.⁵
- 1.11 Shortly after the 2007 inspection, the then Minister for Corrective Services again announced that a new prison would be built in the Kimberley. This announcement set the location of this new prison as Derby, reflecting the recommendations put forward by the Kimberley Aboriginal Reference Group in October 2005.⁶
- 1.12 Following the publication of the 2007 inspection report and through this Office's continuous inspection process, the Office became concerned that the racist attitude toward some prisoners and bullying of prisoners by some staff at Broome was increasing.⁷ The Office's concerns were supported by complaints to the Office from staff at Broome about their peers and their treatment of the prisoners of Broome. This led the Office to conduct a short-notice follow-up inspection in May 2008 which confirmed the lack of progress against the recommendations of the 2007 inspection report including those that were designed to address the issues of bullying and racism.^{8,9} This follow-up inspection also provided the Office with the opportunity to explore the progress and the impact on the prison of the \$11.2 million refurbishment of Broome which had commenced in 2007.
- 1.13 The 2008 follow-up inspection findings led to two recommendations. The first was the appointment of a reinvigorated management group, and the second related to adequate staffing levels across the prison.¹⁰ In response to these recommendations, the Department made some attempts to revitalise the management team, however these were short lived.¹¹ In addition to this the long-standing superintendent of the prison has since retired and a new superintendent was appointed in August 2010.

3 OICS, *Directed Review of the Management of Offenders in Custody*, Report No. 30 (November 2005) 95.

4 The Hon Margaret Quirk, Minister for Corrective Services, *Broome prison upgrade set to commence*, media statement (5 April 2007).

5 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 10.

6 Kimberley Aboriginal Reference Group – *Kimberley Aboriginal Reference Group's initial recommendations toward the Kimberley Custodial Plan* (October 2005) 2, Recommendation 2.

7 Ibid.

8 OICS, *Report of the Short Follow-up Inspection of Broome Regional Prison*, Report No. 56 (November 2008).

9 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 28-33.

10 OICS, *Report of the Short Follow-up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) 16.

11 Placement of additional person in management at Broome for approximately 12 months.

THE 2011 INSPECTION

- 1.14 The fifth and current inspection of Broome commenced on Sunday 18 September 2011 and concluded on Friday 23 September 2011. Commencing on a Sunday has become a regular part of the Office's inspection process because it enables the inspection team to interview staff who may otherwise not be available during the inspection. It also enables the inspection team to engage with the prisoners during a more relaxed time in their prison routine.
- 1.15 Whilst previous inspections of Broome were driven by concerns and issues surrounding the prison, this inspection was conducted knowing that there had been large expenditure on facilities and staffing; that there had been less complaints from both staff and prisoners; and that a new superintendent had been appointed.¹² The inspection team approached this inspection with the expectation of finding positive improvements throughout the prison.
- 1.16 Before the inspection commenced, it was clear that the decision about Broome's future in light of plans for a new prison in Derby would influence all areas of the inspection and could possibly impact on the capacity of the Department and the prison to act on any recommendations put forward by the inspection team. The recommendations in this Report reflect Broome as it was as at the time of the inspection. Some recommendations may therefore become redundant if the role of Broome in the prison system changes.

THE DERBY MIST

West Kimberley Regional Prison Project (Derby Prison)

- 1.17 The plan to build a new Kimberley prison was announced in July 2001 and, as noted above, very little progress was made for some years. In his briefing to the inspection team at the commencement of the second announced inspection of Broome in May 2004, the superintendent of Broome estimated that construction of the new prison would take six years. The Department's own estimation at the time was that the new regional prison would not be operational until 2009.¹³ At the time of writing this Report, the new Derby Prison was expected to be operational by July 2012.
- 1.18 The inspection found that Departmental communication with regard to the impact of the new prison on the future of Broome had been minimal. Neither staff nor management at Broome were aware of what would become of the prison or whether their jobs would remain once the new prison became operational. The Inspector, in his exit debrief following the completion of the on-site inspection, referred to this lack of clarity as the 'Derby mist'.¹⁴

12 The number of complaints received by this office through Independent Visitors reports, prisoner correspondence and the number of complaints made through DCS and Ombudsman's office were less than during the last inspection period.

13 Department of Justice, Prisons Division, *Building and Infrastructure Program 2004/05 to 2007/08* (2004) 9.

14 Neil Morgan, Inspector of Custodial Services, *Exit Debrief, Broome Regional Prison* (23 September 2011).

- 1.19 The commissioning of this new prison presents a unique opportunity for the Department to focus on developing an operating philosophy that is informed by and appropriately reflects the culture and customs practised by Aboriginal people in the Kimberley region. Whilst every effort has been made to ensure the construction of the new prison remains on track, it appears that the Department has lapsed in its focus on the development of a sound operating philosophy. In addition, the Department is lagging behind in its recruitment of appropriate staff to the prison. At the time of the inspection, recruitment of staff had yet to commence and the only appointment that had been made to the new Derby Prison was the superintendent.¹⁵
- 1.20 During the inspection the Department assigned a project manager for the development of a team to assess the needs of the new Derby Prison and to support its superintendent in the development of a sound philosophy backed with a staffing model, operational framework and model to support that philosophy. The process of appointing staff into key positions to help assist with the development of the documentation and processes needed prior to the opening of the new prison also commenced. The second part of the project was for the determination of the role of Broome Regional Prison.
- 1.21 The Department's failure to communicate with staff about the impact of the new Derby Prison on Broome, combined with the delay in beginning recruitment for the new prison, may have compromised its capacity to attract experienced staff already working in the state's prisons who may have been interested in working in Derby. Clarity around staffing requirements for the new prison, provision of housing and other incentives as well as training opportunities had not been provided at the time of the inspection. The poor communication has also impacted on staff currently working at Broome who may be thinking of moving on prematurely in the light of the lack of information about their futures.

What About Broome?

- 1.22 The role of Broome, as it is currently operationalised, will inevitably change as the new Derby Prison comes on line. A number of different possibilities for the new role of Broome have been suggested to this Office, including its closure. This suggestion is not supported by this Office. In line with the Department's commitment to keep prisoners as close to their families as possible, the role of Broome in accommodating Kimberley prisoners close to home cannot be overstated.

15 Appropriately, the Department has appointed an Aboriginal superintendent to Derby Prison.

Chapter 2

BROOME TODAY

CAPITAL INVESTMENT

- 2.1 The \$11.2 million refurbishment project commenced in 2007 and was completed in 2010. This refurbishment included:
- Construction of a new perimeter fence;
 - Construction of new earned privilege cells;
 - Upgrade of and additions to the female precinct and attached new offices;
 - Construction of a new education centre and medical centre;
 - Upgrade of and additions to the male secure section; and
 - Construction of a new administration building.
- 2.2 These much needed upgrades have been recognised and valued by staff and prisoners with the administrative staff stating, for example, that their better working environment translated into them feeling more supported and happier in their employment.¹⁶
- 2.3 However, the very limited size of the prison site has restricted the refurbishment and, as a result, many of the rooms and workspaces, for example the education centre, is small and cramped.¹⁷ The site's limited size means there is no scope for industry or training facilities and recreation spaces are limited. A lack of soundproofing has also compromised the usefulness of rooms designed for program and counselling use. Whilst the refurbishment of the women's section and the minimum security section did improve the facilities, these units are still sub-standard when compared with their metropolitan counterparts.¹⁸
- 2.4 Though many of the changes to the facility were major and required rebuilding and relocation of facilities and services, none was more challenging than the construction of the new perimeter fence. Constrained by tight boundaries the new fence was constructed without encroaching on land outside of the boundary of the prison. Changes to the construction of the fence to achieve this have meant that it is in some cases closer to the new buildings than originally planned. The fence, although not aesthetically pleasant, has enabled improvements in the movement of maximum security prisoners within the prison.

Department and Prison Funded Projects

- 2.5 There have been further improvements to the prison which have been funded jointly by the prison and the Department. These include:
- Provision of a programs transportable;
 - Building a shower block for minimum security prisoners;
 - Covering of the outdoor visits area;
 - Refurbishment of minimum security cells;
 - Refurbishment of the reception area by provision of an additional toilet and enclosing the property storage area; and
 - Provision of a new transportable for the canteen.

16 Statements made during Administration staff meeting and individual meetings with administration staff during the 2011 inspection.

17 Broome Regional Prison's footprint is a total of 7,350 sqm.

18 See Chapter 4 for a more detailed explanation of the impact of the refurbishment of these units.

- 2.6 These improvements show commitment by the Department and the prison to enhancing the work environment for staff and improving the living areas of the prisoners. Administration informed the inspection team that there are more improvements planned to refurbish the kitchen and dining area. However, the inspection identified two other areas crucial to the prison's operations that are compromising the safe operations of the prison, and which are therefore arguably in equal need of refurbishment, these being the minimum security cells and the gatehouse.

Further Upgrades Required

- 2.7 The minimum security cells have recently been improved by prisoners who repainted walls, and replaced fittings and furniture. But, with six prisoners to a cell, conditions remain cramped and there is very little storage area for personal belongings.
- 2.8 As noted in previous reports, the minimum security cells have no form of temperature control other than the grills on either side of the cell. This means that prisoners can be exposed to strong winds and rain, as well as insects, when the grills are opened for air circulation.¹⁹ Recent capital works have brought maximum security cells up to an appropriate standard by enclosing the cells and providing air conditioning. The minimum security cells should be designed to the same standard and ideally the area should include more cells and accommodate fewer prisoners per cell.

Recommendation 1

Reconfigure the minimum security cells to ensure each cell is provided with adequate temperature control.

- 2.9 When entering the prison, persons are required to attend the office (gatehouse) and report to the officer at the window located on the end of the veranda. This area is a small, confined area and is located in a main thoroughfare. The adjacent entrance door opens into the lobby area of the gatehouse. The lobby is again a confined and cramped area which contains sign on sheets, notice boards, key safes, lockers, staff pigeonholes and other forms of storage. Entry into the control room area of the gatehouse is from the lobby and is restricted. The control room houses the senior officer, lobby officer and visits officer and, like the lobby area, it is quite small.
- 2.10 The gatehouse is not designed for the amount of furniture and equipment that has accumulated in the area. It is difficult to navigate and has become unfit for purpose. The area is often congested and doors opening into the area create the potential for occupational hazards. The issuing of keys and personal alarms is often hampered by the number of people in the area. Relocating the entry/exit door and installing an electronic key cabinet would mean less congestion in this area. Installation of electronic key cabinets in other prisons has resulted in fewer duties for the senior officer to perform, more accountable key control and improved security of the keys.

¹⁹ The prison canteen does not sell insect repellent: see Chapter 5.

- 2.11 These upgrades are essential. The current situation compromises the safe operations of the prison and so the upgrade should be prioritised as soon as a decision is made as to the future of Broome.

Recommendation 2

Upgrade the gatehouse and lobby area to create a more functional entrance to the prison incorporating an upgrade of the key control system to an electronic key safe.

Cost of Service Provision

- 2.12 Determining the true operational costs of Broome is a difficult task. Whilst the Department publishes some budgetary figures these do not reflect the full cost of the service. The prison's 2011/12 budget is a little over \$12 million, excluding education, programs, medical, maintenance and capital costs.²⁰ The real annual operating cost is therefore likely to be around \$14-15 million. With a daily average population of 80 prisoners, the cost of accommodating prisoners at Broome is approximately \$510 per prisoner per day.

- 2.13 As shown in the table below, the staff to prisoner ratio, and corresponding daily cost, at Broome is much higher than comparable prisons.

Prison	DAP ²¹	Staff to prisoner ratio	Officer to prisoner ratio	Approximate per day cost
Broome	80	1.07	0.69	\$510
Roebourne	161	0.65	0.42	\$270
Eastern Goldfields	106	0.77	0.46	\$230
Bunbury	375	0.53	0.30	\$160

- 2.14 The cost of service provision is generally higher in the Kimberley because of its remote location. To its credit, management at Broome have consistently remained within or very close to the budget since the last inspection. This is a notable achievement given increasing contracting, staffing and accommodation costs, and a growing workers' compensation and long-term sick leave burden. Since 2003 there has been an increase in staffing of over 80 per cent.

- 2.15 The cost per prisoner per day for Broome will never be on par with that of other Western Australian prisons but even though the cost per prisoner per day for Broome is high the Department has a commitment to help keep prisoners as close to home as possible. This factor alone should help guide the Department in establishing the future role for Broome once the new Derby prison opens.

20 Figures provided by the superintendent Broome Regional Prison.

21 Daily Average Population – figures supplied by DCS.

SENIOR MANAGEMENT

- 2.16 The May 2008 short follow-up inspection report recommended ‘that a reinvigorated management group be appointed to the prison with a clear brief from the Department of the priorities to take the prison forward’.²²
- 2.17 In response to this recommendation, the Department placed a person at Broome in a senior management role to reinvigorate the leadership in the prison. This position was in place for approximately 12 months and has since been removed.
- 2.18 In 2010 the superintendent of Broome retired and a new superintendent was permanently appointed. Upon arrival the new superintendent identified the need to redress the operational documentation and processes of the prison. The inspection found that staff had been initially supportive toward the new superintendent and the changes he put in place. However, at the time of the inspection, the inspection team noticed rumblings among some staff that some of the changes may not be for the better. These sentiments were reflected in the pre-inspection staff surveys.
- 2.19 In the staff survey, local management at Broome scored ratings that were considerably lower than those in other prisons inspected in 2011. The inspection revealed that there were three main reasons for the staff shift of support for the management of the prison:
- Alleged unfairness of both the process and the punishment in staff disciplinary proceedings;
 - Allegations of micromanagement; and
 - The lack of information regarding the new Derby Prison and future of Broome.
- 2.20 Although the Office does not comment on individual disciplinary proceedings and the manner in which they were conducted, it would be remiss to say nothing in this case. In fairness to the current superintendent some of the proceedings had been initiated prior to his arrival and in one case he did not preside over the hearing of the charges.
- 2.21 Many staff interpreted the new superintendent’s changed policies and practices and his scrutiny of past practices as micromanagement. However, the inspection team found that this was, for the most part, good management by a new leader whose responsibility it is to ensure that problems that have occurred in the past are not repeated.
- 2.22 There was also evidence of the Department micromanaging prison management with decisions that have in the past been made by superintendents now needing approval by head office. The load caused by additional compliance reporting requirements appears to hamper management's ability to circulate through out the prison on a regular basis. As with the prison’s management of staff there is a need for a balance to be found.

22 OICS, *Report of the Short Follow-up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) 16, Recommendation 1.

RELATIONSHIPS

With Head Office

2.23 During the inspection it was found that staff were concerned about the lack of communication from head office. Staff felt that there were very limited opportunities to raise issues with head office and that often when issues were raised they were not followed up. Staff attributed this lack of support to the prison's remote location and believed that they were not afforded the same consideration or support as staff of other prisons located nearer to Perth or in the metropolitan area.

Between Staff

2.24 There appeared to be good relationships between staff groups at Broome, although there were some concerns expressed about relations between the custodial staff and other staff. The issues raised in the 2007 inspection about bullying and racism amongst staff had reduced significantly.²³ Staff indicated that their work environment had improved as a result. Likewise, allegations of bullying by senior management that had been prevalent at previous inspections had dropped in this inspection.²⁴ This reflects a positive growth in the communication and relationships between staff.

Between Staff and Management

2.25 Some staff were of the view that the superintendent could be more visible around the prison. Some staff also expressed disappointment about the superintendent's decision to appoint external staff to act in management positions because this deprived Broome staff of these acting opportunities. Despite these issues, the inspection team found that the relationship between staff and management had improved since the last inspection.

Between Staff and Prisoners

2.26 The team understood that one of the intentions of the refurbishment was to improve the access of staff to prisoners and the services delivered. However, less interaction was seen between officers and prisoners than in previous inspections and this observation was confirmed by staff. It appears that the refurbishment has continued the trend toward increased segmentation of Broome by creating discrete work areas which require the constant presence of allocated officers.²⁵

2.27 The senior officer group and prison management need to do more to promote positive interaction between officers and prisoners. In doing so, the complex issue of the ever-growing compliance burden for prison staff may need to be addressed. Extensive compliance and reporting requirements draw staff away from interacting with prisoners and require officers in particular to make a concerted effort to make time for prisoner engagement. Whilst this is an issue for Broome it is also a significant issue for the Department as compliance loads affect other prisons as well.

23 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 10.

24 This was evidenced by the reduced number of reports of bullying from Independent Visitors since the previous inspection.

25 This is also one of the reasons behind the increased staffing needs of Broome Regional Prison.

- 2.28 Despite the reduced interaction, the inspection team observed that staff were polite and treated prisoners with respect. Although there remains a small group of officers who do not interact well with prisoners, there was little mention of the bullying and racism that had occurred in the past on the part of the officers toward prisoners.²⁶
- 2.29 When staff were challenged about the little evidence of proactive engagement of the staff with the prisoners, they claimed that this was a consequence of a shortage of staff caused by the administration not covering all vacant shifts on overtime.²⁷ They felt that this shortage meant that they had little time to engage prisoners for any reason other than the task at hand. Staff also complained about the amount of time they were required to spend on administrative tasks to meet compliance and audit functions, again restricting their time to engage with the prisoners.

