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OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES

Report of an Announced Inspection of Albany Regional Prison

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Albany Regional Prison

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

www.custodialinspector.wa.gov.au

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The Inspector's Overview

ALBANY REGIONAL PRISON: A GOOD PRISON QUIETLY GOING ABOUT ITS BUSINESS

Piloting a 'light touch' inspection methodology

The methodology of this Inspectorate is that of continuous inspection. This draws upon quarterly visits by inspection officers, analysis of Independent Visitors' reports, evaluation of responses to the recommendations of earlier inspections, and various other sources of information and intelligence to assess whether we expect a prison to be performing to an acceptable level. In the case of Albany Regional Prison this meant that, before actually going on site as an inspection team, we were reasonably confident that we would find that it was travelling well.

In that context, we could follow a different and more efficient approach to the inspection process. Taking good performance as a presumptive starting point, we piloted at Albany what we called a 'light touch' inspection. This involved asking the Department and more particularly the local management to tell us their own story in their own way: their perceptions of their achievements, shortcomings, resource needs, community links, and so on. The inspection process, seen this way, takes on much more the air of a partnership.

The caveat, however, is that the Inspector has to be satisfied that the pre-inspection assessment of performance is accurate. One cannot in any sense 'partner' with a prison regime that has dropped below an acceptable standard. Accordingly, the material presented by the local management must be quickly assessed to ascertain whether a 'light touch' inspection is vindicated. In the case of Albany Regional Prison, at the end of Day 1 of the inspection it was abundantly clear that a light touch approach could be followed, and that there would be no need to switch to a more challenging or confrontational mode.

In evolving such an approach in our sixth year of operations, this Inspectorate was moving very much in line with the developing theory of regulation and inspection in advanced nations. We are in effect entrenching the notion of risk assessment into inspection methodology. This in turn means that inspection resources can be prioritised and distributed according to risk. The status of managers within their own organisation is enhanced, making partnership outcomes more attainable. Generally, the receptiveness of the inspected prison to the findings is likely to be greater in circumstances where the inspected prison has been directly engaged in the process.

Subsequently, we have applied this methodology to the inspection of Wooroloo Prison, with equal or even greater success. In each case, staff at all levels have responded positively and have almost come to enjoy the inspection process. This light touch approach is now irrevocably part of the Inspector's processes in appropriate cases, therefore, and the Albany inspection established that, with suitable filters in place, it is an absolutely legitimate approach to inspections in line with the statutory remit and responsibility of the *Inspector of Custodial Services Act 2003*.

Some problems, complications and achievements

The things Albany does well are comprehensively described in the Report. They come back, as in all well-functioning prisons, to good management systems that in turn foster both good inter-staff relationships and good staff-prisoner relationships. In the particular case of Albany,

the culture inculcated by the Superintendent over the years has set the context for these achievements. I will not dwell upon the straightforward matters, however, but rather pick out a few more complex ones (good and bad) for more detailed comment.

Indonesian prisoners

The first relates to the regimes for Indonesian prisoners and the impacts that their presence in the prison system has had. The Indonesians are, of course, mostly fishermen convicted of illegal fishing in Australian waters. At the time of the inspection, there had been almost 100 of them in the system as a whole; 14 had been in the custody of Albany Regional Prison.

The Report mentions some of the problems involved in classifying them for security rating purposes (see paragraphs 4.35 – 4.38). The main problem is that it simply is not known whether they have convictions in Indonesia for other matters that might affect their rating – for example, offences of violence. The Department has in effect given an across-the-board minimum security rating to all of them on the basis of the compliant conduct in the prison system of those that have preceded them as prisoners. Practical and sensible as this is, it carries a risk. Recently, an armed attack by an Indonesian upon another prisoner at Wyndham work camp indicated that this risk is not merely hypothetical. The Department's claim in response to Recommendation 9 that the Commonwealth Department of Customs and the State Department of Fisheries are able to carry out a fingerprint check against an Indonesian national data base seems disingenuous.

So the Department is left in an impossible position, unable to reach a security rating in the normal way applicable to other prisoners. Its practice of giving them a minimum security rating enables these prisoners to be sent to work camps, and this is what has happened. At the time of the Inspector's follow-up visit to Albany in March 2006, the population of the Walpole work camp was entirely Indonesian. The unknown risk they might pose was being sensibly handled by making their work assignments for the most part out of town, except when directly supervised. This in turn had distorted a little the normal activities of the work camp – activities that had generated so much community support for the work camp in the past.

The corollary was that no non-Indonesian prisoners were at the Walpole work camp, a fact that potentially raised equity concerns for Australian (Aboriginal or non-Aboriginal) prisoners. We share those concerns, though it should be noted that subsequently (as of 18th September 2006) the population of the Walpole work camp has reverted to non-Indonesian prisoners.

These points are not raised as an adverse criticism; the Department is 'damned if it does and damned if it doesn't.' The responsibility for these dilemmas lies with the Commonwealth Government, which has handballed this problem to the States (not just Western Australia but also the Northern territory and to a lesser extent Queensland) without developing any detention strategies (other than a bizarre concept of a floating 'mother prison') or accepting any financial responsibility. It is a typical example of the embedded political irresponsibility that has flowed from section 120 of the Australian Constitution, the provision that requires the States to detain Commonwealth prisoners.

At any given time, there are about 700 such prisoners held in the prisons of the various States and the Northern Territory, and usually the Western Australian population is about 100. So the problem is not insignificant; nor will it go away. The time is long overdue for the Commonwealth Government to develop, through negotiation with the States, a mature and equitable policy in relation to the detention arrangements for prisoners convicted of offences against Commonwealth law.[A]

Protection prisoners

It is more than three years since the Inspector's Report *Vulnerable and Predatory Prisoners in Western Australia* was published. The underlying philosophy of that Report was that protection should not involve reduced conditions so as to be tantamount to punishment. Unfortunately, the protection conditions at Albany are sub-standard: see paragraphs 4.39 – 4.41. Albany ought to be able to do better than this, and we shall certainly be looking to see that this occurs.

Cross-fertilisation of good practice

One of the points of inspection is to spread good practice across the system, not merely to stamp out poor practice in a particular location. At our 2002 inspection of Albany, we had been sufficiently impressed to recommend that the Department try to establish processes for assessing the transferability of good practice across prisons and start doing so. At this inspection, nothing had happened. We have reiterated this recommendation, therefore. The response – essentially, that all prisons are inherently unique – of course has a major element of validity about it. Yet it is evasive; there are important commonalities between prison regimes: see paragraph 2.24.

Pursuing this theme, the Inspector has recently made a practice of identifying quite specifically items of transferable good practice found at any given prison. This has been done, for example, in the Exit Debrief relating to the August 2006 inspection of Greenough Prison. The Department should also being doing this for itself.

Pardelup Farm

The Inspector made a practice from the earliest inspections of inspecting also the various prison farms and market gardens. This was from several points of view: the quality of skilling and work that they provided for prisoners; their contribution to the prison food chain and thus towards reducing by way of reparation the overall cost of imprisonment; and their viability and value as farms. This latter point was relevant because, just like prison infrastructure itself, the farms are a State asset, which should be looked after properly. This requires investment in maintenance and capital improvements.

With regard to the farms (Pardelup, Karnet and Wooroloo), we obviously do not possess the necessary expertise to assess them in terms of their productive capacity and output, and in that regard the assistance of the Department of Agriculture has been crucial. This has been made

A Funding arrangements are not straightforward. The Australia Law Reform Commission Report, *Same Crime, Same Time: Sentencing of Federal Offenders* (ALRC 103, Canberra, 2006) notes at paragraph 22.8 that 'concern was expressed about Federal-State funding arrangements'. The accompanying footnote indicates that four jurisdictions, including Western Australia, expressed such concerns.

readily available for each of the relevant inspections.

In the case of Pardelup, there did to a layman's eye appear to have been some neglect if not degradation of this valuable State asset in the years following the downgrading of the location from a prison to a work camp. It is pleasing to report, both from the fresh evidence of one's own eyes and more importantly from the expert report of the Department of Agriculture consultants (Appendix 4), that the farm is performing well. As they say: "The current management is performing well within and often above current District practice." We had previously recommended the development of a total Farms Plan and an integrated management system, and this now has happened. This is gratifying, and the results are very much to the credit of the Corrective Services personnel involved.

Summary

Albany Regional Prison is still performing to a good level, and is certainly one of the best in the State. In our Report 30 – *The Management of Offenders in Custody in Western Australia* – we contemplated a greater role for the Great Southern prison facilities, particularly through the creation of more minimum-security beds by refurbishing Pardelup and also through the commissioning of a pre-release centre for women prisoners from the Region. There is no doubt that the maturity and skills available at Albany Regional Prison would easily underpin these developments.

Postscript

In May 2006 a prisoner committed suicide at Albany. The circumstances raised some internal prison questions such as tool checking protocols and ARMS (At Risk Management System) provisions as to frequency of cell checks. The internal inquiries are not complete at this stage, and it would not be appropriate to make any comment or draw any firm conclusions.

However, two issues arose that are of fundamental importance to the balance of law enforcement and due process. The first related to the use of listening devices in prisons. The coordination between police and prison authorities on this matter was not effectual. Protocols should urgently be developed, probably by way of an overarching Memorandum of Understanding between the two Departments, to ensure that failures of communication do not occur in future.[B]

The second related to the effect of an order under section 28 of the *Prisons Act 1981*. This section permits the Minister to authorise 'the temporary removal of a prisoner to any place for any purpose in aid of the administration of justice'. Typically this contemplates removal of a prisoner to a police station for questioning in relation to another offence. A warrant of removal was granted by the Minister in this case, but the prisoner was not removed from the prison. Instead, the police authorities treated the prison as in effect a police station, conducting interviews there under colour of the section 28 warrant and thus arguably compromising the legal integrity of the process. This was because an aura of ambiguity crept in as to whether prison officers were entitled to oversight, or felt they had the right

B In subsequent correspondence, the Corrective Service Commissioner has informed me that an MOU with respect to the coordination of these processes is nearing completion.

to oversight, the police interview process in the standard way that happens with official interviews in prisons conducted under the prison regime.

The issue of a section 28 warrant was not intended simply to confer a discretion upon police authorities as to where they would conduct their interviews. Public policy needs to be clear-cut on matters that go to the administration of criminal justice, due process and the possible subsequent inadmissibility of evidence. As a new Corrective Services Act is currently under consideration, the Government has an opportunity to clarify this point.

These are important points of general policy that should be in the public domain. The fact that the events referred to above occurred at Albany Regional Prison and are thus discussed in the context of that inspection should not detract from the main message of this Report - that the prison was performing at a good level at the time of our inspection and continues to do so at the time of finalising this Report.

Richard Harding
Inspector of Custodial Services
28th September 2006

Chapter 1

INTRODUCTION

1.1 Albany Regional Prison is located on the outskirts of the township of Albany in the Lower Great Southern region of Western Australia. The prison was built in 1966 with major refurbishments in 1979, 1988 and 1993. The prison has a standard capacity for 186 prisoners. A further 28 prisoners are able to be accommodated at its two work camps: Walpole, 140 km west of the prison; and Pardelup, 78 km north. The prison is designated to hold the full range of security classifications, from minimum- to maximum-security and both male and females prisoners, though there is only capacity for a small number of female prisoners to be held on a short-term basis.

1.2 Albany Regional Prison fulfils a number of functions in the custodial management of prisoners in Western Australia. It is a receival prison for prisoners from the Great Southern region. In addition, it is a dispersal prison acting as an alternative option for maximum-security prisoners from the metropolitan area. In this regard, Albany Regional Prison has a long history of successfully dealing with prisoners who have proven difficult to manage in other prisons. The prison also provides the means to assist prisoners to address their offending behaviour through the provision of programs. Within these roles as a dispersal and programs prison, the Department makes particular reference to Albany's focus on long-term prisoners.

1.3 Demonstrating these points, during the inspection the prisoner population consisted of:[1]

Table 1. Population characteristics

Type of prisoner	No.	
Minimum-security	22	+ 22 at the work camps
Medium-security	106	
Maximum-security	45	
Aboriginal	67	
Non-Aboriginal[2]		
Australian	87	
Other nationalities	41	
From the Great Southern regions	70	
From the metropolitan region	75	
From other areas	50	

1.4 In addition to those prisoners from the Great Southern regions held at Albany Regional Prison, around the time of the inspection 51 prisoners from the region were held in prisons other than Albany (mostly in the metropolitan area). Of these, 15 were minimum-security, 29 medium-security and seven maximum-security. This produces a full regional prisoner population of 121 prisoners.

1.5 The 'baseline' inspection of Albany Regional Prison occurred in 2002. At that time the Inspector described the prison as one of the best performing in the state. It was also described as having a model of custodial management which the Department of Corrective

1 Taken from the population count 6 February 2006.
2 The accuracy of the recording of non-Aboriginal groups within the prison system in Western Australia is poor and should only be used as a guide to numbers.

Services ('the Department')[3] should adopt in other prisons. In the same year, in response to a short-term reduction in prisoner numbers and on the basis of the Corcoran Review,[4] the Department decided to:

- close 56 beds within the main prison;
- decrease the number of staff by 29;
- downgrade the facilities and services available through Pardelup, which at that time acted as the Great Southern regions' minimum-security facility; and
- downgrade the security capacity of the main facility.

1.6 Since that time, liaison and Independent Visitor Scheme reports from this Office have noted demoralisation within the prison's staff; increased confusion over the purpose of the prison; concern within the staff that the Department intended to close the prison; and, in the view of this Office, a lessening in the previously noted high quality custodial management. Nonetheless, throughout that time Albany Regional Prison remained a healthy prison[5], clearly still outperforming many of the prisons throughout the state.

1.7 With prisoner number increasing rapidly over 2004–2005, population pressures resulted in the Department reopening the 56 closed beds at Albany Regional Prison and addressing some but not all of the staffing and security related reductions of 2002.

THE DIRECTED REVIEW

1.8 In 2005 the Minister for Justice asked this Office to conduct a review of the activities of the then Department of Justice. Many of the 162 recommendations of that Review have a general bearing on Albany Regional Prison, and a number are central to custodial management in the Great Southern regions and to the prison. These are:

- Regionalisation – that each of the seven custodial regions have their own custodial management plan which encompasses the management of the vast majority of prisoners from that region with a full suite of services (recommendations 88, 89 and 90).
- Movement to 50 per cent minimum-security – that over a ten year period, the Department moves to hold 50 per cent of its prisoners at minimum-security (recommendation 8). This would necessitate a proper minimum-security option for the Great Southern region and in light of this and mounting metropolitan population pressures, the review also advocated an increase in the capacity of the Pardelup site (para. 6.76) by 20 beds in 2006 and a further 40 beds by 2009.
- Work camps – that the Department place a greater focus on work camp options for prisoners. This would include removing unnecessary entry impediments, ensuring appropriate funding and delivering strong management (recommendation 14).

