

The Inspector's Overview

IMPROVEMENTS IN SOME AREAS, BUT TOO MUCH SLIPPAGE AND TOO LITTLE PROGRESS IN OTHERS

INTRODUCTION

Roebourne Regional Prison ('Roebourne') has always been a source of concern to the Office of the Inspector of Custodial Services. This is demonstrated by the fact that whilst we usually report on prisons once every three years (the minimum legislative requirement), previous inspections of Roebourne have been conducted, on average, every two years (2002, 2003, 2006, 2008 and 2010). Inspection reports identified numerous problems which included: fragile staffing arrangements, poor prison infrastructure, and the dehumanising effects of overcrowding and inadequate climate control, although improvements were noted in 2010 in custodial staffing numbers, conditions for women and external training activities.

Following our most recent inspection of Roebourne in September 2013, we are very concerned about some of the conditions at the prison and services affecting prisoner rehabilitation, including education, the Aboriginal Visitors Scheme, offender program delivery, and limited industrial employment opportunities.ⁱ We also are very disappointed at the closure of the women's precinct at Roebourne causing their displacement to facilities in other regions and remain concerned about many aspects of prison infrastructure including the lack of climate control for most prisoners.

Nevertheless, the inspection did identify a noticeable improvement in the prison's staff culture. The management team was more united and, although there was room for further improvement, was communicating somewhat better with staff. The level of conflict and bullying among staff had also eased to some degree. In addition the education and vocational training unit had created a young and capable team with the potential to deliver a much more effective program in 2014.

There was also a palpable sense of hope surrounding the development of a new Town Work Camp and the opportunities it would provide the prison for regeneration. However, the prison was facing significant challenges, including:

- staffing the new work camp;
- coping with significant budget cuts; and
- reinvigorating education, training, programs, and employment services for prisoners, while maintaining the success of programs such as V Swans and Big hART, to reduce the prison's very high rates of recidivism.

ACTION ON INSPECTION FINDINGS

One of the most important outcomes of an inspection is the series of recommendations that flows from our findings. At our 2010 inspection we made 17 recommendations, 16 of which were supported by the Department. Some of the recommendations have been implemented, notably the establishment of a minimum security unit outside the current perimeter (see below).

Unfortunately, though, we found that progress in implementing recommendations had been poor in six cases, and less than acceptable in three. This is particularly disappointing given that the Department had claimed at the time that over half the recommendations were already covered by existing Departmental initiatives. As a result, in a number of cases, we have been forced to repeat the same recommendations.

i Education services had suffered from significant turnover since the last inspection while the Aboriginal Visitors Scheme had functioned only intermittently over the last three years. The delivery of programs to offenders had also declined markedly since 2010.

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This report makes 30 recommendations, of which only five have not been supported by the Department. One of these relates to the provision of air conditioning (see below). Of the 25 recommendations supported by the Department, six were supported subject to funding, and six were supported in principle.ⁱⁱ Two were supported on the basis they were existing initiatives, and one was supported in part. Ten recommendations were fully supported and the Department has committed to take steps to implement these.

NEW TOWN WORK CAMP

Roebourne has had a long and successful relationship with work camps. The Millstream Work Camp was closed in the period since the last inspection but had made significant contributions to the restoration of the Millstream-Chichester National Park after floods and in enhancing amenities for visitors. Similarly, the DECCA program, also now closed, provided excellent work-related training to a generation of prisoners in the Pilbara and was a national pioneer in this regard.

In 2010 we recommended that the Department “maintain under active review the option of constructing, in the short-term, a minimum-security area outside the prison’s current perimeter fence.” This had not been under active consideration at the time but the Department subsequently developed a business case and in 2011 secured ‘Royalties for Regions’ funding to build a Town Work Camp at the front of the prison.

The prison and the Department have done well to develop a vision for the new camp, and its imminent establishment provided a sense of hope that it will be possible to provide prisoners with improved skills to enhance their rehabilitation. It is also hoped that the new staffing structure will permit the prison to enhance training for prisoners unable to join the work camp.