STAFF

- 2.30 All prisons throughout the state face the pressures of overtime management. It is important that Broome not only manages the overtime effectively but does so by not leaving vacant rostered positions within the prison when ever possible. Whilst this appears straightforward there are issues surrounding managing daily staff shortages and the vacancies they create due to limited control of personal leave, limitations of the site and segregation issues. Management believes that there is scope for more flexibility in the deployment of staff and their duties to cover shortages for short periods of time. Leave management is important not just in terms of planning, but also for employee welfare.
- 2.31 Staff at Broome have limited opportunities for training as there is no substantive satellite trainer at Broome and the opportunities to attend training courses in Perth at the Department's Training Academy are restricted by the cost of travel and accommodation. There is also the additional cost of overtime to back fill the position left vacant. Staff can no longer attend the Academy on days off due to insurance reasons which means that there will usually be an overtime cost involved with anyone attending.
- 2.32 As with all regional prisons there is a need for ongoing cultural awareness programs that are specific to that region. In Broome's case these should be provided by the Kimberley people and focus on the regions cultural differences and how cultural issues impact on prisoners and prison practices. At the time of the inspection there were some cultural awareness programs scheduled for November 2011.
- 2.33 On the staffing front the Department has also been active. As seen in the table below, the number of staff allocated to Broome has steadily increased and is now 80 per cent more than the staffing in 2003. Increases have been significant to the number of administrative staff, senior officers and prison officer ranks. While not large in number, importantly, positions have been created and increased for education, health, programs delivery, Prison Counselling Service (PCS) and Women's Support Officer (WSO). Considering the barriers to recruiting to Broome this is a significant achievement by the Department.²⁸

26 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 10.

27 Reflection of comments made during meetings with staff held during the 2011 inspection.

28 For a fuller discussion of the Department's recruitment and retention deficiencies see OICS, *Directed Review of the Management of Prisoners in Custody*, Report No. 30 (November 2005) Chapter 7.

Position	2003	2007	2011
Administration	5	5	12.6
Senior Officers	4	9	12
First Class	4	6	8
Prison Officers	17	22	33
Vocational	5	6	7
Work Camps	10	10	7
Subtotal	45	58	79.6
Programs	0	1	2
Education	1.5	3 (?)	4
Medical	3.4	3.4	4.2
PCS	0	1	1
PSO/WSO	1	1	2
Subtotal	5.9	9.4	13.2
Total	50.9	67.4	92.8

2.34 There has been a considerable but necessary increase in staffing, and one that reflects comments this Office made in 2007 around the allocation of staff to enable service delivery.²⁹ This was confirmed recently by the Department's staffing review which recommended a further (though marginal) increase in staffing.

SECURITY

Dynamic Security

2.35 The need for dynamic security in a minimum security prison is paramount and although the engagement of prisoners by staff appears to have reduced, the quality of this engagement has improved. Broome at the time of the inspection had a good flow of information from prisoner to officer and from officer to the security manager. This flow of information can only be achieved through concentrated efforts of the security team and of the staff, as well as the respect and trust of prisoners towards staff.

2.36 The high standard of dynamic security conducted by this prison was highlighted during, and shortly after, the inspection when information was provided to officers regarding two mobile phones located in different areas and being used by different sets of prisoners. A further mobile phone was handed to officers by prisoners after the inspection.

2.37 The security team have developed this relationship with staff and prisoners over time and although it is not perfect it is still developing well.

²⁹ OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 4.

Perimeter Security

- 2.38 The construction of a new fence around the perimeter of the prison has reduced the likelihood of an escape from the prison considerably. Whilst not attractive the new fence reduces the chance of a prisoner scaling the fence to enter the community and returning later that day/night before they are discovered missing. This has taken place in the past at Broome and other minimum security prisons. This said, there has been one escape from the prison since the fence has been built. Initial reports were that the prisoner ran across the roof and jumped, holding onto the front edge of the fence return and pulling himself over. The actual method of escape has not been identified, however, and other scenarios were put forward by security at the time of the inspection. This issue is to be addressed by the placement of cameras in those areas where buildings are located in close proximity to the fence.
- 2.39 The main issue for perimeter security is the fact that “stuff” is thrown over the fence quite often. There are regular, scheduled patrols of the internal side of the fence to try and intercept any contraband thrown over the fence. However, it would be foolish to expect that prisoners do not have ways of communicating and scheduling these “drops” to occur. The recent discovery of mobile phones in the prison has increased this risk, the phones allowing prisoners to communicate specific times and locations of drops, allowing the contraband to be exposed for a shorter period of time reducing the chances of it being discovered or prisoners getting caught.



Broome Regional Prison's external fence profile from a street view.

Internal Security

- 2.40 The minimum security prisoners are secured in cells at night and free to roam during the day as in other minimum security prisons. The internal security of the minimum section is probably greater than it needs to be, however, this is required because of the medium and maximum security prisoners in the secure section located inside this area.

- 2.41 Due to the refurbishment of the secure section the prisoners in this area are now able to access the medical centre directly without being escorted through the main prison area. When the medium or maximum security prisoners attend the medical centre the centre is secured and an officer is present at all times. The general practice is for one prisoner at a time, however, if there is more than one prisoner a ratio of one officer per prisoner is maintained.
- 2.42 Prisoners from the secure section need to be escorted when they leave the secure section and attend other areas of the prison such as reception. When these escorts occurred in the past the prisoner was handcuffed and escorted by two to three officers at all times. However with the construction of the new fence the administration of Broome now individually risk assess each prisoner in the secure section. This allows Broome to individually vary the number of escorting officers and the use of restraints.³⁰ Not only is this a more appropriate way to manage these prisoners but it is also a more efficient use of resources.
- 2.43 The major issue with security around the maximum section is the location of the section itself, being located in the middle of the minimum security prison in a position that allows easy access by any prisoner in the minimum security yard. Security staff believe that prisoners transfer items to the prisoners in the maxi section by using palm fronds or something similar. By placing the items on the fronds and sliding them under the grill/mesh of the perimeter of the maxi section they can transfer items quickly and easily with minimal detection. The inspection team were told that staff are aware of this and guard against it occurring, however, it does create an additional risk when prisoners are temporarily transferred into this area from other prisons.

Temporary Transfers

- 2.44 During the inspection the inspection team was told that increases in the number of incidents relating to drug activity within the prison were directly related to the temporary transfers in to the prison for visits, funerals and court. Although security was of the opinion that this was the case it had not done an analysis of the issue at the time of the inspection.
- 2.45 Just prior to the commencement of the inspection, Broome security, found a 'stash' of drugs which appeared to have been prepared so it could be given to a prisoner in the secure section for transport internally back to another prison. The drugs were packaged in balloons, tightly bound with any protruding parts cut off to make the package as smooth as possible. While this could be an issue when any prisoners are temporarily transferred to any regional prison with mainly minimum security prisoners, it is more of an issue for Broome because of the ease of access to prisoners held in the secure section by minimum security prisoners.

Motion Sensors

- 2.46 Whilst the number of motion sensors around the prison appears to be adequate there is concern over the system breaking down regularly. Due to the amount of breakdowns and the time taken to attend the prison and rectify the faults by external contractors, staff have developed a check list which, when followed, allows them to reboot the system themselves.

30 See Chapter 4.

Chapter 3

PAVING THE WAY

- 3.1 A stated key objective of the Department is ‘making a positive difference in the lives of offenders, their families and the community’.³¹ This statement suggests a commitment both to the rehabilitation of prisoners and the provision of reparation to the community. The Department recognises that a range of services contribute to the achievement of these goals, including:
- Education and training;
 - Employment and community work;
 - Offender programs;
 - Individual case management of prisoners; and
 - Preparation for release and re-entry services.
- 3.2 At Broome, the prisoner group has particularly high needs in all of these areas so effective delivery of services is crucial. The prisoner group is also predominantly Aboriginal – 100 per cent of the women and 80 per cent of the men in the prison are Aboriginal. This means that all services should respect and reflect Aboriginal culture and specifically Kimberley Aboriginal culture to achieve the best results.

EDUCATION AND TRAINING

- 3.3 The prisoner population at Broome has high education needs, with only around 20 per cent displaying functional literacy and numeracy skills.³² Earlier inspections of Broome found that education services were struggling, but by the time of the last announced inspection in 2007 there had been considerable improvement. This included an increase in education enrolments, a high completion rate and a good range of courses and units with an appropriate focus on literacy and numeracy. In addition, the imminent construction of a new education centre was a welcome development.³³
- 3.4 The previous inspection concluded that education at the prison ‘has made strong progress ... but that much more remains to be done’.³⁴ In particular, the inspection identified that ‘there was very little integration between education, training and employment and that no traineeships were being or had been undertaken for some time’.³⁵ Concerns were also raised about the workload of education staff and the insufficient time available for lesson planning and professional development. In 2011, the education centre had maintained its performance and made improvements in some areas. However, a number of challenges remained.
- 3.5 In 2011, the education centre continued to offer an appropriate selection of courses to cater for the range of literacy and numeracy needs of prisoners. Education participation rates fluctuate from month to month at Broome because of the transient nature of the prisoner population. In 2010–11, the average participation rate was 37 per cent of the prisoner population although the actual rate varied between 48 per cent in October 2010 and 22 per cent in January 2011. The high needs of the prisoner population, 80 per cent need to improve their basic literacy

31 www.correctiveservices.wa.gov.au; Department of Corrective Services, *Annual Report 2008/09*, (September 2009) 6; Department of Corrective Services, *Annual Report 2009/10*, (September 2010) 4.

32 Department of Corrective Services, *Education and Vocational Prisoner Training at Broome Regional Prison – Overview*, (September 2011) 2.

33 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 20–21.

34 Ibid 22.

35 Ibid 21.

and numeracy, suggests that a greater proportion of prisoners should be engaged in education. However, Broome houses a significant proportion of short term prisoners – 32 per cent have an effective sentence of six months or less and 53 per cent have 12 months or less.³⁶ It is difficult to engage prisoners and deliver education in such short periods of time.

- 3.6 Positively, the prison had introduced a new process that facilitated delivery of short education courses to prisoners. Under this process, all new minimum security prisoners undertake a two-week orientation in the education centre. During this period they participate in four short courses:
- **Safety Signs and Information** – basic occupational safety and health which is a pre-requisite for employment at the prison;
 - **Deadly Tucker** – healthy eating and basic hygiene;
 - **Money Business** – budgeting and money management; and
 - **Apply First Aid** – basic first aid.
- 3.7 This is an excellent process that both ensures that all minimum security prisoners receive some basic education, and helps to identify those prisoners who may be interested in further education.
- 3.8 Another improvement has been in the area of vocational training. As previously noted, the 2007 inspection identified a lack of integration between education, training and employment at the prison. In 2011, it was pleasing to observe that the amount of training linked to prisoner employment had increased. This has included, but is not limited to, units from:
- Certificate II in Construction for prisoners involved in the Housing Refurbishment Project;
 - Certificate III in Painting and Decorating for prisoners involved in the Prison Refurbishment Project; and
 - Operate and Maintain Chainsaws certificate for prisoners working in the section 95 ‘truck gang’.
- 3.9 Kimberley TAFE also delivers a wide range of training to prisoners, with lecturers visiting the prison and a number of section 95 approved prisoners attending the TAFE campus regularly.³⁷
- 3.10 During 2010-11, Broome had four trainees: one in Laundry Operations and three in Asset Maintenance. Two of these traineeships were completed successfully in December 2010, one is ongoing and one was not completed because the prisoner was transferred to a metropolitan prison for medical reasons.

36 Department of Corrective Services, *Broome Regional Prison OICS Briefing*, (August 2011).

37 Section 95 is the section within the *Prisons Act 1981* under which prisoners may be approved to undertake external activities outside the prison.

- 3.11 Whilst the new education centre is an aesthetically impressive facility the inspection team was told of a number of design flaws in the structure. Most importantly, the classrooms are too small, making it impossible to accommodate more than 10 prisoners and limiting the activities that can be run. The building has also proved to be incapable of withstanding the heavy rainfall of the Kimberley wet season, with serious leaks requiring electrical equipment to be unplugged and protected against the elements.



New education centre.

- 3.12 Since the previous inspection, education centre staffing levels have increased with the addition of a second Prisoner Education Coordinator, Employment Coordinator and Clerical Officer. This brings the total full-time equivalent staffing level to six, comprising:
- 1 x Campus Manager;
 - 2 x Prisoner Education Coordinators;
 - 1 x Employment Coordinator;
 - 1 x Aboriginal Education Worker; and
 - 1 x Education Clerk.
- 3.13 Recruitment and retention of staff remains a central challenge for the education centre in the competitive employment market of the Kimberley. Recruitment of the second Prisoner Education Coordinator has been unsuccessful so far, and it has proved difficult to attract and retain sessional tutors.

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- 3.14 Education is also reliant on a prison officer (known as the duty officer) being present in the centre. If the duty officer is not available then prisoners are not permitted in the education centre and classes cannot run. In the months leading up to the inspection, it had become more common for the duty officer to be absent because of custodial staffing shortages and restrictions on overtime shifts. However, education staff still considered this to be an irregular occurrence and did not feel that it was a significant threat to the delivery of education in the prison.
- 3.15 The previous inspection raised concerns about the workload of education staff and the lack of spare time available to them. A recommendation was made that ‘the Department consider innovative staffing models that would enable the education centre to both run all year round and to enable staff sufficient preparation time and access to professional development.’³⁸ In 2011, although no ‘innovative staffing model’ had been introduced, an increase in staffing levels had eased workload pressures. Staff did not express concern about the time available to prepare and plan lessons, and were satisfied with their access to professional development. However, staff did advise that it was difficult for them to take leave because relief coverage was not readily available.

Career and Employment Services

- 3.16 The Employment Coordinator position was introduced in prisons throughout the state in 2008 along with an initiative called the Prisoner Employment Program (PEP). The central feature of PEP was to allow prisoners to participate in paid employment outside the prison for three months prior to their release and continue in that employment following release. The program also facilitated other external activities such as job seeking, education and vocational training. While supportive of the concept, this Office has in the past questioned the strict eligibility criteria and lengthy approval process for both prisoners and employers, which have contributed to generally low levels of prisoner participation in PEP throughout the state.³⁹
- 3.17 The obstacles to PEP participation at Broome are significant with the short term nature of the population a huge barrier. The low literacy and numeracy levels and limited paid work history of the prisoner group also make it challenging to source employment. More fundamental, however, is the fact that most prisoners at Broome will be returning to a remote town or community where employment opportunities are extremely limited. PEP requires any employment undertaken prior to release to be sustainable after release. It is simply not possible for a prisoner to engage in paid work in the vicinity of Broome Regional Prison that can then be continued in a remote community.
- 3.18 As a result of these problems, only two prisoners at Broome have been approved for paid employment under PEP since the inception of the program. In Broome, there is clearly a need for more flexibility within the program. For example, the ability to place prisoners with an employer simply to gain work experience, without the requirement for sustainable employment, would be beneficial.

38 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 22, Recommendation 15.

39 OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011) 59; OICS, *Report of an Announced Inspection of Karnet Prison Farm*, Report No. 67 (July 2010) 38.

- 3.19 This Office has also questioned the contrast between the onerous approval process for PEP and the seemingly more straightforward requirements for external activities approved under section 95. The Office was therefore concerned at recent changes to the Department's Policy Directive 68 (PD 68) which appears to transfer activities that had previously operated successfully and efficiently under section 95 to PEP.⁴⁰ The Office is concerned that any such change will restrict prisoner access to rehabilitation and re-entry programs because of PEP's stricter selection criteria, limitation to the last 12 months of the sentence, and longer approval process.
- 3.20 The Inspectorate has raised these concerns with the Department and has been assured that the intent of PD 68 is to enhance, not limit, access to external activities. However, as it is currently written, the new policy directive will prevent many prisoners at Broome from accessing external activities such as training at Kimberley TAFE and the highly-valued Housing Refurbishment Program which they are presently accessing under section 95.⁴¹ In order to prevent such unintended consequences, the Department needs to clarify the relationship and boundaries between PEP and section 95.

Recommendation 3

Clarify the relationship and boundaries between PEP and section 95 of the Prisons Act 1981 and ensure that Policy Directive 68 does not operate in a manner that restricts external activities by prisoners.

EMPLOYMENT AND COMMUNITY WORK

Prisoner Employment

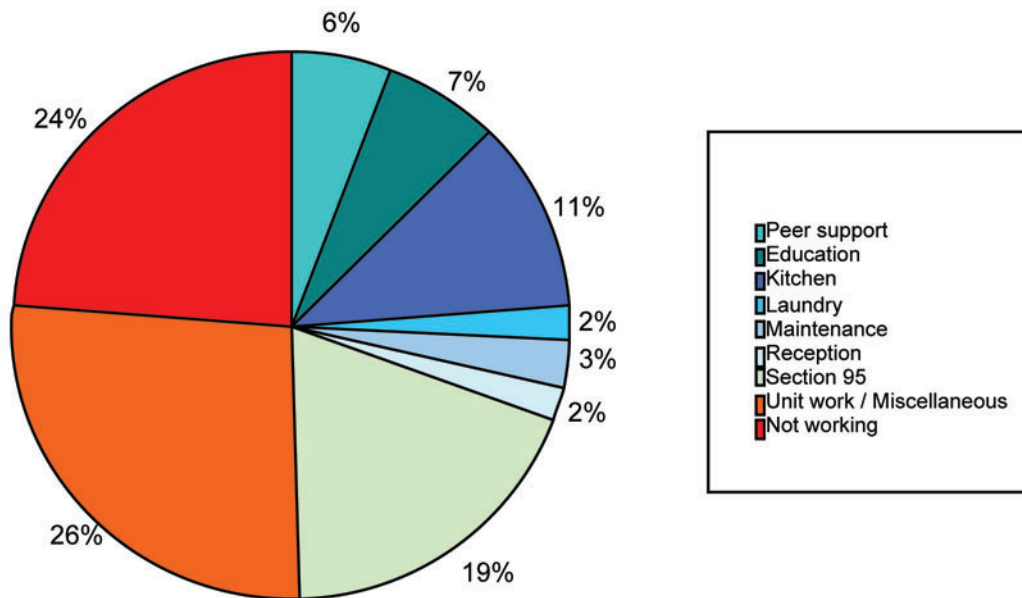
- 3.21 There is a shortage of meaningful prisoner employment at Broome and a corresponding shortage of available prisoner workers.
- 3.22 Prisoner employment figures (see chart below) indicate that 24 per cent of the population are not working. Most of these are in the secure section where employment options are limited. A further 26 per cent are engaged in miscellaneous unit work.
- 3.23 Most of the unit worker jobs require little effort from prisoners, and typically keep prisoners occupied for only one or two hours per day. Employment offered by the prison should provide meaningful activity for prisoners and prevent boredom and idleness. It should also be linked with vocational training and skill development to enhance prisoners' employability and improve their chances of successful re-entry into the community. Having a high proportion of prisoners carrying out unit cleaning and other meaningless and menial tasks does not satisfy either of these opportunities.

