



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

2017 INSPECTION OF
WEST KIMBERLEY REGIONAL PRISON

113

OCTOBER 2017

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2017 Inspection of West Kimberley Regional Prison

Office of the Inspector of Custodial Services
Level 5, Albert Facey House
469 Wellington Street
Perth WA 6000

www.oics.wa.gov.au

October 2017

ISSN 1445-3134 (Print)
ISSN 2204-4140 (Electronic)

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Inspector's Overview

INADEQUATE SERVICES AND POOR PLANNING IMPACT ON WEST KIMBERLEY REGIONAL PRISON

THE NEW PRISON WAS UNDER STRAIN

West Kimberley Regional Prison (WGRP) opened in late 2012. Built in Derby, the prison's ethos was to have an innovative Aboriginal focus. It aimed to keep Kimberley Aboriginal people in country with family, and uphold cultural and kinship responsibilities. It also aimed to develop prisoners' independent living skills and to improve their chances of not returning to prison. This inspection, conducted at the end of March, was our second inspection of the prison.

Our first (2014) inspection found WGRP had achieved what could reasonably have been expected. In many respects it had exceeded expectations. Its founding Superintendent Mr Mike McFarlane was a Noongar Aboriginal man who had held senior roles in NT Corrections. He had overseen the development of an excellent balance of safety, security, and purposeful activity. The conditions and regime for prisoners were good, and were aligned with WGRP's unique philosophy. Prisoners were being given positive rehabilitative opportunities and were positively grasping them. However, Mr McFarlane left in 2016 for a position in Queensland.

In March 2017, the prison was under some strain. We were particularly concerned to find 47 prisoners sleeping on mattresses on the floor. This was on top of grossly overcrowded and degrading conditions at the same time in Broome Regional Prison (OICS, 2017c). Additional beds were due to be installed at WGRP immediately after the inspection, but it is simply not acceptable that the Department allowed conditions to slip before taking remedial action. The fact that Kimberley Aboriginal people are generally compliant and want to stay in country is no excuse.

WGRP is modelled on prisoners living in shared 'houses'. With increased numbers, the houses had become increasingly crowded. Coupled with a growing number of remandees, staff shortages, and the lack of a life-skills officer, the prison's successful self-care model was under serious threat.

Serious and chronic short staffing for both prison officer and vocational support officers (VSOs) was undermining many of the prison's previous strengths, including participation in education, work, training, and recreation. Offender programs were not meeting demand and were not well-matched to prisoners' needs. The prison had generally been safe and secure, but staff were concerned about the impact of short staffing.

Importantly, given the ethos of WGRP, prisoners felt there was less opportunity to express their culture, and that staff did not always understand or respect it. There were fewer opportunities for positive supervised interaction between men and women, previously an area of excellent practice. We also found many instances when head office refused to approve applications to attend funerals, despite the prison supporting attendance for compelling kinship and cultural reasons.

THERE HAVE BEEN IMPROVEMENTS SINCE THE INSPECTION, BUT PRESSURES REMAIN

At the end of an inspection we brief local and head office staff on our initial findings. These findings are then provided to the Minister, the Department and the Public Administration Committee.

I am pleased to report that, after hearing our concerns, the Department moved quickly to address many of the matters. Actions taken to ensure the continued success of the prison's self-care model include:

- appointing a new life-skills officer and creating new prisoner positions to help
- installing bigger stoves and purchasing additional whitegoods
- training has been provided to ensure VSOs have completed their initial Essential Level Training Program, a requirement that had been allowed to lapse over the previous two years
- vacant VSO positions have been progressively filled
- an Aboriginal Programs Officer commenced, making program facilitation more manageable.

In response to our draft report, the prison says it has also sought to increase opportunities for male and female prisoner interaction through program and education participation, and is pursuing strategies to enhance cultural services [see Appendix 3]. These strategies include establishing an Aboriginal Services Committee, cultural competency training conducted by a local Aboriginal Corporation, and the NAIDOC week launch of prison radio broadcasts.

We conduct regular monitoring visits to prisons. Visits to WKRP since March indicate that staff shortages are less severe, and the prison appears to be running more normally. However, more prison officers are transferring out than in, so shortages may recur. In addition WKRP remains dependent on several unfunded positions, which must be filled by overtime. This will need careful ongoing management by all concerned.

THE WYNDHAM WORK CAMP IS BETTER-USED, AND MONEY HAS BEEN ALLOCATED TO IMPROVE BROOME REGIONAL PRISON, BUT THE KIMBERLEY STILL NEEDS A PLAN

Despite increasing numbers at WKRP and re-establishing Broome prison as a separate facility, only around 50 per cent of Kimberley prisoners are being accommodated in their home region.

Those from the East Kimberley have been especially disadvantaged. In 2005, this office and the Kimberley Aboriginal Reference Group recommended the development of new prisons in both the East and West Kimberley. Government did not proceed with an East Kimberley prison, but did develop the Wyndham Work Camp.

Wyndham is an excellent and costly physical facility, and it needs to be fully utilised. It has a capacity of 40 but at the time of the inspection, the Department had allowed

INADEQUATE SERVICES AND POOR PLANNING IMPACT ON WEST KIMBERLEY REGIONAL PRISON

numbers to dwindle to 10, and later only six. It had also mothballed another excellent regional work camp at Warburton (OICS, 2017b). I am pleased to report that numbers at Wyndham are now over 20 and that Warburton has re-opened (OICS, 2017c)

I am also pleased that the government has recently committed \$2.7 million to improve conditions at Broome (Logan, 2017d). However, this is only a stop-gap measure and the Kimberley still needs a clear, long-term custodial plan. Our concerns date back many years. In our last report on Broome and WKRP (OICS, 2015b) I recommended that:

The Department must finalise its planning for the closure of Broome Regional Prison and for the future of custodial corrections in the Kimberley, including genuine consultation with stakeholders and communication with its staff (Recommendation 19).

