



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

REPORT OF AN ANNOUNCED INSPECTION OF
ALBANY REGIONAL PRISON

JULY 2015

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that contributes to a more
accountable public sector.*

Report of an Announced Inspection of Albany Regional Prison

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The Inspector's Overview

ALBANY REGIONAL PRISON 2015: SOME SLIPPAGE, BUT STILL A GOOD PRISON

INTRODUCTION

This is the report of an announced inspection of Albany Regional Prison (Albany) conducted in January 2015. Previous inspections conducted between 2002 and 2011 have consistently praised Albany as one of the state's best performing prisons, although the 2011 inspection made a number of recommendations to ensure that performance did not slip and to make sure that the prison possessed adequate infrastructure to meet both existing and future needs.

During this inspection we noticed slippages in a number of areas. Despite this, Albany remains a good prison. The prison feels calmer than most metropolitan prisons (despite now housing a significantly higher proportion of maximum-security prisoners) and both prisoners and staff generally felt safe.

Our process of continually, and regularly visiting and monitoring all prisons, meant that even prior to the 2015 inspection we had identified several significant changes that had occurred since 2011, and which appeared to warrant specific attention. These changes included:

- In 2011 Albany had hosted a significant number of minimum-security Indonesian nationals. More than 50 were being held at Albany, with the vast majority having been charged with 'people smuggling offences'. By 2015 only one Indonesian prisoner remained in Albany and the prison's demographic mix had changed to reflect a higher proportion of maximum-security prisoners; and
- Albany had experienced significant leadership change, with senior managers who had provided continuity and stability moving to different positions at other prisons.

With these two factors in mind we decided to focus on four areas during the 2015 inspection:

- Albany's role in the wider prison estate;
- The changing demographics of the prison population;
- Providing meaningful activities for prisoners at Albany; and
- Albany's change in leadership.

In summary, we found that while the change in leadership had created some initial difficulties (as one might have expected after a long period of stable leadership) this had eased by the time of the inspection. We also found that the changing prisoner demographic had influenced the general temperature of the prison. The minimum-security Indonesian prisoners had left and the prison was operating appropriately as a maximum-security facility. However, it was our view that the respectful relationships observed in the 2011 inspection occurring between staff and prisoners had deteriorated and that relational security was now a much lower priority.

'THE ALBANY WAY' AND ITS RELEVANCE TO OTHER PRISONS

Previous reports have made positive comment about 'the Albany Way'. In my 2011 report I noted that "by and large, 'the Albany Way' is implicit rather than explicit. Local management, staff and prisoners refer to it, and it informs daily life at the prison

but it has not been formally analysed or articulated.”ⁱ In that report I therefore set out what I saw as the six key ingredients of ‘the Albany Way’. These were:

- Shared positive values are evident throughout the prison with staff knowing, understanding and applying its core values, including a strong focus on decency and respect.
- The prison possesses a positive, pragmatic staff culture with a ‘can do’ attitude.
- The prison has a stable, but not stale management culture with an experienced team who are visible throughout the prison. At many prisons, Superintendents complain that the demands from above (head office) and from below (the prison) are such that they have no time to get ‘out and about’. However, the benefits of maintaining a good balance between reporting up and managing locally are clear, tangible and positive.
- A pro-social staff/prisoner culture. This does not involve ‘being soft’ on prisoners; it involves treating people with dignity and respect, knowing the prisoners, knowing what is going on under the surface, and working through issues which might otherwise escalate.
- The prison should be both innovative and responsive in its technology, programs, and communication strategies.
- The prison should possess strong community links which improve the support offered to the prison, and its prisoners, enabling community based agencies to provide positive, proactive and well-coordinated re-entry services.

Although these are all positive attributes for any prison, the Department of Corrective Services (the Department) requested me to remove all references to ‘the Albany Way’ in this report. I have not done so. While this report finds that the prison has moved away from ‘the Albany Way’, I disagree with the Department’s view that this is the result of “a shift in the prisoner profile from minimum to maximum-security”ⁱⁱ and am disappointed it has happened. In fact, the key ingredients I had identified in 2011 are ones that I would expect to find in all the best-run prisons. I therefore urge the Department to imbed the six ingredients more widely throughout the system.

STRENGTHS AND WEAKNESSES

During the inspection Albany came across as both relaxed and calm, despite being a maximum-security prison. Most prisoners who responded to our pre-inspection survey reported that they felt safe at Albany, and that one of the reasons for this was being housed with other people from the local area. It was obvious that many preferred being at Albany in comparison to other prisons.

Staff also felt safe, with 81 per cent of staff reporting feeling safe within the prison. Despite staff feeling that the quality of their working life had declined slightly since 2011, Albany has low levels of workers’ compensation compared to many other prisons, with only four active cases at the time of the inspection. Consultation with staff suggested

i OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012) iv.

ii DCS response to draft report.

that one of the reasons for this was a high level of collegial support and the generally positive working environment.

One of the measures imposed by prison management in response to large scale budget cuts was to cap daily overtime shifts to six. When these six shifts were insufficient, management had devised a redeployment strategy for the redistribution of staff to ensure the continuation of daily prison operations. While these redeployments had proved successful in ensuring that the prison adhered to its budget, there were a number of negative flow-on effects. With up to two Vocational Support Officers (VSOs) being redeployed each day, those prisoners that the VSO would have been supervising (up to ten per VSO) were being returned to their units. This was affecting access to rehabilitation and increasing the number of prisoners with nothing to do except to hang around their unit.

Another area of staffing that appeared to be creating some operational problems was the low proportion of female officers at Albany.

The inspection found that little progress had been made to improve the healthcare facility at Albany since the last inspection. As in 2011 the Medical Centre remained small, cramped and unfit for purpose. However, the healthcare staff were all dedicated to the improvement of health care for prisoners, and 68 per cent of prisoners responding to our pre-inspection survey reported that they felt the general health services at Albany were 'good', a figure well above the state average for the last three years and much higher than the 2011 results.

The 2011 inspection found that the size and diversity of the workshops were insufficient for the prison population and this was the key reason for under-employment at Albany. In 2015, while little progress had been made to address the increasing demand for work within the prison, the industries workshops had undergone some changes. The metals workshop was undergoing refurbishment with an extension being constructed to improve efficiency. A new workshop had been provided for maintenance, and the vocational skills workshop had been retrofitted to provide for a Certificate II in engineering. The textiles and upholstery workshops were continuing to function well and were providing clothing and mattresses for the prison estate.

Very few prisoners like to be idle, and idle hands tend to escalate risk. Unfortunately, my staff observed too many prisoners sitting around in units with nothing to do. While VSO and education staff were dedicated to supporting prisoner rehabilitation, they were becoming increasingly frustrated by budget restrictions that were limiting the services they could provide.

Disappointingly, inequality between Aboriginal and non-Aboriginal prisoners at Albany remains a serious issue, with a disproportionate lack of Aboriginal prisoners in skilled employment. Only one Aboriginal prisoner was employed in carpentry, two in metal shops and one in the kitchen. Against this, 51 Aboriginal prisoners were employed as unit workers and 11 were unemployed.

Having said that, it was particularly pleasing that Albany had implemented a strategy to prioritise the recruitment of Aboriginal prisoners into traineeships within the Education Centre. At the time of the inspection, 35 per cent of traineeships were held by Aboriginal prisoners, and the Education Centre had set itself a target of 45 per cent by June 2015. In addition it was heartening to see that the Aboriginal Health Liaison Officer (funded by Great Southern Health) was continuing, despite the loss of COAGⁱⁱⁱ funding.

THE DEPARTMENT'S RESPONSE TO OUR RECOMMENDATIONS

I am pleased to report that the Department has supported all thirteen of my recommendations to address deficiencies identified during the inspection. It is worrying, however, that the Department claims that no further action is required in relation to five of the six recommendations that were 'accepted in principle' (1, 3, 4, 9, 10 and 11). The only one where they committed to further action was Recommendation 9, which dealt with the need for an Assistant Superintendent Offender Services to create an appropriate balance between offender services and operational matters at a senior management level. The Department said it was not convinced that such a position would provide the balance required, but did at least agree to explore all options.

The five recommendations which the Department supported in principle but saw no reason for further action included Recommendation 3, which called on the Department to ensure that all prisoners at Albany were provided with a thorough orientation on their arrival at the prison. Our observations indicated that while the information provided to prisoners at reception was adequate, the physical and social orientation of new prisoners into prison life at Albany, which was supposed to be facilitated by peer support prisoners, was simply not occurring. Reinstating this orientation process would not be difficult, but it is clearly a situation of 'action needed', not one that will fix itself.

In short, Albany has slipped back somewhat from previous years but is still a good prison. With a little effort from all staff and management, and a continued focus on what had made 'the Albany Way' such a long term success, this slippage can be reversed.

Neil Morgan

7 July 2015

iii Commonwealth of Australian Governments (COAG).

Fact Page

NAME OF FACILITY

Albany Regional Prison

ROLE OF FACILITY

Albany Regional Prison is the only maximum-security prison outside of Perth.

It also manages medium- and minimum-security prisoners and holds a significant number of long-term prisoners.

LOCATION

Albany Regional Prison is located 8 kms west of Albany, 414 kms south of Perth.

The traditional owners of the land are the Noongar people.

BRIEF HISTORY

The prison was opened in September 1966.

PREVIOUS INSPECTION

20–25 November 2011.

ORIGINAL DESIGN CAPACITY

72

CURRENT DESIGN CAPACITY

223

'OPERATIONAL' CAPACITY

510

NUMBER OF PRISONERS HELD AT TIME OF INSPECTION

299

DESCRIPTION OF RESIDENTIAL UNITS

Unit 1 Standard accommodation, women's cell, protection, punishment and close supervision.

Unit 2 Non-operational.

Unit 3 Standard accommodation.

Unit 4 Self care and semi-self care accommodation.

Chapter 1

THE HISTORY OF ALBANY REGIONAL PRISON

PREVIOUS INSPECTIONS OF ALBANY

- 1.1 The Office of the Inspector of Custodial Services has consistently praised Albany Regional Prison (hereafter referred to as ‘Albany’) for its high performance, often referring to it as one of the state’s best performing prisons. The prison’s strong performance was largely driven by ‘the Albany Way’ – principles described by this Office as involving ‘a combination of good management, a willingness to work together and the adoption of quality custodial practice’.¹
- 1.2 During the last two inspections, this Office observed the majority of staff at Albany demonstrating positive ‘can-do’ attitudes, with most staff claiming that the Albany management team were respected and well-liked. The long standing management team was strong and stable and was successfully balancing head office demands with local prison operations. Albany management encouraged a pro-social staff/prisoners culture that involved getting to know individual prisoners, staying abreast with what is going on under the surface and working through operational issues which might otherwise escalate. Staff applied the prison’s core values of treating prisoners with decency and respect to their job, and prisoners advised us that they got along well with officers. Because the staff at Albany had developed such strong, healthy relationships with prisoners, the prison experienced low numbers of incidents, staff felt safe in the operational environment, and prisoners felt confident in the services provided at Albany.
- 1.3 On top of this successful philosophy, this Office commended Albany for being one of the only prisons to consistently and proactively introduce innovative solutions, such as the use of Skype technology to facilitate communication between prisoners and their families. Albany also introduced innovative throughcare services, established a prisoner council to better connect and communicate with prisoners, and was running Aboriginal specific courses to assist Aboriginal prisoners obtain work upon release. Positively, the prison also supported and nurtured local community relationships which assisted local prisoners to transition back into the community.

2015 INSPECTION THEMES

- 1.4 Between inspections, staff from this Office visited Albany frequently. From these visits, inspection themes were shaped and a plan was envisioned. As with other inspections, this inspection of Albany was conducted according to the Office’s Code of Inspection Standards. The themes for the 2015 inspection focused on four key areas:
 - Albany’s role in the wider prison estate;
 - the changing demographics of the prison population;
 - providing meaningful activities for prisoners at Albany; and
 - Albany’s change in leadership.

1 Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Albany Regional Prison*, Report No. 38 (November 2006).

Albany's Role in the Wider Prison Estate

- 1.5 The role of Albany within the Western Australian custodial estate seems to have varied over the past few years. As the only male maximum-security facility outside the metropolitan centre, Albany acted as an 'overflow' facility for Perth's two maximum-security male prisons and provided an additional management option for the male maximum-security estate.
- 1.6 In the 12 months prior to the inspection, the two other male maximum-security facilities in the state, Hakea and Casuarina prisons, were operating well beyond capacity. Both prisons have been experiencing crowding. They house too many prisoners for the available facilities and services and double bunk cells originally designed for one person, leaving only Albany available to accommodate excess maximum-security prisoners from the metropolitan prisons. On top of this, Acacia prison in Perth was in the process of increasing their capacity to accommodate an additional 387 medium-security prisoners. The intention of the Acacia prison expansion was to provide additional metropolitan prison beds for the prison population and to reduce crowding in the system across the state.² Based on these changes in the estate, this Office was keen to see if Albany's population mix would further change to accommodate fewer medium-security prisoners and more maximum-security prisoners and what impact these changes may have on prison operations.

Changing Demographics of the Prisoner Population

- 1.7 During the 2011 inspection, Albany hosted a significant number of minimum-security Indonesian nationals. As a result, many of the recommendations of that inspection report were targeted at their particular situation. By 2015 however, Albany only had one Indonesian prisoner. Although a group of foreign national prisoners remained, their decreased numbers and the departure of the minimum-security Indonesian prisoners saw the demographic profile of the prison change significantly. By 2015, Albany had returned to its role of providing maximum-security overflow and an alternative management option for the metropolitan prisons. This Office was interested to know how the change in prisoner demographic impacted on operations of the prison.

Providing Meaningful Activities for Prisoners at Albany

- 1.8 With lower numbers of minimum-security prisoners at Albany, external activities had ceased. This created an additional challenge for Albany as the prison was forced to provide more work and/or education opportunities within the perimeter. The Office was interested in how Albany was providing a structured day or meaningful activity for prisoners.

Albany's Change in Leadership

- 1.9 Albany had also experienced a recent leadership change. Up until 2012, Albany had been under very stable management, with staff demonstrating nothing but praise for the previous management team. As already mentioned above, the previous management team at Albany successfully engrained 'the Albany Way' philosophy throughout the prison.

2 *Acacia Prison, Capital Works Review, document prepared specifically for OICS Acacia 2013 Inspection.*

This Office was interested to know, what impact the new management team had had on prison operations, if ‘the Albany Way’ philosophy would carry on, and if the prison would produce similar high standards experienced in past inspections.

INSPECTION METHODOLOGY

- 1.10 The on-site inspection phase occurred from 18–23 January 2015. Prior to the inspection, 120 prisoners (out of 303) were surveyed about their living conditions, their daily activities, support services, and general life at Albany. Likewise, all staff at Albany were invited to participate in a survey about their working life, daily operations, treatment of prisoners and human resources. One-hundred-and-nineteen staff (out of 208) completed the survey. The results from both surveys were used to guide the inspection and to quantify findings from the on-site phase.

Chapter 2

MANAGING PRISONERS IN A MAXIMUM-SECURITY ENVIRONMENT

HIERARCHICAL STRUCTURES AND ACCOMMODATION BLOCKS

- 2.1 The prisoner hierarchical structure at Albany was introduced as an incentive program to encourage prisoners to demonstrate good behaviour and to help manage poor behaviour. It is designed around supervision standards, accommodation types and privilege levels.
- 2.2 When prisoners first arrive at Albany they are automatically placed on standard supervision regimes. Prisoners with standard supervision levels are managed with minimal supervision and are encouraged to take self-responsibility. Good behaviour can be rewarded by progression to earned supervision, while poor behaviour may result in regression to basic or close supervision.
- 2.3 Unit Managers can regress a prisoner from standard supervision to basic supervision if he demonstrates poor behaviour. Basic supervision prisoners are managed on tight regimes until they demonstrate behaviour that warrants them returning to standard supervision level. Prisoners on basic supervision have reduced visit sessions, cannot use the oval and the amount of items in their cell are restricted.
- 2.4 Prisoners are assigned to the relevant accommodation unit based on their supervision level. The accommodation options are structured as follows:

	Purpose	Design Capacity	No. of Beds
Unit 1		79	150
A Yard	Standard supervision	24	48
B Yard	Standard supervision	24	48
C Yard	Close supervision, disturbed and vulnerable, 'time-out'	12	24
D Yard	Protection	10	20
E Yard	Punishment cells, observation cells, womens' cell	9	10
Unit 2	Closed for refurbishment. Possible management unit in future	56	112
Unit 3	Standard supervision	60	120
Unit 4	Earned supervision	128	128
	TOTAL PRISON CAPACITY	223	510

UNIT 1

- 2.5 Unit 1 is the oldest and most complex accommodation block at Albany. It was designed to hold 79 prisoners, but with double-bunking it now has the capacity to hold up to 150 prisoners. The unit is made up of prisoners on standard and close supervision, women, protection prisoners, disturbed and vulnerable prisoners, prisoners requiring ongoing observation, and prisoners on punishment regimes. It is divided into five sections – A, B, C, D and E Yards. The entire unit is substandard and has concerned this Office for many years.³ It is old and dilapidated and lacks airflow and natural light. The unit concerned this Office so much, that in the 2009 inspection report the Inspector recommended that the Department of Corrective Services ('the Department') replace Unit 1 within five years.⁴ The Department supported this recommendation in principle, subject to funding

3 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 38 (November 2006).

4 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 60 (April 2009) Recommendation 1.

approval, claiming that it was scheduled as part of the Department's approved 10-year Capital Investment Plan for commencement in 2013/14, with an estimated completion date of 2016/17. At the time of writing, the inspection team had not been made aware of any plans to close or replace Unit 1.

Standard Accommodation (A and B Yards)

- 2.6 A Yard and B Yard in Unit 1 are made up of standard supervision accommodation cells. Most prisoners in A and B Yards are doubled-up in cramped cells designed for a single occupant, with both occupants locked in from 7.00 pm and not unlocked until 7.30 am. Because the yards are more enclosed and secure than the other units, it is generally the first place prisoners are housed when they arrive at Albany.
- 2.7 In 2014, a disturbance in B Yard resulted in all prisoners from the yard being sent to Perth on management transfers.⁵ This gave the prison the opportunity to refurbish the vacant B Yard, which resulted in B Yard being in substantially better condition than A Yard.
- 2.8 Despite being enclosed, worn and decrepit, prisoners who resided in Unit 1 told the inspection team that they would rather spend their standard supervision status in Unit 1 than progress to Unit 2 or Unit 3. The prisoners felt that because Unit 1 had a smaller prisoner population, the atmosphere was calmer and the people in Unit 1 were 'a good crew'. The prison's current hierarchical structure, which is set-up to reward standard supervision prisoners by progressing them through to Unit 2 or Unit 3, does not seem to be functioning as an adequate incentive. Perhaps other incentives could be explored to reward well-behaved prisoners on standard supervision regimes.