40 Department of Corrective Services Policy Directive 68 – Prisoner Employment Program.

41 See paragraph 3.27 for more details.

3.24 Although the numbers are low, and there is still room for improvement, having 50 per cent of the prisoner population engaged in some sort of meaningful employment is an achievement in itself. Particularly given the severe limitations of the infrastructure and the absence of any industrial workshops in the prison. There is a maintenance workshop but this employs no more than two or three prisoners. The laundry similarly employs no more than two or three prisoners. The main employer inside the prison is the kitchen which employs up to 12 prisoners.

3.25 *Broome Regional Prison Prisoner Employment.*⁴²



3.26 Because employment options inside the prison are limited, Broome has always relied heavily on its successful program of external work and training. Around 19 per cent of the population were engaged in some sort of external activity under section 95. For some this meant attending Kimberley TAFE to participate in training. Others were part of the community work party often referred to as the ‘truck gang’. The truck gang conducts a wide range of work throughout the Broome area and delivers substantial benefit to the community.

3.27 One notable new initiative begun in September 2010 was the Housing Refurbishment Project. The Project, a collaboration between Men’s Outreach, the Department of Housing and Works, Kimberley TAFE and the Department of Corrective Services, involved prisoners in the renovation of derelict Homeswest houses. Under the supervision of a TAFE lecturer, the prisoners complete various units towards a Certificate II in Construction. In addition, some of the prisoners involved have been able to complete a forklift course and a welding course. To date refurbishment of two houses has been completed and a third house was nearing completion during the inspection. This project was highly valued by the prisoners involved, and represents an excellent reparation initiative. The fact that it is also linked to training increases the value of this program.

42 Figures from the Department’s Total Offender Management Solution (TOMS) system as at 21 September 2011.



Housing project being undertaken by Broome Regional Prison section 95 prisoners.

- 3.28 Because of the largely short-term population, there were many business areas of the prison keen to secure the services of a relatively small core of longer term prisoners. For this reason, at the request of the prison, a group of Indonesian prisoners were sent to Broome to serve as a stable workforce in March/April 2011. There were 12 Indonesian prisoners at Broome at the time of the inspection. Issues relating to the Indonesian prisoners are discussed elsewhere in the report, but in this context it is worth noting the Office's uneasiness at the possible exploitation of the Indonesian prisoners as a workforce.⁴³
- 3.29 Work undertaken inside the prison was less likely to be linked with vocational training. There had been some notable successes with traineeships run in the laundry and cleaning party. However, the potential to do more had been hindered by the lack of qualified supervision for prisoners carrying out cleaning tasks around the prison. Whilst the Department was conducting a staffing review of all prisons (not completed at the time of the inspection) Broome had been identified as needing an additional Vocational Support Officer (VSO) which would be used to create the role of gardens and grounds officer. This should generate more meaningful activity for prisoners working inside the prison and facilitate better supervision and more training.

43 See Chapter 4, paragraphs 4.46-4.55.

OFFENDER PROGRAMS

Program Delivery

- 3.30 There are two program officers at Broome Prison (one is a shared position with Prison Counselling Services). Programs at Broome are delivered both by the prison's program staff and by an external provider. The programs on offer are:
- Indigenous Men Managing Anger and Substance Use (IMMASU) – delivered four times a year by Men's Outreach;
 - Indigenous Family Violence (IFV) – delivered once a year by Broome programs staff; and
 - Building on Aboriginal Skills (BOAS) – delivered four or five times a year by Broome programs staff.
- 3.31 Each program is limited to 10 participants. The Building on Aboriginal Skills program has been delivered to combined groups of prisoners and offenders subject to community justice orders.
- 3.32 Figures provided by the Department prior to the inspection indicate that in August 2011 there were 62 prisoners with unmet treatment needs in the prison.⁴⁴ Twenty one were disregarded for reasons including the prisoner being due for release, having refused the program, or having an ongoing appeal. Twelve were outstanding, but a further 29 required programs that are not currently offered by the Department. These figures do not reflect the number of Kimberley prisoners who are forced to transfer to different prisons hundreds of kilometres away in order to meet their program requirements.
- 3.33 Significant service gaps exist in the programs area at Broome. There is a need for more programs for women prisoners, sex offending programs and more intensive violent offending programs.
- 3.34 Given that a new prison in Derby is scheduled to open in July 2012, it was disappointing to find little evidence that the Department had been developing a full suite of programs for delivery in the Kimberley. The new Derby prison is intended to house prisoners of all security levels and avoid the need to send prisoners out-of-country to other prisons. However, if a full suite of programs addressing all types of offending behaviour is not available in the Kimberley, prisoners will still need to transfer to different prisons and the objectives of the new prison will be undermined.
- 3.35 It is positive that all of the programs offered at Broome have an Aboriginal focus. However, Aboriginal people are not homogenous and there remains a need for programs that are culturally specific to the Kimberley. The Indigenous Family Violence program, for example, was developed in the Northern Territory and programs staff have found that some adaptation is required to make it suitable for Kimberley prisoners. Again, in the context of the new Derby prison, the Department should be making efforts to develop Kimberley-specific programs and build the capacity of Kimberley Aboriginal service providers to deliver such programs.

44 Figures provided by the Department via document request from the Office of the Inspector of Custodial Services prior to the 2011 Inspection of Broome.

Facilities

- 3.36 The inadequacy of the new education centre has been discussed above in the context of education, but it also serves as a venue for program delivery. Many of the issues are the same – the rooms are too small and this limits the ability of programs staff to run interactive sessions. A specific concern for programs staff is the fact that the walls are thin and not sound proof. This poses a threat to privacy and confidentiality which is particularly sensitive in the context of most offender treatment programs.
- 3.37 Fortuitously, the prison has been able to access space in the Walangari Broome Sobering Up Shelter situated opposite the prison. Men’s Outreach use this to deliver IMMASU and the prison programs staff also use it to deliver BOAS. However, as this venue is located off-site this means that only section 95 approved prisoners can participate in these programs.

Recommendation 4

Develop a range of Kimberley-specific offender programs in anticipation of the opening of the new Derby prison.

INDIVIDUAL CASE MANAGEMENT OF PRISONERS

- 3.38 A good case management system involving genuine support from staff is a key part of preparing prisoners for release and successful reintegration into the community. The interaction between prisoners and case management officers should result in identification of the prisoners’ needs and provide guidance on how to address those needs within the prison.
- 3.39 In terms of the basic requirements of the Department’s case management system, Broome was up-to-date and performing well. Prison officers at Broome are typically responsible for case managing two prisoners and the Case Management Coordinator monitors the completion of allocated tasks. Figures provided from May 2011 indicated that all Individual Management Plans had been completed and there were no overdue primary or regular contact reports. It is more difficult to determine the quality of interaction between prisoners and their allocated case managers. At Broome, as at most other prisons in the state, it became clear that the quality of interaction was highly variable. Some officers were very committed to their role and provided genuine support and guidance to prisoners, and no doubt had a positive impact on the prisoner’s preparation to return to the community. On the other hand, some prisoners did not even know who their case manager was and obviously had limited interaction with them. A number of prisoners spoken to by the inspection team were reliant on assistance from other prisoners in preparing their parole plan, rather than receiving help from their case manager or another member of staff.

- 3.40 Generally speaking, the various business areas within Broome prison appear to have a good commitment to the case management of prisoners. For example, the prison had introduced a weekly case management meeting between education staff, programs staff, unit managers and the assistant superintendent. The intention of this initiative is to map out the sentence of new minimum security prisoners and coordinate the various activities so that they do not clash. The prison had previously found that all the different business areas (education, programs, industries, section 95) were competing for the time of the same group of prisoners. The overall aim is to maximise prisoner access to structured activities and a wide range of personal development activities.

PREPARATION FOR RELEASE

Transitional Services in the Prison

- 3.41 As a minimum security prison and the primary releasing prison for the Kimberley region, in 2010–11 Broome released 356 prisoners to freedom or parole. This is a high throughput for a prison of its size and means that Broome has a strong focus on preparing prisoners for release.⁴⁵
- 3.42 Much of Broome's efforts in this regard are coordinated by the Transitional Manager, but it was also evident that other business areas within the prison (particularly the education centre) contributed to preparing prisoners for release.
- 3.43 The Transitional Manager at Broome assists prisoners with securing accommodation, opening bank accounts, acquiring birth certificates, drivers' licences and Medicare cards, and also links prisoners with external agencies.
- 3.44 The contracted re-entry service provider in Broome is Men's Outreach, and prisoners are able to access their services from six months prior to release until 12 months after release. All prisoners should be contacted by the Transitional Manager or the re-entry service provider prior to being released. Whilst it may be the case that all prisoners were contacted, records of contact with Men's Outreach were limited so it was difficult to determine exactly how comprehensive the service was. This had been recognised by the prison and a new service level agreement, under negotiation at the time of the inspection, would require more formal meetings and recording of contact with prisoners.
- 3.45 The re-entry program includes a number of life skills modules, although many of these are actually delivered in the education centre, including money management, and healthy eating and living. The Housing Refurbishment Project (discussed previously under Employment and Community Work) and the Life Cycle project are two recent additions that have been incorporated into the re-entry services contract.
- 3.46 The Life Cycle project is run by Men's Outreach and involves prisoners in repairing old bicycles donated mainly by the Broome police. Prisoners gain skills in repairing the bicycles which are then donated to communities. They are also made available to prisoners on release in the hope that this will provide an alternative to driving without a licence.

45 Figures taken from analysis of data extracted from the Department's TOMS system.

Ensuring Prisoners Get Home Following Release

3.47 The Transitional Manager is also responsible for referring prisoners to the Transport of Prisoners Service (TOPS). The process used is in line with this Office's Aboriginal Inspection Standards which state:⁴⁶

Release arrangements for Aboriginal prisoners, particularly for those from remote communities must include robust processes to ensure that prisoners can safely and promptly return to their homes.

3.48 In Broome, as in other regional prisons, the transport of released prisoners is facilitated by TOPS. The contracted service provider for Broome is Men's Outreach. In 2010-11, 44 prisoners from Broome prison were transported home by TOPS. Methods of transport included cars, commercial buses, commercial flights and chartered flights. The Transitional Manager carries out a risk assessment on every application and determines the level of support needed by each individual prisoner.

3.49 This may mean that some prisoners are simply dropped off at the airport while others are accompanied on the flight by a TOPS representative. The TOPS representative will also, where possible and necessary, take the newly-released prisoner into town and attend to any immediate needs such as buying clothes or visiting Centrelink. The service from Men's Outreach links up well with the Ngnowar Aerwah Aboriginal Corporation who provide TOPS to the Wyndham Work Camp. For example, Men's Outreach might get a prisoner to Kununurra airport following release, then Ngnowar Aerwah will take them to their remote community from there. Overall, the process appeared comprehensive and effective.

46 OICS, *Inspection Standards for Aboriginal Prisoners*, (July 2008) 21, Standard A27.

Chapter 4

LIFE IN BROOME REGIONAL PRISON

RECEPTION AND ORIENTATION

Reception

- 4.1 A prison's reception area is a new prisoner's first introduction to prison life. It is also the prison's opportunity to gather important information about the prisoner and assess if the prisoner is at risk to and/or from themselves or others. It is important for this area to be well resourced. Adequate staffing, training and good facilities are required to make this area efficient. The reception area of Broome has previously been criticised by this Office due to deficiencies in infrastructure, staffing, training and other resource issues.⁴⁷
- 4.2 Broome reception remains one of the busiest reception areas in the state with 9552 movements through reception in the past four years.⁴⁸ Other prisons such as Bunbury or Albany, which have half or less of the movements of Broome over the same period have three staff in reception during the week.⁴⁹ Broome reception has only two senior officers working on opposite rosters, which means that there is only one officer working in the reception area with coverage of seven days per week. This leaves the officer vulnerable. So vulnerable, that in June 2011 security expressed concern in writing to the prison management, highlighting concerns that there should be two officers in reception whenever processing of a prisoner was taking place.⁵⁰ This was rejected by the management unless a prisoner showed signs of threatening or non compliant behaviour.⁵¹ Should the prisoner demonstrate these signs it may be too late for the officer alone in reception. Some senior officers were known to place additional staff in reception at the time of intake of new prisoners but with the reduction of coverage of the positions around the prison this was not occurring at the time of the inspection. There should be another position allocated to the reception area, at least on weekdays.
- 4.3 At the time of the inspection there was only one substantive senior officer in position in reception. The other senior officer's position was being filled in an acting capacity until the position is filled on a permanent basis. The substantive senior officer has developed procedures for officers filling in, in this area. However this should not take the place of appropriate training to officers working in this area.
- 4.4 There are two prisoners working in reception both of whom are peer support prisoners providing coverage across the seven days.⁵² During the inspection the reception area was under refurbishment. The renovation was being undertaken by prisoners taking part in a construction course offered at the prison.

47 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 8; OICS, *Report of the Short Follow-up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) 17.

48 Figures obtained from TOMS- All Offenders Received-Facility 23-09-2007 to 23-09-2011.

49 Figures obtained from TOMS- All Offenders Received-Facility 23-09-2007 to 23-09-2011 show Albany as having 4194 and Bunbury as having 5505 movements through reception for this four year period.

50 Email correspondence obtained during the inspection.

51 Email correspondence obtained during the inspection.

52 See Chapter 5, paragraph 5.2.

Orientation

- 4.5 Initial orientation is conducted at reception and involves handing an orientation booklet to prisoners and showing an orientation video. The booklet has recently been renewed and is both relevant and up to date. The video was made in 2003 by the prison using local people, but its content is now out of date and was of little use. The cost of producing another video was not viable given the uncertainty of Broome's future.
- 4.6 The orientation of the facility, where the prisoner is shown around the prison site, takes place in the units and is conducted by the officers. The inspection team identified a number of prisoners who had deficiencies in their understanding and knowledge of areas expected to be covered during the orientation. There was even considerable evidence that some prisoners were not receiving any formal orientation. As there are many repeat prisoners at Broome it is understandable that staff may think that not all prisoners need to be fully orientated. However, although Broome is a small site there is still a need for previous prisoners to be shown around as there may have been changes to rules, procedures and the facility. Prisoners need to know those areas that they cannot access but also those areas that they are permitted to attend and how to access them.

Recommendation 5

Ensure that there is additional staff coverage in reception Monday to Friday.

SECURE SECTION

- 4.7 In past inspections the secure section of the prison was found to be not only overcrowded but hot, humid and oppressive.⁵³ The area was originally designed for 12 prisoners comprising four cells holding up to three prisoners in each. However in past inspections, it was found that up to 26 prisoners were held in this area.⁵⁴ Officers rarely entered this area and prisoners rarely left it. This area was known as 'the cage' and was said by prisoners to be worse than the high security prison Casuarina.
- 4.8 Since the last inspection, and as part of the \$11.2 million refurbishment, the secure section for males was extended to include three smaller cells formerly occupied by men working in the kitchen. All cells in the unit were enclosed, air-conditioned and reoriented to a new corridor on the other side. On this side a new yard, officer station, dining and visits room and a video link/interview room were also constructed. The ablutions have also been refurbished. This inspection found that whilst the recreation activities were limited and there was no access to sporting activities, they did however have an exercise gym, darts and table tennis in a small yard.
- 4.9 The unit has been extended and is adjacent to the new medical centre enabling direct access for assessment and treatment. The facility, though still confined, is better than the old one, with improved amenities and access to services.

53 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 27 (March 2005) 20.

54 Ibid.

- 4.10 In the past the unit was often overcrowded, and the prisoners were constantly exposed to view from outside the unit. Prisoners in the unit now have an enhanced level of privacy due to the inward reorientation of cells and there is a greater range of spaces they can utilise within their unit.
- 4.11 During previous inspections the Office identified an issue where prisoners from the secure section of the prison (maximum and medium security) were being handcuffed and escorted by up to three officers when they were required to move around the prison outside of the secure section.⁵⁵ This impacted on other areas of the prison due to the staff required for this to occur.
- 4.12 Whilst the prisoners rarely move outside the unit, the new fence has meant that the prison now has a secure perimeter and as such, the prison conducts a risk assessment of each prisoner in the unit to determine if restraints are required and the number of officers that may be needed if there is a need for movement outside the secure section. Not only is this a more appropriate way to manage these prisoners but is also a more efficient use of resources.
- 4.13 For a time after the completion of the refurbishment the prisoners in the secure section were receiving educational services. However, the tutor assigned for the secure section left over 12 months ago and was not replaced. No education is therefore provided for these prisoners who also lack other constructive activities.

Recommendation 6

Re-introduce education services to the prisoners in the secure section.

MINIMUM SECTION

- 4.14 The minimum security section of Broome is the largest area of the prison even though its open area has been reduced due to the refurbishments. An earned privilege unit was installed behind units one and two between the old cells and the fence line. There are four cells in this block designed as single bed cells, each with a shower, toilet, and air-conditioning, but fitted with double bunks allowing eight prisoners to be accommodated in this area. This block has its own day room area with basic kitchen facilities enclosed by three walls with the side facing the older cells left open. Another addition has been a new ablution block which has been located in the corner of the accommodation area.