The Department claimed it was already addressing the matter. But three years on, there is still no plan. As a result, people are still housed in inhumane conditions in Broome, large amounts of money are spent flying prisoners from the East Kimberley to Broome, often for short stays, and the Wyndham Work Camp remains under-used. We have therefore recommended that the Department:

Develop a regional plan for the Kimberley region, consulting with corrections staff and relevant community stakeholders, particularly in the East Kimberley (Recommendation 19).

The Department has again supported the recommendation. Time will tell whether, this time, there is a positive outcome.

Neil Morgan
16 October 2017

FOUNDATIONS

The West Kimberley Regional Prison at Derby (WKRP) opened in November 2012. Its development was guided by a Kimberley Aboriginal philosophy, including keeping people in country with family, and upholding cultural and kinship responsibilities. However, an original commitment to build a second facility in the East Kimberley was never honoured.

The first inspection, in July 2014, found WKRP had achieved most of what could reasonably have been expected of it in its initial period. The present inspection was undertaken on 20–25 March 2017. Broome Regional Prison (BRP), which had operated as an annex of WKRP since 2012, and was reinstated as a stand-alone facility with its own Superintendent in 2016, was inspected in the following week and reported on separately.

Wyndham Work Camp, which was administered by WKRP, cost \$7.8M to build and has a capacity of 40, is failing to keep East Kimberley Aboriginal prisoners in country. Prisoner numbers at the Camp fell to the low teens in 2016, to 10 at the time of the inspection, and just five or six in following months.

Notwithstanding the WKRP's principle of custodial proximity to land and family, a majority of Kimberley Aboriginal prisoners, 51.5 per cent, remained in facilities in other regions of WA. Prisoners from the East Kimberley have been especially disadvantaged.

DAILY LIFE

The involvement of male and female peer supporters in reception added to the quality of welcome and support given to incoming and outgoing prisoners.

The prison's escort vehicle is secure and safe for short journeys, but seats were fitted too low to allow people to sit in a standard position, and lacked external views, thereby compromising prisoner wellbeing.

Recommendation 1:

Modify or replace secure vehicle at WKRP so that prisoner passengers can sit in a standard position and have external views while seated, without compromising privacy.

Even people approved for external work under section 95, and other minimum-security prisoners, are shackled to wheelchairs and medical machinery on medical escorts. This is unnecessary and demeaning.

Recommendation 2:

Revise medical escort security procedures to reduce use of restraints to reflect its systems of security classifications and approvals for external activities.

Orientation at WKRP was well-designed and quite comprehensive, but slippage was evident due to short staffing and earlier dispersal of men from the orientation unit than was originally intended.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Households in units were crowded. Forty-seven prisoners were sleeping on mattresses on floors in cells, hallways, and other common areas, and had nowhere to store their belongings. This undignified and degrading treatment had developed over the previous two years, but would be remedied in following weeks by installation of additional beds in cells. However, these newly doubled cells would be of insufficient size to meet national standards.

Self-catering continues to be a source of pride and imparts valuable domestic skills used by many after release; but there were threats to its sustainability.

Recommendation 3:

That WKRP continue with its successful self-care model and dedicate lifeskills officers to develop prisoner living skills.

Prisoners are issued clothing on admission, and wash their own clothes in their units. But second-hand underwear is issued on admission and replacements take too long to issue.

Recommendation 4:

Provide each prisoner with new underwear on reception, and make new underwear available for purchase.

Relations between staff and prisoners were generally friendly and respectful. But there were some cultural matters that caused friction, and a lack of unit interview rooms limited ability to provide welfare support. A combination of increased numbers and short staffing impacted on staff/prisoner relations, as did the loss of monthly staff-prisoner interviews under the former case management system.

Canteens operated effectively but inefficiently as extra supervision was required. Like most prison canteens they contribute little to prisoner health or wellbeing. A second weekly spend was under consideration.

Men's access to recreation was limited by staffing and infrastructure. Men and women each have a good library, but the collection included only the most basic of legal resources.

The visits centre is pleasant, and flexibility was extended to visitors who had travelled a long way. Risks relating to sex offenders and visiting children were well-managed. WKRP still lacked an e-visit facility such as Skype for remote visits with approved family and friends.

REHABILITATION

Assessment and sentence planning were functioning well despite a significant and growing workload, but there were insufficient resources for treatment assessments.

Recommendation 5:

Increase the level of resources for case management and treatment assessments at WKRP.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Prisoner support and release planning was significantly impacted by loss of the Offender Management Model, putting rehabilitation outcomes at-risk.

Recommendation 6:

Re-establish an Integrated Offender Management model at WKRP and restore the prison-based community corrections position.

Offender programs offered at WKRP were not meeting demand, nor were they well matched to the needs and responsivity of the prisoner population. Two key programs had been heavily modified, raising doubts about their integrity and efficacy. No programs were provided to women.

A single Prison Counsellor/Senior Programs Officer with multiple other responsibilities had been responsible for program delivery at WKRP. A special unit was needed to develop and deliver culturally competent offender programs at WKRP.

Recommendation 7:

Develop and deliver culturally appropriate offender treatment programs for men and women at WKRP.

There was evidence of real innovation in the scope of offerings and in the manner of delivery of education and training at WKRP, and tremendous commitment on the part of staff. But delivery was diminished by staff shortages both within the education team and in the prison as a whole, and the lack of qualified industrial and section 95 officers meant that far too many male prisoners were either un- or underemployed.