Photo 1 : The day room in Unit 1.

5 See [3.34].



Photo 2 : The enclosed yard in Unit 1.

Close Supervision and Disturbed and Vulnerable Prisoners (C Yard)

- 2.9 C Yard in Unit 1 is a short-term, transient yard used to manage prisoners on close supervision, or for prisoners who may be feeling vulnerable or overwhelmed in the wider prison population. The yard is divided by a movable partition that is used to segregate close supervision prisoners from vulnerable prisoners.
- 2.10 Prisoners who do not conform to or demonstrate acceptable behaviour are placed under close supervision for the good order and management of the prison. The Superintendent must approve any prisoner who is placed on close supervision. Prisoners are confined to their cell for most of the day, and are monitored by a combination of cameras and unit officers in the yard. The cells in C Yard are all single occupancy, which in the past incentivised prisoners in doubled-up cells to misbehave and regress to close supervision. To discourage prisoners from wanting to be moved to C Yard, the prison recently introduced a smoking ban in C Yard, which according to prison management, reduced the demand to be placed on close supervision.
- 2.11 Disturbed and vulnerable prisoners are also housed in C Yard. The yard offers the prisoners some ‘time out’ from the mainstream population. Officers in Unit 1 must maintain regular contact with these prisoners and record all contact in a log book which is reviewed and assessed every week.

Protection Prisoners (D Yard)

- 2.12 At the time of the last inspection, D Yard was the main self-care unit, but it had recently been converted to house protection prisoners. Protection prisoners are housed separately because they may be vulnerable among the mainstream population, often due to the nature of their offence. The unit is equipped with a kitchen, communal bathroom, small exercise room and large outdoor area. Prisoners in protection have the option to eat meals prepared by the kitchen or they can cook their own food with the limited utensils provided.
- 2.13 Because protection prisoners are restricted from mixing with the rest of the prison they have their own set times when they can attend education and recreation, which is once per week for both. They are also all confined to working in the units. The prisoners in the protection unit told the Office that they get quite bored and would like more education options that could be completed in the safety of the unit.

Punishment and Observation Cells (E Yard)

- 2.14 E Yard combines punishment cells, observation cells and a female cell. There are four punishment cells that a prisoner can be confined to if found guilty of an offence by the Visiting Justice. The cells can also be used if the Superintendent wishes to hold someone in isolation for the good order of the prison. The cells contain basic facilities including a toilet, water fountain and bed. Prisoners in punishment cells cannot have visits, attend work or education, receive gratuities or purchase products from the canteen. They are entitled to one hour of exercise per day. The four punishment cells can fill up quite quickly, particularly during the Visiting Justice's parade, leaving little alternatives for a Visiting Justice if they wish to confine more than four prisoners to punishment cells.
- 2.15 There are two medical observation cells for prisoners who require short-term around-the-clock observation for their own welfare. Placement in an observation cell can only be determined by health care staff or, in their absence, the Superintendent. The cells are monitored by cameras and cannot be used as punishment cells.

Women (E Yard)

- 2.16 E Yard has one female cell that can hold up to three female prisoners on a very short-term basis. The cell can also accommodate a woman with a baby, although this has never occurred at Albany. The cell is large with one bunk bed and one single bed, a toilet and shower and a laundry tub which would provide an adequate baby bathing and changing facility. There is a television in the cell as well as a small fridge. Breakfast food is kept in the cell for the women to make their own breakfast. The other daily meals are provided by the kitchen. There is a small selection of books kept in the cell.
- 2.17 The women who are accommodated at Albany are only kept there for as short a time as possible. However, given that escort into and out of the prison only occurs once a week, the women can experience a degree of isolation. They are confined to their cell most of the time and cannot engage with the male prisoners. Inspection team members spoke to one woman who was on her way out of Albany. She said that, despite the isolation, her stay had been 'okay' and the officers had been kind to her and responsive to her needs.

UNIT 2

- 2.18 Unit 2 is a newer and more contemporary two-storey standard supervision unit, but just weeks before the inspection the unit was closed and all prisoners were transferred to the newly refurbished Unit 3. Unit 2 was suffering from rust and water damage and was in very poor condition. Albany management advised us that they would refurbish Unit 2 in preparation for potential occupation in the future.



Photo 3 : The poor condition of the ceiling in Unit 2

- 2.19 In the 2012 inspection report, this Office recommended that the prison ‘operate all four accommodation units with sufficient staffing and resources to meet the prison’s complex mix of functions’.⁶ This was supported in principle by the Department who claimed that ‘the units are a key part of the wider prison estate and will continue to be utilised in balance with operational demands of the system and resource limitations’. Despite crowding at Hakea and Casuarina Prisons, and most prisoners at Albany sharing cells originally designed for one person, Unit 2 was closed during the inspection and all four units have never been operational at the same time.

6 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012) Recommendation 2.

UNIT 3

- 2.20 Unit 3 closed in December 2011 to coincide with the opening of Unit 4. It was closed for three years while undergoing refurbishments and reopened five weeks before the inspection. During the refurbishment period, both the Department and the Prison Officers' Union inspected Unit 3 and highlighted security concerns with the design of the unit. Their recommendations resulted in the 'hardening' of the control room with thick, heavy grills and the construction of a safe egress for officers.



Photo 4: The heavy grills on the Unit 3 control room.

- 2.21 The new secure design of the control room discourages positive engagement between officers and prisoners by creating a large physical barrier between them. This could be overcome by encouraging officers to spend more time in the unit but unfortunately the inspection team rarely observed such interactions. Officers made comment during the inspection that Unit 3 was their least favourite area of the prison to work in. The grills made the doors far too heavy to be constantly opening and closing all day, and the slamming of the heavy doors increases the noise level drastically. Staff also complained that, because of the noise in the unit and control room, they cannot hear prisoners who request information from staff through the control room hatch.
- 2.22 The design of Unit 3 also made the dispensing of medication less than ideal and certainly not therapeutic. Medication was delivered through the Unit 3 control room hatch which was located in a hot, cramped, airless, crowded, noisy, dirty and messy corner with no possibility of dignity or confidentiality.

- 2.23 As with Unit 1, Unit 3 is also for standard supervision prisoners, with most prisoners sharing a cell with another inmate. Positively the surfaces of the living areas were clean, fittings were in good condition and the common areas were spacious. The inspection team heard no complaints from prisoners about the standard of living in Unit 3.

UNIT 4

- 2.24 Unit 4 opened in December 2011 and is an earned supervision unit where prisoners are managed with minimal officer supervision. They can have more visit sessions, can send out more personal letters, can keep more electrical items in their cell and can purchase more items from the canteen. To promote further incentives for prisoners to behave, the two-storey unit is divided into two sides. One side is doubled-up accommodation and the other side is reserved for prisoners on the Long-Term Prisoner Program. Prisoners on the Long-Term Prisoner Program must have more than five years to serve on their sentence, and if well-behaved they are entitled to a single cell, one extra visit, longer phone calls and extra DVDs and personal items in their cells. The hierarchical model really does seem to work within the confines of Unit 4 providing plenty of incentives for long-term prisoners to progress from Earned Supervision to the Long-Term Prisoner Program.
- 2.25 Unit 4 was in good condition. The cells and common areas were generally neat, perhaps reflecting the earned supervision status of occupants, and the anticipation of extended occupancy. External exercise yards situated at the front of the unit contained isometric exercise equipment for the use of prisoners, and a basketball court was located on the eastern side of the unit.



Photo 5 : Unit 4 enhanced supervision.

DISPERSAL AND MANAGEMENT OF 'DIFFICULT-TO-MANAGE' PRISONERS

- 2.26 In 2014, the Department implemented various policy changes following an escape of a minimum-security prisoner during approved external activities. The statewide effect of these policy changes was an increase in the proportion of maximum-security rated prisoners. As the number of maximum-security prisoners housed at Hakea and Casuarina prisons began to increase well over their design capacity, more placement options across the state were required, including more options for 'difficult-to-manage' maximum-security prisoners.
- 2.27 Albany does not have a dedicated management unit, and while 'difficult-to-manage' prisoners can be temporarily placed in C Yard or E Yard they are more likely to be managed long-term by either Hakea or Casuarina. To help alleviate some of the pressure on Hakea and Casuarina, the Superintendents of Hakea, Casuarina and Albany have discussed the possibility of using the vacant Unit 2 at Albany as an additional management dispersal unit. The unit could be used to house violent prisoners, prisoners involved in drug trafficking, bullying or grooming, or members of outlaw motorcycle gangs who may be in conflict with other gangs.
- 2.28 Establishing a management dispersal unit at Albany would support Hakea and Casuarina prisons by providing a third maximum-security location where prisoners can be isolated and managed securely. It would also help to dispel any rumours among prisoners at Albany that 'acting up' gets prisoners an instant transfer back to Perth. However, setting up the unit would require significant investment in staff and upgrading of infrastructure. These costs would need to be considered in the wider state context, particularly as the women's estate is in desperate need of more standard accommodation.

PUNISHMENT AND DISCIPLINE

- 2.29 Prisoner charges increased by 89 per cent between 2011 and 2014, with most of the growth driven by disciplinary offences.⁷ Albany also experienced a 36 per cent increase of cases where prisoners had their privileges, such as recreation and phone calls, reduced or temporarily suspended. Some officers suggested that the lack of management alternatives for misbehaving prisoners is significantly contributing to the increase in charges, particularly as C Yard, where prisoners are placed when regressed to closed or basic supervision, has only 12 cells. As the majority of accommodation has been forced to double up, cells have also widely been lost as a management tool option. Some staff believed that if there were more options to physically isolate and manage prisoners they could avoid pressing charges for minor infractions and offences.
- 2.30 Despite the increase in prison charges, the prosecuting officer has been able to review each charge within a timely matter, with exception of when he has taken extended periods of leave. Recently when the prosecuting officer took leave his position was not backfilled and he returned to a backlog of 155 unprocessed charges. This is unacceptable as prisoner charges can be dismissed if too much time lapses. It also places unnecessary pressure on the prosecuting officer and may act as a deterrent from taking leave. Other staff at Albany need be trained and made available to backfill the prosecuting officer's position and process charges when the substantive prosecuting officer is absent.

7 There were 307 prisoner charges in 2011 and 580 in 2014 (and increasing every year).

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- 2.31 The Superintendent and the Visiting Justice can deliver a variety of punishments, depending on each individual case. If a prisoner is found guilty of a minor offence such as: disobeying the rules, behaving in a disorderly manner, using indecent language, or damaging property; the Superintendent can impose a caution or reprimand, or take away the prisoner's gratuities. The Superintendent at Albany can also confine prisoners to their cell, but it is impractical to do so, because most cells at Albany house two occupants. If the offence is more serious, such as a drug or assault charge, the Superintendent must refer the matter to the Visiting Justice. The Visiting Justice can confine a prisoner to a punishment cell or sleeping quarters, revoke privileges, confiscate property, or make the prisoner pay restitution.
- 2.32 During the Superintendent's parade, the Superintendent was observed speaking humanely and politely to each prisoner before him. Although the majority of the offences were referred to the Visiting Justice, the Superintendent still used the opportunity to liaise with each prisoner and talk through the circumstances contributing to the charge. The Superintendent seemed to genuinely care about each prisoner's wellbeing and was interested in the best outcome for all parties involved.

ANTI-BULLYING

- 2.33 Results from the staff survey suggest that prisoner-to-prisoner bullying regularly occurs. Two-thirds (67%) of staff who completed the survey believe that prisoner-to-prisoner bullying is rife throughout the prison, compared with state averages of just 37 per cent. The survey also revealed that staff believe verbal abuse, racist remarks and physical abuse are problems at Albany. The inspection team did not uncover any supporting evidence that prisoner-to-prisoner bullying was occurring, and in fact, most prisoners told us that they felt safe at Albany. However the fact that staff believe it is occurring should not be ignored. Perhaps there are pockets of bullying occurring amongst small cohorts of prisoners, or prisoners may not have the confidence to speak up about being bullied. Either way, the responses to the staff survey are of some significance, particularly given the constant and regular presence of staff within the prison. Further investigation into prisoner-to-prisoner bullying needs to occur.
- 2.34 Albany has an anti-bullying strategy that attempts to address cases of bullying and threatening and intimidating behaviour among inmates. The strategy directs staff to be alert and approachable if a prisoner wishes to complain about bullying behaviour. The strategy also details the steps that staff members must take if an incident of bullying is reported to them.
- 2.35 Albany has established an anti-bullying committee that offers the opportunity for staff to work together to prevent prisoner bullying behaviour and to provide advice to the management team about risks and issues.⁸ A good cross-section of representatives from security, senior management, prisoner officers, education and health attend the committee meetings. Based on intelligence and security reports and the knowledge and information brought to the meeting by committee members, one would assume that the committee should be able to successfully identify and address bullying incidents occurring in the prison. However, Departmental responses to this draft report claim that instances of

8 Department of Corrective Services (DCS), *2.12 Minutes Albany Regional Prison Anti-Bullying Meeting* (February 2013).

prisoner-to-prisoner bullying are not discussed during Anti-Bullying Committee meetings. The Department did not provide any further information about how instances of prisoner-to-prisoner bullying are managed.

- 2.36 Unfortunately, based on the documents provided to this Office, the committee only met three times over an 18-month period, during which time no prisoner-to-prisoner bullying incidents were recorded. This is particularly concerning as, according to the staff survey, staff clearly believe that prisoner-to-prisoner bullying is a particular problem at Albany. A more comprehensive and serious approach to prisoner-to-prisoner bullying needs to be implemented at Albany, and should include a more detailed anti-bullying strategy and mediation options to resolve situations.

REMAND PRISONERS

- 2.37 During the inspection there were only 19 prisoners on remand at Albany. While Albany is not considered a 'remand prison' it can, and does, accommodate some remand prisoners for short periods. Long-term remandees are generally transferred to either Hakea or Casuarina.
- 2.38 The remand prisoners at Albany told the inspection team that they did not have any concerns about their treatment at Albany. They have access to daily visits and there is a large range of legal resources in the library. In addition, should prisoners request specific legal information, these requests are faxed to Casuarina Prison where the librarian actions them. There is also a computer in the library reserved for prisoners needing access to legal documents, however, the computer was not printing at the time of the inspection which was frustrating prisoners.

LONG-TERM AND LIFE SENTENCED PRISONERS

- 2.39 There were 38 prisoners serving long-term or life sentences during the inspection. Long custodial sentences can be particularly distressing for prisoners, with many struggling with mental health issues that they do not wish to burden family and friends with. The prisoners told us that other than self-care accommodation and the Long-Term Prisoner Program there was no incentive available to them, nor any type of forum where they can voice issues or express concerns to prison management. While caution is advised when considering special privileges for this distinct group of prisoners, this cohort cannot be ignored, particularly as long-term and life sentenced prisoners will continue to enter the custodial system in the future.
- 2.40 It was positive to hear that one particular individual who did not work for the Department had noticed a gap in mental health service provision to long-term and life sentenced prisoners at Albany, and started a free counselling service for them. She had also created and introduced a therapeutic program called 'Tools for Change' among the long-term prisoners, as she thought the mainstream programs were not relevant for those on long sentences. Unfortunately this individual was scheduled to retire around the same time that the inspection was being held. Given her services were offered free-of-charge; it would be unlikely that prison could find someone to replace her.

- 2.41 There were a number of life sentenced prisoners at Albany sentenced under the *Offenders Community Corrections Act 1963*, which excludes them from participating in resocialisation programs (RSP) or achieving minimum-security classification. The life sentenced prisoners who fell under this Act at Albany told us that they feel that they are at a disadvantage and unfairly discriminated against, as resocialisation is an important consideration for future release on parole. Although some prisoners sentenced under the *Offenders Community Corrections Act 1963* have been directly released to parole without doing a RSP, community safety is likely to be enhanced if a prisoner completes such a program.
- 2.42 This Office has highlighted similar concerns in the latest two inspection reports of Bunbury Regional Prison where many life sentenced prisoners have found themselves in similar circumstances.⁹ This Office believes that legislative changes are urgently required to ensure life sentenced prisoners who were sentenced under the *Offenders Community Corrections Act 1963* can apply to the Prisoners Review Board for inclusion in a resocialisation or equivalent program. A recommendation to this effect has been made in the latest inspection report on Bunbury Regional Prison. The Department's response supported this recommendation but noted that the matter falls within the portfolio of responsibilities for the Department of the Attorney General.¹⁰

9 OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 75 (December 2011); and OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 59 (February 2009).

10 OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 98 (June 2015) Recommendation 11.

Chapter 3

SAFETY AND SECURITY

- 3.1 During the inspection, Albany felt like a very relaxed and calm prison. The inspection team heard stories of prisoners arriving feeling anxious and uneasy from their experiences in metropolitan prisons, but who soon adapted and settled into Albany’s calming environment within a matter of days. Indeed, most prisoners surveyed for the inspection claimed that they felt safe at Albany. Open-ended responses from prisoners in the survey suggested that being housed with other people from the local area was a major factor contributing to their feelings of safety.
- 3.2 While 81 per cent of staff felt safe in their working environment, 16 per cent of staff felt unsafe. Staff commented to inspection staff that they mostly felt unsafe because the overtime restrictions limited staffing levels in the units. This issue is explored further in Chapter 6.

THE PERIMETER

- 3.3 Albany prison is contained within two alarmed security perimeter fences that are patrolled by armed guards and monitored from the internal control room. Unlike some other prisons in the state, the fences are not the main source of trafficked items. The wide gap between the fences, coupled with constant monitoring and patrolling restricts opportunities for contraband to be thrown over. For similar reasons, the prison rarely encounters people approaching the fences either from within the perimeter or from the outside.