FEMALE PRISONERS

Over the past decade, the management and quality of care of women housed at Roebourne has been of serious concern to this Office, particularly in regards to the condition of their accommodation and in the inequitable access they had to education, employment, programs and other services. By 2010 an effort had been made to improve conditions by extending the outdoor yard to incorporate a large demountable activity room and a garden bed suitable for vegetable growing. A part-time women’s support officer role was also established.

However by January 2013 the decision had been taken to close the main women’s yard at Roebourne leaving only a residual capacity to receive women on remand. Most of the women are now placed at Greenough Regional Prison. The small women’s remand section is now quite strictly segregated from the normal running of the prison. Women we met before and during the inspection expressed bewilderment, frustration, and anger at the degree of confinement they experienced compared to the men, the lack of any structured activity, their neglect at times by staff, and the lack of ready access to a telephone.

ii Supported in principle means that the Department has identified practical impediments to the implementation, e.g. lack of funding, and will take no action at this juncture to address the recommendation.

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Sentenced women from the Pilbara who were previously held in Roebourne are now generally held at Greenough Regional Prison.ⁱⁱⁱ They have somewhat better services there as there is a larger critical mass of prisoners. However, they are out of country and remain angry and non-plussed at what they see as discriminatory treatment compared with men from the Pilbara: ‘they can stay at home, why can’t we?’

The drop in numbers at Roebourne has also seen the regime deteriorate for the handful of women who are still there. Many staff also voiced their concern for the welfare of the women, believing that their isolation and the lack of a structured day was both unfair and unacceptable. Given both staff and our own concerns regarding the situation it is particularly disappointing that the recommendation (Recommendation 10) we made to improve the facilities, activities, and services for women held at the Prison was not supported by the Department.

During the inspection we also became concerned that while women had previously been allowed to attend church services they had now been excluded. On receiving our draft report, the Department stated that “female prisoners have not been stopped from attending religious services”. However, if the chaplaincy believes women have been excluded, and there is no effort by the prison to inform women of their rights, the reality is that they have been ‘excluded’. It is hoped that this will change given the Department’s acceptance of Recommendation 8.

FINANCIAL CONSTRAINTS

During 2013/14 Roebourne will be required to make savings of approximately \$650,000 compared to the previous year. This is a significant saving to achieve. Against this, the Department’s rental bill for Roebourne staff accommodation grew by 23 per cent between September 2011 and August 2013 despite substantial falls in market rentals during the same period. The increase in rental costs will be around \$1.2 million per year. Consequently, we have recommended that ‘DCS should develop a stronger negotiating stance with Government Regional Officer Housing (GROH) to make savings within the rental budget’ (Recommendation 25). The Department has supported this recommendation in principle. It seems to us that the Department has no choice but to consider alternate service providers, or for the Department and GROH to establish a relationship that better services government’s needs.

At a time of severe financial restraint it is also disappointing that the Department has not whole heartedly supported Recommendation 28: ‘Consider capital works investments to reduce the long term costs of utilities’. It has only supported this subject to funding. The idea that it is cheaper to run expensive services rather than upgrade infrastructure is false economics. Where it can clearly be identified that long-term savings can be made, then one would hope that Treasury and Government would support a properly argued business case.

iii We will be issuing a report specifically on the situation of women at Greenough Regional Prison in the coming months.

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PRISON MAINTENANCE

In 2010 I reported that 'no amount of maintenance can overcome Roebourne Prison's fundamental design problems but a more sustained preventative maintenance program is needed to see the prison through the next few years.' Unfortunately there has been no such program and in some cases the maintenance that has occurred has created fresh problems. For example ageing wooden cyclone protection shutters were replaced with steel shutters, but many of these new shutters are already visibly warping, and both staff and prisoners complained of the risk of injury due to the difficulty involved in opening and closing these shutters.