Recommendation 8:

Recruit VSOs with industry-relevant qualifications, to fully restore and extend industrial work and training opportunities for prisoner rehabilitation.

The Department had failed to provide the Essential Level Training Program to any VSOs commencing in the previous two years. This meant they were not qualified to supervise prisoners without the assistance of a prison officer

Recommendation 9:

The Department must provide Essential Level Training Program to all VSOs within six months of commencing employment.

Prisoner participation in external work and activities had not progressed, with both prisoners and the community missing significant benefits. This was primarily due to regressive classification and assessment procedures.

Recommendation 10:

Ensure sustainable levels of prisoner engagement in community work, and placements at work camps.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Pre-release support services within WKRP were inadequately resourced.

Recommendation 11:

Establish a Transitional Manager position at WKRP.

Relationships with community service providers remained strong. But the main provider was affected by uncertainty over contractual arrangements, and stretched by increased demand. This was impacting on services to released prisoners.

Voluntary programs at WKRP were very limited. We could only identify the Men's Outreach Community Transition and Life Cycle (bike building) programs, and two health education programs supplementing the official offending programs.

HEALTH AND WELLBEING

A good standard of care was provided, but this was precarious due to increased population and staffing issues. There were issues with equipment, infrastructure, and an electronic medical records system so slow that it impeded clinical practice. There were also long waiting lists for the dentist.

The comorbidity nurse, prison counsellor, and prison support officer work well with custodial staff to care for prisoners with mental health problems and psychological distress, but one counselling position is vacant, and none are properly covered for leave.

There is no training or overall strategy to provide culturally appropriate care.

WKRP was well served by three religious visitors, but separate church services were held on alternate weeks, halving the access for men and women.

WOMEN

Women live in a well-designed self-contained precinct with good sight and sound separation from male units. Capacity had increased from 30 to 40. Houses still lacked a second exit to facilitate evacuation.

There had been changes in the demographic mix of the women with a significant cohort of Asian women joining Kimberley Aboriginal women.

Work and gratuities had been recently reformed to ensure all women had appropriate employment and an appropriate approach to the working day. However, access to work outside the precinct was limited.

Recommendation 12:

Ensure that female prisoners have education and employment opportunities equal to those of males, including community work.

Passive recreation options were satisfactory, but active recreation options were affected by infrastructure and staffing issues. Mixed recreation had also ceased.

Integration between men and women had gone backwards since 2014 and the formal intra-prison visit process lacked cultural integrity.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Recommendation 13:

Subject to risk assessments and supervision, provide better opportunities for male and female prisoners at WKRP to mix. This must include opportunities for friends and families to grieve together.

CULTURAL RESPECT AND MAINTENANCE

Aboriginal and culturally competent agencies provide health and re-entry services, but culturally focused agencies and elder visits are largely confined to NAIDOC celebrations. WKRP lacks an Aboriginal Visitors Scheme. It is left to the Peer Support Officer, Women's Support Officer, and peer supporters to provide culturally competent support services.

A majority of prisoners thought staff did not understand their culture. Cultural expression is a core responsibility for Aboriginal people. A more sustained approach is needed, and culturally based agencies should be involved.

Recommendation 14:

Re-examine prison priorities and procedures to better meet the cultural needs of Kimberley Aboriginal prisoners, and develop a stronger and sustained program of activities to facilitate cultural expression.

The Department still does not recognise Aboriginal kinship and extended familial relationships when assessing funeral applications. WKRP is also disadvantaged by not having a local transport contractor base in Derby, unfairly rendering many potential funeral escorts unaffordable. The prison has undertaken some of these by itself, but this has been limited by staffing and lack of funding.

Recommendation 15:

Fund WKRP to undertake funeral and other compassionate leave escorts.

Locally recruited and longer-term staff have been an asset in transmitting cultural awareness to new staff, but locally focused training is needed for all staff. There are also opportunities to re-examine prison priorities and procedures to better meet the cultural needs of prisoners and develop a sustained approach to cultural expression.

Recommendation 16:

Ensure that all staff have locally-focused training in social and cultural awareness of Kimberley Aboriginal peoples.

Recommendation 17:

Improve local recruitment strategies and recruit training to encourage Kimberley locals to work as officers at WKRP.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

SECURITY

Too much prison infrastructure had not been built to tropical standards, and was failing too often.

Good staff and prisoner relationships and good intel reporting by staff helped keep the security team informed. Short staffing meant that there were very few officers to respond to incidents.

Gatehouse staff were welcoming and practices were consistent. Efforts to control drug trafficking were appropriate, but had been undermined by a failure to test substances that had been found. The WKRP drug management strategy had little to offer in relation to demand reduction and harm reduction.

The prosecution process was timely and efficient, and the Multi-Purpose Unit (MPU) used appropriately. Good emergency management practices were in place and included integration and joint training with external agencies.

ADMINISTRATION AND PLANNING

There had been a change of Superintendent, and the management team had been augmented by a Facilities Manager position, and appointment of a Principal Officer. WKRP managers had a range of continuing responsibilities for portfolio areas for Broome Prison, and the team had been weakened by loss of the ASOS position.

Recommendation 18:

Re-instate the ASOS position at WKRP.

There was a professional administration team delivering efficient human resource (HR) services that were valued by officers.

Short staffing was undermining the operation of the prison including prisoner participation in education, work, training, and recreation. Staff were also concerned about the impact on security and their own safety.

Staff training had improved, with good recording systems and processes to ensure timely participation in essential training.

There has been no evidence of the Department's promised consultation and strategic planning for the Department and custodial requirements for the Kimberley region.

Recommendation 19:

Develop a regional plan for the Kimberley region, consulting with corrections staff and relevant community stakeholders, particularly in the East Kimberley.