INSIDE THE PERIMETER

- 3.4 The grounds at Albany provide a feeling of serenity, with lots of open space, green grass and clear views of the bush beyond the fence line. All prisoners, with the exception of protection prisoners, mix during recreation time each afternoon with little evidence of hostility. Unfortunately, the heavy securitising of Unit 3 creates a physical barrier that restricts the same feeling of tranquillity inside that particular unit.¹¹



Photo 6 : The prison grounds.

11 See [2.20]–[2.21].

SAFETY AND SECURITY

- 3.5 Prisoner movements throughout the grounds are controlled using unit gates, doors and demarcation fences. Some of the internal demarcation fences are left open for most of the day and are only closed during high risk periods (such as visits, medications and vehicle movements).
- 3.6 During prisoner lockdown periods, staff demonstrated a rather complacent attitude towards ensuring doors were closed behind them. The inspection team observed two incidents where staff members did not close a main security door within the prison. At one point, the inspection team were able to walk freely through the secure door then through another three administration doors that had been intentionally propped open by staff. While leaving the security door open was an act of carelessness, prison management and staff told us that propping the administration doors open was an intentional and acceptable practice because prisoners were still locked safely in their cells. However, given a recent security incident at the prison when the grills of a cell window were breached by prisoners, the accepted practice of leaving doors open leaves staff and secure areas exposed to serious potential risks. Although we are not making a formal recommendation on this, local management at Albany need to put a stop to this immediately.

STRATEGIES TO ADDRESS THE TRAFFICKING OF ILLEGAL AND BANNED DRUGS

- 3.7 Drug prevalence testing conducted across all prisons in the state indicates that Albany does not have a serious drug problem. While the results vary each time, the small proportion of prisoners who test positive for banned or illegal drugs at Albany is reasonably in line with the other maximum-security sites around the state, and much lower than some other prisons. However, prevalence testing does not incorporate all drugs, many of which the security team suspect are present at Albany.
- 3.8 Based on intelligence and experience, the prison was concerned that the drug buprenorphine was being used by prisoners because it is relatively easy to traffic and is only detected if a urine test is conducted within a short period from consumption.
- 3.9 The Albany security team were also concerned about the prescribed medications Tramadol and Seroquel which they believe is trafficked throughout the prison. The security team have regularly found prisoners in the possession of medications not prescribed to them. The inspection team observed the medical rounds, where the process of checking the mouths of prisoners after taking their prescribed medication was cursory at best. To truly address the trafficking of prescribed medications, a more stringent approach to the distribution of medication should be taken. This may mean that officers need to conduct more comprehensive checks of all prisoners' mouths during medication rounds or other dispensing options explored such as crushing the medication beforehand.

VISITORS AND THE PREVENTION OF DRUGS AND CONTRABAND

- 3.10 The gatehouse is the primary entry point for staff and visitors to enter and exit the prison, therefore rigorous screening procedures are required to prevent unauthorised articles entering the prison. When visitors arrive at Albany, they are required to leave their personal belongings in external lockers and only take through necessary items such as a jumper or baby bottle if visiting with a child.

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- 3.11 All visitors must pass through a metal detector and pass small personal items through an x-ray machine, which is used to detect weapons, mobile phones and other objects. Two further processes, the pat-searching of a proportion of visitors and the use of the drug detection dog, have been established to detect drugs and other contraband.
- 3.12 Drug detection dogs are regarded as effective deterrent for people considering trafficking drugs into prisons.¹² During the inspection period the drug detection dog was not present during visit sessions because the dog trainer was away on leave. It is not unreasonable to speculate that, in a small town such as Albany, word may have spread that the drug detection dog was absent. For this reason additional security measures should have been implemented to help prevent the entry of drugs and other contraband.
- 3.13 While pat searches have traditionally found very little in the way of contraband, the practice can also act as a deterrent for visitors who are thinking about bringing in contraband. Departmental policy requires that at least five per cent of people who pass through the gatehouse are to be pat searched as they enter the prison. The Senior Officer Security selects and confirms the names of visitors to be randomly searched each visit, and advises the officers working in the gate house. However, because the Senior Officer Security was on leave when the inspection team observed the weekend visit session, no pat searches were conducted. This simply is not an acceptable excuse for not conducting pat searches and a more streamlined process should be implemented for determining the random searching of visitors. A simple solution could be to search every third or fourth (or any number) visitor who walks through the door. The senior officer working at the gatehouse could oversee the process to ensure transparency.
- 3.14 As well as the Senior Officer Security being absent during weekend visit sessions, officers at the gatehouse commented that random pat searches of visitors had become more problematic. This is because the Department's new searching policy has been amended to more closely align with legislation and now states that male officers are no longer able to pat search female visitors. Most of the visitors passing through the gate for the weekend visit were female and all the officers working in the gatehouse that day were male, further limiting the prison's ability to search visitors.
- 3.15 The policy of female-on-female searching is reasonable but only 15 per cent of custodial officers at Albany were female. The probability that two female custodial officers are rostered to work in the gatehouse at any one time is extremely low, which makes it difficult to facilitate visitor searches on females. To ensure the prison still adheres to the minimum searching requirements and to prevent contraband from entering, the prison needs to implement innovative alternatives for searching female visitors. There is only a small window of 20 minutes when visitors can enter the gatehouse for their visit.¹³ If visitors arrive outside of that 20-minute window they are turned away. Temporarily swapping out male officers for female officers to work in the gatehouse for 20 minutes while visits arrive may be an option worth exploring. Recruitment practices of custodial officers to Albany also needs to include a strategy to attract more women.

12 DCS, *Albany Regional Prison Local Policy Drug Strategy* (September 2011).

13 For example, if a visit session starts at 1 pm, the visitors can only pass through the gatehouse between 1.00 pm and 1.20 pm. Visitors who arrive after 1.20 pm are usually not permitted to attend their visit.

- 3.16 Unfortunately, the combination of not searching visitors and the absence of the drug detection dog gave the perception that smuggling drugs and other contraband into the maximum-security prison would be relatively easy. The staff survey results corroborate such suspicions, with only seven per cent of staff surveyed believing that Albany effectively prevents the entry of contraband.

Recommendation 1:

Ensure effective security measures are taken at the gatehouse to prevent the entry of contraband.

- 3.17 Once visitors are ushered through to the visits centre, the Visits Code of Conduct clearly states that prisoners and their visitors can hold hands throughout the visit but any prolonged or frequent contact is not permitted. Visitors were seen embracing and holding hands, a practice that this Office would like to see continue, provided stricter security measures are implemented to prevent the trafficking of contraband.¹⁴

STAFF AND OFFICIAL VISITORS

- 3.18 Staff and official visitors were also subject to searching. They must walk through the metal detector and pass their personal belongings through the x-ray machine. During the shift changeover period in the morning, the gatehouse appeared chaotic and staff were ushered through the security screening process hastily. The inspection team noted that the officers in the gatehouse seemed flustered and were not concentrating on watching personal belongings being put through the x-ray machine. Officers in the gatehouse need to be careful not to succumb to pressure from staff rushing in to start their shift, and maintain vigilant security screening processes at all times.
- 3.19 The staff working in the gatehouse only requested to see the identification of inspection staff on one occasion during the entire six days on-site. Identification for all visitors should be checked when entering the gatehouse each day.
- 3.20 Staff and official visitors are required to wear a personal duress alarm at all times while inside the prison perimeter. If a staff member or visitor feels that they are in danger or if they require urgent assistance, they can press the duress button that will alert the gatehouse control room of the emergency and the location. The control room operators will send out an emergency call on the radio for all available custodial officers to attend the situation. The control operator will also advise over the radio who the alarm was issued to so officers know who to look for.
- 3.21 A member of the inspection team tested the duress alarm system without pre-notifying the staff in the gatehouse. After pressing the duress alarm, it took too long for the call to be announced over the radio which may have been delayed while the staff were looking up who the alarm was issued to. The priority should be first to announce the call and location, then call the name out afterwards. After the radio call went out, officers attended the scene within a reasonable timeframe. Once officers were stood down by the first attending officer, other officers commendably attended the scene to double-check the call to stand down was legitimate and not conducted under duress.

¹⁴ As well as the pat searching of visitors, prisoners are also pat searched on their way into visits and strip searched on their way out.

ALBANY SECURITY UNIT

- 3.22 The Albany Security Unit (ASU) is comprised of a team of 20 specially trained prison officers who specialise in armed perimeter security, emergency management, riot control, high-security escorts, taser use and prisoner restraints. ASU officers are responsible for armoury checks (firearms, munitions and ancillary equipment), responding to alarms, vehicle patrols, alarm zone checks and perimeter escorts. Unlike the other male maximum-security prisons in the state that use officers from the Emergency Support Group to run master control, the ASU does not manage the master control room at Albany. ASU officers told us that they would like to manage the control room as they could provide clear, specific directions to the ASU officers on the fence line (because they talk the same 'ASU language'). However staffing the control room with ASU officers permanently would mean fewer ASU officers would be available in the prison to respond to an emergency. A thorough risk assessment should be conducted if Albany were to consider moving ASU officers in to the control room.
- 3.23 ASU officers work to a rolling roster, meaning that they split their time between working as a prison officer and working in their ASU role. The ASU officers enjoy the mixed responsibilities, because it allows them to build relationships with prisoners and get a good feel for the mood of the prison.

CONTROL ROOM

- 3.24 The control room is the nerve centre of the prison, monitoring the safety and security of the prison while controlling the duress alarms, cameras, radios and sally port doors. Every officer is trained to work in the control room and officers regularly rotate through the role according to the roster.
- 3.25 Staff are rostered to undertake 12-hour night shifts in the control room. To prevent staff from falling asleep, there is a television, DVD player and a suite of DVDs available for staff to watch. While this Office believes it is unreasonable to expect an individual to maintain alertness and vigilance for 12 hours without a break, providing staff with a television and DVD player may detract from officer's attentiveness to prison operations. Similar practices were observed during the most recent inspection of Bandyup Women's Prison, where officers in the control room were observed reading books and watching the television.¹⁵ At that inspection we recommended that Bandyup '[I]mprove control room processes and practices by rotating night shift officers through the control room'. A similar practice of rotating night staff should be adopted at Albany and the television and DVD player should be removed from the control room.

Recommendation 2:

Improve control room processes and practices including rotating night shift officers through the control room.

15 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 93 (October 2014).

VEHICLES WITHIN THE PERIMETER

3.26 Vehicles are regularly required to enter and exit the prison to transport prisoners or deliver goods and services. Vehicles inside the perimeter pose a high-security risk, as evidenced in 2012 when two juvenile detainees hijacked a utility from inside the perimeter of the Banksia Hill Detention Centre, rammed it through the sally port and escaped. To prevent a similar event occurring at Albany, any vehicle inside the perimeter is followed along the fence line by armed ASU officers. All prisoner movements cease and at least one officer is assigned to stay with the vehicle at all times. While the procedural security processes around vehicle entry are appropriate, the physical security of the sally port may be exposed to weaknesses. The hydraulic ramp outside the sally port gate prevents vehicles from ramming the gates to gain entry into the prison, but does not prevent a vehicle ramming its way out of the prison. This is not a difficult or expensive issue to resolve.

RELATIONAL SECURITY

- 3.27 Relational security is arguably the most important element of an effective, humane and safe custodial environment and better enables incident prevention through the early detection of security or safety threats. It is derived from regular positive interaction between prisoners and staff, good levels of intelligence analysis, and ensuring prisoners are actively engaged in the prison regime.
- 3.28 The intelligence team at Albany collects and records information to produce intelligence reports about potential security risks within the prison. The intelligence team feeds this information into a database which uses computer algorithms to link information and produce comprehensive intelligence product. The database has reportedly streamlined the workload of the Albany intelligence team by providing them with instant access to information and intelligence. However, the downside to having access to so much information is that the workload for the Intelligence Collator has changed significantly. The Intelligence Collator now undertakes a much more analytical role and is heavily involved in shaping security strategies. The Job Description Form (JDF) for the Intelligence Collator position at Albany and other sites should be reviewed to encompass such duties and the position level adjusted accordingly.

STAFF AND PRISONER RELATIONSHIPS – ‘THE ALBANY WAY’

3.29 During the 2011 inspection, this Office praised Albany for demonstrating positive relationships between prisoners and officers. Officers were actively engaging with prisoners, staff and prisoners felt safe and the level of aggravated incidents was low. Unfortunately the 2015 inspection found that staff and prisoner relationships had deteriorated, staff no longer felt as safe as they had in the past, and incidents were rising.¹⁶ It appeared that the pro-social ‘Albany Way’ philosophy had deteriorated.

16 In 2011, 97 per cent of staff surveyed felt safe working at Albany. In 2015, only 82 per cent of staff felt safe.

- 3.30 These findings were supported by the 2015 pre-inspection prisoner survey results, which found that fewer prisoners claimed that they got along with officers and were less likely turn to officers for help than they would have in 2011.¹⁷ Prisoners also felt that officers were not fair when they applied the rules, were not respectful during cell searches, and did not treat prisoners with dignity. The staff survey produced similar results, with less staff in 2015 believing that custodial officers and prisoners got along well compared with 2011.
- 3.31 Observations during the inspection confirmed these findings. Officers were rarely seen engaging with prisoners. For example, during recreation a group of officers were observed sitting under an awning watching prisoners playing soccer, and were not at all interacting with prisoners or walking around the oval. When inspection staff entered some units, staff were also regularly gathered in the unit control room and were rarely seen engaging with prisoners.
- 3.32 In fact during meetings with the inspection team, officers rarely spoke about prisoners or voiced any concerns for prisoner wellbeing. This was unusual, given that ‘the Albany Way’ and the principle of building positive pro-social relationships with prisoners was so significant during the 2011 inspection. During the 2015 inspection, a proportion of staff felt that ‘the Albany Way’ was unsustainable, particularly given the change of prisoner cohort over the past few years. The officers felt that, to reinvigorate ‘the Albany Way’, the prison population would have to decline significantly.
- 3.33 However, prisoner numbers do not appear to be the problem. In fact, Albany’s prisoner numbers in 2015 were similar to the numbers in 2011. Furthermore Acacia prison, the state’s largest prison with at least three times the prisoner numbers than Albany, has implemented a pro-social philosophy that is based on building trust and respect and even involves prisoners calling officers by their first name. Acacia’s philosophy encourages mutual respect by positioning staff and prisoner interactions within a much more equitable framework. Both staff and management at Albany should strive to maintain similar pro-social relationships that were encompassed in ‘the Albany Way’ regardless of prisoner numbers or prisoner mix.

CRITICAL SECURITY INCIDENTS

- 3.34 After observing the decline in prisoner and staff relations and the declining focus on the principles enshrined in ‘the Albany Way’, it was not surprising that in the 12 months leading up to the inspection Albany experienced two rather serious security incidents. In April 2014, 16 prisoners in Unit 1, B Yard were involved in a serious incident of mass disorder, using furniture and equipment to break windows and threaten staff. After several hours of negotiations, the prisoners surrendered and were sent to Perth prisons on management transfers.

¹⁷ In 2015, 23 per cent of prisoner respondents said that they would turn to officers for help compared with 27 per cent in 2011. In 2015, 57 per cent of prisoner respondents said that they get along well with officers, compared with 69 per cent in 2011.

- 3.35 A few months later, officers discovered the grills of a cell window had been cut using stolen angle grinders from the workshops in the industries area. The situation must have taken serious planning and may have involved a number of prisoners, given that the angle grinders were smuggled out of the workshops unnoticed, and the noise that the grinders would have made to cut the grills appeared to have been covered up by other prisoners. Both situations could have potentially been avoided if officer presence was higher in the units and relationships were strong enough to capture intelligence about such potential incidents.
- 3.36 Albany management have reviewed both cases and, as a result, introduced a new dynamic security strategy that directed officers to be present at different areas of the units at certain points of the day. At no point within the strategy did Albany management make mention of the importance of building strong relationships with prisoners, which suggests that the principles of 'the Albany Way' may no longer be a priority at Albany. This is disappointing and may reduce rather than enhance security.

Chapter 4

PRISONER CARE AND WELLBEING

RECEPTION

- 4.1 When prisoners first arrive at Albany they are processed through reception. Prisoners can arrive from court on any day or they are transferred from other prisons once per week in the escort vehicle, operated by the private firm Serco. All prisoners leaving Albany, either to be transferred to another prison or for release, are also processed through reception. Inspection team members observed the transfer process, namely the arrivals on Monday afternoon and the departures on Tuesday morning. There was good, respectful interaction between the officers and the prisoners either arriving or departing. Some processes can be considered difficult and personally confronting for prisoners (in particular the strip searching processes), however they were conducted appropriately and with dignity towards the prisoners. Overall, the reception processes at Albany were well-managed and efficient.
- 4.2 The senior officer in reception was responsible for interviewing each new arrival and conducting the reception intake checklist, which could sometimes be a time-consuming process. While the inspection found that it was good practice for this important function to be conducted by a senior officer, inspection team members were informed by Albany management that the role of the senior officer could soon undertake less administrative tasks and take on more of a quality control function. This was particularly in relation to the management of prisoner property which traditionally generated a lot of prisoner complaints. The intention is to shift responsibility for prisoner property complaints from Albany management to the senior officer in reception.
- 4.3 The inspection team was pleased to observe that there were two prisoners working in reception assisting with managing the reception and property processes and organising the entry packs that were provided to new arrivals. These packs contained toiletry items like razors, shaving stick, toothbrush and toothpaste, as well as some information about the prison in the form of a general guide to the prison. The pack also contained a peer support request form and a yellow envelope in which prisoners could direct confidential mail to a range of agencies including this Office.
- 4.4 Some prisons do not allow prisoners to work in areas where they may be required to assist in managing the personal property of other prisoners and/or have access to information and procedures relating to new prisoners. The presence of prisoners working in this area at Albany showed a level of trust between the officers and the prisoner workers in reception. In turn, the prisoners working in reception appreciated this position of trust and were very hard workers.

ORIENTATION

- 4.5 Unfortunately, orientation was one function that was not done well at Albany, and that had slipped since the previous inspection. The pre-inspection prisoner survey revealed that only around half (51.7%) of the prisoner respondents said that when they first arrived they got enough information to understand how the prison works. This is not enough. Prisoners spoken to during the on-site inspection unanimously confirmed that they had not undergone any formal orientation process, and certainly had not been offered a tour of the prison.

