

# The Inspector's Overview

## THE GREENOUGH WOMEN'S 'PRECINCT': A BAND-AID IN THE WRONG PLACE

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The first half of this report examines the state of women's imprisonment in Western Australia. It charts a history of improvement from 2002 to 2007, followed by a period when the Department of Corrective Services ('the Department') failed to plan adequately for a mushrooming number of female prisoners. The second half of the report examines the role of Greenough Regional Prison ('Greenough') in housing women. Greenough has always held some female prisoners but due to the crisis of numbers it has been required to fulfil a much greater role since the end of 2012.

This report concludes that although there is still work to be done, Greenough now offers an improved environment, culture and services to its female prisoners. This was hardly difficult given the very poor conditions that existed for women at the prison previously, but what has been achieved is a real credit to management and staff at the prison, especially as they were given few additional resources.

Ultimately, however, the Greenough women's unit is a Band-Aid in the wrong place: too small to meet demand, too far from home for the prisoners, and still a female island in a male domain. Thus, whilst the prison has improved services to women, it would be the wrong choice for any major further expansion of the female prison estate. Fortunately, the Department accepts this view. However, because of the lack of investment in accommodation for female prisoners over the past six years, it now faces some extremely difficult decisions. Unless it can identify some other solution that can be actioned quickly, it will need to allocate other parts of the male system for women.

### THE GREENOUGH WOMEN'S 'PRECINCT'

#### Infrastructure

Greenough is a prison that holds over 300 prisoners. The majority are male but it has always held a number of females. Up to late 2012, around 25 women were held in a claustrophobic, confined, and run-down area. They were a poorly serviced adjunct in a profoundly male domain.

In 2012, in belated response to a crisis in numbers and serious stress at the state's main metropolitan women's prison, Bandyup Women's Prison, the Department decided to turn one of Greenough's larger and more modern male units into a female unit with capacity of around 69. To try to ensure separation, the unit was fenced off from the male areas and a number of demountable buildings were added to provide education and other support services. The women's area includes a basketball/netball court, some exercise equipment, and pleasant garden area. However, it is not entirely self-contained and this generates significant issues (see below).

#### Moving Women to Greenough from Bandyup and Roebourne

The initial movement of the women already at Greenough to the new unit in late 2012 went without problem. However, many of the women who were moved from Bandyup to Greenough in early 2013 were highly distressed. They were being moved against their will, and away from their children, family and friends. This was not only distressing but

also contrary to the promises made in Departmental policy documents on the management of women prisoners. The women also believed, as did many Greenough staff, that they had been given a misleading impression of what they were going to. Fortunately, after a difficult start, the women have settled into the new unit. It generally now has a sense of calm, especially compared with the loud, frenetic and stressed Bandyup environment.

In January 2013, the Department surprisingly decided to close the women's unit at Roebourne Regional Prison and transfer the Roebourne women to Greenough. Its justification was that this would give Pilbara women better access to services as there was a larger 'critical mass' of prisoners at Greenough. However, it was a shortsighted and poorly judged decision. The number of women in prison was always destined to exceed Greenough's capacity within a short time and the Pilbara women were angry and upset by a decision they saw as discriminatory and unfair.

As recently as February this year, the Department was still rejecting our call to re-open the Roebourne women's unit.<sup>i</sup> However, continued overcrowding and stress at Bandyup, coupled with the lack of alternatives meant it had little choice, and women began returning to Roebourne in mid-July. This presents obvious challenges because Roebourne's operations and services must be remodelled. We will be assessing its performance in managing women in the coming years.

### General Performance

The infrastructure for women prisoners at Greenough is a marked improvement. Services and opportunities for rehabilitation have also improved in several areas. The most marked areas of improvement are as follows:

- Women, now being 25 per cent of the population not 10 per cent, have a stronger place in the prison;
- Increased focus on women's issues by the local management team;
- Improved education and employment opportunities;
- Improvements to women's support services; and
- Introduction of an Integrated Offender Management Committee to look holistically at the needs of individual prisoners.

Areas for improvement include:

- Health services;
- Arrangements for visits and family contact (especially for women who are a long way from home); and
- Programs to address offending behaviour.

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i Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 89 (February 2014).

### Managing Men and Women

Although the Department has badged the new area as a 'women's precinct', this does not mean that it is fully segregated or self-contained. Unlike most of the mixed regional prisons, Greenough very rarely allows male and female prisoners to mix in voluntary, positive, organised, and supervised settings. The fence between the women's area and the rest of the prison does provide some visual privacy but some men and women were communicating across the fence-line in demeaning, unhealthy and inappropriate ways. We were also concerned that many staff said the women's behaviour was causing problems, despite the fact it was clearly a two-way process.