NAME OF FACILITY

West Kimberley Regional Prison (WGRP)

ROLE OF FACILITY

West Kimberley Regional Prison was intended to be the main regional facility for the Kimberley region. It holds remand and sentenced men and women of all security levels.

LOCATION

West Kimberley Regional Prison is located 2240 kilometres from Perth and seven kilometres south of Derby town.

BRIEF HISTORY

WGRP was opened on 1 November 2012. It also administered the former Broome Prison until September 2016 when that prison regained status as a separate facility, and the Wyndham Work Camp, which has also since July 2017, returned to control of Broome Prison.

CAPACITY

WGRP was originally designed to house 150 prisoners consisting of 120 males and 30 female prisoners (not including either Broome Prison or the Wyndham Work Camp).

At the time of the inspection it had capacity for 120 males and 40 women, for a total of 160.

Shortly after the inspection, its capacity for men was expanded to 183, which together with a capacity of 40 women, makes for a total capacity of 223.

INSPECTION DATES

20 – 25 March 2017

NUMBER OF PRISONERS HELD AT TIME OF INSPECTION

195 at the Derby facility; another 10 were resident at Wyndham Work Camp.

Description of residential units

- Unit 1** Eight self-catering cottages each with a capacity of 6-7 for minimum- to medium-security males
- Unit 2** Six self-catering cottages each with a capacity of 6-7 for minimum- to medium-security males
- Unit 3** Three non-self-catering cottages each with a capacity of 7 in an enclosed precinct acting as an orientation unit for males of all security levels, and a placement option for maximum-security males
- Unit 4** Five self-catering cottages each with a capacity of 8 in an enclosed and screened precinct for women of all security levels



Chapter 1

FOUNDATIONS

1.1 THE PROMISE

WKRP's development was guided by a Kimberley Aboriginal Philosophy

The West Kimberley Regional Prison (WKRP), near Derby in North-West WA, opened in November 2012, and it was a radical departure in design and operations from other WA prisons. Following years of consultation with Aboriginal and other Kimberley stakeholders, it was founded on the principles of custodial proximity to land and family; recognition of cultural responsibilities; the spiritual connection of Aboriginal people to land, sea, and waterways; appreciation of kinship and family responsibilities; and the responsibility of the broader community to assist and resettle prisoners returning home (OICS, 2015b) (DCS, 2012).¹

Most prisoners in WA are accommodated in large secure units to which prepared food is reticulated and served. But West Kimberley was designed to accommodate prisoners in community-style share households with the goal of developing independent living skills and self-determination. The prison also seeks to provide a range of integrated education, work, training, programs, community work, and re-entry services to build on these living skills to improve rehabilitation outcomes.

A government commitment to an East Kimberley prison has not been honoured

The prison was sited at Derby rather than at Broome, following a specific recommendation of the Kimberly Aboriginal Reference Group (KARG) based on greater cultural proximity to land and family for Aboriginal prisoners. KARG and a Directed Review by this Office had also recommended there be an additional prison facility in the East Kimberley (Kimberley Aboriginal Reference Group, 2005) (OICS, 2005). When the government committed to the WKRP build, it also committed to building a 40 bed work camp to replace a smaller temporary one at Wyndham. But to date, the work camp has been under-used, and there has been no sign of a commitment to building a prison facility in the eastern part of the Kimberley region.

1.2 A BUSH PRISON

Nature is key to the quality of life of prisoners, as a calming and restorative influence

The WKRP prison was built with a large open campus-style layout encompassed by a large see-through tall mesh security fence topped by cowling. The main campus includes a football oval surrounded to the north and west by two clusters of seven cottages, each with a unit office making up Units 1 and 2. To the south lie the gatehouse, administration, reception, crisis care, visits, official visits, assessments and programs and education, flanked on the west by the kitchen, laundry, activity facilities, canteen, and industry workshops. There are two smaller precincts at the eastern end of the site, a smaller maximum-security unit with three cottages and a unit office known as Unit 3, and a larger women's precinct with five cottages, a unit office, activity workshop, classrooms, library, and canteen. A health centre straddles the boundary between the women's precinct and the main campus.

¹ This is a summary of the philosophy. The full version can be seen at the sources quoted.



Figure 1: The bush prison – a view across the oval

The amount of natural bush vegetation retained during the build, especially the magnificent boab trees, but including some bushes, wildflowers, and other herbaceous species is extraordinary. Insects, birds, reptiles, including goannas, and mammals, including a few kangaroos can be seen within the prison and in the adjacent bushland. The oval itself is well maintained and watered, and there is good shade under some of the surrounding trees. Nature is therefore a major contributor to the quality of life for the prisoners, experienced as a calming and restorative influence in their personal journeys.

1.3 BROOME REGIONAL PRISON ON ITS OWN AGAIN

Broome Regional Prison (BRP) was reinstated as a stand-alone facility in 2016

When WKRP was developed, it was intended to replace BRP, and in 2012, the Minister of the day announced it would transition to closure at the end of 2015. Until then BRP was to operate as an annexe of WKRP. But the Department² failed to plan for alternative arrangements for its functions of receiving prisoners from local courts or acting as a hub for prisoners transported between WKRP, other prisons, and other parts of the Kimberley region. We saw no evidence in 2014 of it being proactively managed towards closure.

² This inspection was conducted at a time when the responsible department was the Department of Corrective Services (DCS). However, on 1 July 2017, Corrective Services became a division in a new Department of Justice (DoJ). In this report, the term ‘the Department’ is used to refer both to the former Department of Corrective Services and the Department of Justice. However, references to materials published by the former Department are ascribed to DCS.