- 4.6 The orientation process is supposed to commence at reception and then be picked up by the peer support team. At reception the officers must interview each new prisoner and complete an orientation checklist that must be electronically recorded on the Total Offender Management System (TOMS) database. These administrative tasks were being completed. The flaw in the process was the physical and social orientation of new prisoners into prison life at Albany, which was supposed to be facilitated by peer support prisoners. This was not occurring.

Recommendation 3:

Ensure that all prisoners at Albany Regional Prison are provided with a thorough orientation.

PROPERTY

- 4.7 The inspection found overall that prisoner property was well-managed in the reception area at Albany. There were good systems in place to accurately record, store and retrieve (if requested and when necessary) prisoners' personal belongings. Prisoners' property was stored in boxes in a compactus-style storage area off the main reception area. There was capacity for overflow-storage of property in a caged section against one wall of the sally port.

FOOD AND NUTRITION

- 4.8 Fifty-eight per cent of prisoners who completed the pre-inspection survey indicated that they thought the quality of the food at Albany was good while 67 per cent thought that the amount of food was good. These results, although positive, were conservative compared to the overwhelmingly positive responses prisoners provided when asked about the food during the inspection. Prisoners appreciated the fact that the food at Albany was cooked fresh, rather than pre-cooked and chilled like other prisons in Western Australia.
- 4.9 The meals are prepared according to a four week cyclic menu and caters for prisoners' special dietary needs, including lactose free, non-pork, vegetarian, non-fish, gluten free and soft diets. The kitchen produces up to 1,250 meals each day, following a budget of \$8.70 per prisoner per day. This includes preparing meals for all earned supervision prisoners in the semi self-care unit, Unit 4. Unit 4 contained full cooking facilities in each wing. Some prisoners in this unit chose to prepare and cook their own food while others chose to eat the meals prepared for them by the kitchen staff. Prisoners who wanted to prepare their own meals had to purchase their own ingredients either through the canteen or through town spends.
- 4.10 Inspection team members heard that plans were under-way to change this system. This would entail prisoners selecting in advance whether they wanted to prepare their own meals or whether they wanted to receive the meals prepared for them in the kitchen. Under this system, the kitchen would only cater for those prisoners who selected to receive their meals from the kitchen. The other prisoners would receive food from the kitchen to prepare themselves. It was expected that this change would be more cost-effective and reduce waste. These plans were still in the discussion phase and were a long way off being implemented.

- 4.11 The kitchen attained Hazard Analysis Critical Control Point (HACCP) accreditation, which is a risk management methodology used by the food industry for the control of food safety hazards to acceptable risk levels. Albany is one of only a few prison kitchens that had this accreditation.
- 4.12 The kitchen and the food storage and preparation areas were clean and well-maintained. There were regular maintenance and cleaning programs in place, which had been initiated by the senior chef instructor. Pest control contractors attended every three months as a preventative measure against mice, cockroaches and other vermin, and the storage fridges were professionally cleaned every six months.
- 4.13 Overall the provision of food to the staff and prisoners at Albany was found to be more than satisfactory. The food was freshly prepared in a suitably hygienic environment and was adequately supervised by appropriately qualified staff.

CLOTHING AND BEDDING

- 4.14 The inspection found that the supply of clothing and bedding was adequate and of satisfactory quality. Temporary clothing packs are issued to prisoners arriving through reception. These contain enough clothing to get the prisoner through his first few days at Albany. In the meantime, the laundry is provided with details of the new arrivals and labels are made up to attach to the new prisoners' clothing to identify them as theirs. Once this has been done, the new prisoners receive a full clothing pack from the laundry.
- 4.15 Bedding packs are also issued to new prisoners when they first come into the prison at reception. This pack includes sheets, a doona and towels. Pillows and mattresses are already available in the cells. Albany can get very cold in winter and commonly has relatively mild summers. The inspection found that prisoners had enough clothing and bedding of appropriate quality to keep them warm during Albany's cold winters.

CANTEEN

- 4.16 Seventy-two per cent of the prisoner respondents in the pre-inspection survey had positive thoughts about the canteen services at Albany. These results were also reflected in the on-site inspection findings. There were two trusted prisoner employment positions in the canteen which attracted the highest gratuity, level one.
- 4.17 The list of items available for purchase at the canteen was extensive. It included food, soft drinks, snack items, confectionary and sundry items like underwear, small electrical appliances and sporting goods. All prisoners had a limit to the amount they could spend at the canteen each week. The limit amount depended on the supervision regime under which a prisoner was being managed. For example, a prisoner on a basic regime could spend \$57.26 at the canteen each week; a prisoner on a standard level of supervision could spend \$134.96 each week while those prisoners on an earned supervision regime could spend \$202.44 at the canteen each week. These amounts comprised 50 per cent from their gratuity accounts and 50 per cent from their private cash.

- 4.18 The town spends system was also very robust. Prisoners could order items through town spends which the activities officers shopped for on allocated days of the week. The range of items accessible to prisoners through the town spends system was extensive, and the staff responsible for managing the system worked hard to ensure that prisoners received the items they ordered. The town spends system does not exist in all prisons, with many prisons only providing an on-site canteen service. Albany does well, therefore, to maintain a town spends system that operates effectively and with which prisoners are generally satisfied.
- 4.19 A recent change to the dollar limits attached to the activities officers' credit cards was, however, impacting on the prisoner purchasing system at Albany. The inspection team was informed that their credit card limit had been drastically reduced, without these officers being informed of these changes prior to them occurring. The impact of this for prisoners was that some items, such as CDs and DVDs, were no longer available for purchase through the canteen or through town spends. The changes also impacted on the activities officers' capacity to order and pay for items autonomously. They now had to be accompanied by a staff member from the prison's finance department who had a larger credit card limit to pay for large orders. This change was potentially adversely affecting the good systems in place at Albany. This Office fully understands the need for prudent financial controls but it is important to strike the right balance. The Department needs to ensure that the systems allowing prisoners to purchase items through the canteen and town spends are not adversely affected by the limitations imposed on the activities officers' financial purchasing capacity.

RECREATION

- 4.20 In 2011 the inspection findings in relation to recreation at Albany were positive with prisoners listing this as among the three best things in the prison.¹⁸ In 2015, access to recreation seemed less well-received by prisoners: only around one-third of respondents to the pre-inspection survey said that their access to recreation was good. Whereas three years ago there were options available for prisoners to participate in structured recreation activities, such as football in winter and soccer and cricket in summer, in 2015 soccer was the only organised recreation option. Many prisoners complained about this, saying this excluded a lot of prisoners who may not be keen on playing soccer or unable to get onto one of the soccer teams because numbers would be limited.
- 4.21 The poor condition of the oval was also a deterrent for prisoners to participate in recreation activities that involved running across and around the oval. The grass was worn in patches and there were a lot of holes. This presented as a physical safety and injury risk issue which must be addressed.

18 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012) 55.



Photo 7 : The poor condition of the oval.

- 4.22 The inspection team were told by both staff and prisoners that the oval regularly closed when there were insufficient numbers of staff to monitor large numbers of prisoners. While the activities officers could not provide specific detail on how often the oval was closed due to short staffing, they said when this did occur it caused a lot of disruption, and could occur as often as a couple of times a week.
- 4.23 When the oval was closed prisoners remained confined to their units for recreation. Each unit had some exercise equipment that consisted mostly of fixed structures that prisoners could use to do body weight exercises. There were some cardio-based machines (rowers, cross trainers, exercise bicycles) in some of the units too. Except for Unit 4, the newest and most privileged accommodation unit, the exercise equipment was in poor condition, and in some cases broken or with essential pieces missing, for example the net for the table tennis table in Unit 3.
- 4.24 Some of the accommodation units also had multipurpose outdoor exercise courts (for example Unit 4 had a court that could be used as a tennis court and basketball court). However, with no structured organisation of teams or competitions, these facilities were haphazardly used.

Recommendation 4:

Ensure that prisoners have daily access to a wide range of recreational activities including a properly maintained oval and exercise equipment.

RELIGIOUS NEEDS

- 4.25 Religious services at Albany were held in the chapel, which was a small room located next to the social visits centre. The room was at the end of a corridor that also housed the non-contact visits rooms, the strip-search room for prisoners attending visits, and the rooms used for videolink court purposes.
- 4.26 The chapel was often used for other, non-religious purposes. For example, the chapel was used as a venue for the inspection team to conduct meetings with groups of staff and prisoners. Often the chapel was unavailable to the Chaplain because officers were using it for custodial purposes. This made it difficult for the Chaplain to use this space to interview or counsel prisoners as he was never sure whether he would be interrupted by other staff needing to use the room. Further, this made it impossible to create a quiet place for prisoners away from the noise and chaos of everyday prison life and prevented it from being a dedicated spiritual ‘space’ at Albany. The Inspectorate expects that each prison provide suitable facilities for prisoners to practise their religious worship. This expectation was not satisfied at Albany.
- 4.27 The Chaplain at Albany has been attending the prison for almost 15 years and was well-respected by prisoners and officers. He is a part-time Chaplain providing predominantly Christian services, but has capacity to provide for the requirements of prisoners from other religious beliefs. Non-Christian prisoners’ religious needs were met by supplying them with the necessary religious accoutrements and providing them a space to practise their religious rituals and traditions. He has also ensured attendance by appropriate religious leaders, such as an Imam.
- 4.28 Formal Christian religious services were provided every Sunday with other Christian-based activities also available such as bible study and hymn-singing sessions. Attendance at the Sunday services was open to all prisoners, with an announcement made by officers over the public address system notifying prisoners when the Sunday services were on.

THE CULTURAL NEEDS OF ABORIGINAL PRISONERS

- 4.29 Forty-two per cent of Albany’s prisoner population is Aboriginal meaning that the prison needs to be considerate and inclusive of the cultural differences which may (or may not) require additional service considerations. The behaviours and practices of the Department, the prison, and individual employees should reflect respect for cultural differences.
- 4.30 Of all the Aboriginal prisoners who completed the pre-inspection survey, more than half claimed that the staff at Albany do not understand or respect their culture.¹⁹ The prisoners explained, both in the surveys and during the inspection, that they would like to see an improvement in cultural awareness among staff and more appreciation for the diversity of the Aboriginal culture. These concerns were particularly prevalent among the Aboriginal prisoners from remote communities, who felt poorly treated by officers who did not understand their culture. Prisoners on the peer support team confirmed that remote Aboriginal prisoners, particularly those sent to Albany for courses, feel isolated, neglected and disconnected from the rest of the prison population.

19 Twenty-five of out of 46 Aboriginal prisoners who completed the survey claimed that staff do not understand their culture, and 24 out of 46 claim that staff do not respect their culture.

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- 4.31 This Office believes it is important to recruit and retain Aboriginal staff to build and maintain linkages with Aboriginal prisoners, and to champion for Aboriginal prisoner needs among the staffing group. There was a total of four staff at Albany who identified as Aboriginal, including two custodial officers, one Vocation Support Officer, and the Peer Support Officer. Responses from the pre-inspection survey revealed that prisoners felt the need for more Aboriginal staff who understand their cultural needs.
- 4.32 A good Aboriginal prisoner strategy would recognise the special family and kinship obligations of Aboriginal prisoners and encompass plans to develop support groups, facilitate visits from external community groups, engage prisoners in work and training, develop courses and programs suitable for Aboriginal people, and provide services that respect Aboriginal: food preferences, customs, spirituality, celebrations, ceremonies, and arts and crafts. None of this was evident at Albany. In addition, unlike other prisons in the state, Albany did not display the Aboriginal flag at the entrance of the prison.
- 4.33 Even outside service providers made comment that the prison had lost sight of its Aboriginal prisoner philosophy. This was further reflected in the collapse of the Prison Aboriginal Services Committee (PASC). PASCs were introduced statewide by the Department to ensure that Aboriginal prisoners departing prison had access to the services and programs needed to facilitate healthy lifestyles upon their release. This in turn was intended to contribute to the reduction of reoffending and Aboriginal disadvantage. The PASC process was managed from head office, but convened locally at all state-run prisons. Unfortunately, following the departure of a key individual in 2012 who drove the process from head office, the PASC system was no longer operating across the state or at Albany.

Recommendation 5:

Implement an Aboriginal prisoner strategy at Albany that addresses the cultural needs of both local and remote Aboriginal prisoners.

- 4.34 The Aboriginal prisoners mentioned that small acts would go a long way in bridging the cultural gap between Aboriginal prisoners and staff. By far the most frequently mentioned request was for more Aboriginal food, including Kangaroo and damper. Prisoners drew reference to some of the metropolitan prisons that serve cultural meals, and also to previous practices when kangaroo cook-ups were regularly occurring. The prisoners were even willing to cook the damper themselves if the prison could provide the cooking space and ingredients.
- 4.35 Another disheartening issue frequently mentioned by Aboriginal prisoners during the inspection was that many were not able to attend funerals of family members. As well as the significant cultural obligations surrounding funeral attendance, failing to attend a funeral can be damaging to mental wellbeing and may also be seen as a sign of disrespect for which there may be cultural consequences. In September 2013, this Office produced a paper that reviewed funeral attendances by incarcerated people in Western Australia which concluded that the Department's policies regarding funeral attendance impacted disproportionately on Aboriginal people.²⁰

20 OICS, *Funeral Attendances by Incarcerated People in Western Australia* (September 2013).

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- 4.36 This Office acknowledges that not every prisoner can attend every funeral, and that logistics, security and other risk factors must be taken into account when assessing each individual application. Between July 2013 and September 2014 Albany received 61 applications from prisoners to attend funerals, but only 12 prisoners were approved to attend. This meant that over a 19 month period, Albany had to manage 49 prisoners who were not permitted to attend the funeral of a loved one. Prisons need to ensure that the mental wellbeing of the prisoner as well as the safety and security of the prison are maintained after a prisoner has been told about the rejection of their funeral application.
- 4.37 The inspection team were on-site when one Aboriginal prisoner was informed that his application to attend a funeral near Perth was declined. Both the staff at Albany and the prisoner had assumed his application was likely to be granted by head office, so it had been arranged for him to be transferred to Perth. Unfortunately, at the last minute the prisoner's application to attend the funeral was denied. Not surprisingly, the situation was unpleasant and emotionally distressing for the prisoner, particularly as he had realistically hoped to attend his mother's funeral. While the timing of the news was not ideal, staff at Albany managed the prisoner sufficiently afterwards. He was placed back into the units where he was permitted to spend time with his close companions to grieve, and was offered support from the Chaplain, peer support and the prison's senior management team. Members of the Aboriginal Visitors Scheme were also made aware of the situation and made contact with the prisoner the following day. This was good practice demonstrated by the prison.
- 4.38 The Aboriginal Visitors Scheme (AVS) in Albany consisted of two Aboriginal women employed by the Department to visit the prison and provide support and counselling to prisoners. They are very well-respected at Albany and for many years have had a positive relationship with local management and prisoners alike. The 2015 inspection found that this situation was ongoing. The women attend the prison three times per week and also make themselves available to individual inmates during times of personal crisis or if requested by prison staff. They travel around the prison unfettered and will visit all living areas including E Yard where prisoners on punishment or deemed to be at-risk are housed. Unsurprisingly, the AVS advised the inspection team that the issue of funeral attendance and the Department's strict eligibility criteria continues to cause prisoners, particularly Aboriginal prisoners, very real distress.
- 4.39 The AVS visitors were also concerned at the number of changes that they felt were negatively impacting on the performance of their role. Firstly, the impact of budget cuts had resulted in a reduction of their service. They were now no longer funded to visit Pardelup Prison Farm and the local police lock up. Furthermore, the days that they attended Albany prison had been cut from four days per week, to three. This was a cause of concern for the visitors themselves, but was also raised as problematic by prison management.
- 4.40 Secondly, shifting arrangements at head office had resulted in a situation which saw the roles of manager of the AVS, and manager of the Peer Support Services being provided by the same individual. This is an acting arrangement, but there is no indication how long it will continue. AVS visitors across the state have expressed dissatisfaction with this arrangement,

and have noted that – unsurprisingly – they have experienced less support than previous arrangements had permitted.

THE CULTURAL NEEDS OF FOREIGN NATIONAL PRISONERS

- 4.41 There is usually greater flexibility to house foreign nationals at Albany because many do not receive regular family visits. In fact, there were 34 foreign national prisoners at Albany during the inspection, mostly from other English speaking countries – New Zealand, United Kingdom and the United States of America. A small proportion were from non-English speaking backgrounds.
- 4.42 Prisoners with little English ability told the inspection team how difficult they found being in prison in a foreign country. In some situations, prisoners of the same nationality could be housed together so they could speak their home language and support one another. But that was really the only relief for foreign national prisoners. The library did not stock books or DVDs in foreign languages, and the prisoners were not permitted to have their own items sent in. International phone calls were expensive and the prisoners from Hong Kong expressed their difficulties using Skype, as the computer was not able to recognise the Chinese characters in the Skype addresses.

MAINTAINING FAMILY CONTACT

- 4.43 Social visits sessions at Albany were available seven days a week. One session was provided each week day, with two sessions each day over the weekend. This represents good provision of visits sessions, and certainly meets the requirement for the right to have a visit every day for the remand prisoners accommodated at Albany.
- 4.44 Three visits sessions each week were designated as adult only visits: on Tuesdays, Thursdays and Sundays. This allowed those prisoners who preferred quiet visits sessions undisturbed by children the opportunity to have these. These sessions are also set aside for those prisoners whose crimes involved children and who had restrictions on being in the presence of children. The inspection found this to be good practice at Albany.
- 4.45 The visits centre at Albany has capacity for 15 prisoner visits to take place at any one time. There are also three non-contact booths for prisoners (or visitors) who are under restricted visits orders and are unable to have contact. There is a small area in the visits centre set aside as a children's entertainment area. This is cordoned off and contains very little play equipment for the children. There is a television and DVD player and one drawer in the television cabinet containing a few toys which were not enough to keep potentially up to more than 15 children occupied, let alone entertained, for over two hours. Upon closer inspection, the toys that were in the drawer were old, had pieces missing, and did not look clean. The drawer containing the toys was very difficult to open, and even adults had to use some force to pull the drawer open, increasing the likelihood of the entire cabinet being pulled over.



Photo 8 : The children's play area in the visits centre.