55 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 27 (March 2005) 37; OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 8; OICS, *Report of the Short Follow-up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) 12.

4.15 Over the 12 months or so prior to the inspection, prisoners were employed in cell renovation in the three small cell blocks in the minimum security yard. Walls were stripped, patched and painted. Toilet areas were retiled and new bunk beds installed. This Office has had an ongoing conversation with the Department for Corrective Services over an extended period about safety concerns arising from some of the designs that have been installed when retrofitting bunk beds into cells designed for single beds. This is reflected in Recommendation 2 from the last Greenough Inspection which read:⁵⁶

The Department should conduct a full risk assessment of all double bunk designs across the whole prison estate and should undertake such modifications as are necessary to reduce the risk of injuries.

4.16 The Department in February 2011 significantly strengthened its double bunk design standards and procedures for the installation of new bunks in accord with these standards, and implemented a system of risk assessment of prisoners who were to be placed in upper bunks. The design now includes a ladder with handrails to the top bunk, roll protection to prevent a fall from the top bunk and an absence of ligature points.⁵⁷ The beds installed in Broome's new earned privilege block were stainless steel installations that met most of these standards, although they did not have roll protection on the top bunk.

4.17 The new beds installed in existing minimum security cells at Broome, however, reflected these revised standards only to a limited degree. These bunk beds were of a tubular frame design and came with a ladder and roll protection for the top bunk. However, these beds were not ligature point free. Prison management informed the inspection team that major renovation work would be required to remove all the ligature points from these cells.



Privileged cell – note no rail on top bunk.



New style bunk bed with rail and ladder in place.

56 OICS, *Report of an Announced Inspection of Greenough Regional Inspection*, Report No. 66 (August 2010).

57 DCS, Policy Directive 73, Appendix 3, February 2011.

- 4.18 It was also concerning to see most of these upper bunks lacking the roll protection, and in a couple of cases the ladder. We were told these had been removed and disposed of by prisoners – the roll protection in particular restricted entry and exit from the top bunk. The inspection team was also shown by prisoners that the slats had broken off their bed base and that this had occurred some weeks earlier. Prisoners had made make-shift adaptations to prevent their mattress from falling through the gaps created in the base of their beds. Prisoners stated that they had reported this to the unit staff at the time and several times since. All the beds with this issue were fixed during the inspection.
- 4.19 Both the secure section and the women’s section retain the older style bunks. Although the cells have reduced ligature points, as bars had been covered to facilitate air-conditioning, these beds were not ligature-free. As both of these units would include at times prisoners new into custody, who are potentially more vulnerable than others, these cells in particular should have ligature-free fittings, including beds. The lack of ladders, rails and roll protection for the top bunk also pose unnecessary risks for prisoners and the prison.



Old style bunks – no rails or ladders.

Recommendation 7

All bunk beds be made compliant with the Department of Corrective Services' standards, with all ladders, rails and roll protection for the top bunks secured to the beds in a manner that prevents their removal by prisoners.

WOMEN'S UNIT

- 4.20 Around the time of the 2001 inspection, the then Minister said that the women gaolled in Broome were 'the worst treated prisoners in WA'.⁵⁸ The Office was pleased to see that the women's section at Broome has recently been refurbished.
- 4.21 The women's unit (known as 'female precinct' by the staff) has been modified with an additional cell created, supposedly to accommodate a mother with her baby, and removal of the cage around the end cell, formerly designated as maximum security. A change of location for the medical centre and canteen from this area created space to develop a new building with a unit office, kitchen dayroom and activity room, and includes a shaded courtyard. A small recreation yard with a vegetable garden is now also incorporated into the women's section.
- 4.22 The outlook is more pleasant, the accommodation more decent and the level of amenity within the unit significantly enhanced as a result of these refurbishments. However, the unit remains overcrowded with four beds in each cell, the only exception being the mother/baby cell. Further, the unit lacks outside views and has limited space. There is a disconnect from the rest of the prison.
- 4.23 As in the case of other areas of the prison that have been refurbished, this area does have some problems. The mother baby cell can only be used as a temporary measure as it is confined and other than closing the grille and restricting the prisoners' movements even more, there is no way of separating the mother and baby from the rest of the female prisoners.
- 4.24 The exercise courtyard is of reasonable size however it has no outlook at all. The area is screened off on all sides to stop direct line of sight to and from the male prisoners resulting in restricted airflow. This has made the area extremely hot and although shades have been placed over this area to try and cool it down, prisoners do not spend too much time in this area.
- 4.25 The inspection found that women at Broome Regional Prison remain isolated and marginalised as a result of their confinement in this less-than fit for purpose unit.

Meals and Cooking

- 4.26 The women's unit has good basic cooking facilities but at the time of the inspection the women were not allowed to cook, other than as part of an activity provided once a week by the Women's Support Officer (WSO).
- 4.27 Women in their communities typically have absolute responsibility for food preparation. The lack of any regular opportunity to practise and build on their skills is averse to any notion of release preparation. That the women are reliant on men to cook for them in prison would arguably be culturally disabling. It may not be practical or appropriate for the women to prepare all of their own meals, but it is essential they be empowered with training and resources to be regularly involved in cooking, especially on weekends.

58 Anne Burns, '\$50m to replace WA's worst jail', *The West Australian* (7 July 2001), 8.

- 4.28 The women showed interest in cooking meals in their unit and informed the inspection team that not only would they like to cook meals they would also like to cook damper on a regular basis. The women were conscious that the food they were given in the prison was not what they would normally eat or cook at home. They informed the team that they would like to learn to cook and eat the same basic foods they use at home and learn to create meals that were practical, tasty and healthy for their families.

Women's Recreation and Activities

- 4.29 The only gym equipment for the women is a punching bag and a broken-down treadmill. Only a few women were minimum security and therefore eligible to participate in external activities such as fishing or swimming at the beach. When these options presented the women were keen to participate but often the external activities were governed by staffing and prisoner numbers. The women spoke of occasions where they felt these activities were also governed by the mood of the senior officer on the day.
- 4.30 Women have use of the basketball court two nights per week, but the inspection team could not confirm if this had ever occurred. The court is in the middle of the minimum security male yard and women were reluctant to use the court as many do not like the male prisoners watching them. Neither the recreation officer nor the WSO are present when this activity is scheduled and there is evidence that some custodial staff would not facilitate their presence outside their own unit. Similar barriers have hindered efforts to get eligible women out of the centre on excursions of their own, or to watch the men playing in the football or basketball competitions.
- 4.31 The WSO conducts craft and cooking classes during the day alongside education and health. After hours the women make do with bingo, film nights, TV and radio. The recreation officer attends the unit once a fortnight to help the women tend their vegetable garden. All in all, the women prisoners do not get many opportunities to participate in recreation activities outside their unit. A more thorough investigation of the recreational needs of women at Broome is needed, and a strategy developed and reliably implemented to improve women's involvement in recreational activities, if only to cover the period until their transfer to Derby prison.
- 4.32 Whilst there are risks for the prison allowing female prisoners to interact with the male prisoners these risks can be managed. Although there is a need to protect women from bullying and threats from the male prisoners there is also a need for the women to interact on a social level as would occur upon release. It is also important to note, however, that the women should not be forced to mingle with the male prisoners.

Women's Support Officer (WSO)

- 4.33 Broome like most other prisons has a WSO who is in place to support the women. This position in Broome is not a full-time position and only works three days per week. The days that the WSO is not on duty result in little being achieved for the women. More often than not the planned activities for the women are when the WSO is off duty and as such it is left to the officers to carry out.

- 4.34 Throughout the inspection, staff raised concerns for the women at Broome. Staff who are sympathetic to the women's plight endeavour to assist them when ever possible. However as the staff have limited information of what has been arranged and approved by the WSO, their intentions sometimes cross with that of the WSO. Some of the male officers, although they are sympathetic to the women prisoners' living conditions and isolation, are often reluctant to intervene as they see this role as the responsibility of the WSO. The women prisoners spoke of some officers replying to any of their requests with a statement to see the WSO when she is back on duty.
- 4.35 The women also stated that some of the officers do not have a knowledge or understanding of how to manage them and gave examples of times when they were left in bed rather than presenting for the morning count. The women felt this was because the officer felt uneasy or intimidated about performing this duty with the women. The women also stated that many of the male staff are unsure of how to respond to them and often treat them harsher than the men because they do not communicate the same way as men. Some of the male officers spoke of the risks of accusations when working in the women's unit and a reluctance to engage with them for any length of time. This highlighted to the Office the need for training of staff in managing female prisoners.
- 4.36 A previous recommendation by this Office from the 2007 inspection was for the position of WSO in Broome Regional Prison to be extended to a full-time position.⁵⁹ From this inspection it is clear that there is still a need for the WSO to attend the prison at least five days per week and a roster should be looked at whereby the WSO attends on some weekends and evenings.

Recommendation 8

The women prisoners at Broome Regional Prison be transferred to the new prison in Derby as early as possible after its opening.

Recommendation 9

The Women's Support Officer's position be made full-time and a roster be implemented to include attendance on weekends and evenings on a regular basis.

Recommendation 10

Improve recreation opportunities for the women prisoners at Broome.

59 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 19, Recommendation 14.

WORK CAMPS

- 4.37 Until recently Broome had control of two work camps. However with the closure of Bungarun Work Camp in March 2011 only Wyndham Work Camp remains. At the time of the inspection Wyndham Work Camp had just been relocated to new facilities which were purpose built to meet the needs of the work camp. The facilities are much like the new facilities at Warburton Work Camp and are far superior to those in place at other, older work camps in the state.
- 4.38 Although there were plans to increase staffing levels at the camp to allow for an increase in the numbers to 40 prisoners (double of that previously held at Wyndham) there appears to be a delay in providing the staff and thus the prisoners to bring this camp to its working capacity.
- 4.39 With the intention of providing an additional position of life skills officer based at the work camp, the work camp kitchen had been fitted out with contemporary commercial kitchen appliances. The role of the life skills officer was to provide expertise, support and training to prisoners in using these appliances. In addition to this there was to be training for the prisoners in budgeting, food preparation and diet. This position was also going to have responsibility for the cleaning, laundry and the vegetable gardens. Although the Department supports the inclusion of this position, it has stalled due to budgetary constraints.
- 4.40 Other positions are also affected by these constraints and for this reason, whilst these positions are on hold, the Department will not increase the number of prisoners at Wyndham Work Camp above 20. As there is no qualified person to operate the kitchen equipment, the prison provided a kitchen specialist, who attended the work camp and trained the senior officers and officers of the camp in the operation of the equipment. The manager for food production for the Department also attended the work camp for a four week period with the senior officers and showed them the process involved in managing and ordering food supplies for the camp. They were also trained in Food Stars which is a nationally accredited course.⁶⁰
- 4.41 This training and coaching has given the senior officers and officers of the work camp the ability to supervise the use of the kitchen. All prisoners receive the Food Stars training before they leave Broome Regional Prison to attend the work camp.
- 4.42 During the inspection prisoners raised the issue of being returned from the work camp to the prison due to the type of offence they committed. These prisoners have been risk assessed by the prison and in some cases had been working in the community not only at the work camp but previously under section 95. These prisoners felt that their return was an inappropriate response by the Department to a media article in the Kimberley Echo about one particular prisoner based at Wyndham Work Camp.⁶¹

60 Food Stars is a training course in food preparation and the safe handling of food.

61 Kimberley Echo – 18 July 2011 – Sex pests may work in regions. Article can also be viewed on the internet: <http://au.news.yahoo.com/thewest/a/-/news/9868429/sex-pests-may-work-in-regions/>

- 4.43 The Office does not have a clear picture of Government/Department intentions with respect to the placement of certain categories of offenders at Work Camps, especially sex offenders. The Office is well aware of political reality and would never advocate rules which put the community at risk, but considers blanket rules to be inappropriate, unfair and unnecessary. Blanket rules that do not take into account individual risk assessments are irresponsible and work against any rehabilitative efforts.
- 4.44 In the Kimberley context, the goals of a Kimberley custodial management strategy need to include appropriate placements at work camps. In terms of sex offenders a significant number will be returning to the community but may not be granted parole. A staged, carefully risk-assessed reintegration via work camp placements makes good management sense.
- 4.45 In terms of prisoner numbers and opportunities for staged release, work camps at places like Wyndham and Warburton are not likely to meet their full potential if there is a blanket ban on certain groups of offenders being placed there. In WA, the experience over many years has been that many sex offenders have worked successfully in positions of trust within the community (for example, under section 95 in Broome, Karnet, Bunbury and other prisons).

Recommendation 11

Adequately staff Wyndham Work Camp to maximise prisoner numbers.

Recommendation 12

Clarify the criteria for prisoners to be placed in a work camp. Placement decisions should be based on individual risk assessments, not on general policies with respect to specific groups of prisoners.

INDONESIAN PRISONERS

- 4.46 Twelve Indonesian prisoners were residing at Broome Regional Prison at the time of the inspection, having been transferred there a few months before to help provide a stable and reliable workforce. All were serving five year sentences for federal people smuggling offences with eligibility for parole and deportation after three years. The Office remains uneasy at the possible exploitation of the Indonesian prisoners as a workforce. They are undoubtedly good workers and are valued as such by the prison, but because of this their own preferences to engage in education or transfer to a different prison where they will be around more Indonesians or even family members may be ignored.⁶²

62 Information gathered from organised meetings with Indonesian prisoners of Broome and an interpreter prior to and during the inspection.

- 4.47 In preparation for the inspection this Office arranged a meeting with the Indonesian prisoners approximately one month prior to the inspection with an interpreter present. The prison also took this opportunity to engage with the Indonesian prisoners. Using the interpreter all areas of the prison took turns in meeting with the Indonesian prisoners and clarifying any areas of misunderstanding. Another meeting with this group of prisoners was arranged during the inspection, which also included an interpreter. These meetings were well received by the Indonesian prisoners.
- 4.48 Half of the Indonesians shared a single cell in the minimum yard, the others resided in three of the double cells in the enhanced privilege block. They welcomed the climate in Broome, were happy to work hard, thought they were well treated by prison management and had no complaints about their food or ability to observe their religion. However, there was frustration over restrictions in what they could do with their earned gratuities. They were also unhappy that they could not get any real education or trade qualifications as the education facilities such as TAFE see them as foreign students and therefore they would need to pay their own way. The prison has, however, managed to arrange one session a week for six of them to learn English.
- 4.49 During the inspection some Indonesian prisoners raised an issue about being bullied into buying tobacco for other prisoners. Others spoke of verbal abuse from other prisoners that they thought was directed against their mothers or families. These matters were raised with the prison during the inspection and were investigated immediately.⁶³
- 4.50 Five of the Indonesian prisoners said that they wanted to move to another prison in the south of the state, where there were more of their countrymen and where they thought they would be better understood. One Indonesian prisoner stated that he had a close relative there though he was unsure which prison he was in.⁶⁴
- 4.51 The Indonesians say they are from poor village backgrounds and their wives, children and other family members are struggling without their main breadwinner. They are desperate to be permitted to transfer even their limited gratuities back home to help pay for basic food, medical, education and bureaucratic expenses. They are happy to work hard, but have been told the government will not allow them to send money home. They were also told in June 2011 that they could not make any purchases in the canteen other than for consumables. In late August 2011, in a meeting with the superintendent through an interpreter they were told they could buy joggers or cheap watches. Yet they remain confused and frustrated that their canteen orders for these items have since been repeatedly rejected.

63 At the completion of the inspection the inspection team were told by the prison that the issue of bullying the Indonesian prisoners had been addressed and the offending prisoner dealt with.

64 The inspection team was told by the prison that all transfer applications by the Indonesian prisoners would be considered sympathetically.

- 4.52 The question of the repatriation of the gratuities by Indonesian prisoners to their families was actively pursued both by managers in the Department and relevant Indonesian community groups. However, the federal government made strong representations to WA reaffirming its intention not only to prevent any repatriation of prisoner funds to their overseas families, but by garnishee of their gratuity payments help recover the government's costs of their arrest, processing and prosecution.
- 4.53 This resulted in a notice being issued by the Assistant Commissioner Custodial Operations (ACCO) on 7 June 2011 preventing any transfer of gratuities outside the prison to other prisoners or the purchase of items other than 'consumable canteen items'.⁶⁵ However, it was subsequently decided that in the absence of a formal agreement between the Department and the relevant federal department, to issue a further notice on 17 August 2011 which lifted the restrictions on purchases by 'people smugglers' or illegal fishers to bring it back in line with local prison procedures.⁶⁶
- 4.54 The issuing of the notice lifting the restrictions on purchases prompted the superintendent's meeting with Indonesian prisoners in late August. Unfortunately some other staff did not appear to be aware of this change in policy and a copy of the superseded ACCO Notice from June was on display in the canteen at the time of the inspection. At the conclusion of the inspection, Broome management addressed the issue with the canteen.
- 4.55 The situation of foreign national prisoners generally and Indonesians in particular was raised by this Office in the context of its 2009 inspection at Hakea Prison, which recommended that the Department develop and implement clear standards for the management of foreign nationals in WA prisons.⁶⁷ This Office and the Department has had continued discussions since then, with valuable input from the Independent Visitor's Scheme, the Indonesian Consul General and others. The Department is continuing to develop its own new standards and procedures for foreign nationals in custody. These standards have been a long time coming and progress has been slow. This Office will continue to monitor this.