By 2015, BRP had operated for a considerable period without leadership above senior officer level and it became necessary to outpost a member of the WKRP management team, the Assistant Superintendent Offender Services. In 2016, faced with rising population pressures, the Department decided to re-establish BRP as a separate facility with its own Superintendent. It retained the Assistant Superintendent Offender Services (ASOS) position, depriving WKRP. However, at the time of the 2017 inspection, as discussed in Chapter 8, WKRP retained responsibility for managing a considerable range of portfolios at BRP.

1.4 WYNDHAM WORK CAMP

Wyndham Work Camp was failing to keep East Kimberley Aboriginal prisoners in country

At the time of the inspection, Wyndham Work Camp was managed as part of WKRP. However, we are informed that from 1 July 2017, BRP will assume responsibility for this facility. The work camp was not inspected as part of the present inspection, and was last formally inspected as part of our inspection of WA work camps in 2014 (OICS, 2015a); still, our staff have visited at least annually since then. It was reported in the work camp inspection that Wyndham was operating with a population in low 20s despite having a capacity of 40; it had cost \$7.8M to build.

Regrettably, numbers slid steadily since then to the low teens in 2016 and 10 at the time of the inspection.

Following the inspection an asbestos issue was identified on site, and the population was reduced to five or six in subsequent months.³ As shown two sections below, the work camp is failing to provide custodial proximity to land and family for East Kimberley prisoners; the low numbers mean it is failing to provide reparative services to the local community, and excellent work and training opportunities for prisoners there are being wasted. The centre has also experienced some difficult staffing matters aggravated by its distance from its management at WKRP in Derby.

1.5 INSPECTING WEST KIMBERLEY REGIONAL PRISON

The first inspection had found that WKRP had mostly achieved what could be expected

This is the report of the second inspection of the WKRP. The first inspection was in July 2014, 20 months after the prison opened in November 2012. It found that WKRP had achieved most of what could reasonably have been expected of it in its initial period. There was a focus on the needs of the prisoners and a concern for culturally appropriate operational practices and procedures. Prisoners felt safe and culturally secure, they were engaged in a range of rehabilitative and skill providing activities, there were positive mental health outcomes, and women were treated as equals.

³ After the asbestos issue was addressed, and the Wyndham Work Camp transferred to BRP on 1 July 2017, the population rose to 15. This is positive, but it is still operating well below capacity.

However, we noted that the ethos of the prison was finely balanced and could fall down if there was an increase of prisoner numbers without the addition of appropriate services, support, and funding. There was also a need for the prison to better engage with the outside community through external work. Too many were unable to attend family funerals as required by culture. More gender and culturally appropriate offender programs were needed, especially for women. Deficiencies in the build quality in that environment were causing significant maintenance issues.

The report of the 2014 inspection raised questions about prisoner transport arrangements and the need for a facility in the East Kimberley. It also addressed the operation of the prison at Broome, which operated as an annexe of WKRP.

This March 2017 inspection was done when operations were affected by staff shortages

The present inspection was undertaken on 20–25 March 2017. It was preceded by administration of surveys to prisoners, completed by 95 of those at the Derby site (52%), and to staff, completed by 67 (56%). Community consultations were also held in Broome and Derby. OICS staffers were assisted in the inspection by Yawuru Cultural Coordinator Dianne Appleby, educational consultant Grazia Pagano, and the Deputy Chief Psychiatrist of WA, Sophie Davidson. Broome Prison was inspected in the following week and reported on separately.

WKRP was experiencing a persistent shortage of prison officers and Vocational Support Officers (VSOs) at the time of the 2017 inspection which affected daily operations and services. This included an inability to consistently provide duty officers to supervise work, education, and recreation for prisoners. This is further discussed below in Chapter 8.

1.6 THE RISING TIDE

Forty-seven prisoners were sleeping on the floor

In the context of burgeoning numbers in the WA prison system, there has been pressure on all facilities to accommodate prisoners well beyond their design capacities (OICS, 2016). At the time of the inspection there were 47 prisoners sleeping on mattresses on floors in houses. Since the last inspection, 10 additional beds had also been installed in the women’s precinct.

1.7 MILES FROM HOME

A majority of Kimberley Aboriginal prisoners remained in facilities in other regions

The following table shows background information on prisoners at WKRP, Wyndham Work Camp, and Broome Prison, based on their self-identification and address provided on reception into a prison.⁴ Of the 193 at the Derby facility, 166 identified as Aboriginal and/or Torres Strait Islander (ATSI) of whom 149 were from the Kimberley region. Seventeen appeared to be from other regions or interstate. One or two may have been

⁴ This analysis was undertaken on data accessed on 23 May 2017, so population totals are slightly different from those reported in the Facts Page of this report based on data as at 20 March 2017, just before the inspection.

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locals for whom an address was not recorded, but most were dispersed from other regions due to population pressures and conflicts with other prisoners.

Thirteen of the 27 non-ATSI prisoners were living in the Kimberley when received into prison, and 14 were dispersed from other regions. Ten of these were foreign nationals, mainly women.

Table 1: Background and origin of prisoners in Kimberley Facilities as at 23 May 2017

	WGRP	Wyndham	Broome	Total
ATSI	166	3	49	218
From East Kimberley	60	1	18	79
From West Kimberley	89	2	28	119
From other region/unknown	17	0	3	20
Non-ATSI	27	3	4	34
From Kimberley	13	1	3	17
Foreign national	10	1	0	11
From other region/unknown	4	1	1	6
Total population	193	6	53	252

(Based on address provided upon reception into a prison, except those identified as foreign nationals)

At the time of the inspection, there were 10 prisoners accommodated at the Wyndham Work Camp, but when these figures were accessed there were just six. A look at their backgrounds revealed that only one person was an ATSI person from the East Kimberley region. Thus only one of the 79 East Kimberley Aboriginals in WA prisons was accommodated in their end of the Kimberley region; the Kimberley region encompasses an area almost twice the size of the State of Victoria. The following table shows more broadly how many prisoners from the East and West parts of the Kimberley region are accommodated in Kimberley facilities and how many are accommodated in other regions of the state.