- 4.46 There is a small outside area adjoining the internal visits centre. This area had not been in use since before the previous inspection in 2011. Then, the inspection team was informed that this was because of structural defects. In 2015 the outside area was still closed.



Photo 9 : The external courtyard of the visits centre that has not been used for years.

- 4.47 Inspection team members first attended the visits centre on a warm day in the middle of summer. It was stifling hot and there was no airflow, either through open windows or even by electric fans. The visit session on Sunday afternoons is two and a half hours long which is a long time for prisoners and their visitors to be in this airless environment with no option to take a break for some fresh air.
- 4.48 The closure of the small outside area adjoining the internal visits centre exacerbates this problem. Use of this area for visits would allow the doors to be left open thus benefiting not only those enjoying the privilege of an outdoor visit, but also allowing airflow through into the indoor visits centre assisting in cooling this area for the other people inside. The visit centre needs to be revamped. The toys need to be updated and the number and variety of these increased.²¹ A toy cleaning regime must be put in place and the toy storage cabinet should either be fixed so that the drawer slides out a lot more easily, or replaced.

Recommendation 6:

Improve the conditions of the visits centre.

SKYPE

- 4.49 This Office commended Albany on its use of Skype for social visits purposes in the previous inspection report. At the time of the 2015 inspection, Skype remained one of the more positive features of the social visiting arrangements at Albany.
- 4.50 As a consequence of poor internet connection speed due to the location of the prison, however, there was only one Skype terminal available for use by prisoners. Nevertheless, this one machine was well-utilised, with approximately 180 Skype social visits sessions facilitated by the prison each month.
- 4.51 Most of the prisoners who make use of Skype are ‘regulars’ and have a weekly session booked at the same time each week. Prisoners can have more than one Skype visit per week if there are slots available. At the time of the inspection there was high demand for Skype and prisoners were mostly limited to one Skype visit a week. Further, due to the demand on the single Skype terminal, a prisoner may not have a Skype visit and a ‘physical’ social visit with the same visitor in the same week. The popularity, security and success of Albany’s use of Skype calls into question, yet again, the Department’s failure to implement the technology at the majority of other prisons in the state.

PRISONER COMPLAINTS

- 4.52 Overall, the inspection found that prisoner complaints and grievances were appropriately managed. Local prison management told inspection team members that the best outcome for a prisoner complaint is for it to be resolved within the unit. This is the first avenue a prisoner must take when lodging a complaint or grievance at Albany. Complaint forms are freely available within the accommodation units, as are the yellow envelopes prisoners can use to send confidential correspondence to external agencies like the Ombudsman, the Minister, and this Office.

21 The Department have advised us that since the inspection, new toys have been purchased for visitors.

- 4.53 Where a complaint cannot be resolved at the local level, prisoners can forward their complaint through to the Department's complaint department known as the Administration of Complaints, Compliments and Suggestions Scheme (ACCESS). ACCESS refers all prisoner complaints to the Albany management team, which are actioned and investigated before the outcome is referred back to ACCESS.
- 4.54 Between July 2013 and August 2014, 162 complaints were lodged by prisoners at Albany. Most of these related to prisoner property, followed by sentence management, health and communication. Only six of the complaints over this period went unresolved. The majority (124) were resolved by explaining the situation to the prisoner. In 19 instances, the situation that caused the complaint was corrected and in 29 cases an outcome favourable to the prisoner was achieved.

PRISONER REPRESENTATION

- 4.55 There are two groups through which prisoners have representation at Albany: the Prison Forum, and the Peer Support Team.
- 4.56 The Prisoner Support Officer (PSO) leads the Peer Support Team, which is comprised of a group of prisoners who assist vulnerable prisoners, new arrivals or anyone else having difficulties. Peer Support is ultimately focussed on suicide prevention. At the time of the inspection in January 2015, the PSO had been in this position at Albany for almost 12 months. He had been proactive in keeping the Peer Support Team invigorated and had increased the capacity of the team to ensure more consistent representation for all prisoners in the different accommodation units. The PSO formally meets with the peer support prisoners monthly, and records of these meetings are kept. The PSO, now settled and motivated to drive the Peer Support functions forward, is in a good position to re-introduce Peer Support into orientation practices.²²
- 4.57 The PSO has received mentoring from the experienced PSO at Bunbury Regional Prison, who has also kept the peer support team's relevant suicide prevention training up-to-date. The PSO acknowledged that he was still relatively new to the role and learning as he went along. He said he was receiving strong support from local management and planned to increase the representation on the peer support team by recruiting some out of country Aboriginal prisoners.
- 4.58 Inspection team members met with four prisoners who were on the Prison Forum. This group was established in May 2011, and is a replica of other such prisoner groups in other prisons (for example Acacia and Hakea prisons). The purpose of this group is different from peer support, in that it takes prisoner-related issues to management. In 2011 the Prison Forum was going well:²³

The composition of the forum reflects the diversity of the prisoner population ... [T]he outcomes of the meetings are recorded and distributed in the monthly prison newsletter. As a mechanism for communication between prison management and prisoners, it enables the prison to explain its policies and processes. Positive effects include reduction of misunderstandings about prison rules and a sense of agency achieved through self-representation. Consequently, prisoner morale has improved.

22 See [4.5]–[4.6].

23 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012) 59.

- 4.59 In 2015, unfortunately, this group was struggling. The group had not met with management for at least three months because of management unavailability. The members we spoke with also expressed frustration over what they perceived as management's reluctance to take the issues they presented seriously and to make some positive decisions on these issues. They also said they were not provided with reasons for negative responses from management.
- 4.60 It is important that the Prison Forum be reinvigorated at Albany. In the past this group has played an important role in bridging the gap between prisoners and management. With the group currently static, prison management is losing an opportunity to remain engaged with prisoners' experience of life at Albany.

Recommendation 7:

Improve management engagement with prisoners.

Chapter 5

PHYSICAL AND MENTAL HEALTH CARE

HEALTH CARE CENTRE

- 5.1 This inspection found that little progress had been made to improve the infrastructure of the healthcare facility at Albany. As in 2011, the centre in 2015 remained small, cramped and unfit for purpose. There were no hygienic areas for disposing clinical waste and the narrow corridor was used for storage, making the centre feel even more cramped. It was disappointing that so little progress has been made since the last report in 2011.
- 5.2 There were insufficient numbers of clinical rooms and some of the consultation rooms were fitted without an egress in case of emergency. One consultation room was positioned in a way that it was only accessible to prisoners by walking through another one, which also doubled as a copier room. The security officer assigned to the health care centre was positioned in a manner which meant confidentiality was not assured. More generally the layout of the health care centre seriously compromised patient confidentiality and offered no privacy for the prisoner. This may reduce prisoner confidence in presenting problems to the health care centre.



Photo 10 : The hallway of the medical centre used for storage.

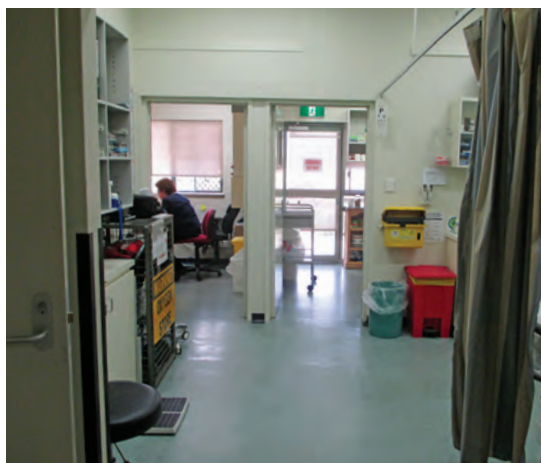


Photo 11 : Medical consulting rooms also used as thoroughfares.

- 5.3 To create additional consulting rooms, the medical administrative staff moved to a small portable building at the back of the healthcare centre. The inspection team also heard of plans to install a second portable building at the front of the health centre to provide some more much needed consultation rooms. The idea of introducing two detached portable buildings to service the health care needs of prisoners may alleviate some pressure, however the solution is haphazard, lacks coordinated planning and is likely to result in fragmented and inefficient delivery systems. A more cohesive strategy should be designed to deliver a specific model of care for prisoners.

HEALTH CARE STAFFING

- 5.4 The healthcare staff are all dedicated to the improvement of health care for prisoners. This was evident in the prisoner pre-inspection survey, where 68 per cent of prisoners surveyed felt that the general health services at Albany were 'good'. This result sat well above the state average for the past three years and was much higher than the 2011 inspection.²⁴
- 5.5 The centre is supported by a 0.8 Full Time Equivalent (FTE) General Practitioner (GP), who is responsible for managing a significant proportion of prisoner healthcare issues. The GP was genuinely concerned about the health care of prisoners, however he sometimes saw only four patients per day. This low consultancy rate prolonged waiting times beyond the stipulated 28-day limit and was insufficient to meet the health needs of the entire prison. We found no operational reason for this inefficiency, which may need further investigation by the Health Services Directorate at the Department's head office.
- 5.6 Morale among some healthcare staff was poor. While the health care staff generally worked well together, some parts of the team appeared fractured and were not functioning cohesively. Positively, these issues were recognised by the health centre management and action had been taken in an attempt to alleviate the conflict.
- 5.7 Staff training was not a priority for health care staff. Mandatory training had not been completed and one staff member was even out of date for cardiopulmonary resuscitation (CPR). Without regular refresher training, the staff risk being deskilled and becoming professionally isolated, and in time this could potentially erode the delivery of quality healthcare.
- 5.8 The health care system at Albany could be improved with better scheduling and planning. For example, the methadone clinic runs daily between 11.00 am and 11.30 am, during which time the healthcare centre is closed to other practitioners. This limits their ability to continue their clinics. The shift system also has a negative impact on healthcare delivery: for example, evening medication is dispensed at an inappropriately early time to fit in with the prison regime. Distributing medications early may mean they are not as efficacious as they could be.

MENTAL HEALTH

- 5.9 Because of Albany's prisoner profile and its security rating, the prison experiences high rates of personality disorders, substance misuse and coexisting morbidities (such as serious mental illness, personality disorder, substance misuse, intellectual disability and cognitive impairment). On top of this, the usual factors found within prisons potentially adversely affect the mental health of prisoners. These include: crowding, poor environmental conditions, inadequate health care, aggression (physical, verbal, racial or sexual), lack of purposeful activity, the availability of illicit drugs, enforced solitude, distance from family and lack of privacy.

24 In 2011, only 58 per cent of respondents to the Albany pre-inspection survey thought that the health services were 'good'. Only 45 per cent of respondents across the state think that health services are 'good'.

- 5.10 A visiting psychiatrist attends three days per month and a co-morbidity nurse works full-time at Albany to provide psychiatric care. Between them, they conduct assessments and manage about 30 people in the prison who have serious mental illness. They both see patients individually and hold multidisciplinary case meetings. Unfortunately, in the 12 months leading up to the inspection, the mental health specialists had seen a deterioration of prisoners' mental health, and an increasing number of prisoners suffering from emotional difficulties and behavioural dysregulation. The mental health professionals concluded that these issues were a result of the prison focusing more on custodial operations and less on prisoner care and wellbeing.
- 5.11 If a prisoner is identified as being at-risk of self-harm or suicide, they can be placed on the At-Risk Management System (ARMS), which is a suicide prevention strategy for people in custody. A multidisciplinary team made up of the Co-morbidity Nurse, unit managers, the Prison Counselling Service, the Aboriginal Health Liaison Officer, and the Superintendent review the prisoner's situation and determine the level of risk and supervision required. A case management plan is devised and the prisoner is monitored regularly until their level of risk reduces to a safe level. The risk management system works well at Albany and as a consequence the rate of suicide and self-harm is low.
- 5.12 External mental health care in Albany is extremely limited. The local hospital is reluctant to admit prisoners to local beds for security reasons, and access to beds in the Frankland centre (Perth's maximum-secured inpatient psychiatric hospital) remains very restricted due to the long standing lack of beds in that facility. Distance is also an extenuating factor. This has proved difficult for the staff at Albany who have had to manage prisoners who may be suffering from a critical psychological episode. When the prison experienced an incident with a prisoner who was extremely mentally unwell, the prison had no other choice but to keep him in an observation cell until a vehicle could take him on the 420 km journey to the Frankland Centre in Perth. The prisoner suffered from extreme distress in the vehicle being confined to a small enclosed metal pod, and brutally self-harmed during the journey in an attempt to remove his handcuffs. It is extremely disappointing that the Department's only option was to transfer the prisoner in a prison van while in such a vulnerable state.
- 5.13 This simply is not good enough and is not specific to Albany. The inspection of West Kimberley Regional Prison (WGRP) identified that the local hospital in Broome also cannot always accept mentally ill prisoners as inpatients, so prisoners can sometime be flown to Perth for treatment on a public aeroplane. We recommended that the Department 'initiate discussions with the Health Department and the Mental Health Commission to allow mentally ill prisoners from WGRP to receive inpatient treatment in a locked authorised bed in Broome Hospital rather than being transported to Perth'.²⁵ As with the WGRP case, the Department will need to work with both the Department of Health and the Mental Health Commission to address the mental health needs at Albany and other regional prisons.

25 OICS, *Report of an Announced Inspection of West Kimberley and Broome Regional Prisons*, Report No. 96 (March 2015) Recommendation 18.

Recommendation 8:

Develop more appropriate practices for managing prisoners at Albany and other regional prisons who suffer from critical mental health issues.

DENTAL SERVICES

5.14 In 2011, this Office recommended that:

‘The Department must ensure the provision of an adequate dental service, including emergency and acute care (whether provided by Dental Health WA or an alternative service)’.²⁶

5.15 The 2015 inspection found that little had changed since 2011. The dentist’s visits were still scheduled to occur twice per fortnight, which was not even close to meeting the dental needs of prisoners. The prisoners were certainly disappointed, with only 27 per cent of those who completed the pre-inspection survey rating dental services as ‘good’. The health care staff confirmed that prisoners were often left in pain, suffering from significant tooth-aches, abscesses and cavities and many prisoners required extractions. As well as being concerned for the prisoners who were forced to suffer in pain, the health care staff also felt that if regular dental services were offered, tensions in the prison may reduce. Access to dental services has been an ongoing problem at Albany and other prisons for years. This Office continues to reiterate that the Health Directorate at the Department’s head office needs to address the issue and improve access to dental service across the state.

OTHER SERVICES

5.16 Other health care services are offered to prisoners, such as podiatry, optometry and physiotherapy, however the frequency of service delivery is nowhere near on par to community standards. Most of the service providers only visit the prison once or twice per month, which strictly limits the number of prisoners that can be treated. The frequency of these services needs increasing to adequately service prisoner needs.

5.17 There also appear to be communication issues between Albany prison and the local hospital’s emergency department. When a prisoner returns from the emergency department, the prison receives little documentation from the hospital. This makes it difficult for the health care staff in the prison to continue with the necessary care. A closer working relationship between the prison’s health care unit and the hospital is needed to ensure prisoners’ continuity of care.

ABORIGINAL HEALTH

5.18 Aboriginal people tend to experience significantly poorer health and lower life expectancies than non-Aboriginal people, and disproportionately suffer from long-term health conditions such as diabetes, kidney disease, respiratory disease, cardiovascular disease, and eye and ear problems.²⁷ The 2011 Albany inspection report recommended that the prison introduce an

²⁶ OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (August 2012).

²⁷ Australian Bureau of Statistics and AIHW, *Health and Welfare of Australia’s Aboriginal and Torres Strait Islander People* (2003)(in Footprints document p6).

Aboriginal Health Worker to provide culturally appropriate health care services to Aboriginal prisoners, but by the time of the 2015 inspection this recommendation had still not been actioned.²⁸ In fact, the prison did not even have a tailored model of care designed for Aboriginal patients at Albany.²⁹

- 5.19 As 42 per cent (125) of prisoners at Albany identified as Aboriginal, the prison would benefit significantly from employing an Aboriginal Health Worker, similar to the Indigenous Enrolled Nurse at Acacia prison. At Acacia the Indigenous Enrolled Nurse encourages both local and out of country Aboriginal prisoners to engage with the health centre. The 2014 inspection report of Acacia prison revealed that since the introduction of the position, more Aboriginal prisoners were engaged with the health centre, knowing they could liaise with an Aboriginal staff member.³⁰ The worker at Acacia also worked alongside the mental health and peer support teams to enhance the mental wellbeing of Aboriginal prisoners and provide cultural awareness and support for the medical staff.
- 5.20 Positively, an Aboriginal Health Liaison Officer, which is not a health position and more of a liaison position, was appointed to Albany to connect Aboriginal prisoners close to their release date with external healthcare providers. In 2011, the position was funded for all prisons in the state by the Commonwealth Council of Australian Governments. The funding proposal ceased in 2014 with many prisons losing the Aboriginal Health Liaison Officer position, however fortunately Great Southern Health appreciated the value of the service and had continued to fund the position at Albany.
- 5.21 The Aboriginal Health Liaison Officer is a local Noongar man and well-connected among the local Aboriginal communities. He is heavily involved with community service providers in the local catchment areas around Albany, and even has contacts with service providers and support networks in areas further afield such as Perth, Kalgoorlie, Geraldton, Broome and other places to which released prisoners return. He liaises with Aboriginal prisoners six months before release, and then for six months following release back into the community.
- 5.22 The Aboriginal Health Liaison Officer spends around 50 per cent of his time in the prison and the other 50 per cent of his time liaising with community service providers. He sees around 75 prisoners per month, many of whom require mental health services upon release. The prisoners trust the Aboriginal Health Liaison Officer so much that they often raise issues that are not specifically health related, such as post-release housing and work. In these instances he facilitates contact with the appropriate prison contact such as the Transitional Manager, or external service providers. This Office is pleased that Great Southern Health saw the benefit in employing an expert to service the transitional health needs of prisoners and hope to see this practice continue, not only in Albany but also in other prisons around the state.

28 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (August 2012).

29 The Department responded to this comment requesting it to be removed because Albany Prison has an Aboriginal Health Liaison Officer. However, the Aboriginal Health Liaison Officer cannot medically treat patients and instead works in a transitional services role, providing referrals to Aboriginal prisoners as they leave Albany Prison.