65 DCS, ACCO Notice No 8/2011, REF: Restricted Expenditure of Gratuities, 7 June 2011. A related Superintendent's Circular 5/2011, Garnishee Notices – Prisoner Subject to Removal from Australia, was also issued.

66 DCS, ACCO Notice No 14/2011, REF: Restricted Expenditure of Gratuities – Amendment, 17 August 2011.

67 OICS, *Report of an Announced Inspection of Hakea Prison*, Report No. 63 (June 2010), Recommendations 14 & 15.

Chapter 5

BROOME BASICS

PEER SUPPORT

- 5.1 Broome had a well-functioning peer support program facilitated by the acting Prison Support Officer (PSO). The inspection team met with peer support prisoners who were highly visible in their yellow t-shirts and quite enthusiastic about their role supporting other prisoners. As with other prisons, peer supporters often find themselves assisting other prisoners with letters home, parole applications and other official correspondence. While none were from the security section, they were freely allowed to visit there to provide support and assistance. The PSO also had a key role in addressing support and welfare needs of prisoners.
- 5.2 In the last full inspection in 2007, it was recommended that peer support prisoners be given additional roles and responsibilities, including a formalised presence during the reception process and a role during prisoner orientation'.⁶⁸ A peer supporter is employed in reception and welcome kits are assembled for new prisoners by peer supporters which is an advance, but unfortunately they have no direct role in meeting new prisoners on arrival or assisting with their orientation as they do at some other prisons. Peer supporters also help organise a monthly morning tea for elderly people in the town.
- 5.3 Peer support meetings are held monthly with minutes kept. Members received Mental Health First Aid training in March 2011 and Gatekeeper training in July 2011 which participants found very helpful; unfortunately a number had since left and newer ones missed this training. The superintendent had occasional barbeques with peer supporters which was both an encouragement and an opportunity to exchange ideas. All were paid at level one gratuities, a minor source of complaint for those already earning level one in their job role.
- 5.4 At the time of the inspection no woman prisoner was willing to participate in the peer support team. This is regrettable as peer supporters can be a valuable source of support and information for fellow prisoners. There was, however, a lot of encouragement for female prisoners to join the peer support team.

ABORIGINAL VISITORS SCHEME (AVS)

- 5.5 Recommendation 12 of Report 46 called for the Department to 'comprehensively review the services of the AVS at Broome Regional Prison', and for the prison to ensure it had in place 'practices and procedures that will enable prisoner issues to be identified and addressed in a timely fashion'.⁶⁹ At this inspection it appears that locally, management had worked to improve the communication between the AVS representative and management and had tightened up on the follow-through on issues raised by the AVS. The AVS representative was active in the prison and felt both respected and supported by staff there. An issue remains about access by the AVS representative to prisoners in the women's unit and by prisoners in the secure unit to the AVS representative. Currently it appears that the AVS will only attend those units on the specific request of a prisoner. While it is understandable to prioritise attendance to areas where most prisoners are, as most of the interaction between the AVS representative and prisoners appear informal, restricting access to only those in these areas who have booked a visit appears unnecessarily restrictive.

68 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007), Recommendation 6.

69 Ibid, Recommendation 12.

- 5.6 At a broader level, this Office saw no evidence that the Department had engaged in a review of AVS services for Broome. The existing AVS representative is very committed to the task but has been the sole representative for many years and is elderly. No alternative or transition arrangements appear to be in place should he retire or fall ill for an extended period.

CANTEEN AND LIBRARY

Canteen

- 5.7 With the refurbishment of the women's unit the canteen was moved to a location outside the secure perimeter fence. The new location is very small and limits the canteen's ability to store items. The canteen operates efficiently, but it was concerning that security arrangements around the personal safety of the new acting Vocational Support Officer had not been properly managed. This was raised by the inspection team and rectified during the inspection.
- 5.8 All minimum security prisoners are permitted to attend the canteen in person and attend in small groups throughout the scheduled day. The maximum security prisoners put in requests and these are filled and delivered to the unit for distribution.
- 5.9 Prisoners receive gratuities for the work they do and some are paid at higher levels as reward for greater effort or responsibility. With earning money comes the expectation that people may spend their money on things they desire. Obviously there is a limit to the type of items that can be purchased for reasons which include: health, longevity, storage after purchase, and security. However, even taking these factors into account the canteen had a very short list of stocked items and appeared to be capable of carrying a greater range by reducing quantities stored.
- 5.10 Prisoners expressed a desire for familiar foods such as camp pie, sardines, baked beans or ice creams, others wanted yoghurt or milk drinks, desserts, quality coffee or tea, larger blocks of chocolates, nuts in quantity, dried fruit or things to cook such as cake or pancake mix. Not all of these are suitable to be carried in the canteen, however, there are some basic luxuries that could be carried as part of a slightly larger range.
- 5.11 The range of toiletries either in stock or available through town spends was also limited. A more serious omission for some was the lack of personal insect repellents, given the prevalence of mosquitoes and sandflies in the prison. The only diabetic product on sale was sugar-free candy. Overall, the inspection found that the operation of the canteen had deteriorated since the 2007 inspection.⁷⁰

70 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007), 13.



Storage cupboard showing limited space for bulk storage. Limited storage options.

Library

- 5.12 Despite the refurbishment of the education centre, Broome has no dedicated library. The prison's collection of books is stored in limited shelf space in one classroom. This means books are not particularly accessible for prisoners, and also means that the prison cannot accept donations of books because there is simply no space to keep them.
- 5.13 Visits to Roebourne Regional Prison (which has a similar demography of prisoners) have shown just how valuable a prison library can be as a place where prisoners can pursue their own interests and it was disappointing to see a lack of such a facility at Broome.⁷¹ It is hoped that the prison may identify another area of suitable size to re-establish a library for the prisoners in an area that is easily accessible.

Recommendation 13

Re-establish a library in an area which is easily accessible and of a suitable size.

RECREATION

- 5.14 Recreation was found to be a significant deficiency in the last full inspection in 2007.⁷² However, it was noted that the Department was creating a permanent recreation position which it did. At the time of the inspection, an acting recreation officer had been in the position for about 12 months and applications for permanent filling of the position had recently closed.
- 5.15 The recreation officer had made a good effort to overcome the physical limitations of the centre through facilitating regular participation by minimum security males in football and basketball competitions off-site and occasional fishing excursions. An internal basketball competition involving four teams over eight weeks had just concluded at the time of the inspection and a football game against the previous year's premiership team was also conducted off-site on the first day of the inspection. The recreation officer had also identified a number of prisoners willing to take on leadership roles in organising

⁷¹ OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011), 25.

⁷² OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007), 14.

such recreation activities. It is hoped that a few of these can participate in official referee courses when next available in the community.



Recreation area which doubles as an assembly point.

- 5.16 The ‘bullpen’, which until some months previous to the inspection had had to be available to accommodate peak numbers, now houses a satisfactory exercise gym for minimum security males.⁷³ Less strenuous activities such as playing guitar, cards, bingo, fishing and darts were also especially popular with the older prisoners.
- 5.17 The recreation officer hoped to build on the strong interest among Kimberley prisoners in art and music. Unfortunately, a popular outdoor art space was lost when the education centre was refurbished, so an alternative space will need to be identified and developed.
- 5.18 Band equipment has been in storage for some two years, apparently in disrepair. Prisoners at the NAIDOC celebration in July 2011, had the opportunity to use the equipment of the visiting band and showed just how talented they are, and how little has been made of that talent in the prison of late. Recreation and education have been working together to establish a music industry skills course in conjunction with the local TAFE, which should prove popular. The band equipment will be restored and other equipment acquired. The program should establish a resource of prisoners competent to look after the equipment and to act as tutors to others interested in extending their musical knowledge and abilities.

73 The ‘bullpen’ is a roofed cage-like enclosure in the minimum section remaining from the original prison. This used to be used as a secure area to house the overflow of prisoners from the security section before it was refurbished. Prisoners used to sleep on mattresses on the floor at night and return to the security section during the day.

VISITS

Minimum Security Visits

5.19 Broome Regional Prison continues to have a flexible approach to visits that serves prisoners and visitors well; after all some families and friends have travelled long distances to get there. Visitors are not booked in and can arrive at the gate knowing that if they are eligible for a visit they will get it. The visits area is very casual and is located at the front of the prison outside the secure fenced area. The main visits area is grassed and has a paved covered area with plenty of seating. Adjacent to this is another area which again is paved but has a fish pond and is shaded by trees giving a more relaxed type environment for the visits. The children are catered for with a large sandpit with a few playground items, this area has no shade. The visits area lends itself to a relaxed atmosphere in which the prison conducts these visits.



Minimum security visits area – covered seating area.



Minimum security visits area – children's play area.



Minimum security visits area – shaded, relaxing and informal.

- 5.20 The main issue identified with the visits was that the visits officer, who sits in the gatehouse and signs in all visitors, also observes the visits from this point. Since the last inspection the prison has developed a visits officer position which operates from 10am to 10pm each day and has responsibilities surrounding both the minimum security visits and the maximum security visits.⁷⁴ During the inspection, staff brought to the attention of the inspection team that this position had rarely been filled of late as not all vacant positions were being covered by overtime and as such this was one position that was often not filled. Staff spoke of other positions such as the lobby officer's position having to cover for the work load of the visits officer.
- 5.21 The gate house is remote from the main visits area and is poorly situated for supervision of visits, for visitor reception and processing, or to facilitate access into the prison for those visiting in the security section. Questions have been raised in previous inspections about the ability of staff to properly supervise visits, essential given the prevalence of prisoners with histories of domestic violence, other violence and sexual abuse.⁷⁵ During this inspection there was no evidence that the prison was able to supervise visits any better than before, especially with staff shortages. Nor has there been any improvement in the way non-contact visits are undertaken. These are done through the door of a multipurpose cell, with the visitor on a chair outside. Although these types of visits are fairly rare at Broome it should not be expected of a visitor to have to subject themselves to sitting in a hallway to conduct a visit. At the time of the inspection there was no other area identified as suitable for a non-contact visit.

Maximum Security Visits

- 5.22 As maximum security prisoners are not permitted to attend the visits area utilised by the minimum section prisoners as it is external to the security perimeter fence, the maximum security prisoners conduct their visits inside the secure area of the prison. The recent addition of a dining room/visits area through the \$11.2 million refurbishment of the prison is a vast improvement on the old visits area.
- 5.23 The area is air-conditioned and has the space for a number of simultaneous visits, although numbers are restricted to six visits being conducted at any one time. The officers have good visual contact with the area as it is adjacent to the officer's post with an adjoining window which is used for observing the visits.



Dining and visits area.

74 Duties directed by Broome Regional Prison Duty Statement – 07 issued 08 April 2011.

75 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007), 17.

FUNERALS

- 5.24 The superintendent acknowledged at the start of the inspection that the inspection team would likely be approached by prisoners unhappy that their applications to attend a funeral had been declined with cost given as the reason for that decision. He also informed the team that the prison itself had facilitated attendance by five prisoners to a funeral in Derby two weeks before the inspection using a prison vehicle and a taxi. The prison understood that it would have cost the Department \$6,740 for their contracted service provider to undertake this escort. For this price only three of those recommended to attend could go. It cost only half that for the prison to undertake the escort including overtime and vehicle costs. The Department should review the costing of the contracted service provider and fully explore all other avenues of decreasing the cost of funeral escorts.
- 5.25 The inspection team certainly did encounter a number of prisoners whose applications to attend a funeral had recently been declined, including two for whom cost was given as the sole reason for the decision. They, and their friends, expressed outrage that they were unable to grieve with their families and meet their cultural obligation to show respect to the deceased. Inspection team members examined records relating to eight applications from Broome prisoners to six different funerals held in the month of the inspection.
- 5.26 Unit staff were particularly vigilant in relation to funeral applications and maintained a folder under the office desk to progress outstanding applications as new information became available. This meant applications were not left or ignored when that position was unattended.
- 5.27 After receiving an application from a prisoner, faxed information about the funeral and the nature of the relationship between the applicant and deceased is sought from family members organising the funeral and through their community's administrative centre. Only after this is returned, is an application formally entered on the TOMS system. The unit officer has the opportunity to comment in this application, and it was clear that an effort was made to understand the nature of the relationship of the prisoner to the deceased, including when a tribal relationship was considered in their culture, equivalent to a direct blood relationship. In almost every case, unit officers supported the prisoner's application.
- 5.28 However, it appeared that officers often had very limited information on which to make judgements concerning the prisoner's relationship to the deceased. While prisoners present as sincere in their expressions of grief for a deceased person, they are not always capable of expressing the nature of that relationship to an official. There was also little room for information on the form sent to families, or to communities requesting information on behalf of families, and questions were typically answered using just a word or three.
- 5.29 The assistant superintendent, who may seek advice from an Aboriginal officer or community member, completes the application and makes a recommendation on behalf of their facility, before forwarding the report electronically within the Funeral Registry system to Sentence Management in head office.

- 5.30 In the past, a quotation had to be sought from the Court Security and Custodial Services (CS&CS) Contractor and included in the application. Since a change of contractor on 1 August, 2011,⁷⁶ applications for regional funerals have included the following question and a list of possible responses:

7.6 If the funeral is located regionally, what is the approximate distance to the funeral from the closest prison facility?

0-50km	\$1,090
50-200km	\$1,595
200-500km	\$6,740
500-1000km	\$10,275
1000km +	\$11,380

- 5.31 Broome management believed, and contact with Sentence Management confirmed, that these are meant to be return distances. For example, an escort for a funeral in Derby which is 220 km distant from Broome, falls in the 200-500 km category with a contractor cost listed as \$6,740. The form also provides an option for the prison to provide a costing to mount its own escort in the event that contracted service is considered too costly or is otherwise unavailable.
- 5.32 Of the eight applications examined, four were recommended to proceed by the assistant superintendent, and four were not recommended. Typical reasons for not recommending a prisoner attend a funeral are that their relationship with the deceased does not have the character of a direct blood relationship or that a victim of the prisoner's offences is likely to be present and must be protected.
- 5.33 Decisions on funeral attendance are finalised by Assistant Commissioner Offender Management and Professional Development (OMPD) following further processing within Sentence Management. Multiple applications are often made from different prisons, and families of the deceased often have to be consulted before a determination can be made as to who should attend. The cost and contractor availability of a proposed escort also has to be resolved. In the past, for reasons of security and cost, attendance at funerals has been limited to four adult prisoners.
- 5.34 Of the four funerals recommended by Broome, only one was approved. The other three were declined on the basis of cost. In one case, a young man was unable to attend the funeral of his natural father only because the date of his incarceration made it impossible to attend without an extraordinary expense, having missed the weekly escort to another regional prison. The other two had applied to attend a funeral in a community that despite being in the West Kimberley, normally required a road journey over 1,000km return. By air it was only a 600km return journey.

⁷⁶ Serco became the contractor for Court Security and Custodial Services on 1 August 2011.

- 5.35 The change to the system had only recently been implemented and there was still uncertainty at the time of the inspection as to whether escort costs applied for a radial or a return distance, whether the Department were charged according to the table for each prisoner attending, and whether road or air distances were applicable. There was also uncertainty as to whether some kind of quota system was in place and whether the costs cited in the grid applied only after the quota was full. During the inspection it became apparent that the two men’s community had rescheduled the funeral a week later in the expectation they would attend, prompting a reconsideration of their application. New information of the cultural status of one these men also emerged. As a result of reconsidering the applications they were flown to attend the funeral.
- 5.36 After the inspection, it emerged that under the new Contract with Serco, there is indeed a quota system in place under which the following number of escorts for funerals, medicals and other ad hoc requirements are funded each month:

Distance	No. of included escorts
0-50km	121-140
51-200km	2
200-500km	5
500-1,000km	2
1,000km +	2

- 5.37 This means the first two escorts involving a return journey of over 1,000km, recommended for approval each month are covered. Up to three prisoners can be included in each of these escorts, effectively making three the new limit on numbers of prisoners attending a funeral. Any further escorts in any one category that month are costed according to the table reproduced above. If the Assistant Commissioner OMPD determines that an application outside the quota should be approved, it is up to the contract manager to incur the expense and engage the contractor, or negotiate with Adult Custodial for the facility to undertake the escort. In either case, supplementary funding has to be requested in retrospect from Treasury.
- 5.38 In his reply to the Inspector’s Exit Debrief at the conclusion of the Broome inspection, the Corrective Services Commissioner noted that WA spent far more than other states in getting prisoners to funerals and indicated this was a matter that he and his executive team had under consideration. We were subsequently advised that Sentence Management have been asked to review decision-making in relation to funerals with a view to reducing such expenditures. This is most concerning, as any reduction in the ability of Aboriginal prisoners to meet their cultural obligations and grieve for family at funerals will be felt by the individuals concerned, their families and by those managing and supporting these prisoners in custodial facilities.

- 5.39 In briefings by the project managers engaged with the retender of the CS&CS Contract, now concluded, we were informed that the preferred model of the project committee was that the escort capacity of regional facilities be bolstered to undertake their own ad-hoc escorts. Information from within Adult Custodial since the Broome inspection has indicated that this is still under active consideration. It is not for this Office to determine the most efficient and cost effective solution for the Department to meet its escort obligations. However, an outcome which diminished the prospect of people in custody paying their respects, supporting their family and meeting their cultural obligations at funerals of near relatives would be most unfortunate.
- 5.40 After the inspection this Office found that the privately run prison (Acacia) has addressed some of the issues surrounding the knockback of prisoners attending funerals due to excessive numbers or cost in that they video the funeral with it beamed back to the prison through Skype for the prisoners concerned to view. Whilst this Office would not support the over use of this method it is a good method of involving those prisoners that could not attend due to excessive numbers. In the Office's view, however, it should be used as way of allowing more prisoners to be involved rather than reducing the number of those allowed to attend.