3 Formerly known as the Department of Justice.
4 Corcoran – Corporate Risk Solutions Pty Ltd, *Review of Security Systems and Processes: Albany Region Prison* (Western Australia: Department of Justice, June 2002).
5 By 'healthy prison' this Office refers to the standards for custodial management adopted by HM Inspector of Prisons for England and Wales reflecting: safety; respect; purposeful activity and prisoners' opportunities for improvement; and resettlement and the preparation of prisoners for release.

1.9 Each of these recommendations addresses a significant issue raised in this Report and reference is made to these and to the more general recommendations of the Directed Review throughout.

THE SPECIFICS OF THIS INSPECTION

1.10 The preceding sections provide some general background to the second round inspection of Albany Regional Prison. This inspection ran on-site from 6 February[6] through to 10 February 2006. Prior to this, the inspection team conducted extensive background research including meetings with the prison management team and the Department. The Inspectorate also sought advice from the Department regarding its progress against the recommendations arising out of the previous inspection of Albany Regional Prison and asked the management at Albany Regional Prison to conduct a self-assessment of their custodial management. To assist the Department in preparing for this self-assessment, this Office identified a number of themes for the inspection and provided a series of questions for discussion around those themes. For the 2006 Albany Regional Prison inspection the following themes were selected:

- staff practices contributing to or detracting from the positive custodial management of prisoners noted at Albany Regional Prison;
- the management of prisoners' offending behaviour and their preparation for release;
- the prison's relationship with local communities;
- the role, function and management of the prison's work camps; and
- equity issues, particularly relating to minority populations within the prison.

1.11 During the on-site phase, the Department was asked to present the outcomes of its self-assessment and this formed a key component of the overall inspection. In addition, pursuant to this Office's normal inspection processes, inspection team members surveyed the staff and prisoner population, ran focus groups with prisoners, held small and large group discussions with staff, conducted individual interviews, called for additional written evidence, made observations and held discussions with senior management within the prison. The inspection team also met with community agencies servicing the prison and held a number of community meetings.

1.12 Prisons are complex environments and there is a growing body of literature demonstrating the need for balance between the often competing demands of custodial management.[7] Increasingly in the area of custodial inspections reference is made to the health of prisons as a marker of this balance and the ability to deliver quality custodial management outcomes for prisoners, staff and the community. The concept of a healthy prison or a healthy prison system is not a new one and the Department's own eight guiding principles[8] closely align within

6 Members of the inspection team also attended the prison on Sunday 5 February to review the visits processes and weekend recreation.

7 See for example, HMPS, 'Decency Agenda' in *HMPS Business Plan 2005–2006* (undated) appendix 1; and Liebling A, 'Dimensions that Matter in Prison Quality: the late modern prison and the question of values' (2004) 16 (2) *Current Issues in Criminal Justice* 207.

8 Department of Justice, 'Prisons Division Business Plan 2004–2008' (undated).

the healthy prison outcomes of safety, respect, purposeful activity and linkages to family and preparation for release.

1.13 In discussions with the Department about custodial management, it has historically focused on processes and inputs to demonstrate effort. In comparison, this Office focuses on the outputs and outcomes as indicators of performance. Hence while this Office is, for example, somewhat interested in whether a prison has grievance procedures in place, inspections focus on whether prisoners use the process and if the outcome of a legitimate prisoner grievance results in meaningful change in a prison. It is by these outcomes that a prison both demonstrates its health and becomes healthy. Albany Regional Prison is, as stated earlier, a healthy prison. Hence, for this inspection our Office was seeking evidence of a mature prison with robust systems that acknowledge contemporary prison obligations and standards. The following sections – discussed under the Department's cornerstones framework – demonstrate the outcomes of Albany Regional Prison's good custodial management as well as highlight a number of areas where improvement is warranted.

1.14 In addition, the Department of Agriculture provided expert assistance in reviewing the farming activities at the Pardelup Work Camp and their report is provided separately in Appendix Four.

Chapter 2

RESOURCES AND SYSTEMS

2.1 A healthy prison requires balance between the many demands on prisoners, staff and management within that environment. Central to this balance is respect, which is demonstrated through:

- superintendents and senior managers monitoring the respect with which prisoners are treated and directly engaging with them;
- staff engaging with prisoners, enquiring after their wellbeing, and offering support and assistance;
- staff speaking to prisoners with courtesy and treating prisoners with fairness and openness;
- prisoners understanding how to access services and maintain family links;
- prisoners having access to quality health care services;
- prisoners being actively case managed; and
- prisoners having rights to review and appeal staff decisions.

2.2 In the UK Prison Inspectorate's seminal thematic report on healthy prisons a number of key points are made in this regard. The attitude staff portray towards prisoners is 'the most important aspect of life for the vast majority'; however,

> compassion should not be mistaken for condoning the prisoner's offence nor excusing behaviour but as a means of showing understanding which needs to be sustained even in the face of rejection and hostility. Respect shown by staff towards prisoners should be the model for the way in which prisoners are expected to treat each other.[9]

2.3 The Department's Suicide Taskforce Report published in 2002 takes up these points,[10] stating that 'it is not enough that prison staff are simply available, but rather they must be pro-active about engaging with prisoners. Accordingly, staff arrangements must be based on providing continuity of care to prisoners'. The report notes that for a healthy prison staff should feel safe, be treated with respect, be informed and consulted within their sphere of work, be well led, respect their own health and that management and staff should have high expectations for their performance. To achieve this respect-based custodial management, the Suicide Taskforce Report recommended that:

- prison management focus on and bring about changes in internal cultures and management to promote engagement and quality service delivery;
- opportunities for staff development and training be increased;
- improvements be made to the physical and social environments of prisons;
- positive communications and interactions between staff be encouraged; and
- positive communications and interactions between staff and prisoners be encouraged.

2.4 In the first instance these are resource and systems issues that describe a prisoner and staff focused approach to custodial management, the adoption of which would invariably move

9 HM Inspector of Prisons for England and Wales, *Suicide is Everyone's Concern: A Thematic Review* (1999) 61.
10 Department of Justice, Suicide Prevention Taskforce, *Suicide in Prison* (July 2002) 37.

a prison a large way towards being healthy. Sadly, this Office has found on many occasions that rather than promoting such resources and systems, which move a prison towards being healthy, prison systems promote a form of custodial management that stresses the inferiority and exclusion of prisoners and of staff. Albany Regional Prison though has a healthy approach to custodial management, which these five systems and resource level outcomes assist in demonstrating.

Internal culture and management

2.5 A significant marker of a healthy, performing prison is that its management encourages a local culture that promotes quality service delivery. This has been a characteristic of the management of Albany Regional Prison over a long period. The focus on positive local culture is demonstrated by management's strong commitment to information sharing and consensus decision-making. Staff at all levels felt involved and empowered.

2.6 A positive and enduring relationship was observed between staff and management: this is not often seen in other prisons. The staff survey conducted as part of the inspection showed that almost all custodial staff felt that they had a good relationship with management and saw management as a major source of support. It is sometimes the case in an inspection that the team is inundated with complaints from staff about ineffective and aloof management who have lost touch with the practicalities of custodial management. This was not the case at Albany Regional Prison. Staff, during interviews and focus groups, defended management and on many occasions pointed to management as empowering them and contributing to their ability to improve service delivery. This included the custodial staff and the non-custodial staff such as the Vocational Support Officers (VSOs) who were particularly vocal in their support for the Business Manager.

2.7 To put this in some context, custodial staff at Albany Regional Prison were much more likely to report having a good relationship with their management than at a comparative prison in Western Australia. This is not to say that Albany Regional Prison's staff saw themselves as more supported overall, as the evidence for that was more mixed, but that management was for them an important and valued source of support. Management, for its part, routinely deferred to the experience and performance of its staff as reasons for sound performance.

2.8 Prisoners were also positive about the management of the prison. They reported that the management team were available to them, they regularly saw representatives from management around the prison and the Assistant Superintendent Prisoner Management in particular had an open door policy to all prisoners. This translated into real access for prisoners to management. Importantly, this access was not resented by the custodial staff but seen as a way to enhance their service delivery.

Focus on staff development and training

2.9 Training documents, provided as part of the inspection, show a satisfactory level of staff training at Albany Regional Prison. The staff surveyed had on average 5.5 training sessions in the last five years with the majority of staff receiving training in the use of restraints and chemical agents, CPR, and the use of the Department's computer systems.

2.10 While training is important, to this Office the outcome of training – namely, competency – is the key objective. The Department currently lacks the means of determining the competency of staff, so as a proxy this Office's prison surveys ask staff to rate their self-assessed level of competency covering custody functions, safety functions and interpersonal skills.[11]

2.11 Staff at Albany expressed competence in an average of nine of the 13 roles and functions listed. Indeed, for most of the areas covered staff expressed confidence in their competency. This is a strong performance of itself, but comparatively some interesting points become evident. The level and mix of staff competencies at Albany Regional Prison was quantitatively and qualitatively different to that seen at a similar maximum-security prison and stressed the differences in Albany's approach to custodial management. On their assessment of competency, Albany staff were marginally ahead on most counts, but were markedly so in the custody-related areas of security issues (such as security processes), use of force, the disciplinary process, and first aid; in the interpersonal areas of managing offenders, communication, and Aboriginal culture; and in the throughcare areas of release planning, the principles of rehabilitation, and case management.

2.12 During the inspection it was apparent that management have a focus on developing staff competencies. For their part, staff engaged with management and were willing to try new ideas. This focus on developing competencies was also evident in the management group during the inspection. The entire prison management team were in acting roles, with all but the Acting Superintendent local to the prison. Despite this, they were well prepared for the inspection and staff were supportive and positive about the job the acting management were doing. While this no doubt was assisted by the long period of stable management previously experienced by the prison, the management team's ability to perform in the absence of any of the long-term management team is testament to both the efforts taken over a period of years to develop staff into senior officer and managerial roles and the strength of the systems in place at Albany Regional Prison.

Positive communication and interaction between staff

2.13 A point made in the preceding paragraph is an important one. Staff at Albany Regional Prison like each other, respect each other and are prepared to accept criticism as a means of improvement. This was demonstrated on many occasions throughout the inspection. Outside agencies similarly felt supported by the staff in the prison and noted the level of professionalism and positive interaction between them and the prison staff. Staff similarly indicated that they valued the input and efforts of the community agencies.

Physical and social environments

2.14 An advantage Albany Regional Prison has over some of its regional counterparts is that the physical and social environments of the prison are pleasant. The weather is mild for most of the year, the prison's design is relatively open, staff and prisoners regularly interact, and there is a noticeable absence of tension about the prison. The quality of accommodation in Units 2 and

11 In saying this, the Inspectorate recognises the limitations of self-assessments of competency and during the inspection process routinely looks for evidence to objectively establish staff competencies.

3 is of a good standard. This is something recognised and appreciated by prisoners.

2.15 Like Casuarina Prison (one of the state's two other maximum-security prisons), the design of the prison is based around the principles of a stable population, interaction with staff, a constructive day concept, full employment for prisoners, and the progression of prisoners to lower grades of security or release to freedom. With its open environment, active case management and sound relations between prisoners and officers (who were taking a leading role in engaging prisoners), Albany Regional Prison was in many respects the model for the state's maximum-security estate. Unlike Casuarina Prison, Albany has resisted the push to emphasise security and control factors at the cost of adversely affecting the relationship between prison officers and prisoners.[12] Currently, Albany Regional Prison successfully balances maximum-security and quality service delivery. This was highly positive and the prison's management should be encouraged and supported.

2.16 A noticeable flaw in the physical and social environments of the prison was the lesser standard of accommodation in Unit 1. Unit 1 provided base level accommodation for prisoners at the bottom of the hierarchical process. The unit also held many different sub-populations including those in self-care. The physical structure of the unit was in a very poor state, unsuitable even for base level accommodation but particularly so for the prisoners in self-care, protection and those in transit.

2.17 Management acknowledged the poor state of Unit 1 and stated that they did not believe that the unit could ever be brought up to a contemporary standard. Therefore, a new unit has been proposed. The state of Unit 1 was not a new issue, having been raised in the last inspection[13] and known to the Department in the years prior to that.[14]

2.18 Interim plans had been developed for the refurbishment of the base accommodation wings. These should bring them up to the bare minimum of a contemporary standard but this is not a replacement for long-term planning. The Department cannot continue to provide services 'where practicable'. This is core business and requires planning and resources. Albany Regional Prison, as this Office understands it, is attempting to address the planning process but needs to be planning five, 10 and 20 years ahead. It needs greater support from the Department to do so effectively.

Staff engage with prisoners

2.19 Possibly the most striking aspect of Albany Regional Prison was the positive and respectful way staff treated prisoners and were in turn treated by prisoners. This practice was evident from the first moment a prisoner interacted with the prison in the reception area. Over 90 per cent of prisoners responding to the prisoner survey felt that they were treated with respect in the reception process. This response is markedly better than in comparative prisons.

12 Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Casuarina Prison*, Report No. 28 (June 2005) 18.
13 OICS, *Report of an Announced Inspection of Albany Regional Prison – September 2002*, Report No. 18 (September 2003) 25.
14 Custodial Inspections Project, Ministry of Justice (WA), *Inspection Report on Albany Regional Prison 5-10 September 1999* (1999) 21–22.

2.20 Prisoners reported getting on well with staff. They recognised this and valued it. As in many prisons, prisoners reported getting on best with the VSOs but at Albany Regional Prison no prisoner reported not getting on with the custodial staff. This was a major point of difference between Albany Regional Prison and the state's other maximum-security prisons where as high as one in five prisoners have reported very poor relations with custodial staff. Additionally, most staff reported getting on very well with prisoners and no staff felt that they did not get on. In the surveys (and subsequently directly to the inspection team), both staff and prisoners commented that this interaction was one of the best aspects of Albany Regional Prison. This was particularly significant given the prison's role in receiving prisoners who are considered troublesome or too difficult to manage at other prisons.

2.21 Almost all of the prisoners surveyed mostly or always felt safe and staff also felt significantly safer than in comparative prisons. Prisoner-to-prisoner abuse was reported infrequently (Table 2) and almost no prisoners reported receiving any abuse from staff (Table 3). These levels of abuse are dramatically less than in the state's other maximum-security prisons.