30 OICS, *Report of an Announced Inspection of Acacia Prison*, Report No. 90 (June 2014).

Chapter 6

STAFFING

STAFFING OVERVIEW

- 6.1 Albany had a total of 182.4 full-time equivalent (FTE) employees. Of these around 168 were custodial officers. There were only 19 female custodial officers.³¹
- 6.2 For some time prior to the inspection, it was evident that there was considerable tension among the staffing groups at Albany. In fact, 12 months prior to the inspection the Western Australian Prison Officers Union (WAPOU) went as far as introducing a vote of no confidence in the prison's Superintendent. The vote was largely a symbolic gesture with no outcome or consequence, yet it was intended to damage and may have done so. The results of the pre-inspection survey of staff also indicated that a great deal of resentment was targeted at the prison's Superintendent, who bore the brunt of blame for budget cuts and changes to local routine.
- 6.3 By the January 2015 inspection, anger towards the Superintendent among the officer group had died down, although some frustration and disillusionment remained. The custodial officers reported feeling undervalued by all levels of management, from their immediate line managers up to the Minister, whose public statements about custodial officers were perceived to be damaging, and to have undermined their roles and reputation.
- 6.4 Yet in spite of this, Albany continues to run well in many respects and staff still seemed reasonably satisfied with their working life. In the pre-inspection surveys, staff rated their quality of working life at 6.2 out of 10, which is was fairly consistent with the state average over the past three years. Similarly the staff groups' level of work related stress was rated as 6 out of 10, which is slightly higher than the state average of 5.8.³²
- 6.5 Compared to many other Western Australian prisons, Albany has a good record regarding levels of workers compensation. This was the case in 2011 (with only one active case), and again in 2015 (with four cases active). The recent report of an inspection of Banksia Hill found that Albany compared favourably with other facilities in the state, with only 27.31 hours of worker's compensation leave over the 2013/14 financial year, compared with the state average of 58.85.³³ Consultation with staff suggested that a high level of collegial support and a generally positive working environment influenced the low workers compensation figures.

OVERTIME REDUCTION MEASURES AND STAFF REDEPLOYMENT

- 6.6 In response to large scale budget cuts, Albany has restricted the availability of daily overtime shifts, which were capped to six per day.³⁴ In other words, regardless of the number of staff who do not attend work on any given day, only a maximum of six shifts can be filled by staff on overtime.

31 FTE figures were provided by the Department prior to the inspection. Administrative staff and custodial staff only, support staff not included. DCS, *1.11 Human Resource Information for Albany Regional Prison – for the period 01/07/13 – 30/6/14* (2014).

32 'The state average' refers to the average findings from pre-inspection surveys conducted in the fourth round of state-wide prison inspections.

33 OICS, *Report of an Announced Inspection of Banksia Hill Detention Centre*, Report No. 97 (April 2015); (based on ->) RiskCover, *Department of Corrective Services worker's compensation and injury management systems review* (February 2013).

34 The Department spends approximately \$30 million per year on overtime.

STAFFING

- 6.7 The prison's management team had devised a redeployment strategy for days when the six overtime shifts do not sufficiently cover all roles. The strategy ensured the continuation of daily prison operations, regardless of staff complement. The philosophy when determining these guidelines was to minimise disruption to operations, and to ensure that the locking down of prisoners was an absolute last resort.
- 6.8 In effect, this strategy requires the redistribution of officers from their rostered positions to ensure appropriate coverage. For example, if after the six overtime positions are exhausted, the prison is still one custodial officer short, officers are redeployed to the units and other essential areas, to create a 'vacant' position at the gatehouse. The gatehouse vacancy is then filled by a Vocational Support Officer (VSO) who is redeployed from their instructing position in the workshops. If the prison is two officers short, two VSOs are stationed in the gatehouse. For three or more positions other operational staff are identified for redeployment around the prison, capping the amount of VSOs to be redeployed to two on any one day.
- 6.9 There are a number of flow-on effects from these redeployments. Firstly, the removal of VSOs from their workshops means that the prisoners they would have been supervising for the day (a maximum of 10 prisoners per VSO) are returned to their units, instead of attending their regular work or training. The prisoners affected lose their opportunity to spend a day working or training in the position they have earned, which has implications for any who happen to be undertaking traineeships. It also impacts the prisoners' ongoing rehabilitation.
- 6.10 Secondly, the closing of workshops restricts prisoner employment opportunities and means that the number of prisoners spending the day in the units is increased. Custodial staff noted that this increase in prisoners in the units on a daily basis made them feel unsafe, and they did not want this practice to continue without additional staffing in the units.
- 6.11 Finally, some staff were uncomfortable with the idea of VSOs being positioned in the gatehouse. They felt they were not appropriately trained or experienced enough for a position that has security responsibilities. And of course, the VSOs themselves expressed disappointment at being taken away from their jobs.
- 6.12 In spite of the number of complaints that were heard about these restrictions, some staff members approached the inspection team with a different perspective. They indicated that the motivation behind the custodial officers' dissatisfaction with overtime restrictions was not related to safety concerns, but rather a loss of earning capacity. It was suggested that previously at Albany (as with many other prisons across the estate) a staff culture had developed which normalised the use of personal leave as a means to facilitate overtime, and viewed overtime as an entitlement to be exhausted. It was further reported that any attempts to challenge staff on their culture of leave taking was met with considerable resistance.
- 6.13 At the time of the inspection it appeared unlikely that overtime reduction measures and staff redeployments would change. In fact, during the inspection, team members heard that similar restrictions were coming into effect at other prisons within the state.

TOO MANY ACTORS? BARRIERS TO RECRUITMENT

- 6.14 During the 2011 inspection of Albany, staff were unhappy with the number of managers who were acting. This had a twofold impact: it created a sense of instability due to the lengthy nature of the arrangements and also resulted in many managers holding positions they had not received adequate training for.³⁵
- 6.15 Unfortunately, the 2015 inspection found little improvement in this regard. As was the case three years earlier, only two members of the 10 person senior management team were substantive. Furthermore, the two Principal Officers positions were being filled by three senior officers on higher duties, with a lot of custodial officers then backfilling in these senior officer positions.
- 6.16 Having so many positions filled by temporary actors was creating a trickle-down effect, as the positions were typically filled by individuals who held substantive positions in the level below. This in turn created the need for an individual to fill the actors' substantive role, and so on. There were a number of reasons why this appeared to be happening so much at Albany.
- 6.17 Firstly, as noted above the two Principal Officers' roles at Albany are not filled substantively. The role of the Principal Officer is broadly identified as providing a link between administration (the senior management team) and custodial officers. However, its functions and duties have been poorly defined for many years and as a result the roles' functions vary from site to site. During the inspection, the Department had not finalised the role's Job Description Form (JDF), and instead the position had been loosely defined by a generic JDF since December 2012. This prevented substantive recruitment into the role statewide. Therefore Albany's management have been unable to advertise the positions for many years, let alone fill them substantively.
- 6.18 This situation was also noted in this Office's recent report of an announced inspection of West Kimberley Regional Prison. That report recommended that the Department permanently fill vacant Principal Officer positions across the state.³⁶ The Department responded by stating that 'positions with a clearly identified need will be filled' and in January 2015 the Department reviewed and endorsed a new JDF for the Principal Officer role.³⁷ This Office hopes that the new JDF will be applied broadly, as otherwise the trickle-down impact of filling mid-to-high level roles temporarily will continue to have a destabilising effect on the ranks of those below.
- 6.19 Secondly, in the first half of 2014 the State Government placed a number of 'freezes' on recruitment across the Western Australia public service. To save costs, the public service was prohibited from hiring for a period of at least three months. However, once the freeze was lifted, the Department still required prisons to obtain prior approval to advertise vacant positions, which has slowed down recruitment across the prison estate for much of the period since.

35 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012) 18.

36 OICS, *Report of an Announced Inspection of West Kimberley Regional Prison*, Report No. 96 (March 2015).

37 DCS, *Response to the Report of an Announced Inspection of West Kimberley Regional Prison* (February 2015) 11.

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- 6.20 Furthermore, while Albany is a regional prison, its positions do not attract the same level of benefits attached to those at regional prisons in the north. For example, there are no housing or regional allowance benefits attached such as those which serve as recruitment incentives for Roebourne, Broome and West Kimberley Regional Prisons. For this reason the Albany Regional Prison, as well as other local public service employers, have found it difficult to attract qualified applicants from outside the local area.
- 6.21 Thus while Albany's senior management has been actively attempting to recruit and fill positions in its custodial management lines, it faces a number of significant challenges in doing so. And for as long as senior positions in the prison remain unfilled, they will need to be filled by a non-substantive actors from a lower level, creating a vacuum – but not a vacancy – in the level beneath them.

THE MISSING PIECE

- 6.22 Unlike many other Western Australian prisons of comparable size and function, Albany's senior management team does not have an Assistant Superintendent Offender Services (ASOS). This Office has not been provided with any logical operational reasons why other prisons have an ASOS position and Albany does not. Superintendents of prisons that do have this position, are supported by two Assistant Superintendents; one with a focus on offender services (the ASOS) and one with a focus on operational matters (the Assistant Superintendent Operations, or ASO). Having these two positions within the prison's management structure ensures that both areas are appropriately represented at a senior decision-making level.
- 6.23 However, an ASOS position at Albany has never been substantively approved by head office, despite one having been in place temporarily. Therefore, the responsibilities that would be taken on by an ASOS, such as reception and orientation, recreation, transitional services, employment, visits, and the management of constructive activities for prisoners, have been devolved to other positions within the prison, including senior officers and VSOs. A number of services, including responsibility for employment and industries, had also been transferred to the portfolio of the Business Manager.
- 6.24 The lack of representation for offender services from a single strong voice at a senior level could be tied to certain issues found during the Albany inspection. For example, the redeployment strategy discussed in paragraph 6.8 prioritised prison operations and disproportionately impacted on industries, which ended up being closed on a regular basis. The strategy not only affected the VSOs as a staff group, but also those prisoners working and training in those affected industries. This decision appeared to suggest that prison operations outweighed offender services, rather than striking a balance between the two. Unfortunately this gave the impression that prisoner rehabilitation services, a key element of the Department's mission statement and strategic plan, was regarded as a lower priority at Albany.³⁸ As discussed in Chapter 4, other areas affecting prisoner welfare, such as prisoner orientation and recreation were also underperforming and would benefit from ASOS representation and direction at a senior level.

38 DCS, *Creating Value through Performance, Strategic Plan 2015 – 2018*.

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Recommendation 9:

Introduce an Assistant Superintendent Offender Services position to create an appropriate balance between offender services and operational matters at a senior management level.

STAFF TRAINING

- 6.25 Albany's Satellite Training Officer runs one, three-hour staff training session every week. Consultation with custodial officers found that while the Training Officer was well-respected and enthusiastic, the officers were frustrated by the limited range of training options available to them. The pre-inspection staff surveys revealed that staff felt inadequately trained in significant areas such as how to manage prisoners with drug or mental health issues, and emergency management processes.
- 6.26 There are a suite of training courses such as CPR, use of force and restraints training that are measured as key performance indicators (KPI), which officers are required to requalify for annually. The Department's 2013 Operational Compliance Review for Albany found that an insufficient number of officers had been trained in courses required to meet their KPIs and recommended that training in these areas should be scheduled as a priority.³⁹ The Satellite Training Officer had prioritised meeting this training goal, which is commendable, but because of how long it takes all officers to cycle through required courses, the Satellite Training Officer has had limited opportunities to offer 'new' training.
- 6.27 It is understandable that KPI required training was prioritised but regrettable that opportunities for professional development and to gain additional key skills had been lost. Officers noted that it was compulsory for them to have Senior First Aid as a condition of their initial employment, yet they had not been offered the opportunity to requalify since. And although a wide range of training options are scheduled through the Department's metropolitan training academy, the cost of travel, accommodation, and backfilling of positions render this option prohibitively expensive for regional prisons.

PERFORMANCE MANAGEMENT AND PROFESSIONAL DEVELOPMENT

- 6.28 The Department's Performance Appraisal and Development System (PADS) is used across the prison estate, and disappointingly continues to be widely dismissed as meaningless. The 2015 inspection of Albany confirmed this view, with staff reporting a lack of confidence in the process. They described it as an exercise in 'paper shuffling' or 'statistics gathering' with no real impact on either performance management or professional development.
- 6.29 Many staff felt that as their managers were acting up and had not received adequate training for their new roles, they lacked the appropriate communication or supervisory skills to performance manage them constructively. There was also a common view that as PADS was often performed by an individual's peer (temporarily performing higher duties) they could be reluctant to give an honest assessment of performance.

39 DCS, *Operational Compliance Review – Albany Regional Prison, Review Commencement Date: 3 January 2013* (2013) 11.

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- 6.30 More generally however, a major failing of the PADS system is that it cannot provide a meaningful performance management option for as long as it is not linked to professional development opportunities.
- 6.31 This Office's recent report of an inspection of Bandyup Women's Prison recommended that the Department reinvigorate that prison's performance management system and improve the PADS system.⁴⁰ In response, the Department supported this recommendation and committed to thoroughly reviewing and implementing an effective performance management framework.⁴¹ This Office looks forward to the outcome and implementation of this review.

ANTI-BULLYING AND APPROPRIATE COMMUNICATION IN THE WORKPLACE

- 6.32 The Department's Bullying in the Workplace Policy Statement states that it is committed to providing a healthy and safe work environment for its employees, and has a zero tolerance approach to all forms of bullying.⁴² However, the Department's 2013 Compliance Review found that Albany was not conducting regular anti-bullying meetings, and recommended that the prison conduct regular, minuted meetings in line with regulations. Documents supplied by the prison in the pre-inspection document request indicate that in response to this, regular Anti-Bullying Meetings were introduced, and ran from July 2013 to June 2014.⁴³
- 6.33 The pre-inspection staff survey revealed allegations of staff-on-staff bullying taking place at the prison. Interviews during the inspection elaborated on these allegations, describing daily verbal harassment, inappropriate communication of requests, and intimidating physical behaviour, from one section of a staff group towards another. Evidence produced by Albany's management team indicated that a number of steps had been taken in order to address bullying behaviour, including the distribution of an Administration Notice to all staff addressing specific allegations of bullying in October 2014.⁴⁴ There were clear and observable indications during the inspection that some of this behaviour was still ongoing, although to a lesser degree.
- 6.34 The existence of staff bullying such as that described to inspection team members is utterly inappropriate and must be formally and appropriately addressed by management. A review of the anti-bullying meeting minutes revealed that no formal anti-bullying meetings appeared to have been held after October 2014 when the Administration Notice was distributed. The anti-bullying measures and strategies in place at Albany are inadequate and more must be done to address such behaviour.

Recommendation 10:

Increase anti-bullying measures at Albany to address allegations of ongoing staff-on-staff bullying.

40 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 93 (October 2014) 13.
 41 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 93 (October 2014) 111.
 42 DCS, *Bullying in the Workplace – Policy Statement* (2007).
 43 Albany Regional Prison, *2.12 Minutes of Anti-Bullying Meetings* (2013–2014).
 44 Superintendent Mr C Farlie, *Albany Regional Prison, Administration Notice No: 37/2014, Subject: Bullying of Staff* (1 October 2014).

- 6.35 A number of issues identified as problematic by staff during the inspection seemed symptomatic of a failure to communicate regularly and appropriately. Some administrative staff were bombarded by requests and queries before they could make it to their work desks. Others had ended up in situations where communication had all but broken down and some sectors of the prison were ‘working in silos’ and simply had no knowledge of what was happening in any other area. Staff claimed that cross-departmental meetings happened in the past, but eventually collapsed as they had been deemed irrelevant, not useful or were not seen as a priority by those attending. All of these issues are worrying, and all require action.
- 6.36 It was clear throughout the inspection that various staffing groups would benefit considerably by having clearer and broader lines of communication across the site. It is therefore incumbent on the prison to find more appropriate and effective ways to ensure that communication at the prison is improved. This would not only lessen the tension between staff members but also provide more accountable and transparent processes. Both morale among prison officers, and the delivery of effective prison operations were at risk of continuing to deteriorate if dysfunctional communication across areas within the prison remained unaddressed.

Recommendation 11:

Ensure communication between staff and management and across different levels of staff are improved.

- 6.37 Perhaps one of the most disappointing things to see during the inspection was the amount of inappropriate signage and pictures displayed throughout the prison. The inspection team noticed a large sign in the prisoner’s kitchen displaying the phrase ‘The answer is NO’. This type of negative reinforcement is not supportive of a positive and healthy rehabilitative environment and has no place within a prison. Similarly, inspection staff noticed an inappropriate poster of a naked woman overtly displayed in the office of a senior officer, an insulting and unacceptable standard for a modern Australian workplace. These signs and images give the perception of a workplace culture where harassment is widely accepted and may even be considered jovial. This needs to stop immediately.

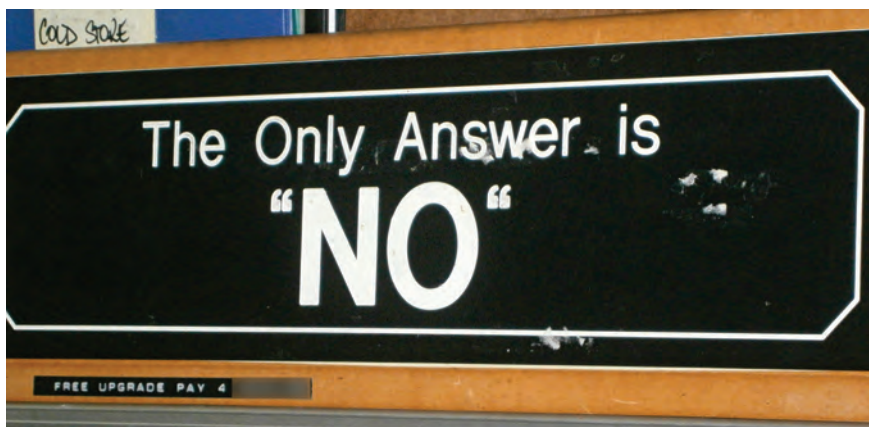


Photo 12 : Inappropriate signage on display at Albany Regional Prison.