Table 2: Proportion of Kimberley ATSI prisoners in Kimberley facilities as at 23 May 2017

	In Kimberley facilities	In other regions	Total in WA prisons	In Kimberley as % of total
From East Kimberley	79	103	182	43.4%
From West Kimberley	119	107	226	52.7%
Total	198	210	408	48.5%

As can be seen, just four years after WGRP was opened, despite populating the facility well beyond its design capacity of 150, a majority of Kimberley Aboriginal prisoners, 51.5 per cent, remained in facilities in other regions of WA. There will always be a small

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proportion of prisoners from every region accommodated in another region due to expressed preference, conflict with others, health, program participation, or security reasons, but the extent of the failure to keep Aboriginal prisoners in their own country is deeply concerning, and this fact has continuing ramifications for the health and rehabilitation of many of these prisoners, and for their families and communities.

Chapter 2

DAILY LIFE

2.1 RECEPTION, TRANSPORT AND VIDEO LINK

Prisoners are received directly from police in Derby or Fitzroy Crossing. They also come in from other parts of the Kimberley, and from other WA prisons, via Broome Regional Prison. The main transfer journey from BRP is undertaken by the Broome-based CS&CS contractor on Friday mornings. The contractor does another run on Thursdays to pick up prisoners for transfer out to other prisons, in some cases for release.

We observed a transfer out undertaken by Serco staff. They were thorough in checking paperwork, noticing a discrepancy as to whether a Ventolin puffer was required on person. At the end of the inspection week, Broadspectrum, the new contractor was due to commence operations.

Peer supporters in reception added to the quality of welcome and support to prisoners

On arrival at reception in WKRP, newcomers and transferees were met by staff and peer supporters. All are subject to strip search, shower, property registration, receipt of clothing, toiletry, and mess kit. Newcomers are subject to identification, an admission checklist, and reception intake assessment to identify any at-risk issues. An innovative system developed locally for documentation relating to transfers and discharges enables significant efficiencies for staff in reception. If a new prisoner, the VSO will facilitate a call to a next of kin, and give a brief induction. A health screen is also administered by a nurse in reception, or if late, the following day. When possible, a peer support prisoner would also have a chat, before new arrivals are escorted to their allocated residence.

WKRP is the only medium or maximum facility without a contractor-provided escort service

Apart from transfers between WKRP and Broome prisons, the CS&CS contractor provides no other escort services to WKRP. It is thus the only medium or higher-security facility in WA without such a service; the prison has to undertake its own escorts, including to Derby Court, Derby Health Campus, and to other medicals and funerals. The roster includes two positions responsible for internal and external escorts, but in reality these lines were never filled. The Principal Officer had to take staff off other duties to staff an escort when required.

The prison's escort vehicle is unsuitable except for very short journeys

The prison recently acquired a Mercedes Sprinter van capable of holding six prisoners in two cells with appropriate restraints, good CCTV monitoring, two-way communication between staff and prisoners, air-conditioning and temperature monitoring. While the vehicle is secure and safe for short journeys there were some disappointing design features that the Department should not keep reproducing. The seats were fitted too low to allow people to sit in a standard position and were quite uncomfortable. Seating in one cell faced backwards, which is not ideal for passenger comfort.



Figure 2: Low and cramped seating in the secure van

Neither cell had seated external views, something that is important for the wellbeing of passengers (OICS, 2007, p. 48 [67.4]). The uncomfortable seating position and lack of external views renders this vehicle completely unsuitable for journeys outside the Derby town site. It should never be used for transfers to Broome, for pickups from police, or funeral transports on communities. It turned out that this vehicle had been passed on from Karnet and was in fact the same one criticised in our 2016 report of our last inspection of that facility (OICS, 2016a, p. 5).

Recommendation 1:

Modify or replace secure vehicle at WKRP so that prisoner passengers can sit in a standard position and have external views while seated, without compromising privacy.

Minimum security prisoners feel demeaned when shackled on medical escorts

Regardless of security classification, all prisoners on medical escorts in WA are normally required to be shackled to a wheelchair when outside the secure vehicle to prevent escape. When not in the wheelchair, prisoners are shackled to a fixture such as the x-ray machine. Several prisoners complained about this, stating that they believed this arrangement drew attention to them in the eyes of community members who knew them at the local health campus. They felt exposed and humiliated. Some officers expressed embarrassment at this treatment of prisoners.

This level of security is appropriate for maximum-security prisoners but unnecessary for those of lesser classifications. It is certainly absurd for those assessed as suitable for section 95 activities outside the prison. The Superintendent can order exceptions to this, but that requires early identification that a potentially eligible individual is due for an escort, that a request is made, and that the Superintendent is available to consider an exception. Medium-security prisoners should be double-cuffed to an officer, and minimum-security prisoners single cuffed, or if already approved for section 95, should not be cuffed at all.

Recommendation 2:

Revise medical escort security procedures to reduce use of restraints to reflect its systems of security classifications and approvals for external activities.

Video link is well used for court appearances, but the new West Kimberley Magistrate deals with prisoners only after 2:15 pm with Broome prisoners normally heard first. This means that releases are triggered late in the day when logistical issues in transporting them home are that much more acute; reception staff also have to stay back past their 4 pm knock-off time.