Recommendation 14

Explore all avenues to decrease the cost of funeral escorts in order to maximise eligible prisoners' attendance.

Recommendation 15

Use Skype to supply an additional service to those prisoners who are not able to attend a funeral.

Chapter 6

HEALTH

THE PRISON POPULATION

- 6.1 The majority of prisoners (96%) in Broome are from rural communities of which approximately 10 per cent are on remand at any given time.⁷⁷ This is significant because remand prisoners have greater mental health and health needs than sentenced prisoners.⁷⁸ However, it is not just the number of prisoners accommodated that have an impact on health services, but also prisoner turnover. Broome has a large proportion of short term prisoners, with sentences and remand periods in the general prison population varying from one day to many years.⁷⁹ This variance creates a multitude of different health needs.
- 6.2 The small numbers of female prisoners (up to 12 but six at the time of the inspection) has caused difficulty in the past for the prison to provide appropriate accommodation.⁸⁰ Although there has been a refurbishment of the women's section the healthcare needs of female prisoners are still not being fully met, an issue that is explored later in this Chapter.

BACKGROUND

Standards of Healthcare

- 6.3 There is international agreement relating to the principle of equivalence. The World Health Organisation (WHO) strongly advocates for healthcare delivery to be based on the principle of equivalence, where the nature and quality of services are the same as provided in the community.⁸¹ The Committee of Ministers for the Council of Europe (1998) stated that respect for fundamental rights of prisoners entails the provision to prisoners of preventative treatment and healthcare equivalent to those provided to the community in general.⁸² United Nations Standard Minimum Rules go further stating 'So far as possible, the personnel shall include a sufficient number of specialists...'⁸³
- 6.4 Although the health service provided at Broome exceeds community standards in some areas, for example in the availability of nursing staff to undertake rapid assessments, overall it is still not yet at a stage where it could be considered to be equivalent to community standards for reasons that are discussed later in this Chapter.

77 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

78 Butler T, Allnutt S, Cain, D *et al* (2005) Mental disorder in the New South Wales prisoner population. *Australian and New Zealand Journal of Psychiatry* 39, 407-413

79 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

80 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 27 (March 2005) 20.

81 World Health Organisation (WHO) Europe (2007) Promoting health in prisons: a WHO guide to the essentials in prison health http://www.euro.who.int/__data/assets/pdf_file/0009/99018/E90174.pdf

82 Committee of Ministers of the Council of Europe (1998). Recommendation No. R (98) 7 of the Committee of Ministers to Member States concerning the ethical and organisational aspects of health care in prison (adopted by the Committee of Ministers on 8 April 1998). Strasbourg, Council of Europe.

83 Office of the United Nations High Commissioner for Human Rights (1957) *Standard Minimum Rules for the Treatment of Prisoners. Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolution 663C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977*. Geneva, Office of the United Nations High Commissioner for Human Rights (http://www.unhcrch/html/menu3/b/h_comp34.htm).

Rate of Mental Disorder

- 6.5 During the inspection, the inspection team was told that the rate of major mental disorder in the prison was insignificant with only one prisoner suffering from mental disorder.⁸⁴ The rate of referral to Broome Mental Health Services was likewise very low.⁸⁵
- 6.6 The Office would have expected, according to the best estimate of rates of psychiatric disorders in other prisons in other jurisdictions, that the rate of mental disorder at Broome would have been much higher than has been identified and is likely to be a significant underestimation, as the rate represents only those who have been positively identified at screening. Rates of mental disorder are usually higher in Indigenous populations and much higher in prisons.^{86, 87}
- 6.7 In general there may be a number of possible reasons for the high rate of mental disorder in prisoners. Factors relating to the population include; socioeconomic deprivation, homelessness, a lack of diversionary options available in the community and at court, deinstitutionalisation of the mentally ill, a lack of local mental health facilities or a high threshold for admission to general psychiatric facilities, a general reluctance of general psychiatric service to accept mentally ill patients from the courts, the under-provision of specialist forensic services across the state, and society's intolerance of deviant behaviour by mentally ill people.⁸⁸
- 6.8 Factors within prisons which have the potential to adversely affect mental health include: overcrowding; poor environmental conditions; poor quality food; inadequate healthcare; aggression either physical, verbal, racial or sexual; lack of purposeful activity; the availability of illicit drugs; enforced solitude; distance from family; and lack of privacy.⁸⁹ This inspection found that Broome has progressed towards addressing some of those factors such as overcrowding and poor environmental conditions, to name a few, but there are still factors that need to be addressed, including both factors within their control and others which are not.
- 6.9 The prison environment is not ideal for the treatment of mental illness. It is an aversive and punitive environment by design. Signs and symptoms of mental illness may be misinterpreted and attract punitive responses, or can be missed altogether.

84 Information gained from meeting with the Nurse Manager during the inspection.

85 Ibid.

86 Kariminia A, Butler T & Levy M (2007) Aboriginal and non-Aboriginal health differentials in Australian prisoners. *Australian and New Zealand Journal of Public Health* 31, 366-371.

87 Butler T, Allnutt S, Cain, D *et al* (2005) Mental disorder in the New South Wales prisoner population. *Australian and New Zealand Journal of Psychiatry* 39, 407-413.

88 Butler T, Allnutt S, Cain, D *et al* (2005) Mental disorder in the New South Wales prisoner population. *Australian and New Zealand Journal of Psychiatry* 39, 407-413.

89 World Health Organisation (WHO) Europe (2007) Promoting health in prisons: a WHO guide to the essentials in prison health http://www.euro.who.int/__data/assets/pdf_file/0009/99018/E90174.pdf

6.10 In general, the mentally ill revolve through prisons which often act as little more than temporary accommodation. They are likely to remain undetected in prison and may return to the community without adequate treatment or aftercare.⁹⁰ When psychiatric services cannot respond to the seriously mentally ill in the community, those with difficult behaviour are dealt with by default within the criminal justice system. If left untreated in prison, when released they are unattractive patients to general psychiatric services, often suffering from co-morbid diagnoses such as substance misuse and or personality disorders, and they are often resistant to interventions or can be poorly compliant with treatment plans.⁹¹ This group often loses contact with services, and it is a short step to reoffending.

Substance Misuse

6.11 The rate of substance misuse in Broome is high and at the time of the inspection the Office was told that 90 per cent of prisoners abuse drugs and alcohol.⁹² Cannabis and solvents are misused and amphetamine use is increasing.⁹³

6.12 Internationally, it is recognised that the management of addiction and mental illness within health rather than criminal justice agencies offers the greatest hope for reducing the number of the mentally disordered in prison.⁹⁴ In general, provision of limited treatment services for prisoners and ex-prisoners is not a sound policy, as provision of comprehensive services can prevent or delay recidivism in mentally disordered offenders.⁹⁵

General Health

6.13 The rate of prison morbidity was found to be high. The health profile of prisoners was recognised by a recent review of clinical service provision within WA Corrective Services.⁹⁶ The health of prisoners in general is not as good as those in the community.⁹⁷ Prisoners have a high prevalence of risk factors for cardiovascular disease and diabetes, such as high blood pressure, elevated blood glucose and cholesterol levels.⁹⁸ Smoking occurs at very high rates. In addition to high rates of mental disorder and substance misuse, the rates of blood borne virus infection, sexually transmitted infections, dental decay and gum disease is high. Prisoners consult doctors in prison more regularly in prison than in the community and these consultations were mostly in relation to disorders that existed pre-imprisonment.⁹⁹

90 Birmingham, L (1999) Between prison and the community: the revolving door psychiatric patient of the nineties. *British Journal of Psychiatry* 174, 378-379.

91 Butler, T., Allnutt, S., Cain, D., Owens D., Muller, C. (2005) mental Disorder in the New South Wales Prisoner Population. *Australian and New Zealand Journal of Psychiatry* 39, 407-13.

92 Interview with PAST nurse during inspection.

93 Ibid.

94 Levy M (2011) Health services for prisoners. *British Medical Journal*, 342-3.

95 Whiteford H & White A (2008) Prisons: mental health intuitions of the 21st century. *Medical Journal of Australia* 185, 302-303.

96 Stevens, M (2011) *Assessment of clinical service provision of health services of the Western Australian Department of Corrective Services*, Department of Corrective Services.

97 Martin, E., Colebrook, M. & Gray, A. (1984) Health of prisoners admitted to and discharged from Bedford Prison. *British Medical Journal*, 289, 965-7.

98 D'Souza, R. M., Butler, T, Petrovesky, N (2005) Assessment of cardiovascular disease risk factors and diabetes mellitus in Australian prisons: is the prisoner population unhealthier than the rest of the Australian Population? *Australian and New Zealand Journal of Public Health*, 29, 318-323.

99 Feron, J.M., Paulus, D., Tonglet, R., Lorant, V. & Pestiaux (2005) Substantial use of primary healthcare by prisoners: Epidemiological description and possible explanations. *Journal of Epidemiology and Community Health*, 59, 651-5., Marshall T, Simpson S, Stevens A. Use of health services by prison inmates: comparisons with the community. *J Epidemiol Community Health*. 2001 May;55(5):364-365.

HEALTH

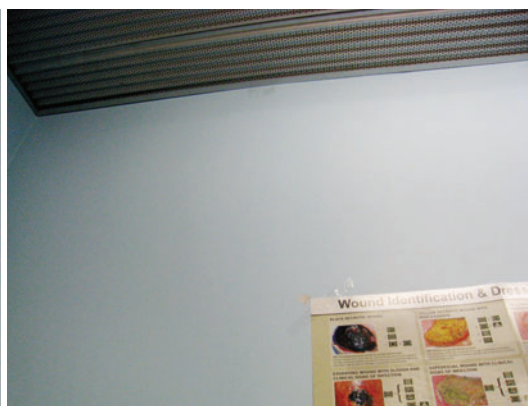
HEALTH SERVICES TODAY

Health Facilities

- 6.14 The health centre is new, and its provision is welcomed. However, it is small, cramped and the design is not appropriate for the climate. Since the building was erected in 2009 it has been subject to white ants, flooding and mould. Though the effects of the flooding and the white ants appear to have been resolved there remains an ongoing issue with mould growth. At one stage this required the medical facility to be closed down and the centre operate out of spare offices around the prison whilst professional cleaners attempted to resolve the situation. There has been some improvement although since staff have moved back into the facility there has been a need for weekly wall cleaning with hydrogen peroxide to control the mould growth. Perforated ceilings increase the difficulty in identifying and controlling the mould as access to this area is limited. In any setting let alone a health centre, this need to continually clean to control mould is inappropriate.



Mould on wall and ceiling of Medical Centre.



*Mould on wall and ceiling of Medical Centre.
Note perforated ceiling – unknown if mould is present
behind this ceiling panel.*

- 6.15 Staff in the centre also complained that the air-conditioning temperature was too low and that they continually worked in the cold. At the time of the inspection it was noticeably colder than most other areas in the prison. It was also noticed that there were limited numbers of windows in the facility so no fresh air flow was available. (It is unknown if this may be contributing to the mould issue.) Staff in the facility had little access to the fresh air other than to access the veranda area at the front of the building opening out into the minimum security yard. Staff rarely used this as there was little privacy from prisoners for conversation.
- 6.16 Flaws in the design meant that not all rooms in the facility had escape doors, which limited the number of rooms that could be used for consultations. Due to this consultations were being conducted elsewhere in the facility and privacy in the centre was sometimes compromised. During the inspection an eye test was observed being conducted in the hallway of the facility.

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- 6.17 The dispensary appears poorly designed and cramped. The inspection team confirmed the view of staff that the sink's location and size further reduced the work area available as did the orientation of the medication dispensing window. The space for physical examinations was small but satisfactory. The layout of the centre did not allow staff to have dedicated work spaces so all staff share, which had affected efficiency and morale. Unlike the education centre, which had attempted to accommodate cultural artefacts and a more relaxed atmosphere, the health centre was not designed or decorated in a way which was either culturally appropriate or encouraged patients to attend.

Recommendation 16

Undertake remedial work to prevent mould growth in the health centre.

Observation Cell

- 6.18 The observation cell, situated near the main gate is sometimes used to accommodate patients with a psychiatric disturbance. However, it had not been designed for this but rather for containment and control. Many of its features do not permit sufficient observation, particularly of medication administration and it is difficult to maintain appropriate levels of supervision. Compliance with any treatment in such circumstances can be difficult to encourage or monitor. Many staff have not received adequate mental health training to manage psychiatrically disturbed people in this environment.
- 6.19 The prison staff appeared to recognise the inadequacy of this facility, and we were told that despite objections made by the prison, the Department insisted it be used to house a disturbed patient awaiting transfer south prior to admission to hospital. On that occasion the prison placed a relative of the disturbed man in the cell with him to assist in reducing his risk, but this highlights the inappropriate nature of the facility being used for this purpose.

Health Centre Staffing

- 6.20 Health centre staffing is made up of; one full-time nurse manager; one full-time co-morbidity nurse (Prison Addiction Services Team (PAST)) Monday to Friday; one full-time medical records administration officer; and a nurse presence for 10 hours per day seven days per week with a primary care nursing clinic every day, a total of 4.5 FTE.¹⁰⁰ There is no coverage of staff when they go on leave as the staffing numbers do not allow for this, so sickness can result in a reduction of service provided. The fact that there is a nursing presence every day for 10 hours with so few staffing positions is impressive. During the inspection the team found that staff demonstrated a holistic, patient focus to their task.
- 6.21 Although many health centre staff had begun to feel more supported and valued by the Department there were issues. The co-morbidity team is managed at a distance, and day to day issues are not always easy to manage remotely. There is no clinical supervision for nursing or medical staff, and there are too few continuous professional development or medical education opportunities for staff.

¹⁰⁰ Meeting with Nurse Manager during the inspection.

HEALTH

- 6.22 Two weeks prior to the inspection Broome received a new health centre manager, which assisted in raising morale of health centre staff.
- 6.23 In addition to permanent health centre staff, a number of medical and other visiting staff provides services on a sessional basis:
- Seven sessions provided in general practice per month;
 - One session in psychiatry per month (ad hoc) as required;
 - Two sessions by a mental health nurse per month (ad hoc) as required;
 - One session by a general physician every 2 months;
 - One in podiatry per month;
 - One by a dietician per month; and
 - Three retinal screening sessions per year.
- 6.24 Healthcare professionals who are not working in a healthcare environment but a custodial setting quickly become professionally isolated from the mainstream health practise. To avoid this, it normally would be desirable for healthcare professionals to maintain a professional link with other healthcare organisations, and to receive some regular academic and professional supervision and support, in order to maintain continuous professional development.
- 6.25 A full-time Indigenous healthcare nurse is employed who assists in meeting the specific cultural healthcare needs of this population within the prison. However as the population of the prison is predominantly Aboriginal, additional Indigenous healthcare staff would be of benefit in meeting these specific cultural healthcare needs.
- 6.26 Although the health facilities are cramped, there are high levels of morbidity in a transient population and they are located in a counter-therapeutic environment; the health service staff of Broome are not only dedicated but hardworking, caring, professional and offer the best service possible. It is important that the value that they offer is reflected in the support provided.

Healthcare for Women

- 6.27 The Department has produced two policy documents in relation to women: the *Strategic Plan for Women 2009-2012* (Women's Way Forward), dated June 2009 and *Strategic Directions Health Care for Women and Girls, 2008-2012*. Both of these highlight the significant and complex health needs and issues faced by women as offenders, mothers and often victims of abuse and trauma.
- 6.28 The policy documents were developed to: address the increasing numbers of women entering the prison; improve the circumstances in which they serve their sentences; to document the adoption of a 'women-centred approach'; improve service delivery; and to provide gender appropriate care delivering improvements in health and wellbeing, empowerment and skill development.¹⁰¹

101 DCS, Written submission for the announced inspection of Bandyup Women's Prison, 27 March – 1 April 2011. Letter from Commissioner to Inspector (2011).

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- 6.29 These documents are relevant because, as with Bandyup Women's Prison, from discussions with external service providers and staff it is possible to conclude that despite the laudable aims of the strategic plan for women, progress in many areas relating to health have yet to be achieved at Broome. For example the inspection found that: relationships with medical services and other external service providers could be improved; the facilities for women are confined and restrictive; women have restricted access to appropriate education programmes; there is an under-development of re-entry services with insufficient liaison with community agencies after release; few women have health action plans; and there is insufficient individual psychological support and therapy to meet their highly complex and individual needs.
- 6.30 It is possible to conclude that neither of the Departmental strategic documents relating to women appears to have informed the delivery of the health service at Broome nor has had a significant impact upon it and further progress towards implementation of the documents is needed.

Training in Mental Health

- 6.31 In general the attitudes of custodial and health centre staff towards prisoners with mental health issues appeared to be largely caring and supportive. However, some operational staff did not see any need to undertake any training in mental health, either reflecting a need for attitudinal development or a lack of confidence in the value of the training program.
- 6.32 The training of staff in the identification and management of mental health issues is inadequate. Very few custodial staff had received even basic mental health first aid training. At the time of the inspection this had been identified by the superintendent as an issue which he was planning to address. Only a third of Broome staff surveyed thought that they had received adequate training.¹⁰² Very few staff members have received training in dealing with drug and alcohol issues, despite the very high rate of users in the prison. The deficit in mental health training extends right the way through the prison. The assistant superintendent with overall responsibility for the management of risk of suicide or harm to others, and chair of the Prisoner Risk Assessment group (PRAG), had received no training in mental health. Even some nursing staff and other health centre staff had received no specific mental health training, but had only picked up 'expertise' from experience in post.
- 6.33 One possible consequence of this is that mental health issues may not be coming to the attention of staff. Behavioural abnormalities (if they occur) may be misinterpreted and the responses to prisoners may therefore not always be therapeutic. This is a waste of a valuable opportunity to intervene in stabilising prisoners conditions before they return to the community.