Chapter 7

REHABILITATION AND REINTEGRATION

ASSESSMENT AND CASE MANAGEMENT

- 7.1 The process for assessing and case managing prisoners at Albany is effective. The system is administered by the Case Management Coordinator (CMC) and supported by a team of three report writers. The team is responsible for assessing prisoners, drafting management plans, undertaking period reviews and preparing various other reports, including parole reports for the Prisoner's Review Board. A high level of effort is required from these writers, and it is fortunate that Albany management have respected a 2014 head office directive that writers not be redeployed to cover shortages in custodial supervision roles in the prison.
- 7.2 The assessment and case management system provides that remandees and short-term prisoners have a brief assessment known as a Management and Placement plan (MAP) which includes an initial classification review and a determination about their placement within the state's prison system. Only prisoners likely to be held for over six months have a fuller assessment known as an Individual Management Plan (IMP) which should be completed within 28 days. They are also assigned a case officer.
- 7.3 IMPs are developed in consultation with prisoners. Case conferences have been occurring at least annually, which provide an opportunity for each prisoner to discuss their IMP. To reduce the security burden and workload associated with prisoner movements, case conferences were shifted to occur in the prisoner's unit. Having the case conference in the prisoner's unit also reinforced the role of the unit in the prisoner's management and progress.
- 7.4 Eligible prisoners were assigned a case officer (a secondary duty for prison officers) who was expected to meet with the prisoner at least once between reviews. The sole focus of this contact was to review the prisoner's progress against their IMP. This process was well-managed at Albany with responsibility taken quite seriously by officers. However, in reality, the level of contact was too infrequent to encourage development of a supportive relationship between the officer and prisoner, or to make any meaningful contribution to prisoner welfare or preparedness for their return to civilian life. It was neither holistic nor throughcare focused.
- 7.5 At the time of the inspection the CMC and writers were about one month behind in their completion of initial IMPs and IMP reviews. The team were held up at the end of 2015 assessing all medium-security prisoners for potential transfer to Acacia prison, which had recently expanded their capacity to hold an additional 387 prisoners. Albany had to undertake about 90 out-of-schedule IMP reviews for such prisoners, which made it impossible to progress other initial IMPs, IMP reviews and some other assessments.

Integrated Offender Management

- 7.6 The Department's new Integrated Offender Management (IOM) initiative is designed to provide end-to-end service to reduce reoffending. It requires collaboration and information sharing across all areas of the Department.⁴⁵ As part of the IOM initiative, the Department introduced a new assessment tool known as the Level of Service/Risk, Need, Responsivity (LS/RNR) checklist. The LS/RNR is based on the work of Canadian psychologists Andrews, Bonta & Wormith and was introduced to replace the outdated series of treatment checklists. The tool provides a better measure of the general recidivism risk posed by a particular offender and identifies areas of need to be addressed and which programs would be more effective for that individual. The LS/RNR includes additional checklists for those with violent offences or sex offences. This should create a more accurate assignment of these offenders to suitable programs and screen out those who do not need a program.
- 7.7 The LS/RNR is relevant to the IOM because Community Corrections Officers will be required to complete the LS/RNR when preparing their court reports as a way of determining what programs and services should be offered as part of any community based order. In the event the offender receives a custodial sentence, assessment staff can use the LS/RNR as basis for developing the IMP, including program assignments.
- 7.8 The LS/RNR checklist was introduced at Albany in December 2014, and had been another reason delaying the completion of IMPs. It is likely to take two or three years before a majority of prisoners will have been assessed using the new tool.

OFFENDER PROGRAMS

- 7.9 The Department has invested heavily into treatment programs, with the aim of reducing recidivism. International research generally accepts that treatment programs are an effective method of reducing recidivism if the right program is delivered to the right person.⁴⁶
- 7.10 This Office frequently receives complaints from prisoners who are unable to access their required program because of lack of availability. This can affect their parole decision as they are declared to have not met their required treatment need as per their IMP. This was not the case at Albany. In fact, in 2013, this Office conducted an analysis that reviewed the cases of all prisoners who were released from prisons in Western Australia whose treatment needs were not addressed due to program availability. Albany results showed that they had a very high rate of meeting prisoner treatment needs, and only around 16 per cent of treatment needs went unmet because of program unavailability.⁴⁷ In comparison, the unmet treatment needs for Eastern Goldfields Regional Prison was 52 per cent, West Kimberley Regional Prison was 50 per cent and Greenough Regional Prison was 47 per cent. This tells us that Albany has a reasonable capacity to deliver programs that are suitable to meet the needs of their population.

45 DCS, *Change Program – aligning structure with strategy* (web page last updated: 27 November 2014). DCS intranet resource. Under the department's change program, a change of terms appears in prospect: 'IOM, or Individualised Integrated Case Management (IICM) will be developed in the coming months.'

46 OICS, *Recidivism Rates and the Impact of Treatment Programs Review* (September 2014) 21.

47 OICS, *Recidivism Rates and the Impact of Treatment Programs Review* (September 2014) 28.

THE STRUCTURED DAY

- 7.11 Meaningful employment provides prisoners with an opportunity to learn new and relevant industry skills, and is a way of earning a small gratuity. The working day for prisoners should be constructive and must be of a reasonable length. Employed prisoners at Albany work Mondays to Thursdays for only five-and-half hours per day, and three hours on a Friday due to staff training lockdowns. In total prisoners can work up to a maximum of 25 hours per week, which is well under the level this Office believes is supportive of prisoner reintegration.

The Reduction of External Work Opportunities

- 7.12 The prisoner profile had changed dramatically since the 2011 inspection, which resulted in a greater focus on providing education, training and work within the perimeter. In 2011, 19 per cent of prisoners were classified as minimum-security, many of whom were employed under the section 95 program that permitted prisoners to work outside the perimeter.⁴⁸ In 2015, only nine per cent of prisoners were rated minimum-security and consequently the section 95 program had been abolished at Albany. This cessation of external work resulted in higher demand for the prison to provide work within the perimeter. Restricting external activities is not a unique practice. It actually brings Albany into line with the other maximum-security prisons in the state that do not allow prisoners to work outside the perimeter.
- 7.13 Indeed it is in the best of interest of prisoners who receive minimum-security ratings to be transferred to the nearby Pardelup Prison Farm, where they have more opportunities to be engaged in external work. It is also more appropriate for Albany to transfer their minimum-security prisoners to minimum-security facilities. This frees up beds at Albany to accommodate the overflow of medium and maximum-security prisoners from metropolitan prisons. This Office would like to see this practice continue. It does, however, create an additional challenge for Albany to ensure that those prisoners it is holding are provided with meaningful work, education and training opportunities within the perimeter.

INDUSTRIES AND EMPLOYMENT

- 7.14 Industries at Albany comprises canteen, carpentry, gardens, kitchen, laundry, metal shop, prison maintenance, recycling, textiles, upholstery, vegetable gardens, vocational skills and unit cleaning.

48 Section 95 of the *Prisons Act 1981* states that prisoners can be involved in external activities for the promotion of their wellbeing and rehabilitation. There are a range of activities prisoners can participate in to assist with their reintegration into the community. Examples include education activities, community work, paid employment, recreational activities and counselling.

REHABILITATION AND REINTEGRATION



Photo 13 : The prison laundry.



Photo 14 : Industries workshop.

- 7.15 The 2011 inspection found that the size and diversity of the workshops were insufficient for the prison population and was the key reason for underemployment at Albany. It was recommended the Department construct new industrial facilities to address the under-employment problem. In 2015, little progress had been made to address the increasing demand for work within the prison.
- 7.16 This Office generally deems that unit work and ‘miscellaneous’ work constitute under-employment, in that they involve unskilled tasks that can often be completed in much less than five hours per day. Unfortunately during the inspection more than half (52%) of the prisoner population at Albany was either unemployed or underemployed. Indeed, inspections staff observed large numbers of prisoners in the units throughout the day with seemingly little to do and heard numerous complaints from prisoners about the lack of opportunity for employment.
- 7.17 The industry workshops had undergone some change since the 2011 inspection. The metals workshop was undergoing refurbishment with an extension being built onto the existing structure. The intention of the expansion was to reallocate work spaces and improve efficiency, but this is unlikely to meet the demand for skilled employment or address the underemployment issue at Albany. A new workshop had been provided for maintenance, and the vocational skills workshop had been retrofitted to provide for Certificate II in engineering. Unfortunately, the vocational skills workshop was not open at the time of the inspection due to a staff conflict regarding the quality and adequacy of the equipment. The conflict needs to be resolved as soon as possible, as the workshop could provide a further 12 traineeships immediately. The textiles and upholstery workshops were functioning well to provide clothing and mattresses for the prison estate, however were under competitive pressure from external overseas suppliers who could provide the goods for a cheaper price.

Employment Inequality

- 7.18 An analysis of prisoner jobs showed a disproportionate lack of Aboriginal prisoners in skilled employment at Albany. In fact, only one Aboriginal prisoner was employed in carpentry and two in the metal shops during the inspection, and only one was employed in the kitchen. On the other hand, 51 Aboriginal prisoners were employed as unit workers and a further 11 were unemployed. Aboriginal prisoners at Albany were under-represented in the higher paying employment positions.
- 7.19 Employment is a major factor in reducing recidivism. In 2014, a review conducted by this Office confirmed that Aboriginal prisoners were more likely to reoffend compared to non-Aboriginal prisoners.⁴⁹ The inspection revealed that a large proportion of the unemployed or underemployed cohort, most of whom were Aboriginal, were the ones most in need of training and development to obtain work on release. It is therefore incumbent on Albany to improve the opportunities offered to people who lack, and need, work skills, a work ethic and the self confidence that comes with this.

49 OICS, *Recidivism Rates and the Impact of Treatment Programs Review* (September 2014).

7.20 Acacia prison addresses Aboriginal employment inequality well, as almost half (43%) of their kitchen employees during the last inspection were Aboriginal.⁵⁰ This was the result of an intentional recruitment drive targeted towards Aboriginal prisoners, which consisted of employing an Aboriginal elder in the kitchen to mentor and motivate younger Aboriginal men. Albany prison should consider implementing a similar strategy to attract and engage Aboriginal men into skilled employment.

Recommendation 12:
Increase Aboriginal prisoner employment in skilled jobs.

VOCATIONAL SUPPORT OFFICERS

7.21 The Vocational Support Officers (VSOs) believed that they had good relationships with prisoners, and 65 per cent of prisoners in the pre-inspection survey thought they got along well with VSOs. Inspection officers also observed positive interaction between VSOs and prisoners, with VSOs seen to be approachable and engaging by providing guidance and encouraging productivity among the prisoners. Such dedicated VSOs are essential to making a positive impact on prisoners’ lives.

7.22 Unfortunately, the amount of contact VSOs had with prisoners was extremely limited, which prevented the prison from focusing on services to adequately address prisoner rehabilitation and reparation. As discussed in Chapter 6, the VSOs are the first staff to be redeployed when custodial staffing levels fall short. On top of this, little coverage is provided when VSOs are off sick, on holidays or away on workers compensation leave. This Office conducted an analysis of workshop closures from July 2014 to March 2015, and the results were disappointing (see Figure 1). Apart from the laundry, all other industries were closed for at least one-quarter of operational days. As mentioned in paragraph 7.17, the vocational skills workshop had been closed for months due to staff conflict.

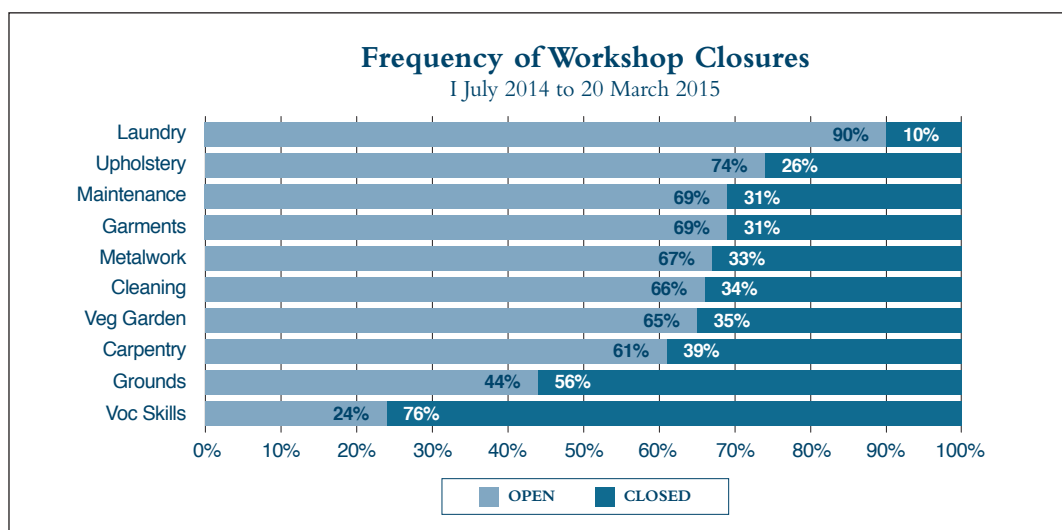


Figure 1 : Frequency of Workshop Closures

50 OICS, Report on an Announced Inspection of Acacia Prison, Report No. 90 (June 2014) 68.

TRAINEESHIPS

- 7.23 During the inspection, 25 prisoners were enrolled in traineeships, with the possibility of 12 more coming on board in 2015. Positively, the education centre at Albany prioritised the recruitment of Aboriginal prisoners into traineeships. Thirty-five per cent of trainees were Aboriginal, with the prison striving to achieve 45 per cent by June 2015.⁵¹

EDUCATION

- 7.24 The 2012 inspection report concluded that education services at Albany were functioning well.⁵² In 2015, the inspection found that the education centre had continued to work well as a cohesive unit, providing a high level of training and an excellent program of accredited and non-accredited courses and traineeships. The education and training program was well designed, planned and implemented and the education centre maintains strong positive relations with the local Great Southern Institute of Technology (GSIT). GSIT offers nationally endorsed and transferable training package qualifications meaning that if a student prisoner has not completed their full qualification on release, and wishes to continue with their studies, their statement of attainment is accepted by public and private Registered Training Organisations nationally.
- 7.25 The education staff were dedicated, caring professionals who encouraged prisoner participation. The range of professional development available to staff by head office ensured that staff maintained currency in their trainer and assessor qualifications as prescribed by the Australian Qualification Training Framework. The Education Campus Manager should also be commended on organising and coordinating the enrolment of 11 VSOs in the Certificate IV of Training and Assessment. The education centre paid for 10 of the 11 VSOs to undertake this qualification. This is an excellent outcome for students and meant prisoners received training from qualified trainers with current and up-to-date nationally endorsed qualifications.
- 7.26 Approximately 45 per cent of the prison population were engaged in education or training, including traineeships, and around 40 per cent of the student population was Aboriginal. Unfortunately, state imposed funding cuts at the end of 2014 reduced education delivery and restricted the educational and training experience for the student prisoners at Albany.
- 7.27 The cuts resulted in the cancellation of summer school. Traditionally summer school provided a range of short taster courses that were designed to encourage prisoners to try an education course and provide them with an opportunity to succeed in education. The lack of summer school also restricted already engaged students to continue with their studies either self-paced or face-to-face. The cuts meant that the education centre would close for at least 11 weeks of the year and operate according to school hours. This did not augur well as rigid 'school hours' do not promote the type of TAFE styled adult learning environment that education centres in prisons have in the past successfully emulated.

51 DCS, *EVTU Operational Level Agreement (OLA) for Financial Year 2013/2014 for Albany Regional Prison*, Version 1.0.

52 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (August 2012) 75.

- 7.28 Students expressed their frustration at the closures of the education centre which resulted in the lack of computer access for a number of months during 2014 and 2015. Prisoners were unable to word process their assignments, carry out research or contact university staff by email. In fact the education centre was closed during the inspection week and inspection staff observed one university student hand writing the third draft of his assignment as part of his Open University course. University students' enrolments have also been restricted to one unit of study a semester, which if continued, will mean a university degree will take a prisoner 12 years to complete. Unfortunately Open University units expire after 10 years, which means that if the restrictions remain, it would be impossible for a long-term prisoner to obtain a Bachelor qualification in prison.

Recommendation 13:

Ensure that student prisoners are not disadvantaged because of education funding cuts.

- 7.29 Lack of computer availability is still an ongoing issue for student prisoners. In 2011, this Office identified that there were an inadequate number of computers available for prisoner use. This led to the recommendation to 'ensure the provision of sufficient computers and up-to-date software for educational purposes'.⁵³ Since the 2011 inspection, Albany had increased their number of computers by five to 20. However, access to computers was only possible when the education centre was open, meaning that students were at a disadvantage when the education centre was closed over the Christmas period and other school holidays. Computers and tablets appropriately restricted for prison use may alleviate pressure on the education staff, allowing staff to redirect their focus to providing support to other students, as well as motivating other prisoners to engage in education. Albany could also explore placing restricted computer terminals in other openly accessible locations such as the library for student prisoners to access when the education centre is closed. This is the practice at a number of other prisons.

Aboriginal Specific Training

- 7.30 Two Aboriginal specific training courses were delivered at the prison. One was the non-accredited Noongar Language Class course run by a prisoner two days a week over 10 weeks. The other was the accredited Certificate III in Mentoring, run once a year by GSIT, designed to skill up Aboriginal people to support others. Since the 2011 inspection there were no other new Indigenous specific courses.
- 7.31 Indigenous engagement in education is high and accordingly prisoners told us that they would like to see more Aboriginal staff working in the education centre. In 2011 this Office recommended Albany appoint a dedicated Aboriginal Education Worker who could assist education in the support and promotion of further engagement of indigenous prisoners.⁵⁴ This recommendation is still relevant. Appropriately qualified Aboriginal instructors and educators should be part of delivery programs that are predominantly undertaken by Aboriginal prisoners.

53 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (August 2012) Recommendation 6, 77.

54 OICS, *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (August 2012) Recommendation 6, 36.

Music and Art

- 7.32 Music and art had been popular education options at Albany and encouraged prisoners with low literacy levels to remain active in education programs. Over the past three years, 160 prisoners completed Certificates of Visual Art and Music, a positive result considering that the Standard Guidelines for Corrections in Australia state that ‘successful engagement with educational programs can help prisoners with their social skills, artistic development and help them deal with their emotions’.⁵⁵ However, disappointingly going forward, art and music qualifications were no longer to be offered. This is based on the Department of Training and Workforce Development industry skills priority list that does not identify music and art qualifications as leading to directly employment.
- 7.33 Tertiary art students can continue to enrol through Curtin University. Local Curtin lecturers regularly come to visit the students, and the program has been running successfully for a number of years. Students may also continue to engage in self-paced music or art that does not lead to a qualification incorporated within the Certificate for General Education for Adults (CGEA), a literacy qualification. A consequence of not offering TAFE art qualification courses is that the education centre is no longer able to sell a full range of art supplies. Self-paced art students cannot purchase appropriate or high range of art supplies, other than recreational standard sketch books and simple water colour sets on the ‘approved list’.