Given the time required to plan, approve, and then build a replacement prison at Roebourne, it is important that the Department consciously consider a formal life extension program for the prison.^{iv} Failing to undertake such investment will result in a continued decline in the prison's physical infrastructure and will force government into the more expensive option of a new prison.

RECIDIVISM

Roebourne's recidivism rate of 44.1 per cent^v is significantly worse than any other facility, and dramatically worse than the state average of 35.6 per cent. Given these figures, we were alarmed to find that offender program provision had collapsed^{vi} and that opportunities had diminished for training, preparation for employment, and employment placements on release. We have recommended (Recommendation 24) that the reasons for the prison's poor recidivism rate should be reviewed and appropriate action will need to be taken.

Most prisoners at Roebourne have serious substance abuse problems – predominantly alcohol. Running programs that address these problems should result in some improvement in the recidivism rate, and we have therefore recommended that the Department explore 'the engagement of an external provider to allow in-reach drug and alcohol services prior to release, permitting seamless re-entry services to those with substance misuse disorders transitioning into the community' (Recommendation 18). This recommendation was supported in part by the Department but its response is non-committal and appears to suggest that little can be done to assist binge drinkers. If the Department is serious about reducing recidivism, programs to address such patterns of behaviour should be developed and provided.

iv Key areas include renovating cell and ablutions areas (Recommendation 3), creating an indoor recreation facility (Recommendation 7), expanding the health centre (Recommendation 12), increasing prisoner engagement in employment, education and training for medium prisoners (Recommendation 20), and capital works investments to reduce the long term costs of utilities (Recommendation 28).

v Measured in relation to prisoners released between June 2010 to May 2011.

vi For example, in 2013 the only offender programs operating or planned at RRP were three short Cognitive Brief Intervention programs. This was a marked deterioration from 2010 when four different programs were available.

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CLIMATIC CONTROL AND BEDS

Roebourne is the hottest prison in Australia. This report essentially repeats the recommendation, made in earlier reports, that suitable climatic control to reduce air temperatures and to increase cool air circulation, air conditioning or some other form of climate control should be installed in the units (Recommendation 4). In 2010, the Department supported the same recommendation in principle and subject to funding. Roebourne is not getting any cooler but the Department has now rejected this recommendation. Although it has supported in principle a recommendation to provide other measures to help mitigate the impact of the harsh climate (Recommendation 5), it has given no specific commitment and no projected timeframe. All I can do is to repeat what I said in 2010: 'the current situation is intolerable and inhumane. The heat can be ferocious, and the conditions pose risks to the health and safety of prisoners, especially as many of them have health problems such as diabetes. If the State is to adequately meet its duty of care, adequate climate control is a necessity not an option.'^{vii}

For five years, since the 'double-bunking' of single cells started to become the norm, we have been raising concerns about the poor design of many of the bunk beds at prisons across the state. The risks include a lack of roll out protection and poor access arrangements to many of the top bunks. Due the Department's poor incident tracking and risk awareness, we issued a formal Risk Notice in August 2010. This prompted the Department to develop a new Policy Directive relating to shared cells. In response to our 2010 recommendation that 'at Roebourne Regional Prison and across the system as a whole, [the Department should] replace or modify beds that do not comply with appropriate safety standards', the Department stated that 'an audit process is in place to identify beds which do not comply with safety standards.'^{viii}

The Department did carry out a bed safety audit at the end of January 2011, but paper audits are pointless if they do not lead to action. As I commented at the time, the 'critical outcome will be bed replacement.'^{ix} This never happened. In their response to this report the Department stated that due to funding constraints, only the beds at Bandyup Women's Prison were brought up to the required standard. As a result we have been forced to recommend, once again, that substandard bunk beds be replaced to meet relevant safety standards (Recommendation 2).

CONCLUSION

Given the concerns we have expressed regarding a number of areas in the prison, and the challenges that the prison is facing, we intend to conduct a follow-up inspection before mid-2015.

Neil Morgan

14 February 2014

vii Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011) v.

viii Ibid, 67.

ix Ibid, v.