Recommendation 17

*Provide training in mental health first aid and drug and alcohol issues to all custodial staff.
Ensure that all health centre staff receive training in mental health.*

102 2011 OICS Broome Regional Prison pre-inspection staff survey report.

Information and Communications Technology (ICT)

- 6.34 Staff reported that EcHO, the health service directorate's online electronic medical record system, was reported to have been much improved. Nevertheless, serious problems remained. During the inspection it was observed that it took approximately eight minutes to enter a straightforward blood result onto the system. This has a serious impact on efficiency and on the number of patients that can be seen in a day.

Access to Healthcare

- 6.35 Access to medical care and appointments with healthcare staff appeared to be acceptable. The process of using a card system for appointments, appropriately does not involve custodial officers thus maintaining the confidentiality of the prisoners health issues.
- 6.36 After the cards requesting an appointment are lodged patients are usually seen either that, or the following, day by a nurse who is able to triage urgent cases and who can resolve minor issues. In this way, access to healthcare is superior to that available in the community. However, should a patient require a medical appointment with a doctor, access to a General Practitioner (GP) is inferior and waiting times can be protracted.
- 6.37 There are seven GP sessions provided monthly, with one per week from local services and three consecutive evening sessions provided once per month by a GP from Perth. The number of sessions is inadequate to meet demand. At the time of the inspection there was a waiting list of 18 which resulted in some patients not being seen and having to wait until the next clinic. Another GP session should be offered. Conversations held with the Director of Broome Aboriginal Medical Service indicated that if an additional GP session was funded, some minimum security prisoners may be able to attend for their appointments at the Broome Regional Aboriginal Health Service which provides the current regular weekly prison sessions.
- 6.38 The difficulties with the appointment system for those with mental illness is that many with mental illnesses are not identified and do not present themselves to services for treatment. Those who do not attend the health centre may be those who are most in need of treatment. For example, in many cases schizophrenia leads to an erosion in motivation (especially to seek treatment), or patients with this disorder may have active reasons to avoid mental health services. To this degree the appointment system is not necessarily needs-led, despite its attractions as being a demand-led system. It potentially results in barriers to access.¹⁰³ More assertive processes are required to ensure the patients who need the healthcare service can access it.
- 6.39 Access to the health centre is complicated by the availability of security staff. It is policy that the centre can only be open to patients when an officer is present. In periods when the prison is short of custodial staff, the health centre does not have security staff available. In the weeks prior to the inspection this had had a significant impact upon the functioning of the health centre and the ability for patients to access healthcare.

103 WHO (2003) Organisation of Services for Mental Health.

HEALTH

- 6.40 Discussions with health centre staff and officers during the inspection highlighted that officers on duty also differed in the number of patients they would permit in the centre at any one time, and applied the security procedures relating to this in an inconsistent manner. This made it difficult for the health centre to plan when patients could be seen and reduced efficiency. Nursing clinics sometimes had to be cancelled. The impact not just on the work of the health centre was significant. It should be possible to ensure that during the working day the health centre remains open for business, to improve access to patients. There should also be consistency amongst the officers as to procedures whilst working in this area.
- 6.41 Most prisoners expressed satisfaction with access to general health services and medication, half with access to medical specialists, and fewer to dental or psychiatric care.¹⁰⁴ There has been deterioration in respect of access to psychiatric care since 2008. The rate of dissatisfaction of prisoners did not appear to be appreciated by staff, 59 per cent of whom thought that access to mental health care services was adequate.¹⁰⁵

Recommendation 18

Increase the number of General Practice sessions and spread more evenly throughout the month.

Recommendation 19

Review procedures to ensure that the health centre is open each day.

Screening

- 6.42 Screening of reception prisoners is problematic, with prisoners often arriving late in the working day. These prisoners require processing rapidly. Two thirds are distressed, especially if coming into prison for the first time, or from court.¹⁰⁶ Screening has to be undertaken rapidly, yet still has to capture all forms of pathology. However, there are few questions relating to health asked at the initial reception, and anecdotally it is easy for prisoners to deny the presence of mental disorder, in order to avoid the prescription of unwanted medication or the attached stigma and discrimination.
- 6.43 Notwithstanding this, all patients are seen by a nurse within 48 hours of arrival where a basic physical examination and a standard health screen (AMR1012) are undertaken. General health questions are asked and 14 mental health and substance misuse questions. It is not known how discriminating these questions are. All patients are then assessed by a GP within 28 days of arrival. This assessment is much less structured, and it was not clear how this second evaluation differed from the initial screening undertaken by the nurse.

104 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

105 2011 OICS Broome Regional Prison pre-inspection staff survey report.

106 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

HEALTH

- 6.44 There have been no audits to demonstrate that all prisoners go through this process within the required time frames, and no audits of actions taken if positive findings are made during the screening process. Elsewhere this has been identified as a risk.¹⁰⁷
- 6.45 Those patients who are initially assessed by the nurse or the GP as having a possible mental disorder can be referred to local mental health services for assessment if required. If a substance misuse issue is identified at initial screening, a detailed evaluation from the co-morbidity nurse using a standardised instrument is undertaken (although the instrument may lack cultural validation).¹⁰⁸
- 6.46 The effectiveness of health screening in prison has long been questioned¹⁰⁹ and many psychiatric disorders in particular are not identified.¹¹⁰ Failure to identify mental disorder in prisons means that a valuable opportunity for treatment is lost. Many of these individuals may never otherwise come to the attention of mental health services, many coming from remote communities where such services are scarce.

Primary Health

- 6.47 A range of primary healthcare is provided. Nursing staff are available for 10 hours per day but there is only limited access to general practitioners as described earlier in this Chapter. However, there is no men's or women's health clinic or immunisation program. There is a sexual health screen for those who consent.

Portfolios

- 6.48 In prisons, health programs are managed with identified nurses being responsible for specific areas through the allocation of portfolios, for example chronic disease management and Blood Borne Virus/Sexually Transmitted Infection management. Nurses once allocated a portfolio, coordinate, analyse and disseminate information to other staff helping to standardise care delivery. At Broome staff members are allocated these portfolios but no dedicated time is made available. Work in these areas is mixed in with other duties. It appears that these portfolios may not be given the priority they warrant.

Care Plans

- 6.49 Seldom are prisoners case managed with multi-disciplinary care plans and ongoing treatment packages. Case management is the ideal standard for community care, and in those prisoners with chronic or mental health problems, these are required to ensure needs are met.

Prevention

- 6.50 It seems that there is little preventative medicine practiced, for example screening clinics; programs; or checkups for specific conditions. There is an in-reach service for annual screening of retinal damage for patients with diabetes.

107 Birmingham, L., Mason, D., Grubin, D. (1996) Prevalence of mental disorder in remand prisoners: consecutive case study. *British Medical Journal*, 313, (7071), 1521-24.

108 Information from meetings with Nurse Manager and various medical staff during the inspection.

109 Mitchison, S., Rix, KJB, Renvoize, EB and Schweiger M 1994 Recorded psychiatric morbidity in a large prison for male remanded and sentenced prisoners. *Med Sci Law* 1994;34:324-30.

110 Birmingham, L., Mason, D., Grubin, D. (1996) Prevalence of mental disorder in remand prisoners: consecutive case study. *British Medical Journal*, 313, (7071), 1521-24.

- 6.51 In general there are poor levels of basic health awareness among prisoners. There is an eight week course in healthy living, but it is not relevant to most prisoners and does not address their needs. There is little group health education offered in diet, weight, nutrition, effect of drugs and alcohol, benefits of hygiene or contraception. All of these, if delivered correctly, have the potential to reduce the degree of pathology in the population and enhance wellbeing through the promotion of health awareness and health education.
- 6.52 There is no nicotine replacement available so prisoners find it very difficult to stop smoking if they want to.

Medication

Webster Packs

- 6.53 Medications for prisoners are prepared in blister packs by a centralised pharmacy, once a prescription is received. These packs contain all the medication for that individual, with separate blisters for different times of the day containing the necessary medication for that period. This process has been adopted because it is deemed to be efficient and cost effective. Orders for Webster Packs for Broome have to be made by noon on Wednesdays, and arrive at the prison on Fridays. Therefore, if the GP sees a patient on a Wednesday afternoon clinic, prescribed medication takes nine days to arrive in a Webster pack as the order can only go in the following Wednesday. In the meantime, the health centre can acquire the medication from stock or from the local pharmacy.
- 6.54 The use of a centralised pharmacy many thousands of kilometres away does not appear to be patient-centred or sufficiently flexible as it cannot accommodate titration or changes of dose quickly, and can create delays (sometimes many days) in patients receiving treatment after initial prescription, changes in dose, or reception into the prison. These issues are relevant to the treatment of mental illness, which often requires rapid changes of medication regime in response to tolerance, side effects, changes in symptomatology and efficiency. The doses therefore cannot be titrated or altered according to clinical need. The use of Webster packs also precludes the use of liquid formulations.
- 6.55 The delay in dispensing medication after reception can cause significant risk to the patient, as withdrawal from some medication, for example some anti-depressants, can lead to withdrawal syndromes and elevation of risk. The prison has responded to some of these difficulties by entering into a relationship with a local pharmacy. The pharmacy now supplies interim medication supplies when medication that is prescribed is not stocked.
- 6.56 Webster packs do give some advantage by allowing prisoners access to self administration of medication: the packs are kept in cells and patients help themselves as prescribed or as required. Compliance is difficult to check, but the range of medication used in this way is restricted to those medications which are not thought to be subject to abuse or likely to induce non compliance. Each prisoner enters into a contract with health centre and the procedures and rules regarding self administration are explained.

Centralised Pharmacy

- 6.57 No health service outside the Department of Corrective Services in WA has centralised pharmacy services for the reasons previously outlined. The centralised system enhances risk and is not equivalent to community health service provision.

Dispensing of Medication

- 6.58 Some medication is not dispensed according to manufacturers' recommendations or existing prescribing guidelines. Evening doses are often dispensed before 3.45pm, not necessarily for the benefit of the patient but for the convenience of the prison regime. In some cases this must interfere with the pharmacodynamics of the drug. It also compromises the effectiveness of the treatment, produces disturbances in patient's sleep-wake cycle and may compromise patient safety. This is poor practice.

Access to the State Forensic Mental Health Service at the Frankland Centre

- 6.59 When patients require transfer to hospital for psychiatric treatment, they are admitted to the Frankland Centre in Perth. This is the state's only maximum secure psychiatric facility and it contains 30 beds. There are no dedicated female beds or a female ward: any referred females are accommodated along with males requiring conditions of security. Referrals for psychiatric assessment are made under the *Mental Health Act 1996* via a 'form 1' which is valid for one week.¹¹¹ If a transfer cannot be made within that period due to a lack of available beds, the 'form 1' lapses and the prisoner has to be seen again in the prison and another 'form 1' completed.
- 6.60 Usually patients are transferred to prison in Perth whilst awaiting a bed to enable rapid transfer once one becomes available. Access to the Frankland Centre has become more difficult due to rising pressure on the 30 beds as the WA prison population has increased and waiting times have increased. It is not ideal for many patients from Broome who require admission to hospital for acute psychiatric disturbance to have to travel such a long distance in order to receive hospital care.
- 6.61 Broome Hospital is in the process of constructing a new psychiatric ward which will have a small number of secure authorised beds. Use of these beds rather than sending patients to Perth from the prison would benefit not only the prison but the patients as well. Negotiations between the Department and Regional Mental Health Service for access to these beds should be undertaken as soon as possible.

Recommendation 20

Negotiate with Broome Regional Mental Health Service for access to the new secure psychiatric beds.

111 *Mental Health Act 1996*

Psychiatric Service

- 6.62 The Broome Mental Health Service provides one session per month to the prison but can visit when asked to do so between these times. In addition to psychiatric sessions, mental health nursing sessions are also offered once per fortnight on an ad hoc basis. For the degree of severe psychopathology identified in the prison the psychiatric input is probably sufficient. However, it is likely that it is insufficient to meet the real demand if all cases had been appropriately identified. If more input was provided it is probable that more serious psychiatric disorders would be identified. It is recognised that the service is extremely pressured as it provides services across the Kimberley.
- 6.63 In addition, other mental disorders, such as depression, anxiety and post traumatic stress disorder are not brought to psychiatric attention. Sometimes these cases are seen and managed in primary care by the general practitioners but this is probably not always the case.
- 6.64 It is noted that at the time of the inspection no discussions had taken place with mental health services relating to the psychiatric/mental health input that will be required into the new Derby prison, due to be commissioned in July 2012.

Psychological Services

- 6.65 The Prison Counselling Service (PCS) at Broome does not offer individual assessment and management for psychological problems, but runs a limited number of prison group programs. There is insufficient access to individualised treatment. As it is currently functioning, the prison counselling service is not based on prisoner need.
- 6.66 The programs which are provided do not cater for the needs of short term prisoners, and have not always been culturally validated (for example for the Indonesian cohort).

Substance Misuse Treatment

- 6.67 Drug and alcohol problems are endemic in prison. The health centre manages prisoners with drug and alcohol problems of which some are identified as requiring detoxification on admission, but many prisoners prefer to go into withdrawal. This may not always be safe. One PAST nurse working within the health centre provides the prison response to the 90 per cent of prisoners with acute and chronic substance misuse issues. However, PAST staff do not receive specific mental health training
- 6.68 In the past the prison had a good relationship with community Non Government Organisations who visited the prison to offer drug and alcohol related rehabilitation. This culturally specific programme was suspended due to cuts in funding. The service Milliya Rumurra does continue to provide, is a day service for those minimum security prisoners who can attend its facility just outside Broome, but no in-reach services are currently provided. An opportunity exists for reintegration with Milliya Rumurra or other providers, so that in-reach rehabilitation programmes can be initiated pre-release and continued post-release in the community. This would offer those with substance misuse problems an opportunity to address them and may reduce reoffending rates.

Recommendation 21

Source and engage external agencies to provide in-reach drug and alcohol rehabilitation for prisoners.

Suicide Prevention

- 6.69 The Department has implemented a range of interventions aimed at reducing suicide. Included in these are the At Risk Management System (ARMS) and the Support and Monitoring System (SAMS).
- 6.70 At the time of the inspection there were no patients on ARMS and administration personnel stated that it is rare to have more than three prisoners on ARMS in Broome at any one time.¹¹² It appeared to be rare that people were managed in this way. There was little psychiatric case management even for these cases. The chair of the Prisoner Risk Assessment Group (PRAG), which monitors these cases, had undertaken the Gatekeeper suicide prevention workshop, but had no mental health training.
- 6.71 The Support and Monitoring System (SAMS) is ‘a collaborative case management system ...providing a coordinated approach to the identification and management of prisoners who are not an acute risk to self but who require additional support, intervention and monitoring’.¹¹³ These cases are subject to case conferences within the prison between custodial staff, health services, the counselling service and prison support services.
- 6.72 It is acknowledged that the last prisoner suicide at Broome was in the 1990s, and there have only ever been three deaths in the prison since it was opened in 1945. Senior management believed that the rate of suicide was low due to the way in which prisoners were supported in the prison by family groups.

112 The At Risk Management System (ARMS) is ‘a multi-disciplinary case management system for the identification, monitoring and management of prisoners identified as at risk to self’.

113 Department of Corrective Services, Policy Directive 32, *Prisoners at Risk of Self Harm or Requiring Additional Support and Monitoring*, 1.

Chapter 7

IMPROVING PRISON – FUTURE UNKNOWN

OVERALL INSPECTION FINDINGS AND CONCLUSIONS

- 7.1 This report documents the inspection findings of the fifth inspection of Broome Regional Prison.
- 7.2 Whilst Broome has had a chequered history of results from previous inspections it was hoped that this inspection could result in a more positive report. These assumptions were based on the following events: large expenditure on the sites facilities; extra staffing; reduced receipt of complaints from prisoners and staff; positive reporting from liaison visits and Independent Visitors' reports; and the recent appointment of a new superintendent. These areas and more have been covered throughout this report.
- 7.3 Chapter one of this report highlights the fact that this inspection was somewhat overshadowed by the 'Derby Mist'. Specifically the lack of clarity on what the impact of the Derby prison would have on Broome. Although the temptation was to direct the inspection toward specifically addressing this issue and modifying the inspection methodology to reflect its impact in all areas of the inspection, it was decided that the inspection would proceed as per arranged. That is, this issue would be addressed as part of the inspection and not the whole inspection.
- 7.4 Chapter one outlines the inspection history of Broome but it also reflects some of the issues surrounding the uncertainty of the future and the role Broome will play in the prison system once the new Derby prison opens. It also reflects the concerns raised by staff as to the uncertainty of their futures and the stress that it has put them under. This Office found that the process of investigating/determining the future of Broome was overdue and that a well researched decision needed to be made as soon as possible.
- 7.5 An outline of the investment by the Department into Broome through recent refurbishments to the site has been raised in Chapter two. This Chapter also looks at the economics of Broome's operation on a cost per prisoner per day basis. This Office acknowledges that Broome's future could hinge on reducing this cost but emphasises the importance of this prison to the Kimberley area. Whilst not recommending any direct solutions to the problem there is a need for acknowledgement that any prison in the far north of this state will cost more to run than that of its counterparts in the metropolitan area. This Office also acknowledges that this cost needs to be reduced.
- 7.6 Chapter two also outlines the change of superintendent, the commitment by the prison to improve the facilities for staff and prisoners, the increase in staffing, improved relationships throughout the prison and the good work being done in the area of dynamic security. There are concerns over the reduced time administration interact with staff and staff interact with prisoners. This appears to be due to several reasons however one of these is the increasing burden of compliance on both administration and staff. This Chapter also outlines the need for further expenditure on refurbishment and recommends that the minimum security cells be upgraded and include air temperature control, the gatehouse area be upgraded and an electronic key control be installed.