2.2 ORIENTATION

Some slippage was evident in WKRP's well-designed system of prison orientation

The standard Orientation Checklist is administered on placement in Unit 4 for women, or Unit 3 for men, on the day of arrival if possible, or the next day. A tour of the facility is provided by a peer supporter. Education schedules each new arrival into three key orientation courses: *Introduction to Workplace Health and Safety*; *Healthy Eating on a Budget* and the *One Star* food hygiene course, ideally in the first week or three. As much as possible, these are completed before male detainees are transferred to the self-care cottages, but we found that in early 2017, it often took over a month due to short staffing in education or in the centre generally that reduced the days education could operate.

During early days, a new prisoner may have follow-up health appointments and also will usually meet with the Prison Support Officer or the Women's Support Officer for a welfare check. Sentenced prisoners should also engage with a range of assessments with education, the treatment assessor, and assessment writer. This was a well-designed and comprehensive system, but we had some concerns expressed by staff that it had less focus than before and in the 2017 pre-inspection survey, prisoners were less likely than in 2014 to say they got enough information on arrival (46% vs 56%) which suggests some slippage. One missing component is that the Employment Coordinator/Transition Manager no longer sees all new prisoners to assist with issues relating to outstanding fines, IDs, and re-entry. Such services must now be requested by the prisoner. We suggest management review how orientation is working.

2.3 UNITS 1 AND 2 — MEDIUM AND MINIMUM-SECURITY (MEN)

Households in units were crowded, with undignified conditions for those on mattresses

The main area of the prison houses male medium and minimum-security rated prisoners in 14 self-contained cottages. The cottages are split into two units, Unit 1 and Unit 2, but

there is no physical barrier separating these two units. Each house in Units 1 and 2 has a design capacity of seven, with four single rooms and one triple-share room. Prisoners are secured in their houses each evening, but their doors are not locked, except for a latch to secure themselves once inside. Residents may access the common ablutions during the night.

Units 1 and 2 were designed to house 98 prisoners, but at the time of the inspection up to three additional prisoners were accommodated in each house on mattresses on the floor. Some were placed in a common room area behind the kitchen, with others in the lounge or in corridors. The back rooms were quite untidy with clothes and property strewn over mattresses, on chairs, tables, and the floor, some in cardboard boxes. Such prisoners had little privacy and could not safeguard their personal property. While standard rooms are air-conditioned, these common areas in houses are not. The conditions were undignified and degrading.



Figure 3: Makeshift beds on a house veranda

Additional beds were to be installed, but cell sizes would not meet national standards

The Department had decided to install additional single beds in each of the five single rooms in each of the houses in Units 1 and 2, taking household capacity from seven to 11, and centre capacity to 223, up from its design capacity of 150. These rooms are only 8.9 m² so double-occupancy means each cell will be crowded according to the Australasian standard guidelines (Corrections Victoria, 1990) (OICS, 2016, p. 28) which

require 11.5 m² for a double cell without ablutions. While existing cells had a good sized table at which two people could be seated, these would have to be cut in half leaving only a small table suitable for one person when the second bed is installed.

There are sleep-out mesh-enclosed verandas attached to each room that allow for prisoners to sleep with a breeze if they choose to. Cells are air-conditioned, but electronic sensors are in place to turn it off when either the door to the common area or the door to the veranda is opened. This makes sense, as too many people in prisons fail to turn off electrical items when leaving their rooms and far too much power is wasted. Just prior to the inspection, prisoners had discovered that removal of magnets installed at the top of their room doors prevented the air-conditioner from turning off. This was regarded very seriously by centre management, and a notice outlining penalties for tampering or being in possession of a magnet had been posted in each unit. Prisoners complained that penalties were severe, including 14 days on basic supervision which triggered loss of one's job, prison charges, restitution, and loss of single cell or two-out privileges.

2.4 UNIT 3 — MAXIMUM YARD (MEN)

The maximum-security unit is enclosed by a demarcation fence. It has the capacity to hold 21 prisoners and at the time of the inspection held only 17. The unit houses new prisoners for their initial orientation period for three or more weeks, but those returning are moved out sooner. The unit also houses remand and sentenced prisoners classified as maximum-security, prisoners with movement restrictions, mental health problems, behavioural issues, conflict with others, and poor coping skills.

Unlike mainstream living areas, the prisoners in Unit 3 are locked in cells at night. These cells do not have individual veranda extensions. Meals are provided by the main kitchen as these houses are not equipped for prisoners to cook their own meals. Ten extra beds were being added to Unit 3.

2.5 UNIT 4 — WOMEN'S UNIT

Female prisoners are segregated from the males in their own unit with their own facilities. All women, regardless of security classification, are housed together. The unit has five houses each with four rooms, all doubled. Ten additional beds had been installed in the women's unit since the last inspection. More information about the unit and its operation can be found in Chapter 8 below.

2.6 FOOD, LIFESKILLS AND HOUSEHOLD MANAGEMENT

Households have little say in what they get to cook with

Residents in houses in Units 1, 2 and 4, are all rostered for daily cleaning duties, or as cook for the day.⁵ Each house has a house spokesperson who has a coordinating, communication, and ordering role. In the past, the Lifeskills Officer monitored the living habits of residents in each house; identifying and addressing underperformance in cleaning and cooking; imparting skills in cleaning, budgeting, and cooking; and addressing personal hygiene

5 Unit 3, the maximum-security unit, is not self-catering.

issues. However, this position has not been filled for almost a year and an effort to recruit a suitable person was unsuccessful. This role is undertaken in Unit 4 for the women by the Women's Support Officer, but she is not covered when on leave.