Table 2: Prisoner-to-prisoner abuse (at least sometimes)

Type of abuse	Prisoner reported (n=70)	Staff reported (n=52)
Sexual abuse	3%	Nil
Physical abuse	14%	6%
Racism	18%	13%
Bullying	15%	13%

Table 3: Staff-to-prisoner abuse (at least sometimes)

Type of abuse	Prisoner reported (n=70)
Physical abuse	Nil
Racism	2%
Bullying	4%

2.22 During the inspection the Department put forward a number of explanations for this positive relationship between prisoners and staff. Each explanation focused on environmental issues outside the direct control of the prison. Each was an incomplete explanation of this stand-out feature of Albany Regional Prison's custodial management. These incomplete explanations included:

- Staff and prisoners were 'country people', therefore some combination of being more relaxed in approach and living in the same community as prisoners and their families accounted for their better relationship. This argument is flawed as many of the prisoners within Albany Regional Prison are not from rural or regional areas and many do not normally live in or around the township of Albany. Further, many of the staff are not from rural or regional areas.
- When, as part of the Corcoran Review, the Department downgraded the perimeter security at Albany Regional Prison, the Department elected not to send to Albany

Regional Prison prisoners at the highest end of escape risk. Therefore it was argued that staff and prisoners were able to have a good relationship because disruptive and high-risk prisoners were not sent to Albany Regional Prison. This is also an incomplete explanation. Albany Regional Prison has remained a dispersal prison for prisoners deemed disruptive or difficult to manage, and overall the security score given to prisoners does not wary greatly between the state's three maximum-security prisons.

- That with an average population of around 200 prisoners Albany Regional Prison could manage in this fashion because of its size. It is certainly true that Albany Regional Prison is much smaller than Casuarina and Hakea prisons. Nonetheless its relationship with its prisoners is much better than many similar sized prisons.

2.23 The argument that the positive relationships found in Albany Regional Prison were a result of environmental conditions fails to acknowledge the important efforts made by Albany Regional Prison staff and management towards engagement and respect. Further, it ignores the value both staff and prisoners place in these interactions. These points seem lost on the Department and as a consequence, the Department has not made efforts to examine what it can learn from the custodial management at Albany Regional Prison.

2.24 In the 2002 inspection report, the Inspector challenged the Department to 'identify and articulate the good practices unique and inherent at Albany Regional Prison and to develop a methodology for replicating these practices at other less successful prisons'.[15] The Department agreed with this recommendation but when, as part of this inspection, the Department was asked to demonstrate where it had made progress in this area, it was unable to do so. In fact, mirroring its view above, the Department in its presentation to this Office prior to the inspection stated that because all prisons were unique there were too many compounding factors for anything to be learnt from Albany Regional Prison. Therefore it had not progressed anything in this regard. The Department's stance was difficult to comprehend. The experience of this Office has been that prisons are inherently more similar than dissimilar. If they were not, it would not be possible for the Department to have common rules and procedures across prisons nor would it be sensible for the Department to develop standards to be enforced across its prisons.

Recommendations

1. *The Department should develop a medium-term plan for the custodial management of prisoners at Albany Regional Prison that incorporates addressing the significantly poorer and substandard accommodation and facilities in Unit 1.*

2. *The Department needs to identify and articulate the good practices unique and inherent to Albany Regional Prison and to develop a methodology for transferring these practices to other prisons.*

15 OICS, *Report of an Announced Inspection of Albany Regional Prison – September 2002*, Report No. 18 (September 2003) 50.

Chapter 3

CUSTODY AND CONTAINMENT

3.1 When the Department considers custody and containment it refers to keeping prisoners in prison and doing so at the lowest appropriate security level to ensure the safety of the community. This is a fairly narrow definition fixed around notions of security, the ability of a prison to mitigate escape risk and to control the behaviour of prisoners. Within this, security strategies tend to be expressed at three levels:

- **Physical Security** – relating to the architecture of the prisons buildings and the specifications of the perimeter systems.
- **Procedural Security** – relating predominantly to various circumstances of counts and searches. In this regard, staff should to be specially trained to do this work and processes need to be described in some detail.
- **Dynamic Security** – relates to the structured activities for prisoners that depend upon alert staff who interact with them. The strength of dynamic security is that it is likely to be proactive and to recognise threats to security, safety and orderly prisons.

3.2 Safety refers to the extent to which staff and prisoners' person and property is or is not endangered. This Office, while maintaining the importance of prisons as secure environments, has always had a greater interest in the safety of those environments and ensuring that the weakest prisoners and the prison staff feel safe. This is not to say that the Department does not share an interest in safety, its Minimum Standards and Operational Requirements document for Acacia Prison makes explicit, at least in private prisons, the demand for a safe environment;[16] rather, it is a matter of emphasis.

3.3 In view of the impending inspection, in January 2006 local management requested a security audit of Albany Regional Prison. A qualified team spent five days with a robust procedural framework assessing this function in a transparent and accountable manner. The resultant report ('the audit report') found Albany Regional Prison to be a relaxed environment with little evidence of tension.[17] The audit report further found that there was a sense of safety in the prison and that staff cohesiveness and commitment to working together was a major contributor to the safety of staff and prisoners. Despite this positive result, the audit report identified 47 weaknesses in the physical, procedural and dynamic security of the prison. While we do not intend to discuss these in detail here, there is no question that an urgent and sufficient response is required. The Inspectorate's view is that while there are deficiencies, some of which are serious, restoring Albany Regional Prison to a fully functioning secure unit can and should be a priority objective for the Department. In this light, this Office notes that the Department has a comprehensive action plan to address the issues raised in the audit report and that action has begun on many of the security issues raised.

3.4 Setting aside the more security-based deficiencies, this report will focus on the safety related issues raised in the audit report. In this regard, five main issues were identified.

16 Department of Justice, *Request for Proposal – Management of Acacia Prison Volume 3 Operational Services Proposal* (undated).
17 Department of Justice, *Security Review Albany Regional Prison: Review Summary* (January 2006).

A lack of resources and processes to support the prisons maximum-security designation

3.5 The audit report stated that '[t]here appears to be a conflict between the maximum-security operating philosophy of Albany Regional Prison and the state's other two maximum-security prisons, Casuarina and Hakea'. In essence, the report argues that while Albany Regional Prison is a maximum-security prison its resources and procedures do not reflect this. The inspection concurred with this view. Overall the prison is a safe environment and issues around the personal safety of staff were being proactively addressed through dynamic security as well as through structural changes and regular security briefings provided to staff. These actions translated into staff and prisoners at Albany Regional Prison feeling safe. Nonetheless, there was a lack of consistency across the prison and some areas have good resources and processes for safety and security and some do not. To highlight this point, two examples are provided.

3.6 From a staff perspective, the education centre is an example of an area where staff feel safe despite evidence of deficiencies in resources and processes. Based on recent incidents in prison education centres the Department has placed considerable emphasis on addressing safety deficiencies. Such efforts were noted at Albany Regional Prison and were a marked improvement from what was seen in 2002. While some structural limitations persist, Albany Regional Prison's management is aware of these and is attempting to minimise risk. There is, however, always a degree of self-responsibility for safety and the inspection team saw instances where non-custodial staff were placing themselves at unnecessary risk. In the audit report and in discussions with non-custodial staff, both observed what appeared to be a poor awareness in staff of the risks involved in maximum-security populations. Albany Regional Prison is a maximum-security environment and safety is the result of appropriate resources, awareness of risk and vigilance. Staff expressed the view that it was not worth going to work every day if they felt unsafe in their working environment; these attitudes often reflect a lack of awareness and vigilance. Safety must be closely monitored; education centres are not the only places in a prison where the safety of staff may be at risk.

3.7 In a second example, from the prisoner perspective, while Albany Regional Prison has a history of managing bullying and stand-over tactics effectively, it must also be vigilant in monitoring prisoner safety and identify areas of potential risk. One such area is the prison canteen. Prison canteens are frequently the site of stand-overs, bullying and the traffic of goods. Albany Regional Prison allocates only one staff member to oversee the activities of the shop. This level of staffing is insufficient to enable both the management of the prison canteen and the monitoring of prisoner activity.

Procedural inconsistencies and gaps

3.8 Inconsistencies and gaps in local procedures were noted throughout the prison. Local procedures were frequently 'incorrect, outdated and in conflict with each other'[18] and some procedures had not been well thought through or lacked comprehensiveness. Further, the inspection team confirmed the audit report's observation that the 'information contained

18 Department of Justice, *Security Review Albany Regional Prison: Review Summary* (January 2006) 11.

in most registers is of a basic standard and does not allow for any degree of accountability of compliance'.[19]

3.9 During the inspection, the clearest example related to the management of a particular prisoner in protection. The Department dictates the procedures that prisons must follow for the management of segregation prisoners, including the documentation that should be kept. While the inspection team accepted that this prisoner was in protection for safety reasons and that the prison was not attempting in any way to punish this prisoner, the absence of documentation and the failure to follow procedure left the prison vulnerable to accusations of abuse.[20] In such situations, where records are not kept and procedural compliance is not clear, it is also possible that the care of prisoners can drift from the normally high standard observed throughout the rest of the prison. Indeed in this case, the inspection team was not satisfied that all aspects of the care and wellbeing of this prisoner were being observed. Similar situations gave rise to the Inspector reviewing the management of protection prisoners in four of the Department's prisons.[21] This thematic report on protection prisoners made a series of recommendations regarding the management of this group that Albany Regional Prison should take cognisance of.

3.10 The inspection team saw other examples where there was a lack of documentation or written procedures and direction. These deficiencies in documentation exposed staff, through no fault of their own, to potential mistreatment of prisoners or a breach of the Department's directives and resulted in management having difficulty demonstrating the effectiveness of its regimes. Indeed, it seemed that it was particularly where staff were exercising appropriate discretion in their care for prisoners that they were failing to effectively document practices.

3.11 Although there were some areas of concern, the inspection found that Albany Regional Prison was a safe environment. The areas identified as needing attention serve to emphasise that Albany Regional Prison was heavily dependent on its dynamic security and the positive relationship between its staff and prisoner groups for safety. This was a strength of the prison, but in a maximum-security environment an appropriate balance must be struck between dynamic and the other aspects of security. These resource and process issues were also raised in the audit report and the Department should urgently address these in order to maintain a safe environment staff and prisoners at Albany Regional Prison.

Insufficient training of staff and prisoners in emergency response

3.12 In the time preceding the inspection, Albany Regional Prison ran a number of emergency response scenarios and identified a range of deficiencies in their response capability. The results of these scenarios led the inspection team to conclude that there had been a lack of training of staff in responding to emergencies (for example cell fires, attempted escapes and medical emergencies). As the audit report stated, this requires urgent review.

19 ibid., 8.
20 For example, as demonstrated in other prisoners: OICS, *Vulnerable and Predatory Prisoners in Western Australia: a review of policy and practice,* Report No. 15 (2003) 28–31.
21 Ibid.

3.13 The audit report identified deficiencies in the written procedures to direct staff during emergencies and observed that prisoners had not been trained in how to respond to emergencies. The inspection team also noted that the prison's management do not appear to have considered the training of prisoners in the prison's preparation for emergencies. The lack of training and inadequate procedures pose a threat to prisoner and staff safety that should be addressed.

Poor tool control processes

3.14 As found in other maximum-security prisons, there were serious gaps in the control of tools within Albany Regional Prison and in the control over what tools contractors and others bring into the prison.[22] Tool control is essential in a maximum-security prison as tools can be used as weapons and to aid escape. While the processes to control the movement of tools, manufactured weapons and contraband out of the industries area at Albany Regional Prison are sound, the monitoring of resources and equipment outside of the industries area requires urgent review.

Insufficient medical coverage during the night shift

3.15 Albany Regional Prison is a maximum-security facility and it is expected that this maximum-security capacity is maintained at all times. In this regard, those medical emergencies requiring the entry of ambulances and/or the movement of prisoners during the night shift should be minimised.

3.16 In 2005 Albany Regional Prison had seven medical emergencies during the night shift. Currently, Albany Regional Prison (unlike other maximum-security prisons) does not have 24-hour local on-call or on-sight medical personnel. If a prisoner makes a health complaint during the night shift, staff are required to telephone the on-call doctor in Perth. That doctor, based on a telephone conversation with a prison officer untrained in medical assessment and with no knowledge of the prisoner in question or their medical history, is then required to assess whether that prisoner should be transferred for diagnosis and treatment or left without treatment until the arrival of nursing staff for the day shift. The audit report highlighted that few doctors would feel comfortable with any decision other than to transfer the prisoner to the local hospital.[23]

3.17 The Department's Audit Report recommends 24-hour on-sight medical staff. This would bring practices at Albany Regional Prison into line with other maximum-security prisons and reduce the complications of arranging and facilitating unnecessary after hours prisoner movements. Regardless of how the Department elects to deal with this issue, it is an unnecessary threat to the safety and security of a maximum-security facility and should be addressed as a priority.

22 See OICS, *Report of an Announced Inspection of Casuarina Prison,* Report No. 28 (June 2005) 19–20 for a more comprehensive description of this security issue.

23 This matter was also discussed in this Office's previous reports, notably OICS, *Report of an Announced Inspection of Roebourne Regional Prison,* Report No. 24 (October 2004) 31.

Recommendation

3. Without disturbing the positive operational culture which contributes significantly to staff and prisoner safety in Albany Regional Prison, the Department needs to develop a staged approach to bring its physical, procedural and dynamic security up to a standard comparable to the state's other maximum-security prisons. This should be resourced as a matter of priority.

Chapter 4

CARE AND WELLBEING

4.1 When this Office inspects a prison, it is looking to ensure that the services and procedures within the prison deliver a decent environment. Within the cornerstone of care and wellbeing, this decency agenda is reflected in the extent to which the emotional, physical, spiritual and cultural needs of all prisoners are acknowledged and addressed in a fair and equitable manner.[24] This is at the heart of the Department's care and wellbeing cornerstone and entails consideration of minority or sub-populations within the main prisoner group.

4.2 This inspection showed that Albany Regional Prison is attentive to the needs of the majority of prisoners and generally affords them a high quality of care and wellbeing. However, there are a number of sub-populations where the prison is attempting with less success to address the equity and fairness of its service delivery. This section will first discuss Albany Regional Prison's general performance and then look at some specific sub-populations.

GENERAL SERVICE PROVISION

4.3 Albany Regional Prison provides a decent environment for its main prisoner population. Overall this inspection did not see any services that were not provided in a quality fashion.

4.4 The processes for the management of prisoners at risk of self-harm were observed to be working well. Relevant staff met regularly (once a month), the meetings were minuted and there was evidence that actions arising from the meetings were implemented. The Prisoner Counselling Service (PCS) was adequately staffed and regularly assessed a range of prisoner groups including those in protection. Services were well integrated across the management of the prison and as a result prisoners' wellbeing was actively monitored.

4.5 A variety of community agencies provided services to the prison, including medical specialists, substance counsellors, religious groups, accommodation services and welfare services, as well as government agencies such as the Department for Community Development and Centrelink. From the community consultation forum held prior to the on-site phase of the inspection, these agencies confirmed good relationships with prison staff including a good reception whenever they attended the prison.

4.6 On an outreach basis, both the Walpole Work Camp Community Liaison Group and the Pardelup Work Camp Community Action Group expressed strong support for the work camps and an appreciation for the extent of community work completed. Importantly, both groups indicated increasing acceptance of the presence of prisoners in their communities.