Another problem is that the women have to go into the male area to access some medical services. They find this uncomfortable and there was evidence that it was deterring some of them from addressing significant physical and mental health issues.

I am very well aware of complexities of managing relationships and association between men and women in prisons, but at present Greenough embodies the worst of both worlds. Interaction is occurring, and it would be naïve to pretend otherwise. And it is not interaction that promotes positive, respectful behaviour. The safety and security of women prisoners must be paramount, but I continue to believe that, subject to careful risk assessments and proper supervision, men and women at mixed gender prisons should be allowed voluntary, meaningful and respectful interaction with each other. Ideally this will take the form of organised activities and it could be offered as an incentive to good behaviour. West Kimberley and Eastern Goldfields Regional Prisons are being managed this way, as was Roebourne Regional Prison prior to the 2013 closure of its women's unit. Greenough could institute similar practices but the Department appears to have little enthusiasm for this.

## WOMEN'S IMPRISONMENT: IN A STATE OF PREVENTABLE CRISIS

### Numbers and Need

Women still form a relatively small proportion of Western Australia's prison population but their numbers have grown quickly, and at a much faster rate than male numbers. Today, there are 486 women in prison, a staggering increase of 40 per cent in five years (in July 2009 there were 350). The number of male prisoners has increased by 15 per cent over the same period (from 4120 to 4748). Another way to represent the trends is that women currently comprise 9.3 per cent of the prison population compared with 7.7 per cent in July 2009.

Over the past 20 years, there has also been growing recognition in research and in official policy documents that women prisoners have different, and usually more complex, needs than men. Key differences include:

- Legal status: 27 per cent of women are on remand, compared with 22 per cent of men;
- Aboriginality: 52 per cent of women are Aboriginal, compared with 38 per cent of men;
- Mental health: a serious issue amongst the prisoner population as a whole, especially women;

- Women still generally carry higher and more immediately pressing family responsibilities; and
- Women are commonly victims as well as offenders.

#### Investment Decisions 2008–2013

Action to add new capacity for women was clearly needed by 2008 and absolutely critical by 2009–2010. However, women have barely featured in the state's massive prison expansion program of 2009–2013. Leaving aside the installation of double bunks in single cells, the Department has overseen the installation of well over 1,500 additional beds for male prisoners in the last five years. This new accommodation straddles all security ratings and most of the state.

However, apart from the women's unit at the West Kimberley Regional Prison, which opened in late 2012, the women have had to make do with the unwanted leftovers of the male estate. Not only that, whilst shared cells at male prisons now at least have double bunk beds installed, women at Bandyup have continued to be forced to sleep on the floor.

It is also unfortunate that the investment decisions in recent years did not factor in flexibility. Instead of adding multi-purpose facilities to the system, virtually all the accommodation has been added inside the perimeter of male prisons.

### GETTING OUT OF CRISIS

#### Accommodation

New prisons take many years to move from the drawing board to operation and there are no firm plans for a new women's prison. The Department's new leadership has inherited a serious problem and now faces the unenviable prospect of trying to find places for female prisoners. Unfortunately, this is likely to come at the cost of re-allocating a high performing part of the male prison system to women.

I have been discussing the various options with the Commissioner and the Department for some time. Reflecting these discussions, the report makes a number of recommendations. They include:

- Examine ways to reduce the number of women in prison, especially the high remand numbers;
- Re-open the Roebourne women's unit (accepted by the Department and currently being actioned);
- Examine ways to maximise the opportunities offered by the Boronia Pre-release Centre (accepted by the Department and currently being actioned);
- Do not expand Greenough further as a prison for women (accepted by the Department);
- Do not use units at male prisons such as Hakea or Acacia for women (accepted by the Department);
- Examine using either the Bunbury Regional Prison Pre-release unit or the Wandoo Re-integration Facility for female prisoners (both options currently under consideration by the Department).

In the longer term, however, there is really no alternative to a substantial new women's prison in the metropolitan area. I have urged that, in examining its options for adult women, the Department should also give serious consideration to the needs of juveniles held in detention. Currently, Banksia Hill Detention Centre is the only option for juveniles and there are strong arguments for more diversity in the juvenile area.<sup>ii</sup> Consideration should therefore be given to the development of smaller detention units for juveniles and developing Banksia Hill into a women's prison.

### Costs

It is very expensive to keep a person in prison. In 2012–2013 the average cost per prisoner increased by almost nine per cent, well above CPI, to \$317 per day or \$115,705 per annum.<sup>iii</sup> Obviously, however, costs vary between different prisons and different cohorts of prisoners.

Given that all the Department's relevant policy documents refer to the fact that women in prison on average, have significantly higher needs than male prisoners, especially in areas such as health services, it might be expected that this would be clearly reflected in the budget arrangements for different prisons. Greenough, for example, faces more demands on core services when 25 per cent of its population is female than when 10 per cent is female.