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- 7.7 The continued good work of the education centre is acknowledged in Chapter three but there is concern that the service to the secure section has ceased and that the education services of the prison suffer due to vacancies in the operational roster. Chapter three follows on to express concern that recent changes to the Department’s Policy Directive 68 (PD 68) apparently intends for PEP to extend to activities that had previously operated successfully and efficiently under section 95. There needs to be clarity surrounding these areas as there is still a strict and limiting process for PEP that prevents a lot of the prisoners at Broome from participating. This Office applauds the excellent work being done on the Housing Refurbishment Project a collaboration between Men’s Outreach, the Department of Housing and Works, Kimberley TAFE and the Department of Corrective Services. It is hoped that this project will not succumb under the changes to PD 68.
- 7.8 Chapter three also acknowledges the good work being done in the areas of case management, the efforts undertaken in the area of programs even though there is a lack of suitable facilities on-site and the effort put into the preparation for release and transportation of the prisoners upon release. There is a need to develop a range of Kimberley-specific offender programs in anticipation of the opening of the new Derby Prison. These programs could be trialled and used at Broome.
- 7.9 Reception and the various living areas of the prison (including the work camp) are outlined in Chapter four. This Chapter also looks at the issues of the Indonesian prisoners located at Broome as their issues were somewhat different to that of the other prisoners. The reception area was under upgrade at the time of the inspection but it could be seen that there were some improvements to the area. The workload in reception is very high and there is a genuine need for a further officer in this area during the week. This could be achieved through allocation of staff from another area when needed but there appears a need for a full-time position from Monday to Friday due to the work load. This would also help with continuity and relief when either of the senior officers are sick or absent on leave.
- 7.10 The secure section with its modifications is a vast improvement on the old and has improved the restricted living conditions of these prisoners. The upgrade to the minimum section was welcomed but it still remains overcrowded and in need of air conditioning. Although the women’s unit had been recently refurbished and was found to be an improvement, there were some concerning issues surrounding the isolation of the women. It was recommended that the women be moved to the new Derby prison as soon as possible after it opens. Other recommendations include making the Women’s Support Officer’s position full-time with more coverage out of hours, and that the recreational activity of the women be revised and new strategies put in place to get the women out of the unit on more occasions.
- 7.11 Broome used to have two work camps housing approximately 40 prisoners. With the recent closure of one camp in Derby the numbers of prisoners able to attend the camps dropped. In June 2011 a new work camp facility was opened in Wyndham and the old Wyndham Work Camp relocated. The intention was for this new work camp to house 40 prisoners however at the time of the inspection there was not enough staffing at the camp for this to occur. The Office has recommended that the work camp staffing be increased to facilitate an increase in prisoner numbers.

- 7.12 This Office also had an issue with the blanket decision to withdraw all sex offenders from the camp and recommended that individual risk assessments be conducted on all prisoners as to their suitability rather than this blanket ban.
- 7.13 An interpreter service was utilised prior to and during the inspection to speak with the Indonesian prisoners. Whilst it appeared that there were few issues, the issues raised by these prisoners were of great concern to them and this Office. Whilst some of the issues were rectified on-site by the prison there remained issues relating to the management of all foreign nationals in prisons throughout the state. These issues have been raised during inspections of other prisons and a recommendation was made from the Hakea inspection in 2009 that the Department develop and implement clear standards for the management of foreign nationals in WA prisons.¹¹⁴
- 7.14 Chapter five looks at the basic operations within the prison that assist with the running of a prison. Broome had a well-functioning peer support program facilitated by the acting Prison Support Officer (PSO) and the Aboriginal Visitors Scheme remains operational although there were some restrictions for those prisoners located in the secure section and the women's unit. This Chapter also highlighted that the operation of the canteen had deteriorated since the last inspection but in the area of recreation the Office welcomed the addition of a permanent officer.
- 7.15 Visits were found to be operating well. As was found in previous inspections the location of the visits' officer and his ability to supervise visits remains the main issue. The new visits area for the prisoners in the secure section was found to be an improvement on the old.
- 7.16 Funerals in prisons have always been the source of many complaints raised by prisoners during an inspection. The issues being the process and judgement that determines if a prisoner is permitted to attend the funeral or not. Whilst these issues in the past have restricted a number of prisoners from attending funerals it appears that the process, procedures and determination factors in place at the time of the inspection were not only further restrictive to prisoners attending but were not understood by staff or administration.
- 7.17 With the possibility of more restrictions to funerals, other alternatives should a prisoner not be able to attend, should also be explored. There were two recommendations in this area. The first being that the Department fully explore all avenues of decreasing the cost of funeral escorts and the second being that the Department explore the use of Skype as an additional service to those prisoners not able to attend the funeral.
- 7.18 Chapter six looks at health services in Broome which, although exceeding community standards in some areas, was not yet at a stage where it was equivalent to community standards overall. Although the health centre facilities were new, the conditions were cramped and restricted good practice. There were also issues with the building causing recurring mould growth.

114 OICS, *Report of an Announced Inspection of Hakea Prison*, Report No. 63 (June 2010) xii, Recommendation 15.

- 7.19 The health service staff of Broome were found to be not only dedicated but hardworking, caring, professional and offering the best service possible. However, the staffing of the health centre was found to be too few to support the services required. There was very little training undertaken in the area of mental health for the health centre staff or the operational staff and it is likely that many cases of mental illness are not detected at screening.
- 7.20 This inspection found improvement in the prison and its operations. The Office hopes that the Department will heed the recommendations made, to not only clarify Broome's role in the Department but to ensure its future existence.

Appendix 1

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
1. Reconfigure the minimum security cells to ensure each cell is provided with adequate temperature control.	Not Supported At this point there is no intention to make significant changes to these cells.
2. Upgrade the gatehouse and lobby area to create a more functional entrance to the prison incorporating an upgrade of the key control system to an electronic key safe.	Not Supported The West Kimberley regional Prison (Derby) is soon to commence operations and will be accommodating prisoners from the Kimberley region. Therefore current expenditure and resource allocation to the Broome prison is presently being evaluated to ensure future operations at the prison are commensurate with the expected role and responsibilities of the prison. There is no intention to upgrade the gatehouse and lobby at this point in time. The move to an electronic type key issue system is not supported as this is in accordance with the current direction of key management.
3. Clarify the relationship and boundaries between PEP and section 95 of the <i>Prisons Act 1981</i> and ensure that Policy Directive 68 does not operate in a manner that restricts external activities by prisoners.	Supported The Department will clarify the relationship and boundaries between PEP and Section 95 of the <i>Prisons Act 1981</i> and ensure that Policy Directive 68 does not operate in a manner that restricts external activities.
4. Develop a range of Kimberley-specific offender programs in anticipation of the opening of the new Derby prison.	Supported in Principle The program schedule for the Kimberley region (Broome Regional Prison and West Kimberley Regional Prison (WKRP)) is established according to the expected demand for programs. The schedule reflects the demographic/offending patterns in the region. As the WKRP develops opportunities to enhance program delivery will be explored. ¹¹⁵

115 This response is very disappointing. Two of the avowed objectives of the new West Kimberley Regional Prison were innovation and the development of culturally specific initiatives in conjunction with Kimberley Aboriginal people. These objectives are not met by this response.

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
5. Ensure that there is additional staff coverage in reception Monday to Friday.	Supported – existing Departmental initiative Sufficient staffing regimes are at the final stages of implementation and therefore additional staff numbers are not required. ¹¹⁶
6. Re-introduce education services to the prisoners in the secure section.	Not Supported The configuration of the secure area and prisoner's length of stay does not make this a viable proposition. ¹¹⁷
7. All bunk beds be made compliant with the Department of Corrective Services' standards, with all ladders, rails and roll protection for the top bunks secured to the beds in a manner that prevents their removal by prisoners.	Supported The West Kimberley Regional Prison (Derby) is soon to commence operations and will be accommodating prisoners from the Kimberley region. Therefore current expenditure and resource allocation to the Broome prison is presently being evaluated to ensure future operations at the prison are commensurate with the expected role and responsibilities of the prison. ¹¹⁸
8. The women prisoners at Broome Regional Prison be transferred to the new prison in Derby as early as possible after its opening.	Supported – existing Departmental initiative It is already planned for this cohort to be relocated to the new purpose built units within the West Kimberley Regional Prison as soon as is considered operationally viable following the new prisons opening.
9. The Women's Support Officer's position be made full-time and a roster be implemented to include attendance on weekends and evenings on a regular basis.	Not Supported Refer to Recommendation 8. ¹¹⁹

116 The report did not recommend extra FTE. It recommended additional coverage utilising existing FTE.

117 It is not accurate to say that the configuration of the secure area and the prisoners' length of stay make the recommendation unviable. For a considerable period of time, education services were being provided by a male tutor. However, he has left and prison management does not consider it appropriate for a female tutor to deliver the service.

118 The response suggests that resource allocation will be considered when the future of Broome is known. But deferring action to an unknown date places prisoners and the Department at risk. Securing the bunk beds through welding could be undertaken by an in-house maintenance crew with minimal cost.

119 It would be critical to ensure the appointment of a full-time Women's Support Officer at the West Kimberley Regional Prison. The response contains no such commitment to this.

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>10. Improve recreation opportunities for the women prisoners at Broome.</p>	<p>Supported In line with the Department's decision to transfer all female prisoners from Broome Regional Prison to West Kimberley Regional Prison (WKRP) as soon as practicable after the commissioning of the new facility this recommendation is considered obsolete. A female Recreation Officer has been appointed and tasked with addressing recreational deficiencies with a renewed focus. Improvements to scheduling and increased recreation opportunities have already been implemented. These will remain in place until the female prisoners are transferred to WKRP in the second half of 2012.</p>
<p>11. Adequately staff Wyndham Work Camp to maximise prisoner numbers.</p>	<p>Supported The staffing at Wyndham Work Camp reflects current prisoner placements. The Department is assessing the criteria for placement at work camps with the view to maximise numbers and staffing levels will be commensurately amended.</p>
<p>12. Clarify the criteria for prisoners to be placed in a work camp. Placement decisions should be based on individual risk assessments, not on general policies with respect to specific groups of prisoners.</p>	<p>Supported – existing Departmental initiative Generally, placement decisions are based on an individual risk assessment. The Department is assessing the criteria for placement at work camps.</p>
<p>13. Re-establish a library in an area which is easily accessible and of a suitable size.</p>	<p>Supported in Principle The West Kimberley Regional Prison (Derby) is soon to commence operations and will be accommodating prisoners from the Kimberley region. Therefore current expenditure and resource allocation to the Broome prison is presently being evaluated to ensure future operations at the prison a commensurate with the expected role and responsibilities of the prison.</p>

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>14. Explore all avenues to decrease the cost of funeral escorts in order to maximise eligible prisoners' attendance.</p>	<p>Supported in Part The Department has commenced negotiations in relation to transportation costs, however, the provision of funeral attendance must be managed within a specified budget allocation. The Department is also exploring alternatives to attending funerals to provide prisoners with meaningful options that allow the expression of their grief and respect for family and community.</p>
<p>15. Use Skype to supply an additional service to those prisoners who are not able to attend a funeral.</p>	<p>Supported – existing Departmental initiative As outlined in response to Recommendation 14, the Department is exploring alternatives to actual attendance and this includes the use of technology. However, the technology is dependent on the availability of equipment and signal strength and in some regional/remote areas this may prove to be a challenge.</p>
<p>16. Undertake remedial work to prevent mould growth in the health centre.</p>	<p>Supported The Department is considering different options and how this issue can best be managed.</p>
<p>17. Provide training in mental health first aid and drug and alcohol issues to all custodial staff. Ensure that all health centre staff receive training in mental health.</p>	<p>Supported in Principle The Department provides custodial personnel with the essential training to undertake their role and to respond from a safe, secure and decent perspective to situations inclusive of health and well being situations. Health Services personnel receive mental health first aid training.¹²⁰</p>

120 Although the Department supports this recommendation in principle, there is no indication whether it believes additional training is required, as found by the inspection.

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>18. Increase the number of General Practice sessions and spread more evenly throughout the month.</p>	<p>Supported in Part Whilst the Department supports this recommendation the current level of GP sessions provided to prisoners at Broome is sufficient to meet the muster and acuity of prisoners. The Department will endeavour to spread the sessions more evenly throughout the month subject to local GP availability.</p>
<p>19. Review procedures to ensure that the health centre is open each day.</p>	<p>Supported The Health Centre is open each day however staff may not be deployed to the area for periods where prisoners are not required to be in attendance. A review of operations has been completed and a process of notification has been implemented to enable the deployment of staff to meet operational needs.</p>
<p>20. Negotiate with Broome Regional Mental Health Service for access to the new secure psychiatric beds.</p>	<p>Supported Historically the prisoner demographic at Broome Regional Prison has demonstrated limited need for specialist psychiatric care. However, the Department will negotiate for increased access should the need arise.</p>
<p>21. Source and engage external agencies to provide in-reach drug and alcohol rehabilitation for prisoners.</p>	<p>Not Supported The Department currently employs a co-morbidity nurse at Broome Regional Prison who is working towards a degree in Addiction Studies. The nurse undertakes both group and individual counselling for the prisoners at Broome, which provides prisoners with the opportunity to address their addiction issues prior to release. Community referrals are made for those prisoners requiring further treatment post release in the community as and when required. The Department continues to utilise the current services provided by Milliya Rumurra.</p>

Appendix 2

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2007 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 46, <i>Report into the Announced Inspection of Broome Regional Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
1.	That the Department, in conjunction with Aboriginal communities and agencies develop an Aboriginal focused custodial management service delivery model. In doing so, the Department should take into consideration the content of this report.		•			
2.	Change management processes at Broome Regional Prison should be retained and supported by making funding available for 'prison management' initiatives.			•		
3.	Broome Regional Prison's staffing compliment should be immediately brought up to its allocated FTE and following this, the Department should enter into a high level review of the prison's staffing, focusing on the service need present in the prisoner group and the staff required to deliver this.			•		
4.	The Department should immediately review the situation of secure prisoners held in Broome Prison to ensure that they have access to structured activities such as education, recreation and work.		•			
5.	Once the funded upgrades to the prison are completed, the Department should conduct a full security audit of the prison and rectify any identified deficits.			•		
6.	That prison management increase the role and responsibility of peer support prisoners, including a formalised presence during the reception process and a role during prisoner orientation.			•		

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE
2007 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 46, <i>Report into the Announced Inspection of Broome Regional Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
7.	The Department needs to ensure that interpreter services are available and utilised by prison staff in appropriate situations. In circumstances where prisoner interpreters are utilised, the Department should ensure that they are appropriately remunerated, and if ongoing, examine the feasibility of obtaining accreditation.		•			
8.	The Department should put into place rigorous and comprehensive efforts to ensure that bullying behaviour by staff at all levels towards other staff members is not tolerated.			•		
9.	That the Department ensure that all staff in Broome Regional Prison have regular access to personal and professional development activities that challenge intolerant or prejudicial views of Aboriginal prisoners.			•		
10.	That the Department form a working group with representatives from its predominantly Aboriginal prisons, with Aboriginal community representatives and with the Department of Health, to establish culturally appropriate meal options for Aboriginal prisoners and the process by which such meals could be delivered to prisoners on a routine basis.		•			
11.	That the Department develop a complaints process suited to the cultural needs of Aboriginal prisoners. Prison staff should also be consulted about their views on what would be an effective process. The process should be capable of operating at work camps as well as prisons and be available to non- Aboriginal prisoners should they elect to utilise it.		•			

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE
2007 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 46, <i>Report into the Announced Inspection of Broome Regional Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
12.	The Department should comprehensively review the services of the AVS at Broome Regional Prison and put into place practices and procedures that will enable prisoner issues to be identified and addressed in a timely fashion.		•			
13.	Where Aboriginal prisoners are held out of their country, the Department should ensure that prisons have a specific plan and sufficient resources to address the impact of this dislocation on prisoners. In this regard, the recommendations from the Acacia Prison's Staples Report should be considered a sound starting point.		•			
14.	That the position of Women's Support Officer in Broome Regional Prison be extended to a full-time position.		•			
15.	The Department should consider innovative staffing models to enable the education centre to both run all year round and to enable staff sufficient preparation time and access to professional development.		•			
16.	That the Department explore options for and fund appropriate prisons to develop, the kind of highly integrated community based reparative activity seen in the Kimberley.			•		
17.	The Department should review the limitations placed on the eligibility of prisoners to be placed at a work camp and the current incentives and disincentives for prisoners, towards filling all available work camp places.		•			

Appendix 3

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 56, <i>Report of the Short Follow-up Inspection of Broome Regional Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
1.	That a reinvigorated management group be appointed to the prison with a clear brief from the Department of the priorities to take the prison forward.			•		
2.	That the Department take the necessary steps to ensure that the prison is adequately staffed without being reliant on high levels of overtime.			•		

Appendix 4

THE INSPECTION TEAM

Neil Morgan	Inspector
John Acres	Principal Strategy and Research Officer
Jim Bryden	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Kieran Artelaris	Inspections and Research Officer
Elizabeth Re	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Edward Petch	State Forensic Mental Health Service – Mental Health Expert

Appendix 5

KEY DATES

Formal notification of announced inspection	23 May 2011
Pre-inspection community consultation	26 July 2011
Start of on-site phase	18 September 2011
Completion of on-site phase	23 September 2011
Inspection exit debrief	23 September 2011
Draft Report sent to the Department of Corrective Services	17 January 2012
Draft report returned by the Department of Corrective Services	22 February 2012
Declaration of Prepared Report	16 March 2012



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