4.7 Access to recreation for the majority of prisoners was also good. The oval was open for recreation daily, with two designated recreation officers. One of these officers doubled as the prison canteen officer, a combination that worked well in the prison, enabling small incentives (such as cans of soft drink) from the shop to be incorporated into activities. In addition, gym equipment was available for each unit, plus passive recreation activities such as darts, pool table, table tennis, library access and board games. The inspection team did note though that the

24 Care and wellbeing cornerstone description taken from the Department of Justice, *WA Prison System: role and function profile* (2003) 3.

recreational options for protection prisoners did not meet the standards observed for other prisoners.

4.8 During the inspection, prisoner comments about food were generally positive. The prisoners and staff involved in the catering at Albany Regional Prison obviously gave a great deal of attention to food preparation and prisoners reported that the food was fresh and presented in a palatable fashion. The fact that food is prepared under a cook-serve regime rather than a cook-chill regime is significant.[25] The cook-serve process allows for greater confidence in both the quality and integrity of the food eaten.

4.9 The prison canteen had a wide range and choice of items available, plus a variety of town spends to cover items not stocked. Canteen times were staggered and flexible. This catered for cases where new arrivals missed their allocated spend period, or if a prisoner needed to buy items for a visit.

4.10 The peer support group was active in the prison and was working well. They particularly looked out for 'out of country' Aboriginal prisoners and younger prisoners coming in to Albany Regional Prison. The Prison Support Officer (PSO) was very active in the prison, had developed good relationships with custodial staff, and was respected by staff, management, prisoners and relevant community agencies.

4.11 The reception process was highly efficient and effective. Reception officers were observed to treat prisoners with respect (acknowledged by prisoners in their survey) and to generally have good processes. An orientation pack was given to all new prisoners, consisting of written information and pamphlets to complement the information given verbally by reception officers, the peer support prisoner working in reception, and unit staff. The Unit 1 senior officer attended reception to greet incoming prisoners and to discuss their placement in the prison. This discussion identified whether they had any friends, family or enemies in the prison, and generally attempted to ensure their safest and most appropriate initial placement. Consequently, prisoners reported to the inspection team that they had been adequately oriented to the prison and had been assisted by staff and prisoners to settling in.

4.12 The inspection team made one criticism of the reception process. Similar to other prisons in the state, Albany Regional Prison interviews new prisoners at a central desk. This renders all conversation able to be heard by other staff and prisoners awaiting reception. Previous inspections have demonstrated that this practice leads to prisoners not disclosing significant information to the prison officers interviewing them. In at least one other prison, this practice was considered by this Office to have had a role in the deaths of prisoners in custody.[26] The Inspectorate considers that, because enclosed offices are available for reception use at Albany Regional Prison, this practice can be easily rectified. The offices should be made available for use immediately or some other method found to afford prisoners a degree of confidentiality in the interview process.

25 Issues with the cook-chill regime are discussed in OICS, *Report of an Announced Inspection of Casuarina Prison,* Report No. 28 (June 2005) 47–49.

26 OICS, *The Diminishing Quality of Prisoner Life: Deaths at Hakea Prison 2001-2003,* Report No 22 (March 2004) 26–28.

Health

4.13 Albany Regional Prison delivers an excellent health service to its prisoners. While deficiencies were noted, the intent of the service and the extent to which it met that intent is better than seen elsewhere and the Department should seek to understand how Albany Regional Prison is able to deliver its quality service and to what extent this can be replicated elsewhere.

4.14 A significant contributor to the success of the health services in Albany Regional Prison was the staff's eagerness to engage with prisoners and other staff. The nursing staff, who are the Department's primary point of health contact, have a good relationship with prisoners. This good relationship was commented on by the nursing staff and was supported by prisoners. The nursing staff adopted a patient-centred approach, which enabled them to provide a culturally sensitive service. For example, where possible, nursing staff structured appointments with male doctors for traditional Aboriginal prisoners who may have cultural issues with disclosing sensitive information to females. The focus of the health clinic was on the major health needs of the population and as such the health staff actively sought out the health needs of the population. Health promotion was both opportunistic and organised with health information provided when prisoners were seen for appointments as well as at regularly organised sessions on a variety of topics (for example, diabetes, blood-borne communicable diseases and asthma). In addition, Aboriginal health promotion sessions occurred weekly.

4.15 Unlike other prisons, at Albany prisoner access to the medical centre did not rely solely on written request forms; prisoners were able to request appointments through unit staff, during medication parades, or directly by attending the centre. This provided prisoners with a high level of access to general health services and minimised barriers to their access.

4.16 The prison's health service had forged good relations with local health service providers. A doctor and a general practitioner specialising in mental health visited weekly, with less regular visits by contracted specialists. Relationships with external service providers were also maintained strongly with the medical centre referring where possible to local allied health professionals and specialists rather than sending prisoners to Perth. This reduced unnecessary travel and, since local wait lists were generally shorter than those in the Perth, often decreased waiting time.

4.17 The health staff also worked closely with AIMS, the Department's contracted service provider for medical transport. Both the prison and the local AIMS manager reported good communication, a sensible approach to booking appointments and considerable negotiation around service deliverables. As a result, the number of local cancellations because of the unavailability of transport was kept to a minimum. The impact of transport unavailability was further reduced as the health service had negotiated locally for coverage by prison staff in the event that AIMS was unavailable.

4.18 The health service had a good relationship with its prison. Nurses had good links with other prison-based services such as PCS and education as well as the custodial staff in the prison. In particular, the multi-disciplinary 'daily debrief' where information on prisoner issues and support was discussed, was observed to be working well. The end result of this eagerness and

focus on engagement was easier and better coordinated access to health care for prisoners and better support for the health initiatives within the prison.

4.19 Outside of the main prison, adequate arrangements were in place to ensure that the medical needs of prisoners at both work camps were met. Silver Chain had been contracted to meet the health needs of prisoners at the Walpole Work Camp, and a nurse visited Pardelup every two to four weeks. A doctor attended each camp at least once a week, depending on need. Work camp prisoners with regular medication needs were supplied via the 'Websterpack' system from the prison with local pharmacies assisting with any urgent or unforseen medication needs. Prisoner telephone consultations to the Albany Regional Prison were also available if required. Prisoners with more complex health needs were transferred to Pardelup (if at Walpole) to facilitate escorts to appointments in either Albany or Mt Barker.

4.20 There are a few health issues that remain to be addressed. At the time of the inspection, there were 52 prisoners in Albany Regional Prison with a recorded history of mental illness, approximately 25 per cent of the total prisoner population.[27] Health staff advised that mental health services were stretched and that normal operational constraints such as staff leave strained capacity. Custodial staff particularly did not feel competent in dealing with this prisoner group. The Inspectorate raised this issue in its review of the management of offenders in custody in 2005.[28] The Health Department has also made comment on this matter and the broader issues pertaining to the management of prisoners with mental health needs are presently under consideration by government.

4.21 Currently, the prison runs a drug-free unit in half of Unit 3 and informed the inspection team that they intended to extend this drug-free initiative to all of Unit 3. While this is in principle a positive proposal, management were not able to clearly state what their intention and objectives were for this unit. Further, information on how prisoners would be promoted to the unit, how the unit would impact on their drug-taking behaviour and what or how they would measure success was also unclear. This unit has been running since 2003 and, in light of the lack of clarity above, prior to its expansion a comprehensive outcome evaluation should be undertaken. This evaluation should comprise part of a wider evaluation of all drug free units across the prison system.[29]

4.22 A final health issue that required addressing was the provision of special diets. While the process for providing special diets appears strong, there are some operational issues that could be easily dealt with by the prison. At the time of inspection there were 24 prisoners on special diets. The kitchen operated a four-weekly menu cycle, with food delivered via trolleys to each unit. Any prisoners on special diets had their meals already plated up and labelled on the trolley. Special diets were requested via a formal process through unit senior officers to the kitchen, once a prisoner had been assessed at the medical centre. These are good practices.

27 From the clinical nurse manager's submission to the inspection team on health services in Albany Regional Prison.
28 OICS, *Directed Review of the Management of Offenders in Custody,* Report No. 30 (November 2005).
29 A similar issue arose in the subsequent inspection of Wooroloo Prison Farm and, as here, a review of this initiative was recommended.

Prisoners on special diets though complained that unlike those on mainstream diets, their food became boring, with the same thing served every meal. There was also no specific diabetic diet on offer, with diabetics receiving instead a low fat salad diet. Several diabetics commented that they never had desserts, and could only get small amounts of diabetic cordial. Nurses confirmed there had been problems getting diabetic cordial and jams, as well as a lack of diet desserts available on the menu. Other prisons, such as Greenough Regional Prison, have successfully addressed this issue for their diabetic and special diet prisoners and Albany Regional Prison's otherwise excellent catering service should look to their performance for a lead in this area.

SERVICE PROVISION TO SUB-POPULATIONS

4.23 In all, Albany Regional Prison is doing a good job in managing the care and wellbeing of its main prisoner population. At the last inspection, there was some concern that while the majority were well looked after particular sub-populations were not being adequately considered.

4.24 In response to the 2002 inspection, the prison established an Equal Opportunity Management Committee (EOMC)[30] to look at deficiencies in its services to sub-populations. This is a highly progressive strategy and meets best practice standards. A range of standards were set to address access and equity issues with the committee meeting every six months to consider this information, to identify inequities and to inform services planning. In particular, the prison had engaged a PCS member to provide regular updates from ethnic monitoring surveys and to analyse specific issues. Examples of the action of this committee include the monitoring and promotion of Aboriginal prisoners into accommodation within the higher quality units and an analysis of prison charges, carried out for the period September 2003 to May 2004, in response to issues raised regarding Aboriginal perceptions of discrimination.[31]

4.25 The EOMC is a unique initiative that is providing real benefits to prisoners at Albany Regional Prison. Nonetheless, four particular sub-populations presented with enduring issues during the inspection. Albany Regional prison is the only prison in the state to have such an initiative, and the prison should be congratulated on this. While the EOMC enabled the prison to be aware of many of the issues raised here, the prison's response was patchy and issues still remained. It was apparent from talking with prisoners and staff and from reading the minutes of the committee that the EOMC may meet too infrequently for it to be an effective conduit for informing prison practices. Given that the EOMC has been in action for some years, the Department should analyse its scope and resource needs and look to bolster its activities and possibly replicate the initiative in other prisons. This might include an assessment of committee leadership and membership, the inter-prison and departmental resources it

30 OICS, *Report of an Announced Inspection of Albany Regional Prison – September 2002,* Report No. 18 (September 2003) 52.

31 A copy of the three-page report on this analysis was provided by the prison; indicating no significant bias except for an indication Aboriginal prisoners were more likely to lose gratuities as punishment than other groups.

has access to, the standards it applies, how it measures performance, frequency of committee meetings and processes for bringing about change.

Aboriginal prisoners

4.26 At just over a third of the prisoner group, Aboriginal prisoners constitute the largest sub-population within Albany Regional Prison. It was apparent during the inspection, that the prison had attempted to boost its consideration of the needs of this group and from 2002 had made some significant improvements in their care and wellbeing.

4.27 Prison management and members of staff actively engaged with local Aboriginal communities and agencies and sought to forge links with them. The Aboriginal Visitors Service, for example, reported having good connections particularly with the PSO and ASPM, and said that they always felt safe and welcomed in the prison. Staff at visits asked after family members, not all of whom had previously been prisoners. Links with local communities meant that the prison was aware of conflicts between families and could better manage visitors and family members in prisons as a result.

4.28 There was a strong focus on education for Aboriginal prisoners. Around the time of the inspection Aboriginal prisoners made up approximately 43 per cent of students accessing education or training through the education centre. The majority of these were enrolled full-time and educational activities went beyond subjects, such as art, which are normally associated with Aboriginal education in prisons. This included such programs as the health and family programs – weekly workshops held to address health needs and promote awareness of men's health issues. Also, a Memorandum of Understanding has been signed with the Bringing them Home Program designed to address family link-up issues with Aboriginal prisoners. Facilitators from this program attend the prison regularly to facilitate prisoner needs in this area. Consequently, Aboriginal prisoners expressed considerable satisfaction with the quality of their education and training at Albany Regional Prison.

4.29 At the time of the 2002 inspection, Aboriginal prisoners made up 8 per cent of prisoners in incentive accommodation, which in turn accounted for 15 percent of Aboriginals accommodated at Albany Regional Prison. At this inspection, they made up 30 per cent of those in incentive accommodation (54% of Aboriginals in the prison). To support these efforts processes had been put in place to ensure that no systemic barriers existed that restricted the ability of Aboriginal prisoners to move up the accommodation chain. However, a considerable number have so far elected to stay in what is substandard accommodation. The prison therefore needs to continue to explore options to encourage these prisoners to progress to better accommodation and more enriching regimes.

4.30 The prison's management also recognised that Aboriginal prisoners were different from their wider prisoner population and that considerable diversity exists between Aboriginal prisoners. Consequently, based on a request by the PSO a fire pit was to be built at the meeting place to enable access to traditional food, for those who wished it, on a regular basis and out of country prisoners were assisted with additional welfare calls and the facilitation of video-link visits.

4.31 These services were able to be extended to Aboriginal prisoners because the prison took the time to assess the needs of this sub-population, had a process to monitor them and a commitment to bring about change. However, continued efforts are still required in the areas of accommodation, regular access to traditional foods, the under-utilisation of the Aboriginal meeting place (some prisoners reported being told by officers it was 'out of bounds' during recreation and other times) and the lack of Aboriginal-specific offender programs available at Albany Regional Prison.

Female prisoners

4.32 There were no female prisoners at Albany Regional Prison during the inspection period and during 2005 there were just four females in total held in the prison, most overnight but one for several days. As noted in the Directed Review of the Management of Offenders in Custody,[32] the projected growth in female prisoners from this region is insufficient to warrant the establishment of a full female unit at the prison; but, as women will continue to be held in parts of the prison, there is a need to ensure that there are appropriate facilities.

4.33 At the time of the inspection, women were held in what would otherwise be male punishment or observation cells, sometimes with male prisoners held on the same wing. The inspection team was told that, where possible, a female prisoner would be granted access to the corridor area during the day to maximise freedom of movement. A 'normalised' cell had been set aside with a television and the area had the benefit of being removed from the sight and sound of male prisoners. This removed the opportunities for 'cat calling' that might otherwise be expected from some male prisoners. It was clear that the prison management team were concerned to minimise these circumstances and had implemented a regime of positive interaction with supervising staff (at the time of the inspection there were eight female custodial officers at the prison who could be used for such duty) and by facilitating such freedom of movement as was possible given the constraints of the antiquated architecture of the building. Regardless, the relative isolation and lack of activities for female prisoners were such that it rendered the holding of women prisoners for more than a few days unacceptable.