PRE-RELEASE TRANSITIONAL SERVICES

- 7.34 Albany averages only eight local releases per month. Despite this, the Transitional Manager (TM) at Albany maintained a coordinating role, liaising with Albany case management, education and training, and contracted service providers and offered transitional services to prisoners with six months left to serve. The TM promoted re-entry services to prisoners, assisted with processes to obtain formal identification documents, and informed long-term prisoners about contemporary employment and accommodation prospects in the Great Southern region.
- 7.35 The Regional Counselling and Mentoring Service (RCMS) is a re-entry services provider contracted by the Department. RCMS administers the Transitional Accommodation and Support Services (TASS) program in the Great Southern region, which offers transitional housing and support to people who are re-entering the community from prison. Accommodation on release was a problem for many prisoners. Although the TASS program was provided weekly at the prison, the scale of demand for post-release accommodation far outweighed supply. Caravan parks had been an inexpensive accommodation option in the past, however prisoners felt now that they had become too expensive. Prisoners nearing release also felt that Government subsidised public housing was inaccessible, with wait lists in excess of seven years. The lack of sufficient access to housing upon release leaves prisoners vulnerable, with some prisoners telling the inspection team that they feared returning to a life of crime.

REHABILITATION AND REINTEGRATION

- 7.36 Because Albany is not a ‘releasing prison’, the Department had not allocated an Employment Coordinator position. Consequently, the TM maintained strong links with employers in the region, and sought input from job search agencies. Local employment opportunities fluctuated with the regional economy, with the prison concerned prisoners engaged in training at Albany might come to have false expectations that employment would be easily secured after release.

Chapter 8

ALBANY'S CHANGING DIRECTION

- 8.1 This inspection of Albany focused heavily around change. The state's economic environment had changed since the last inspection, and as a result the new management team at Albany had made the unpopular decision to restrict overtime. The decision initially impacted negatively on staff and management relationships, but by the time of the inspection, the hostility felt towards the Superintendent had reduced and staff were beginning to understand that budgetary restrictions were beyond the control of one individual.
- 8.2 However, the inspection team still heard that the overtime restrictions made staff feel unsafe in their working environment. The rollover effect of closing the workshops, redeploying VSOs to the gatehouse and sending more prisoners back to their units was a practice that officers at Albany were not accustomed to and were unwilling to embrace. Unfortunately while staff appeared preoccupied with the impact the restrictions were having on their own working environment, rarely did we hear staff voicing concerns about the impact the change was having on prisoners; an indication that the prison's emphasis on pro-social prisoner and staff relationships (the 'Albany Way') had started to decline.
- 8.3 'Relational security' is a key element in providing a secure and safe environment for staff and prisoners. The inspection found other evidence that the prison's previous emphasis on pro-social prisoner and staff relationships had started to wane with two major security incidents occurring in the lead-up to the inspection. It is possible that these incidents could have been prevented or reduced in scope if staff and prisoner relations were stronger. The poor survey results from both prisoners and staff provided further evidence that the respectful relationships observed in the 2011 inspection had weakened and relational security was a much lower priority.
- 8.4 The changing prisoner demographic had also influenced the general temperature of the prison. The minimum-security Indonesian prisoners had left and the prison was operating appropriately as a maximum-security facility. Some staff felt that the demographic change meant that the 'Albany Way' philosophy was no longer sustainable, but in reality, the principles associated with the 'Albany Way' are those of any well run prison, and are now more important than ever. Of course, maintaining the 'Albany Way' requires effort, planning, commitment and professionalism from all levels of staff and management.
- 8.5 The Albany inspection was also scheduled at a time when changes were occurring across the wider prison estate. Acacia prison was about to provide capacity for an additional 387 new medium-security beds to help alleviate crowding across the estate. At the time of the inspection, Albany was still in the process of assessing prisoners for potential transfer, however, by the time of writing this report the Acacia beds had been filled and the initial impact on the wider estate could be evaluated.
- 8.6 After the inspection, the Acacia prison expansion had a dramatic effect on Albany's population. The prison population had fallen by 35 per cent, down from 313 in December 2014 to 231 in April 2015. This meant that if all four units were operational at Albany the prison could almost operate close to its design capacity of 225, allowing most prisoners to be housed appropriately in single cells. Unfortunately Western Australia's two other maximum-security prisons, Casuarina and Hakea, were still crowded. Casuarina's design capacity is 525, however even after filling Acacia's additional 387 beds the prison still housed

774 prisoners, 32 per cent over its original design capacity. Hakea is experiencing similar issues. The Acacia expansion seems to have done little in the way of relieving the crowding problems at Hakea and Casuarina prisons, while Albany appears to be operating within capacity and could potentially focus more on operating as a maximum-security overflow site for the metropolitan prisons.

- 8.7 The inspection team observed too many prisoners sitting around in units with nothing to do, and both the pre-inspection survey results and conversations with prisoners suggested that prisoners wanted more work and education opportunities. While the VSOs and staff in education were dedicated to supporting prisoner rehabilitation, they were becoming increasingly frustrated by budget restrictions that were limiting the services they could provide. Education was closed for periods throughout the year and courses were cut, restricting learning for prisoners who genuinely wanted to learn. VSOs were frequently redeployed to the gatehouse and were not replaced when on leave. Instead workshops were frequently closed and prisoners were returned to their units. Failing to provide development opportunities for prisoners is likely to increase recidivism on release.
- 8.8 Providing a constructive day for all prisoners also appeared a challenge for Albany, where prisoner rehabilitation seemed to be a low priority. An Assistant Superintendent Offender Services position which could drive education and training services at a senior management level is desperately needed.
- 8.9 Disappointingly, services for Aboriginal prisoners had deteriorated since the last inspection. The education centre strategy was intentionally designed to encourage Aboriginal prisoners to participate in studies, and as a consequence Aboriginal engagement in education was high. This was positive to see, however the philosophy did not flow through to other areas of the prison. While the Aboriginal Visitor Service, the Prisoner Support Officer, and the Aboriginal Health Liaison Officer were highly respected and visible throughout the prison, there was no overall strategy specifically targeting the needs of Aboriginal prisoners. The impact was clear with many Aboriginal prisoners expressing dissatisfaction with staff, whom they feel do not understand their culture. Indeed, the statistics also told a disappointing story, with no Aboriginal prisoner employed in a skilled job. Instead Aboriginal prisoners are either confined to unit work or were underemployed. The inequality between Aboriginal and non-Aboriginal prisoners at Albany requires serious focus.
- 8.10 Overall, Albany is still a good prison. The prison still feels calmer than the metropolitan prisons, both prisoners and staff feel reasonably safe, and staff were coming to terms with the changes that had impacted over the last few years. However, the changes at Albany have not been as complex or challenging as some of the other prisons in the state. With a little effort from all staff and management, there is no reason why Albany cannot once again become one of the state's best performing prisons.

Appendix 1

THE DEPARTMENT'S RESPONSE TO THE 2015 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>1. Ensure effective security measures are taken at the gatehouse to prevent the entry of contraband.</p>	<p>Supported in Principle</p> <p>Response: The Department has effective security measures in place at all facilities and is focused on identifying and continually reviewing risks. Many of the issues raised are compliance matters that will be addressed by local management.</p> <p>Action Required: No further action required.</p>
<p>2. Improve control room processes and practices including rotating night shift officers through the control room.</p>	<p>Supported</p> <p>Response: A comprehensive review of control room staffing and work practices will be undertaken, taking into account the observations of this report and other benchmarks of good practice.</p> <p>Action Required: Local management to review processes and practices and implement improvements where required.</p>
<p>3. Ensure that all prisoners at Albany Regional Prison are provided with a thorough orientation.</p>	<p>Supported in Principle</p> <p>Response: The Department notes that there is a comprehensive orientation process at Albany Regional Prison provided to all prisoners. Site orientation is carried out on an as needs basis, for instance, if a prisoner has been housed at the facility previously.</p> <p>Action Required: No further action required.</p>

THE DEPARTMENT'S RESPONSE TO THE 2015 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>4. Ensure that prisoners have daily access to a wide range of recreational activities including a properly maintained oval and exercise equipment.</p>	<p>Supported in Principle</p> <p>Response: The Department believes that the range and frequency of recreation options provided by Albany is adequate. Albany offers a range of structured activities including soccer, cricket, tennis, basketball, and volleyball. Low impact activities such as bingo, darts, table tennis, pool, meditation and football tipping are also offered. Iso-metric equipment is available in Units 2 and 3, and a small gym in Unit 4. Recently the oval had the reticulation replaced which explains why its condition was not optimal at the time of the inspection. Regular maintenance of the equipment and oval is, and will continue to be, carried out.</p> <p>Action Required: No further action required.</p>
<p>5. Implement an Aboriginal prisoner strategy at Albany that addresses the cultural needs of both local and remote Aboriginal prisoners.</p>	<p>Supported – Existing Departmental Initiative</p> <p>Response: In April 2015 the Department released a draft Reconciliation Action Plan, which includes the establishment of an Aboriginal Services Committee in each prison and detention centre. These Committees will focus on the management and delivery of services to Aboriginal prisoners and detainees. This is the first Reconciliation Action Plan the Department has developed. It is a key deliverable in our 2015–2018 Strategic Plan.</p> <p>Action Required: Finalise and implement the Reconciliation Action Plan.</p>

THE DEPARTMENT'S RESPONSE TO THE 2015 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>6. Improve the conditions of the visits centre.</p>	<p>Supported</p> <p>Response: The Department is addressing the issues reported in the visits centre:</p> <ul style="list-style-type: none"> • the toys located in the visits centre have all recently being replaced with new toys; and • options to increase the airflow by allowing the use of the outdoor area are currently being considered by local management. <p>Action Required: Local management continue to explore options to increase the airflow in the visit centre.</p>
<p>7. Improve management engagement with prisoners.</p>	<p>Supported – Existing Departmental Initiative</p> <p>Response: The Inspector has noted that the Superintendent engages regularly with prisoners. Local management is in the process of reinvigorating the Prisoner Forum to improve engagement with prisoners.</p> <p>Action Required: Local management continue to reinvigorate the Prisoner Forum to improve engagement.</p>
<p>8. Develop more appropriate practices for managing prisoners at Albany and other regional prisons who suffer from critical mental health issues.</p>	<p>Supported – Existing Departmental Initiative</p> <p>Response: The Department has a Memorandum of Understanding in place with the Department of Health in which secondary and tertiary hospital-based care for prisoners is delivered by WA Health. This includes psychiatry.</p> <p>The Department has initiated a work program to identify ways to implement the deliverables in the draft Mental Health Plan. This work includes demand modelling, infrastructure requirements and costing the provision of in-prison mental health services.</p> <p>Action Required: The Department will continue to work with the Mental Health Commission and the Department of Health to identify ways to improve mental health services that are available to prisoners both within and external to the prison system.</p>

THE DEPARTMENT'S RESPONSE TO THE 2015 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>9. Introduce an Assistant Superintendent Offender Services position to create an appropriate balance between offender services and operational matters at a senior management level.</p>	<p>Supported in Principle</p> <p>Response: The Department's strategic plan has a focus on Right Structure, Right People – Trained Right. Workforce planning and management strategies will be developed to ensure there is the right number work-ready staff at all levels, now and in the future. The Department is not convinced that an Assistant Superintendent Offender Services will provide the balance required and will explore all options in the review of service delivery options.</p> <p>Action Required: Ensure senior management positions are reviewed in the development of the workforce planning and management strategy.</p>
<p>10. Increase anti-bullying measures at Albany to address allegations of ongoing staff-on-staff bullying.</p>	<p>Supported in Principle</p> <p>Response: The Department notes the Inspector's observations that Albany continues to run well in many respects with staff reasonably satisfied with their working life. Albany convenes regular Anti-Bullying Committee meetings, as part of its overall Communication Plan. These meetings offer the opportunity for staff to actively work together to prevent bullying behaviours and to provide advice to management about risks and issues. It is inappropriate for instances of bullying to be discussed at these meetings.</p> <p>The Department is committed to maintaining an equitable and harmonious workplace where all employees have the opportunity to express and resolve work related grievances. The Grievance Officer network was established in 1999 to provide confidential support to staff who encounter difficulties in the workplace. This is a valuable service which assists to avert the escalation of staff concerns and grievances by assisting staff to resolve workplace issues promptly and locally. In May 2015, there were four trained Grievance Officers located at Albany.</p> <p>Action Required: No further action required.</p>

THE DEPARTMENT'S RESPONSE TO THE 2015 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>11. Ensure communication between staff and management and across different levels of staff are improved.</p>	<p>Supported in Principle</p> <p>Response: Adequate communication is key to an effective workplace. Albany has an effective communication plan, to ensure that all staff members receive clear and consistent information.</p> <p>Action Required: No further action required.</p>
<p>12. Increase Aboriginal prisoner employment in skilled jobs.</p>	<p>Supported – Existing Departmental Initiative</p> <p>Response: Albany has implemented a strategy to prioritise the recruitment of Aboriginal prisoners into traineeships within the Education Centre. At the time of the inspection in January 2015, 35% of traineeships were held by Aboriginal prisoners. The Education Centre has a target of 45% by June 2015.</p> <p>The Department's draft Reconciliation Action Plan includes:</p> <ul style="list-style-type: none"> • developing initiatives to foster engagement to increase the number of programs run by Aboriginal people for Aboriginal people; and • funding for more programs such as the Fairbridge Bindjareb project that works with young Aboriginal men. This program involves re-engagement with, and respect for, culture to build self-esteem through mentoring and workplace training. <p>Action Required: Albany continue with its strategy of recruiting Aboriginal prisoners into traineeships offered by the Education Centre.</p> <p>Finalise and implement the Reconciliation Action Plan.</p>

THE DEPARTMENT'S RESPONSE TO THE 2015 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>13. Ensure that student prisoners are not disadvantaged because of education funding cuts.</p>	<p>Supported – Existing Departmental Initiative</p> <p>Response:</p> <p>The Department recognises the importance of education within the prison environment and has recently instigated a range of strategies and measures to increase the flexibility of service delivery in a tight financial environment, including:</p> <ul style="list-style-type: none"> • education programs are now delivered during School Terms, in with community models. However, the same level of training opportunities are provided to prisoners as before; • the Hakea education team are developing self-paced learning packages which all prisoners across Western Australia can undertake with limited need to access education staff; • an Industry Training Audit has recently been undertaken at Albany to outline current training activities in prison industries. It maps steps for improvement and expansion. The Industry Training Audit will be completed each year to track progress; • the physical improvements to the Skills Development Centre at Albany has greatly increased the capacity for training in the workshop and classroom; • traineeships within the prison workshops are not affected by the changes in delivery of the education programs; and • arrangements have been put in place with external providers such as the local TAFE (Great Southern Institute of Technology) and Trainwest for appropriate self-paced learning resources that can be completed when the education centre is closed. <p>Action Required:</p> <p>No further action required.</p>

Appendix 2

SCORECARD ASSESSMENT OF PROGRESS AGAINST THE 2011/12 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 78, <i>Report of an Announced Inspection of Albany Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
1.	Provide the new health, educational and industrial facilities the prison has identified as necessary to the performance of its functions.	•				
2.	Operate all four accommodation units with sufficient staffing and resources to meet the prison's complex mix of functions.		•			
3.	Ensure the consistent provision of all mandatory staff training. In addition provide language and cultural awareness training, and First Aid Mental Health Training for Aboriginals and Torres Strait Islanders.			•		
4.	Provide an Aboriginal Arts workshop.	•				
5.	Develop and implement proactive strategies to ensure improved access for Aboriginal prisoners to minimum-security placements including socially and culturally appropriate work camps.		•			
6.	Employ an Aboriginal Education Worker.	•				
7.	Engage appropriate support (including a focus on language and cultural needs) for displaced Aboriginal prisoners accommodated at Albany.	•				
8.	Develop and implement policies and processes to ensure the appropriate and consistent treatment of foreign national prisoners, including enhanced peer support services and relevant training for peer support officers.	•				
9.	Improve the Department's language services policy and operational practices, including interpretation and translation services.	•				

SCORECARD ASSESSMENT OF PROGRESS AGAINST THE 2011/12
RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 78, <i>Report of an Announced Inspection of Albany Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
10.	Ensure that all foreign national prisoners are able to use a portion of their gratuities for sending remittances to support their dependents.			•		
11.	Ensure sufficient and substantively appointed health centre staff, including nurses, a GP and an Aboriginal Health Worker		•			
12.	The Department must ensure the provision of an adequate dental service, including emergency and acute care (whether provided by Dental Health WA or an alternative service).		•			
13.	Actively seek and obtain comprehensive health information about foreign national prisoners on their transfer from immigration detention or other Commonwealth facilities.			•		
14.	Ensure that sustainable occupational health and safety arrangements are in place and that identified hazards such as the spray-painting booth are appropriately managed and rectified.			•		
15.	Ensure the education centre is fully and substantively staffed, including increased education coordination and administration support.			•		
16.	Ensure the provision of sufficient computers and up-to-date software for educational purposes.	•				

Appendix 3

THE INSPECTION TEAM

Andrew Harvey	Deputy Inspector
Lauren Netto	Principal Inspections and Research Officer
Amanda Coghlan	Inspections and Research Officer
Charles Staples	Inspections and Research Officer
Stephanie McFarlane	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Dr Edward Petch	Expert Advisor, Director, State Forensic Mental Health Services
Grazia Pagano	Expert Advisor, Education and Training

Appendix 4

KEY DATES

Formal notification of announced inspection	4 September 201
Pre-inspection community consultation	24 November 2014
Start of on-site phase	18 January 2015
Completion of on-site phase	23 January 2015
Inspection exit debrief	23 January 2015
Draft Report sent to the Department of Corrective Services	7 May 2015
Draft report returned by the Department of Corrective Services	10 June 2015
Declaration of Prepared Report	7 July 2015

*Inspection of prisons, court custody centres, prescribed lock-ups,
juvenile detention centres and review of custodial services in Western Australia.*



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