To date, in my view, the system in this state has not given due regard to these facts.<sup>iv</sup> The Department's response to this report firmly states that the issue of budgets is a matter for individual prisons to pursue in their individual budget bids and says no further action is required to embed the differences for women. However, there was no evidence of additional resources actually reaching Greenough to reflect the increased number of women. The Women's Support Officer position was increased from 0.6 to full time, but at the same time her workload more than doubled with the growth in female prisoner numbers.

Whatever process is adopted, I believe that improved funding arrangements are required if better outcomes are to be achieved for women. Western Australia has something to learn from Correctional Services Canada ('CSC'). CSC explicitly recognises the additional cost of women's imprisonment and builds this directly into its planning and funding allocations. As the following table shows, it assesses the actual cost of men's imprisonment to be only 55 per cent of the cost for women. Interestingly, though, because women are only a small proportion of the population, the impact on the total cost of imprisonment is only around three per cent.

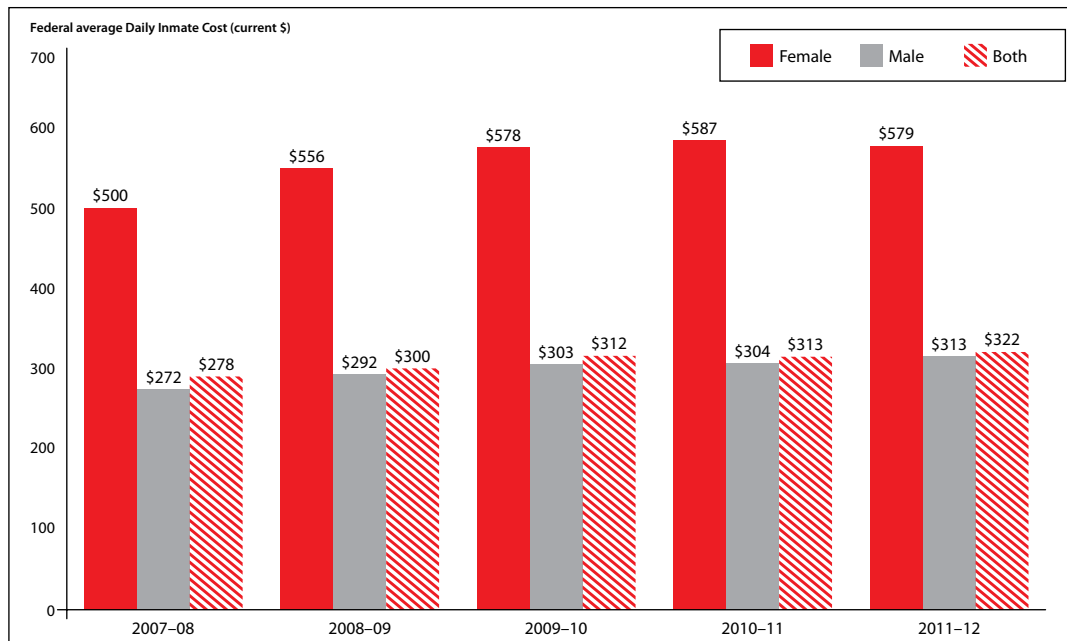
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ii OICS, *Directed Review into an incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013); OICS, *The Management of Young Women and Girls at Banksia Hill Detention Centre*, Report No. 86 (October 2013).

iii Department of Corrective Services, *Annual Report 2012–2013*, 98–99.

iv OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011).

*Correctional Services Canada: Costs of keeping an inmate incarcerated*



Source: Correctional Service Canada.<sup>v</sup>

### Structures and Outcomes

The establishment of a high level position, the Director Women's Corrective Services, was one of the reasons that the focus on women's imprisonment improved from 2003 to 2008. I have always taken the view that the abolition of this position in 2010 was a mistake, a view shared by two Parliamentary committees,<sup>vi</sup> and still consider that such a position is required, not least to drive a coordinated focus on both prison based services and community corrections. However, the Department has firmly rejected a recommendation on these lines.

Results and outcomes are more important than structures and processes, and there was certainly room to streamline Departmental bureaucracy.<sup>vii</sup> However, I am not persuaded that there can be improved services and outcomes for women without an appropriate high level position to drive women's interests. I hope to be proved wrong.

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v <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/crrctns-cndtnl-rls-2013/index-eng.aspx>

vi Community Development and Justice Standing Committee, *Making Our Prisons Work: An Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies*: Report No. 6 (2010); Standing Committee on Public Administration, *Omnibus Report – Activity During 38th Parliament* (2012).

vii See OICS, *Directed Review into an incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013).