4.34 In addressing this issue, management advised that they had sourced funding to upgrade an unused portion of Unit 1 into a two-bed 'women's suite' to provide suitable short-term accommodation for women. Work for this suite was planned to start later in 2006. While this planned work will improve conditions for females, the end result is likely to be only barely acceptable and will be monitored closely.

Indonesian foreign national prisoners

4.35 At the time of the inspection 14 Indonesian foreign national prisoners were accommodated at Albany Regional Prison. All 14 were arrested for illegal fishing activities. Of these, six were held at Walpole Work Camp (comprising 100% of the residents of that work camp) and eight at the Pardelup Work Camp (comprising 50% of the prisoner population). The presence of these Indonesian foreign nationals presented a number of challenges for their custodial

32 OICS, *Directed Review of the Management of Offenders in Custody,* Report No. 30 (November 2005) 172–173.

management. However, it should be noted that the prison has accommodated Indonesian foreign nationals in the past and has a history of successfully managing them.

4.36 In discussions with the prison management it was clear that they were aware of some of the cultural, religious and dietary requirements of this population and had taken steps to address these. However, efforts to ensure the care and wellbeing of these prisoners were constrained by language barriers. Many of the Indonesian prisoners had poor English, making day-to-day instruction and supervision more difficult. At Pardelup, the inspection team observed that the captain of one of the Indonesian fishing boats was routinely used to interpret for others. Prisoners must never be used to control other prisoners, as this is always open to abuse. This was not satisfactory and an impartial interpreter should be regularly available to these prisoners.

4.37 The presence of the Indonesian foreign nationals at the two work camps raised another issue for Albany Regional Prison. Normally, work camp placements are privileged placements where eligible prisoners have to show a history of good prison behaviour and be progressing towards release. Prisoners at work camps have greater freedoms and receive the highest levels of gratuity. Eligibility criteria for work camp placements have also become stricter in recent years, resulting in a decline in the number of prisoners at these two work camps. However, the 14 Indonesian foreign nationals had been placed in the work camps through a separate process (see paragraph 6.22).

4.38 Some prisoners at Albany Regional Prison expressed resentment at what they viewed as an unfair process for the placement of these Indonesian foreign nationals in the work camps.[33] For example, inspection team members heard comments from various prisoners that these Indonesian prisoners were taking their places in the work camps and were getting the higher gratuities that would otherwise be reserved for local prisoners. However, at the time of the inspection there were spare places at the Pardelup Work Camp with no eligible prisoners waiting in Albany Regional Prison. Nonetheless, these perceptions threaten relationships between prisoners and should be addressed by management before they become further inflamed.

Protection prisoners

4.39 In Albany Regional Prison, protection prisoners are held in a wing of Unit 1, the oldest and least desirable of the accommodation at the prison. While the generally good interactions between prisoners and staff at Albany Regional Prison mean that the need for protection is minimised, the Superintendent advised the inspection team that the need for protection at Albany Regional Prison was becoming an increasing issue and that prisoners could expect to be kept in protection for longer durations.

4.40 Prisoners placed in protection are there for their own safety and not for punishment. As such, prisoners in protection should be afforded the same quality and level of service available to

33 The Indonesian foreign nationals have been placed in the work camp by a different process to the normal assessment and progression process. This is further discussed in the following section on classification and placement.

mainstream prisoners. Protection units are not regression units and should reflect a level of accommodation somewhat above the entry or basic level within the prison. This was not the case at Albany Regional Prison. Protection prisoners were locked in their cells for longer periods than other prisoners and were only unlocked into the small covered yard to which their cells opened. This yard was a downsized replica of the yards in the A and B wings of Unit 1, but for protection prisoners this was the sum total of their outside environment. Access outside the wing, to fresh air and to services such as the library or canteen, was severely limited. There was no work available to protection prisoners and consequently they were unable to participate in the incentive program and thereby earn privileges such as electrical items in their cells. As protection prisoners they were acutely aware of actual and potential acts of bastardry by other prisoners that included spitting on or otherwise tampering with their food as it was being brought from the kitchen, or interfering with their laundry.

4.41 In all, prisoners in protection were being provided with an unacceptable quality and level of service and were clearly not afforded the same services provided to mainstream prisoners in Albany Regional Prison. The inspection team advised management of these concerns and were shown a briefing note and report of an environmental health assessment of the prison. This report made a number of references to modifications necessary to the protection area and the briefing detailed the progress and budget applications process the prison has instigated. Subsequently, a capital works bid has been made, the outcome of which this Office will await with interest. In the meantime, the Superintendent acted quickly to set up a meeting of senior staff to consider what measures could be taken to improve the conditions for protection prisoners and again this Office will await the outcome of this with interest.

Recommendations

4. Albany Regional Prison's management should clarify the role and function of its Drug Free Unit and the Department should undertake a comprehensive outcome evaluation of all its drug free units.

5. Albany Regional Prison's management should address the equity issues regarding access to services for protection prisoners and their general care and wellbeing issues raised in this report.

Chapter 5

REHABILITATION

5.1 In custodial settings rehabilitation refers to developing the individual, enhancing their prospects once released and, linked to these, reducing the likelihood of their reoffending. Efforts to address rehabilitation cover purposeful activity, family linkages, programs and re-entry initiatives and a healthy prison is one where all these work together.

5.2 A healthy prison is one where:[34]

- all prisoners are purposefully occupied in constructive activity;
- there is a range of meaningful activity and prisoners are able to exert some level of choice;
- prisoners are encouraged to understand the intent of and participate in programs;
- prisoners have access to education and skilling which reflects their interests and enhances their prospects once released;
- offending behaviour is challenged and offence-related programs are provided;
- resettlement programs are provided and it is ensured that all prisoners are released to suitable accommodation;
- there is a staff culture supportive of rehabilitation; and
- outside service providers are engage to provide care after release.

5.3 Albany Regional Prison demonstrated good planning, effective service delivery and well integrated re-entry and resettlement programs. These factors combine to deliver a high quality of service provision.

PLANNING

5.4 Central to a prison's rehabilitative planning are prisoners' Individual Management Plans (IMPs). All sentenced prisoners with a sentence of six months or more must have an IMP completed within 28 days of being sentenced. The IMP is set at the start of their sentence but can be adjusted as the circumstances and interests of the prisoner change. The IMP covers a range of rehabilitative options available to prisoners including education, training and offender program participation.

5.5 This process appears to be working well at Albany Regional Prison with the majority of prisoners having an IMP.[35] Further, the majority of prisoners reported that they had been involved in modifying or developing their IMP and almost two-thirds felt that it was useful in preparing them for release.[36]

5.6 At Albany Regional Prison prisoner satisfaction with their IMPs is higher than seen in many other prisons. A significant factor in this is the prison's attention to case management. The

34 Department of Justice, Suicide Prevention Taskforce, *Suicide in Prison* (July 2002) 36–38.
35 The only group of prisoners where there was some doubt was a small number of prisoners recently transferred to the prison.
36 Reasons why prisoners typically do not find their IMP useful include that the prisoner is maintaining their innocence, that they do not feel engaged in the process, or that they feel that their plan does not progress them towards release in a sufficiently timely manner or in a manner they agree with.

process of case management involves assigning a few prisoners to each officer, where that officer is responsible for managing those prisoners' progression through the system towards release. It is through the case management process that the prison system monitors and reassesses a prisoner's IMP and gives specific attention to the pre-release needs of prisoners.

5.7 The Department states that the case management of prisoners teamed with strong unit management are fundamental components of its rehabilitative efforts.[37] Yet within the Department's 13 prisons, effective unit management is rare and case management has only ever been demonstrated at Albany Regional Prison.

5.8 Essentially, case management exists at Albany Regional Prison because all levels within the prison are committed to it. The Visits Senior Officer fulfils functions related to that of a case management coordinator (ensuring that case managers are actively engaged and supported in their functions) and is supported in this by local management. Outside of the prison, the case management coordinator receives very little support from the Department. Nonetheless, Albany Regional Prison has developed good case management processes and a range of tools to assist case managers in their roles. Unfortunately, a lack of documentation limits portability of Albany's successful case management model to other prisons. Support for such initiatives is meant to be a central role for the Department's head office and they need to do more to advance the development and promulgation of case management tools and processes. Indeed, the Department should be looking to Albany Regional Prison for the lead in this regard.

5.9 Almost all the prisoners surveyed at Albany Regional Prison could identify who their case manager was and almost all had met with their case manager. While it is recognised that not all prisoners require frequent or constant contact throughout their sentence, it was some concern though that only 20 per cent of these indicated that they met with their case managers 'frequently'. This low figure indicates that despite the strong case management system operating at Albany Regional Prison some problems may still exist. More information needs to be given to prisoners about how often (given the stage of their sentence) they should expect to see their case manager. Few staff had received training in the last five years and just over half felt confident in their role as case manager or with the principles of rehabilitation on which case management was developed. Supervision of case management needs to remain vigilant and staff would benefit from further training.

5.10 Case conferences were occurring and delivering real benefits to prisoners, these were facilitated by the Assistant Superintendent, with two senior officers also attending. Each prisoner was given the opportunity to comment on the status of any aspect of their sentence, including security classification, program access, parole issues and upcoming release dates. The system was transparent with respect to prisoners being involved in the monitoring and modification of their own individual sentence plans. In keeping with their staff and prisoner focused philosophy, Albany Regional Prison has devolved to the unit level real authority and responsibility. This ensures quality management of prisoners and enables the control of service delivery to be closer to the prisoner.

37 Otherwise known as the Integrated Prison Regime.

Albany Regional Prison is a maximum-security facility with a fortified perimeter and armed response vehicles

Inside, Albany Regional Prison has an open, campus like layout where staff and prisoners take pride in maintaining the surrounds

Many of the facilities are relatively modern and well laid out

Within the prison, prisoners grow many of their own vegetables which contributes to reducing the cost of their imprisonment

The prison has a large and well used education centre

Office space and staff work areas are at a premium, with most offices overcrowded

Older parts of the prison though are at a state of considerable decay

With these older units offering little in the way of amenities for the prisoners residing there

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5.11 Case management is under-developed in the Department and even Albany Regional Prison (where case management has been a focus since its inception) could benefit from focused attention by the Department on overcoming structural barriers, developing and improving tools and processes, and in staff training. Nevertheless, it is one of the prison's strong points and its performance exceeds overall departmental standards.

DELIVERY OF SERVICES

5.12 Albany Regional Prison has good planning and coordination of its rehabilitative efforts. The rehabilitative services themselves (education, training, programs and re-entry) are also of a high quality.

Education and training

5.13 At the time of the inspection, over 50 per cent of the prisoner population at Albany Regional Prison were accessing various educational and vocational training programs. These ranged from adult literacy programs, to tertiary education as well as industrial traineeships. In 2005, there was an average of 108 students enrolled in education courses of an average prison population of 197.

5.14 The education centre has developed a good relationship with Great Southern TAFE. Individual timetables are provided for each student with planned sessions that allow full-time students a certain amount of free study time each week. This mirrors what occurs in 'normal' adult learning environments such as TAFE and university settings. Albany Regional Prison education staff also attend the Pardelup and Walpole work camps once a week as do Great Southern TAFE tutors.

5.15 There was evidence of ongoing planning around Indigenous education at Albany Regional Prison and as indicated earlier, Aboriginal prisoners made up around 43 per cent of students. There was a full-time (contract) Indigenous tutor employed in the education centre to provide tuition support where needed. Indigenous and Vocational Education (IVET) meetings have been held twice a year, to discuss courses and to assist education staff in developing culturally appropriate programs. Students, staff and community representatives attended these meetings, with 16 students attending the last IVET meeting in December 2005. At the time of inspection, no Aboriginal prisoners were enrolled in industry traineeships. However, it was anticipated that a new entry-level industrial training program to focus on Aboriginal prisoners would commence later in 2006.

5.16 Some of the highlights from 2005 for prisoners in education were:

- 18 prisoners in traineeships;
- five prisoners doing tertiary level studies;
- the continued activities of the SALT Writers' Group;
- 29,000 student contact hours through TAFE;
- 70 modules completed in basic literacy and numeracy including 10 prisoners completing full courses; and

- over 100 training modules completed at the work camps including prisoners completing the Certificate II course in agriculture and in turf management.

5.17 This is an impressive achievement by the education centre at Albany Regional Prison; however, the Inspectorate noted with some concern that difficulties within the staffing group appeared to have reached a stage where they were likely to impact of the delivery of services to prisoners. This was an unacceptable but understandably complex situation that the Department has moved to resolve, but for which this Office retains an active interest.

Offender programs

5.18 All prisoners with an effective sentence length of six months or more undergo an assessment of their need and eligibility for programs to assist them in addressing their offending behaviour. Inclusion in, suitability for and scheduling of programs are incorporated into each offender's IMP and, as such, prisoner and program schedules are set near the time of sentencing; that is, sometimes years in advance of the program delivery. Programs are scheduled on a computer-based system (AIPR) which is used to allocate offenders to programs.[38] and most prisoners arrive at Albany Regional Prison with their IMP and program schedule already set. This may or may not include their participation in programs at Albany Regional Prison.

5.19 If, however, at the initial assessment phase, a prisoner is unable to access a particular program there is no functionality on the AIPR to reschedule. Further, if prisoners elect not to participate in a program to which they have been allocated they literally drop out of the system. Similarly, if prisoners are scheduled to do a program that is only available in a prison to which their security classification does not allow access, they also drop off the system. There is no mechanism within the AIPR by which these groups of offenders can be tracked in order to ensure that either they do get the opportunity to complete the program, or that they are encouraged to participate at a later stage during their sentence. The process is heavily reliant on prison staff identifying prisoners who are required under their sentence and parole planning to participate in a program and then ensuring that they access the program in a timely fashion. This is predicated on case management and the availability of program places (most programs are filled 12 or more months in advance). This is a system-wide problem, the impact of which is somewhat minimised at Albany Regional Prison where the case management of prisoners is working better than elsewhere. At Albany Regional Prison prisoners at least have a chance to have their IMP adjusted and be re-entered onto the AIPR to await program availability.

5.20 Many prisoners expressed concern about the impact of the scheduling of programs on their parole approval. Indeed, this concern was reiterated by management, who commented that the biggest challenge in relation to program delivery at Albany Regional Prison was programs not starting when originally scheduled. This is an issue out of their local control, as resourcing and scheduling of programs is determined at the head office level. For example, the current Sex Offenders Treatment Program was scheduled for the last three months of 2005, with an

38 Department of Justice, Offender Services Branch, *Offender Programs Service Guide July 2005–June 2006* (undated).

earliest start date of 1 October 2005. This program had not commenced at the time of the inspection and was not scheduled to commence until at least mid-February 2006. The Sex Offenders Treatment Program is a Bunbury Regional Prison program, but its delay in starting means that prisons awaiting this program remain in Albany Regional Prison and are at risk of unnecessarily exceeding their earliest release date.

5.21 This problem is further exacerbated by the Department's insistence on adopting what this Office has referred to in the past as a 'five minutes to midnight' approach to program participation where many prisoners are scheduled to attend programs right at the end of their non-parole period. Thus, those prisoners who had been booked into a program as a parole requirement face the possibility of their parole being deferred if they are not able to complete programs before their parole hearing. This is a growing problem for prisoners and one by no means unique to Albany Regional Prison. Indeed, with their emphasis on case management and good coordination with the programs staff few prisoners expressed concerns about their access to programs at Albany Regional Prison.

5.22 This is not to say that program delivery at Albany Regional Prison could not be improved. Local problems are also having an impact and these can be dealt with. These include a lack of availability of suitable facilities in the prison; poor knowledge of the actual demand (the system is reliant on case managers uncovering demand but many prisoners met with their case manager infrequently); and limited local flexibility which means that where demand exceeds supply the only available option is to fill empty places rather than run additional or different programs. A new clinical case manager has recently been appointed to Albany Regional Prison for this reason. The manager expressed dissatisfaction over the scheduling and assignment problems referred to above and while much of this may be out of the control of a local prison it is good to see that they are actively monitoring issues in this area.[39]

RE-ENTRY

5.23 Programs are an important aspect to the re-entry of many prisoners, but all prisoners require support as they prepare for and re-enter the community. Re-entry initiatives attempt to re-engage prisoners with the community and smooth their resettlement. Re-entry incorporates efforts inside and outside the prison and are conducted in partnership with external agencies to prepare the prisoner for release. At Albany Regional Prison the Department has contracted out this coordination of the external service providers to a local not-for-profit agency. The service provided by this agency is comprehensive and assists prisoners with their generic and individual re-entry requirements. They attended the prison between two and three times a week and conducted workshops with prisoners, as well as conducting individual sessions. They described their services in terms of providing general assistance to prisoners for anything they may need to assist with their successful reintegration once they are released, but which they may not be able to do themselves as a result of being in prison. Examples of this type of

39 Bob Stacey, A/Inspector of Custodial Services, *Exit Debrief: Announced Inspection of Albany Regional Prison, 5 February to 10 February 2006* (undated) 7.

assistance include referrals to outside agencies and other practical arrangements such as setting up bank accounts, assisting with Homeswest applications and connecting prisoners with agencies like Centrelink.

5.24 The agency is also responsible for administering the Department of Corrective Services' Community Transitional Accommodation and Support Service (TASS). This service includes both the provision of housing, and support to access and maintain accommodation. In Albany, the re-entry service provider has four TASS houses available for prisoners. These houses are available for a six month tenancy. The re-entry service provider is also currently engaged in negotiations with the Department of Housing and Works to obtain crisis accommodation in Albany.

5.25 The re-entry service providers expressed satisfaction with their involvement with the prison. More importantly they commented on the very positive attitude of the prison's staff and that they felt safe when they were within the prison environment. They related that prison staff attempted to assists where possible, for example with the transport of prisoners upon release.

5.26 Quarterly meetings are held with the main stakeholders involved with reintegrating offenders into their communities. These include, Community Justice Services, the re-entry service provider, Centrelink, the Department of Housing and Works, and prison management. These are meetings in which issues pertaining to the re-entry requirements both of current prisoners and of those who have recently been released are discussed. Prison management and the community agencies stated that this forum was particularly valuable in terms of sharing information about how different prisoners are managing the transition from prison to the general community and where the service gaps may be.

5.27 From the identification of one such gap the prison has instigated 'Choices', a life skills program that is run through the education centre at Albany Regional Prison. The program is not a treatment program. Rather, it is an education program that provides skills in communication, goal setting, self-expression and personal development. The program is delivered using the principles of adult learning. The format of the program is interactive and flexible, depending on the needs and choices of the participants. The Choices program was specifically used as it complemented the services offered by the re-entry service provider. This program is, therefore, a commendable initiative that further contributes to the holistic range of re-entry services provided to prisoners at Albany Regional Prison.

Family contact

5.28 Another significant aspect of re-entry is the successful reintegration of prisoners into the community through maintaining and strengthening family and community contact. Prisoners maintain contact with family, friends and their community through visits, telephone, mail and video-link. Family contact is a seminal marker of a healthy prison and Albany Regional Prison should be commended on the manner in which it facilitates these to optimise the ability of prisoners to maintain contact with their family and enhance their prospects following release.

5.29 Respectful interpersonal relationships were observed between the visits officers, prisoners and prisoners' visitors. Regular family visit sessions were available each afternoon during the week, with extra morning sessions on weekends and public holidays. Prisoners were allowed two visits per week, or three if on a higher privilege regime. However, extra and extended visits were often approved. For example, the inspection team observed a prisoner with overseas visitors and noted that the prison ran extra visit sessions for the family in addition to the regular afternoon sessions. The prison was liberal with visit times, with visits consistently longer than the designated visit duration of one hour.

5.30 Not surprisingly then, more than three-quarters of the prisoners surveyed were happy with their access to visits. A large proportion of those prisoners who were unhappy with visits access came from interstate or overseas and never or rarely received visits.

5.31 This is in general an excellent service, though areas of concern were noted that should be easily within the capabilities of the prison to remedy. Firstly, surveillance of visits was incomplete. While the visits area is not large (accommodating a maximum of 15 prisoners at a time) up to 85 visitors could be attending. In addition, protection prisoners and those on restricted/no children regimes had visits in a separate area from the main visits room – the foyer between the visits area and the administration block. To ensure visits could be adequately supervised, a limited number of such prisoners were allowed in this area at a time. Running dual visits areas was not ideal for prisoners, their visitors or for staff, who were required to supervise this area as well as the main visits area. This system was a response to the need to provide comparable visits opportunities for those on restricted regimes. This is a commendable effort, but at times with three staff rostered on, there are four activities that require direct staff involvement and supervision. Within the current staff and physical configuration of the visits area, this is not possible and lapses in supervision are inevitable. This was also noted within the Department's security audit.[40]

5.32 In the visits area itself there was insufficient activity for children. The prison has tried a range of initiatives but to date they have not been effective and the problem remains. Essentially, it appears that some change to the physical structure of the visits area may be required and the prison should consider this in its future planning. Alternatively, it needs to find a solution that allows children to attend visits but not be disruptive to prisoners and other visitors.

5.33 Facilities and service outside the prison for visitors were also limited. There was a small visitors' centre available outside the prison with toilet facilities and seating, but this was physically distant to the gatehouse. With no outcare type services, visitors related that if they waited in the centre they risked other visitors reporting to the main gate, being admitted ahead of them and potentially impacting on their access to or the duration of their visit. Alternately they could wait outside the main gate where they were exposed to the elements. In either place, there was no area for children to play while waiting.

40 Subsequent to this inspection, the Department has advised this Office (Correspondence reference 1999/03454) that they have trialled a number of 'kids free' visits days which allows for all visits to be held in the main visits area. These trials appear to have been a success and have been adopted as part of the visits regime.

5.34 Telephone contact is another aspect contributing to prisoners' maintaining their links with family. Almost all the prisoners surveyed were happy with their access to telephones, with records showing that prisoners at Albany Regional Prison were making an impressive average of 80 telephone calls per month[41] From an analysis of the calls made during January 2006, prison records indicated that 51 per cent of all calls made were to the local area, 31 per cent were to the Perth metropolitan area, 12 per cent were to mobile numbers, four percent to elsewhere in Western Australia and two percent were international calls. This is a good spread of phone calls, though it does highlight the heavy use of STD and international calls at this prison. Commensurate with this, a number of prisoners complained to the inspection team about the relatively high price of long-distance phone calls comparative to what was available to users in the community. Welfare (free) calls were, however, being granted on application, often through the PSO. For the month of January 2006, 51 welfare calls were made from the prison, indicating that the prison was considerate of prisoner difficulties with regard to the cost of telephone calls.

5.35 There had also been regular use of video-link for visits, with an average of six or seven video visits per month. Records showed a group of prisoners using video-link on regular basis with the PSO active in encouraging video visits for out-of-country prisoners.

5.36 The provision for and promotion of family contact is one of Albany Regional Prison's strong points. Its performance though is restricted (and in some respects let down) by the limited visits area and poor facilities and services for visitors outside the prison.

ENHANCING SERVICE DELIVERY

5.37 The integrated prison regime works well at Albany Regional Prison and prepares prisoners for release or for progression through their sentence. The effectiveness of this at Albany Regional Prison is limited by the lack of a full regional capacity. By full regional capacity this Office argued in its Directed Review that 'unless there are compelling reasons to the contrary, custodial services should aim to keep all prisoners in their home regions',[42] that regions should be able to offer the full range of services to prisoners and that the Department 'facilitate a progressive change to 50 per cent minimum-security'. This would necessitate a minimum-security option for Albany Regional Prison.

5.38 In this regard, Albany Regional Prison has only limited local capacity for minimum-security prisoners. At the time of the inspection, there were 51 prisoners classified as minimum-security (a quarter of the total population), 22 of these were based at the work camps with 29 remaining within the secure perimeter of the main prison.[43] Within the prison, there was no specific minimum-security accommodation. Those classified as minimum-security were scattered throughout the units, with only six housed in the highest level of hierarchical accommodation (Unit 3). As privileges were based on the hierarchy system of work and

41 Documents provided by Albany Regional Prison.
42 OICS, *Directed Review of the Management of Offenders in Custody,* Report No. 30 (November 2005) 154.
43 Figures from TOMS reports generated at the prison on 7 February 2006.

accommodation, there were no additional privileges for minimum-security prisoners or any particular reason to progress to a lower security rating. This is de-motivating to prisoners and contrary to the Department's rehabilitative intent.

5.39 In addition, a focus of Albany Regional Prison is intended to be the preparation of long-term prisoners for release. Realistic gaps in how this could be achieved at Albany Regional Prison were evident. Long-term prisoners complained that the step from a maximum-security prison where there were many external controls over behaviour to a work camp where there were very few was too great a leap.[44] They reported also having lost touch with many of the changes that had occurred since their imprisonment and were anxious about being in a setting where the world was potentially quite different to the one they knew at Albany Regional Prison. Work camps were their only option for preparing them for eventual release. The prison attempts to minimise prisoners' anxiety and provide them with some experience of open prison environments through a process of exposing prisoners to Section 94 work. At Albany, Section 94 work though is limited to only three prisoners at a time and the scope of activity available to these prisoners is heavily restricted. This lack of sufficiently graduated exposure to open environments is insufficient to the needs of these prisoners and is likely to impact on the success of their rehabilitation. The Department should consider reviewing Albany Regional Prison's focus on long-term prisoners and explore options to enhance their custodial management. One such option could be the opening of a true minimum-security option for Albany Regional Prison.

5.40 Albany Regional Prison has a significant local minimum-security population and in line with its role as a regional prison it should have a full capacity to deal with its own prisoners. The Department agreed with this recommendation as part of the Directed Review and it is time it began master planning.

Recommendations

6. The prison should review its ability to deliver a quality visits service and develop plans to address its deficiencies in regard to protection and restricted visits, activities for children, visitor facilities and services to visitors such as those provided by Outcare in the metropolitan area.

7. The Department should begin master planning for the expanded provision for minimum-security options at Albany Regional Prison.

44 Within the last 12 months, of the 35 prisoners sent to work camps to prepare for their release, 12 had to return to the prison for disciplinary reasons. Figures provided by Albany Regional Prison.

Chapter 6

REPARATION

6.1 Reparation encompasses the work-related activities within a prison designed to offset the costs of prisoners' custodial management. It includes those prisoner activities designed to specifically assist communities or agencies and in doing so contribute to the 'general good of the community'.[45] Reparation also includes the provision of constructive activity for prisoners and training and skill acquisition towards 'increasing the potential for successful reintegration into the community'.[46] These last two aspects of reparation are markers of a healthy prison normally associated with its rehabilitative efforts. They are at times competitive with and antagonistic towards the cost offset aspects. Despite this, the Department has stated that it considers each to be of equal validity[47] and requires prisons to pursue them in a balanced manner. It is noted though that the Department's markers for reparative success only focus on cost offset factors.

6.2 Albany Regional Prison was intended to have full employment and to have a strong emphasis on meaningful and constructive activity as a means for rehabilitation and to promote successful reintegration into the community. In this it provides total reparation in excess of $650,000 per annum.[48] The challenge confronting the prison is to ensure that the drive to offset the cost of imprisonment does not override the aspects of work that contribute to the prison being healthy. Achieving a successful balance can be difficult and the prison's VSO group and its Business Manager are central to Albany Regional Prison's success in this endeavour.

INDUSTRIES

6.3 The Corcoran Review substantially impacted the industry areas at Albany Regional Prison. The number of prisoners and staff were reduced and the entire vocational skills area was closed. Since the prison population has increased much of this has been reversed, though the vocational skills area remains closed and prisoner employment levels have not yet reached the high levels seen prior to the implementation of the Corcoran Review recommendations.

6.4 Albany Regional Prison runs a number of industries. These offer a range of employment options to all prisoners and provide for varying skill levels and interests. The prison has a number of contracts to external providers, and 23 per cent of its prisoner workforce employed in commercial positions. In the first nine months of commercial activity, prison-based industry generated reparation of $166,507[49] with prisoners enrolled in traineeships and completing modules in accredited training.

45 Department of Justice, 'Wooroloo Prison South Project Request for Proposal' (November 1998) 46.
46 Ibid., [2.1.3].
47 When this Office sought clarification from the Department on these matters, the Department stated that '[t]o achieve a workplace that operates at community standards the elements are not separable and must be pursued with equal weight'. Department of Justice, email correspondence (2 November 2004).
48 The Department does not maintain sensible figures for the value of the farming activities at Pardelup Work Camp. This figure therefore is likely to be a gross under-estimate of the total reparation for Albany Regional Prison as it does not include the contribution made by the farming aspects at Pardelup to the Department's food resources.
49 Figure provided by the Department of Corrective Services for the first nine months of the 2005–2006 financial year.

6.5 Within normal operational constraints the most a prisoner could work at Albany Regional Prison would be 25 hours per week with some prisoners (most often prisoner cooks and sometimes cleaners) doing extra hours over the weekend. Prisoner surveys[50] showed that on average prisoners at Albany Regional Prison do work around 25 hours per week, which is a good performance.

6.6 Having said that, this averaged figure hides the reality that some prisoners are unemployed and others underemployed. Around a quarter of those surveyed indicated that they worked less than 20 hours per week, with 16 per cent working less than 10 hours. While having around a quarter of the prisoner population working less than four hours a day is not ideal, this is considerably less underemployment than seen in many other prisons. Nonetheless, providing sufficient gainful employment for those prisoners willing to work should be within the scope of the prison and more needs to be done to achieve this.

6.7 VSOs are an important component of custodial management and form a key part of a healthy prison. Prisoners are in the care of VSOs for around 25 hours each week; this is a significant period of time and important to the daily running of the prison. To effectively do their jobs VSOs require clear guidance and direction (particularly regarding the balance between commercial and rehabilitative activities) and empowerment through training and support. At Albany Regional Prison, the VSOs appear to have a good relationship with their management, with prisoners and with other staff and appear to enjoy their work. There was a good flow of information to them from the Business Manager and they felt supported in their efforts. It was somewhat surprising then that they were not strongly involved in the day-to-day management of the prison. The VSOs reported not being directly involved in the daily debriefs or the occupational health and safety group. Consequently, they were almost totally reliant on the Business Manager for information regarding the activities within the prison. Similarly, while they had access to the training offered within the prison, this was tailored to prison officers. This Office has previously noted the continuing absence of trade-related training offered by the Department to its VSOs and it appears that this is also the case at Albany Regional Prison. Both of these issues should be able to be easily remedied within the normal operations of the prison.

6.8 Prisoners reported that they liked the range of employment opportunities available. Prisoners in the workshops indicated that they enjoyed the work undertaken and valued the skills gained from their employment. However, some prisoners felt that at times they were required to produce items for contracts at the expense of increasing their skills. This concern was supported by comments from the VSOs who felt that they did not always have the time to focus on skill development when meeting contractual requirements. This is in part, a reflection of the complexity of balancing skill acquisition and cost offsetting, and in part a function of the continued closure of the vocational skills area.

6.9 The vocational skills area previously provided prisoners with basic skills prior to moving into the industries and then re-trained them as required. The VSOs had confidence in the courses

50 The Department's PPMS is not sufficiently robust to provide accurate figures on prisoner employment. Comparisons with the actual time worked by prisoners have repeatedly found this Office's prisoner survey to be more accurate.

run and saw real benefits for prisoners. This increased the prisoners' capacity and meant that VSOs could focus on the throughput of products and on skill enhancement rather than base level training. The reason the vocational skills area remained closed now that prisoner numbers have increased was unclear, but regardless, the prison should move to re-start this service at the earliest opportunity.[51]

6.10 On a less positive note, a breakdown of the prisoners employed in Albany showed that in 2005, Aboriginal prisoners were over-represented in unskilled and low responsibility positions, such as cleaners (55% of whom were Aboriginal), and under-represented in the workshops and in the kitchen. This inequity was also seen in the comparative gratuity levels. As indicated in Table 3 only 17 per cent of Aboriginal prisoners were receiving enhanced gratuities compared to 53 per cent of non-Aboriginal prisoners. Further, 28 per cent of Aboriginal prisoners received basic pay levels compared to only eight percent of non-Aboriginal prisoners. Aboriginal prisoners were also disproportionately represented in the unemployed (64%).

Table 3: Gratuity Levels February 2005#

Gratuity level	Aboriginal		Non- Aboriginal	
Basic Pay - Level 5&6	20	28%	8	8%
Standard Pay - Level 3&4	40	56%	42	39%
Enhanced Pay - Level 1&2	12	17%	50	53%
Total	**72**		**110**	

Excludes prisoners at work camps

6.11 Developing equity in employment and subsequently gratuities was a recommendation in the 2002 Albany Regional Prison inspection report. The prison's EOMC has highlighted this issue and it was evident that the committee was aware of these inequities. However, they had yet to develop any concrete plans aimed at increasing the number of Aboriginal prisoners in responsible positions or skilled work.

WORK CAMPS

6.12 In 2005, Albany Regional Prison's two work camps provided a combined 27,870 hours of work to the community with a dollar value of $411,083. In addition, the work camps provided over 4400 hours of accredited training to the 35 prisoners who were accommodated.

6.13 At the time of the inspection there were six prisoners (all Indonesian foreign nationals) located at the Walpole Work Camp. The camp has a capacity for eight prisoners but in the last 12 months has only averaged three, with numbers falling to as low as one prisoner prior to the Indonesian foreign nationals arriving. The Pardelup Work Camp is located near Mount Barker and is attached to the Pardelup Agricultural Farm. At the time of the inspection there were 16 prisoners held at Pardelup; eight of these prisoners were Indonesian.

51 Subsequent to the inspection the Department has advised this Office (Correspondence reference 1999/03454) that the prison has submitted a request for funding to re-open the Vocational Skills workshop and that this request is awaiting approval.

6.14 Prisoners indicated that they liked being in the work camps mainly due to the level of trust placed in them and the variety of work being conducted. The camps were well run and prisoners indicated that they felt that they had sufficient food, clothing, family contact and work. It was also apparent that the staff at the camps were attempting to cater for the specific needs of prisoner groups in their care. For example, the food provided to the Indonesian foreign nationals was culturally appropriate, prisoners were also provided with access to imams in the local area though these visits were irregular, and the work allocated to them was tailored to their relatively low skill level.

6.15 Both work camps were highly valued by their local communities. At Walpole the work camp's Community Liaison Group considered the work camp an asset to the local community. There were strong relationships between agencies in the area, with all agencies contributing to the outcomes from the work camp and actively supporting it. Similar to the situation reported at Walpole, there was a good relationship between the Mount Barker community and the work camp. Initially their local community was hesitant about the work camp; however, over time it is apparent that the camp has been accepted by the town. These concerns have dissipated to such extent that prisoners from the camp actively participate in providing home help to elderly residents in the area. The Pardelup Community Action Group (CAG) stated that the work camp was an important economic asset to the town and was active in developing a list of community work for prisoners to undertake. In developing this work list, the CAG liaised closely with Albany Regional Prison and attempted to ensure that the work undertaken provided meaningful skills rather than menial tasks.

6.16 The Department has expanded work camps over time and they are accepted as a core service in the context of innovative pre-release strategies and the successful resettlement of offenders. Despite the good work being done in the work camps and the apparent support from the Department, the success of these two work camps is being threatened by a series of issues of the Department's own making.

6.17 In the periods preceding and during the time of the inspection, despite having a small but sufficient pool of minimum-security prisoners in the region, both work camps were being under-utilised. Changes to the eligibility criteria for work camp placements have excluded a wide range of prisoners and resulted in difficulties in attracting suitable prisoners. The absence of a true minimum-security option for the region to feed prisoners to the work camps further reduces this pool.

6.18 Both camps were also found to be in a state of disrepair and badly in need of restorative maintenance. The facilities in both camps did not meet minimum standards and Walpole required a total refurbishment. Correcting these deficiencies does not require substantial capital funding, Albany Regional Prison itself recently completed a refurbishment of Pardelup's ablution block with existing funds and using camp prisoners for labour. However, the continued maintenance and development of the camps does require fiscal and policy commitment from the Department to their continuation.

6.19 The lack of realistic incentives also limited the number of prisoners wanting to go to the work camps. In particular, prisoners at Albany cited substandard facilities and accommodation, and increased difficulties in maintaining family contact as major disincentives. Similar issues have arisen for all work camps. The Department, recognising this problem, has developed a number of strategies aimed at improving participation. These strategies include developing a communication plan for each work camp, developing a recruitment strategy, increasing the phone allowance, introducing a cheaper phone card, developing a funding bid for improved accommodation, expanding recreational activities and improving community consultation. It was apparent during the inspection process that many of these strategies had lost momentum and were of limited practical benefit to Albany Regional Prison.

6.20 As mentioned earlier, within the prison itself there were only three Section 94 work places. These prisoners worked in areas just outside the prison walls and occasionally had reason to accompany a prison officer into town. The very limited scope for Section 94 activity at Albany Regional Prison greatly limits the amount of community work (reparation) that can be achieved. Further, Section 94 activity is a vital part of preparing prisoners for release into the community and for preparation for work camps. At Albany Regional Prison, where a minimum-security accommodation option does not exist, Section 94 is even more important for enhancing the re-entry of prisoners, particularly long-term prisoners back into the community. The prison needs to explore all of the options including bringing more community based work into the prison.

6.21 The use of the work camps to hold Indonesian foreign nationals also presents a number of potential risks to the Department. The placement of foreign nationals in the Pardelup and Walpole work camps has resulted in increased capacity, but this has not addressed the role and use of the work camps as part of the overall prison strategy. Having prisoners in beds does not deliver reparation. As unskilled workers these prisoners require constant supervision while working, supervision that cannot be provided by the one work camp officer assigned to this role. Previously the camps had 'town crews' that had a series of scheduled tasks to complete and were unsupervised for much of the day. This was no longer possible and both the Walpole Work Camp Community Liaison Group and the Pardelup Community Action Group reported that fewer jobs were being completed as a result.

6.22 In addition, the Department appears, for this particular group of prisoners, to have set aside its normal security classification and placement process. Usually, to determine a prisoner's security classification, the Department considers a range of information including a prisoner's past offence history and his or her previous behaviour in prison. These are considered essential markers of the likely risk of escape and are significant in determining the potential harm to the community should a prisoner escape. For almost all the Indonesian foreign nationals imprisoned for illegal fishing activities, the Department has no information on their past offences or prison history. In the face of this, the Department has elected to treat such prisoners as if they have no relevant prior history. This enables all such prisoners to be rated as minimum-security. When queried about this practice, the Department stated that it had elected to do so on the basis of the historically good behaviour of detained Indonesian foreign

nationals. These prisoners have also not had to progress though the system in the normal fashion, having entered a work camp as their initial prison placement.

6.23 On the surface this appears to be a considerate approach to the custodial management of this group. Problems arise though when the Department, as it has at Walpole and Pardelup, chooses to place these prisoners into work camps adjacent to or within small communities. The Department simply lacks sufficient background information on these prisoners and it is an unwise practice that these risk assessments are being carried out in a vacuum. The Department's management of the risk potential posed by these prisoners has involved the direct supervision of prisoners and the diminishing of their contact with local communities. This has resulted in considerable limitation to the reparative opportunities of these work camps.

Pardelup Agricultural Farm

6.24 With regard to the farming aspects of Pardelup, the Pardelup Agricultural Farm is considered to be a vital component to the Department's overall food production activities. In the 2002 inspection a number of concerns were raised regarding the management of the farming activities and their integration into the wider rehabilitative context for Albany Regional Prison. Since that time and prior to this inspection, this Office had noted that the farm appeared to have degraded considerably and lacked direction.

6.25 Recently the Department has produced a Primary Industries Farm Coordination Plan. Integral to this plan is that the Pardelup Agricultural Farm operates in conjunction with the Karnet Prison Farm and the Wooroloo Prison Farm. Linked to this, the farm manager at Karnet has been given responsibility for coordinating stock supply and to ensure that the demand for meat is met. These initiatives are relatively new but appear to already be paying dividends for the Department and have addressed the previously noted lack of direction.

6.26 At the local level, during this inspection the high level of staff enthusiasm and commitment seen at the farm impressed the inspection team. The Pardelup farm manager advised that the stock holding capacity had improved since the last inspection and that he was confident of meeting the meat supply requirements for the foreseeable future. The farm manager has also identified a number of practices for improvement. As the prison population rises and this in turn drives up demand these changes should increase the farm's meat supply potential. This is an excellent turnaround but one that appears largely dependent of the quality of the farm managers involved. As such it will be closely monitored in the forthcoming seasons.

Recommendations

8. The Department should address the identified policy and procedure impediments to the optimum performance and functioning of these work camps. In doing so the Department should take heed of recommendations 32, 34 and 110 from the Directed Review.

9. Where access to relevant background information is lacking, the Department should review its decision to routinely classify prisoners to lower grades of security. It should also review the placement of such prisoners (illustrated here by the Indonesian foreign nationals) into work camps.

Chapter 7

THE STRENGTHS OF ALBANY REGIONAL PRISON

7.1 Throughout this inspection, the Inspectorate was told by the Department, by Albany's management team and by Albany staff, that the things that make Albany 'the best kept secret in the state' could not really be identified or replicated elsewhere, and that somehow they were unique to Albany Regional Prison. It is time to put this furphy to rest. Much of what makes Albany Regional Prison a success has to do with good management, a willingness to work together and the adoption of quality custodial practice.

7.2 This report recommends that the Department identify and articulate the good practices unique and inherent at Albany Regional Prison and develop methodology for transferring these practices to other prisons. To assist the Department, this report lists those factors the inspection demonstrated as significant to Albany Regional Prison's performance. This is not an exhaustive list and the Department will need to do more to explore the good practices at Albany Regional Prison.

THE REASONS FOR SUCCESS

Staff practices

7.3 Quality staff practices, characterised by:

- the respect given by staff to prisoners and the high quality of staff-prisoner interactions;
- an eagerness of staff and management to interact with prisoners and adopt a prisoner-focused approach to custodial management; and
- the quality and resilience of the staff/management relationship.

Management of offenders

7.4 The high quality of the management of offenders, characterised by:

- patient-focused health care;
- quality and flexible visits arrangements;
- a focus on dynamic security and the retention of the prison's open internal environment;
- embedded case management practice; and
- quality catering practices and procedures.

Community interaction

7.5 The quality of the prison's interaction with its community and community-based agencies, characterised by:

- access to local health services and specialists; and
- sound coordination of community agencies by the prison and its re-entry service provider.

Work camps

7.6 Strong work camp outcomes supported through:

- quality interactions with local communities; and

- provision of work opportunities that are meaningful to both prisoners and the community.

Equity

7.7 A focus on ensuring that all prisoners receive an appropriate level of service as demonstrated through:

- the prison's commitment to the EOMC process; and
- management's willingness to take on the criticisms and comments made during the inspection and to act on these in a timely manner.

Chapter 8

SUMMARY AND CONCLUSION

8.1 Albany Regional Prison is a well functioning prison. It is attentive to the decency of its custodial management and it is a healthy prison with a strong focus on:

- **Safety** – prisoners and staff feel safe and there are few incidents of violent or predatory behaviour.
- **Respect** – there is an enduring culture of respect within the prison where prisoners, staff, management and outside agencies all experience receiving respect.
- **Purposeful activity and opportunities for improvement** – education, training, offender programs, employment and recreational activities are all run well and deliver quality outcomes to prisoners.
- **Preparation for release** – the components of family and community contact are well managed and there is good interaction with and coordination of external agencies.

8.2 While some deficiencies in custodial management were noted, as a healthy and functioning prison, most are within the capabilities and operational capacity of the prison to rectify. Management should therefore move quickly to resolve these issues. In the small number of issues that may be outside the capacity of Albany Regional Prison to deal with, the Department should provide assistance.

8.3 The Mahoney Inquiry and this Office's Directed Review provide a blueprint for the evolution and progression of custodial management within this state. Albany Regional Prison is well positioned to take a lead in this move and should be actively supported by the Department in its endeavours.

RECOMMENDATIONS

1. The Department should develop a medium-term plan for the custodial management of prisoners at Albany Regional Prison which incorporates addressing the significantly poorer and substandard accommodation and facilities in Unit 1.

2. The Department needs to identify and articulate the good practices unique and inherent to Albany Regional Prison and to develop a methodology for transferring these practices to other prisons.

3. Without disturbing the positive operational culture with contributes significantly to staff and prisoner safety in Albany Regional Prison, the Department needs to develop a planned and staged approach to bring its physical, procedural and dynamic security up to a standard comparable to the state's other maximum-security prisons. This should be resourced as a matter of priority.

4. Albany Regional Prison's management should clarify the role and function of its Drug Free Unit and the Department should undertake a comprehensive outcome evaluation of all its drug free units.

5. Albany Regional Prison's management should address the equity issues regarding access to services for protection prisoners and their general care and wellbeing issues raised in this report.

6. The prison should review its ability to deliver a quality visits service and develop plans to address its deficiencies in regard to protection and restricted visits, activities for children, visitor facilities and services to visitors such as those provided by Outcare in the metropolitan area.

7. The Department should begin master planning for the expanded provision for minimum-security options at Albany Regional Prison.

8. The Department should address the identified policy and procedure impediments to the optimum performance and functioning of these work camps. In doing so the Department should take heed of recommendations 32, 34 and 110 from the Directed Review.

9. Where access to relevant background information is lacking, the Department should review its decision to routinely classify prisoners to lower grades of security. It should also review the placement of such prisoners (illustrated here by the Indonesian foreign nationals) into work camps.

Appendix 1

RECOMMENDATIONS AND DEPARTMENT OF CORRECTIVE SERVICES' RESPONSE

Recommendation	Acceptance Level/Risk Rating/Response
Care and wellbeing 1. The Department should develop a medium-term plan for the custodial management of prisoners at Albany Regional Prison which incorporates addressing the significantly poorer and substandard accommodation and facilities in Unit 1.	**Agree/Moderate** Works have commenced to upgrade A, B & C yards. The program of works includes the re-directing of stormwater and drainage to the rear of each yard, the pouring of concrete flooring and improved surface finishing's. It is intended that B yard will be completed by the end of August 2006 with A & C yard being completed in the first half of 2007. Architects have been commissioned to design ligature free shelving and cupboard modules for these cells. The Manager Asset Management has committed to funding the purchase of materials with Albany manufacturing the units through prison industries. The architects have also been tasked with providing a report on the urgently required upgrades to the cell doors and windows (including hatches) to meet ligature free standards. Monies were requested in the budget submission to fund the 25 year infrastructure plan. At this time no funding has been allocated to the rebuilding of the oldest infrastructure at ARP which includes unit 1, kitchen, education etc. ARP will undertake to commence work on a Master Plan (infrastructure) to allow for future works to be coordinated towards an agreed outcome.
Administration and accountability 2. The Department needs to identify and articulate the good practices unique and inherent to Albany Regional Prison and to develop a methodology for transferring these practices to other prisons.	**Partly agree/Moderate** The Department identifies that prisons are inherently unique to their respective locations, functions and purposes. The Department however also identifies the need to establish, where appropriate, consistent best practice standards throughout the various locations and as such is progressing initiatives to enhance standards and operational learning.

Recommendation	Acceptance Level/Risk Rating/Response
Custody and security 3. Without disturbing the positive operational culture with contributes significantly to staff and prisoner safety in Albany Regional Prison, the Department needs to develop a planned and staged approach to bring its physical, procedural and dynamic security up to a standard comparable to the state's other maximum-security prisons. This should be resourced as a matter of priority.	**Agree/High** The Superintendent has developed a comprehensive action plan addressing the recommendations of the January Security Audit. The actions have been time lined and these will be monitored accordingly. Recommendations requiring additional resources/funding are being referred to the appropriate areas of responsibility for consideration. All recommendations that can be resolved at a local level and within existing resources are being done so as a matter of priority.
Rehabilitation 4. Albany Regional Prison's management should clarify the role and function of its Drug Free Unit and the Department should undertake a comprehensive outcome evaluation of all its drug free units.	**Agree/Moderate** Prior to the implementation of the DFU at Albany there was a suite of documents developed and extensive consultation with Albany Prison Management. These documents included Standards and Guidelines for DFU, Minimum standards for DFU operations and more. A review of the DFU at Albany was conducted after 4 months of operation. An outcome evaluation of DFUs is scheduled for 2006-07 as part of the 4 year Monitoring and Evaluation framework of the Drug Strategy.
Care and wellbeing 5. Albany Regional Prison's management should address the equity issues regarding access to services for protection prisoners and their general care and wellbeing issues raised in this report.	**Agree/Moderate** Interim measures have been implemented to address some of these issues however the current facilities are not sufficient to address them completely. Since the inspection, changes to routine have provided the opportunity for daily exercise out of the yard environment in the open air. A washing machine and dryer have been installed to allow clothing to be laundered without the risk of contamination. Meals are transferred

Recommendation	Acceptance Level/Risk Rating/Response
	from the kitchen to "C Yard" by staff and are prepared from general food issue under the control of the cook instructor. A treadmill has been installed to provide additional exercise opportunity. In relation to services; Medical - Prisoners have access to services on par with the mainstream prison population. Education - Art is provided for in unit, screening is conducted in unit and external studies are offered. The SEO is currently looking at options for protection prisoners to attend the education centre on a schedule basis. Canteen - Library is offered at request, 1 spend per week in line with mainstream population with additional spends for visits at request and access to town spends. As stated in point 1, works are scheduled to commence in this yard in the 2006/2007 financial year. The Prison has also acquired sufficient mesh panels to construct an external exercise yard at the rear of "C yard". This will provide increased opportunity for the protection prisoners to recreate in the open air. It is expected that this will be completed by November 2006.
Care and wellbeing 6. The prison should review its ability to deliver a quality visits service and develop plans to address its deficiencies in regard to protection and restricted visits, activities for children, visitor facilities and services to visitors such as those provided by Outcare in the metropolitan area.	**Agree/Moderate** Since the inspection changes have been made to the visits schedule. The past practice of having protection and restricted visits in the lobby has ceased. The prison operates "child free" days allowing protection, restricted visitors prisoners and mainstream prisoners to share the visits room. The existing facility does not provide sufficient room for a separate activity area for children

Recommendation	Acceptance Level/Risk Rating/Response
	however the administration is currently looking at options to provide a small enclosed area for this purpose. This is due for completion in September 2006. Outcare is an initiative that ARP would fully support and will undertake to develop a business case. Implementation of this will be subject to Government funding.
Administration and accountability 7. The Department should begin master planning for the expanded provision for minimum-security options at Albany Regional Prison	**Partly agree/Low** The Department's current 10 year capital plan includes provision for additional minimum security accommodation at Wooroloo Prison Farm, Eastern Goldfields Regional Prison, a new low security metropolitan prison (potentially replacing Karnet) and in the Kimberley. The current muster pressures remain on secure beds and should trends change towards an increase in minimum requirements in the Great Southern Region, capital works can be re-prioritised.
Administration and accountability 8. The Department should address the identified policy and procedure impediments to the optimum performance and functioning of these work camps. In doing so the Department should take heed of recommendations 32, 34 and 110 from the Directed Review.	**Partly agree/Moderate** The Department is committed to identifying policy and procedural impediments to the under utilisation of work camps. It is anticipated that the review of the assessment tool for the classification system is an important factor in identifying the primary impediment to work camp participation, in particular for Aboriginal prisoners. The Department does not support the Directed Review's recommendations 32 and 110 but is supportive of Recommendation 34. It is already practice for the work camp manager to be allocated a budget to project manage the establishment of any new work camps.

Recommendation	Acceptance Level/Risk Rating/Response
Custody and security 9. Where access to relevant background information is lacking, the Department should review its decision to routinely classify prisoners to lower grades of security. It should also review the placement of such prisoners (illustrated here by the Indonesian foreign nationals) into work camps.	**Disagree/High** When the Department is unable to obtain a criminal history, the AIPR system scores that prisoner relatively highly in line with that lack of knowledge. Indonesian foreign nationals are not routinely under classified. All prisoners who have an offence which is moderate or below in the offence severity scale may have a lower AIPR score which enables them to be rated as minimum, a prerequisite for placement in work camps. In the case of Indonesian fisherman, checks now carried out by Customs and Fisheries mitigates the risk of wrongful identification as fingerprints are checked against a national database.

Appendix 2

SCORE CARD ASSESSMENT OF THE DEPARTMENT'S PROGRESS AGAINST THE 2002 RECOMMENDATIONS

Recommendation Number	Recommendation	*Assessment of the Department of Justice implementations*			
		Less than Acceptable	*Poor*	*Acceptable*	*More than Acceptable*
1	There should be positive initiatives from the prison to facilitate Aboriginal prisoners progressively moving through the various levels of incentive accommodation on the basis that it is an expectation. This should be done in a way that does not create disharmony by displacing non-Aboriginal prisoners who have satisfied the selection criteria.			•	
2	That the prison's reception and orientation processes are reviewed to ensure that a comprehensive service is delivered to all prisoners coming into Albany Regional Prison.				•
3	The Department should review the role, function and basic services provided through the health clinic.				•
4	The Education Services Branch of the Department should engage in negotiations with the Department of Education and training to minimise the operational impact of any workshop closures. *Note: While the situation giving rise to this recommendation was no longer relevant at the time of the inspection, progress against this recommendation had been acceptable.*			•	
5	The Department should take the opportunity to engage with the local Chamber of Commerce and other community groups to identify and develop appropriate commercial contracts and prisoner employment opportunities.			•	
6	A comprehensive review of the coordination and support for Offender Programs should be undertaken by the Operational Support Directorate. *Note: Although there has been notable local progress against this recommendation, the lack of action at the Directorate level renders progress against this recommendation as less than acceptable.*	•			
7	That the Department accept and adopt the recommendations from the expert farm report by the Department of Agriculture as part of a comprehensive farm management plan.			•	
8	That the Department develop a strategic, costed framework for the ongoing development and evaluation of their work camp program.	•			

SCORE CARD ASSESSMENT OF THE DEPARTMENT'S PROGRESS AGAINST THE 2002 RECOMMENDATIONS

Recommendation Number	Recommendation	*Assessment of theDepartment of Justice implementations*			
		Less than Acceptable	*Poor*	*Acceptable*	*More than Acceptable*
9	That the Department re-profile the population of Albany Regional Prison to secure its viability and to benefit from its good standard of operational culture.	•			
10	The Department needs to identify and articulate the good practices unique and inherent at Albany Regional Prison and to develop a methodology for replicating these practices at other less successful prisons. Note: Failed – recommendation is re-put.	•			

Appendix 3

INSPECTION TEAM

Professor Richard Harding	The Inspector of Custodial Services
Mr Bob Stacey	Deputy Inspector of Custodial Services
Mr Bill Cullen	Manager Risk Assessment
Ms Kati Kraszlan	Manager of Inspections and Research
Mr John Acres	Inspections and Research Officer
Ms Lauren Netto	Inspections and Research Officer
Ms Fiona Paskulich	Inspections and Research Officer
Ms Vivien Hubbard	Inspections and Research Officer (seconded from the Department of Corrective Services)
Ms Diane Broadby	Manager Community Relations
Mr Joseph Wallam	Community Liaison Officer
Ms Sue-Ellen Shaw	Expert Adviser (Department of Agriculture)
Mr Ron McTaggart	Expert Adviser (Department of Agriculture)

Appendix 4

PARDELUP AGRICULTURAL FARM REPORT April 2006
Prepared by Sue-Ellen Shaw and Ron McTaggart, DAFWA

The farm was inspected on April 20th in the company of farm manager, Glen Clode.

Capacity: Pardelup has 1000 usable hectares of grazing land

Current stock numbers

Class of Stock	No.	Dry Sheep Equivalent	Total DSE/Class
Bulls	19	12	228
Cows	446	15	6690
Yearlings (2005 Calves)	306	10	3060
Ewes	2565	1.5	3848
Rams	50	1.5	75
Hoggets	694	1.0	694
Total			**14,595 or 14.6DSE/ha**

The current stocking rate of 14.6 DSE is above average for the Plantagenet shire and shows that there is good utilisation of the pasture. The stock figures were taken from the manager's whiteboard record. There has been a good start to 2006 and at the date of inspection 130ha of pasture had not any stock on it since the start of the green season, Management had taken the opportunity of conserving extra feed in spring 2005 and feed reserves are more than adequate for this season.

While stocking rate gives one measure of the performance of the farm a better guide is the turn-off or production of beef, wool, lamb and mutton and while this is recorded in the sales book there is no composite figure available to get the years total and to use this for year by year comparison. The total turn off will of course reflect the culling/selling policy and the effect of season.

The use of the cattle recording scheme with National Livestock Recording System tags is recognised and with the use of the electronic reading wand to I.D cattle this will help with herd improvement at Pardelup. Records from the sales book show that the top vealers were transferred to Karnet weighing 360kgs liveweight -which is a good industry standard and it would be valuable to plot the range of weaning weights to identify the lowest 30% of the herd for future culling.

There was a suggestion made in the 2002 report that the farm could be an "all cattle" farm to simplify labour requirements - however it is noted that the ratio of cattle to sheep of about 2/1 in DSE helps in pasture management and utilisation. The current farm manager has a strong background in sheep husbandry and it is considered appropriate to retain the prime lamb and cattle mix at the current ratio. Prime lamb production is seen to be a very profitable enterprise at Pardelup at current prices for lamb. There was also a major investment in prime lamb production in the ram purchasing program of 2006.

Pasture production

The use of soil testing to determine fertiliser requirements is recommended. Budget for fertiliser should be around 20% of variable costs or 12% of income so it is important that the farm have its productive base supported by the appropriate budget figure for fertiliser.

The inspection team were shown the plans to drain some areas and to put fresh water in dams—this is valuable landcare work. The farm manager commented on the value seen in insect control in the farm pastures with the use of "Timerite" control in spring. The group was impressed by the dense pasture cover and growth evident so early in autumn.

Alley farming of trees in front paddock

The trees in the front paddock are to be harvested soon. This will be advantageous to increased pasture production as the current spacing between tree belts is limiting growth due to shading and competition with the pasture by the trees. In line with this, it is advisable that only enough trees are allowed to coppice to provide shade and shelter and that stumps be removed from those areas that will be returned to pasture. This would involve at least every second belt of trees and even more to make the paddock more productive as a pasture paddock in the future.

In Summary

From this visit and the information gained on the property, the current management is performing well within and often above current District practice. The farming practices being undertaken incorporate many Department of Agriculture and Food best practice recommendations.

Appendix 5

KEY DATES

Formal notification of announced inspection	17 November 2005
Start of onsite phase	6 February 2006
Completion of onsite phase	9 February 2006
Inspection exit debrief	10 February 2006
Draft report sent to the Department of Corrective Services	3 May 2006
Draft report returned by the Department of Corrective Services	16 June 2006
Prepared report	28 September 2006

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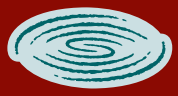

OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

www.custodialinspector.wa.gov.au

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