The house spokesperson orders vegetables, fruit, and dry goods from the canteen each week within their budgets. A pictorial ordering system has been created for this. On supply day, the house spokesperson brings up their box to the canteen with their order. To compensate for the lack of the Lifeskills Officer, prisoners from the canteen do an audit of stocks in each house against their orders to check nothing has been over-ordered, and what food is not being used. They sometimes offer recipes and advice, for example how to use certain vegetables. Boxes are later dropped off using a trolley. Coffee, tea, and sugar packs are strictly rationed and supplied for each individual in each house.

Meat, eggs, fish, fresh milk, and bread are issued through the kitchen on a per head basis. Prisoners have no say in what is issued, for example, whether more poultry or red meat is supplied. Only frozen freshwater basa from South-East Asia is supplied, not local ocean seafood. Another surprising omission is tropical fruit. Mangoes could easily be sourced locally or readily grown, as could bananas⁶. There have been particular challenges with the shelf life of vegetables shipped from Bunbury Prison. Only women had a small herb and vegetable garden and could access Asian vegetables and cauliflower. Fresh milk from Karnet prison was in limited supply, so long-life cartons were also supplied.



Figure 4: A food basket including frozen basa fish

6 In response to the draft text, the Department stated it: 'could not commence purchasing locally sourced seafood without adequate rationale over direct sourcing, value for money decision making and procurement planning. The Department considers the arrangements in place to provide WKRP with fresh food and groceries demonstrates appropriate procurement and supply practice that uses local suppliers where appropriate'.

Self-catering was valued by prisoners, but there were threats to its sustainability

Prisoners enjoyed preparing their own food. This was a source of pride, providing a level of agency that prisoners lack in other facilities, and imparted valuable domestic skills. We heard evidence that many do in fact use their skills to some degree in the community to help care for their family, including the elderly, sick, and disabled. One former prisoner for example, successfully used his skills to cater for a community BBQ at Derby Short Stay Accommodation.

However, there were a number of threats to the sustainability of self-catering. For example, the high level of unemployment meant that many men are spending most of the day at home and they tend to raid the fridge, depleting food available communally. Extra bread has been supplied to houses for this, but there may need to be a system of locking up communal food for use by the house cooks and having an open fridge for anyone to access.

Higher numbers in households reduces the rostered opportunities for each person to be the cook, or to undertake other duties. It will be harder for people to acquire and maintain relevant skills. There may be pressure for one or two individuals to cook full-time, as is too often the case in self-care units at other facilities. There is also increased wear and tear on ablutions, fridges, stoves and washing machines, and indeed they may be too small for larger numbers accommodated in each house.

Another factor was the increasing remand population. In 2014, there were only 11 remandees at WKRP (OICS, 2015b, p. 37), but on 20 March 2017, there were 53 (42 males and 11 females). Some of these were on short remand cycles, and management was concerned that such prisoners may not commit to the self-care model, or develop the requisite lifeskills. Yet there are no legal constraints on the acquisition of life skills, or any inherent lack of interest by remandees in participating in their own care. Most males are retained in Unit 3 until completing orientation programs.

With these factors in mind, in concert with short staffing and failure to fill the Lifeskills Officer position, we heard some staff and management suggest that self-catering had become unsustainable. It was even implausibly suggested that such skills were non-transferable to life in the community. In the period before the inspection, the kitchen was asked to prepare for a trial in which two houses would be supplied with cooked food through Kambo carts, as is already the case for those in Unit 3.

Such a course of action is highly retrogressive and should be avoided. Most staff we spoke to strongly supported a continuation of self-catering, and the Superintendent stated that new fridges and stoves would be installed at the same time as beds were being installed and that they would persist with self-catering at least for the time-being. It was also acknowledged that appointment of a Lifeskills Officer was needed to maintain this model, but following a failure to find a suitable applicant when last advertised, consideration was being given to removing the requirement that eligibility for that position be an Aboriginal person. We considered this regrettable, as an Aboriginal person is more likely to be heard in addressing intimate issues relating to personal hygiene, and other lifeskills matters.

Recommendation 3:

That WKRP continue with its successful self-care model and dedicate lifeskills officers to develop prisoner living skills.

2.7 CLOTHING

Second-hand underwear was issued to new prisoners

Clothing packs are issued from reception, and work trousers to those who need them. However, there were complaints that it took far too long to obtain replacement clothing. Requests for replacements are made through unit staff and it was unclear whether the problem was at the unit or reception end. Also, used underwear was issued to new arrivals which is not the case in some WA facilities, and was certainly not appreciated by some prisoners.

Each unit has its own washing and drying machines to share between the houses in outdoor stations with just a roof. With increased demand due to a higher population and weather exposure, two of the machines in the main male yard were broken and it was taking rather long to get them fixed or replaced. The central laundry is used only for linen.

Recommendation 4:

Provide each prisoner with new underwear on reception, and make new underwear available for purchase.

2.8 STAFF-PRISONER RELATIONS

Cultural frictions and reduced services affected generally respectful staff/prisoner relations

We often observed positive interactions between staff and prisoners. Despite the heat, staff interacted with prisoners outside their offices, and some prisoners approached staff for a friendly chat. Kimberley men and women in their own country show a level of self-confidence we rarely see in other prisons down south. Prisoners in the 2017 pre-inspection survey were slightly less positive about their relations with unit staff than they were in 2014, scoring 59 per cent vs 68 per cent respectively. While cultural awareness on the part of staff was evident, there were some areas which caused friction and could be improved (further discussed in Chapter 6 below). Prisoners were reasonably positive when asked about staff fairness in application of rules, in how cell searches are conducted, in use of force, and in dignified treatment of prisoners.

Unlike some prisons, WKRP has no interview rooms in units for prisoners to talk privately with unit staff, security, chaplains, prison counsellor, or peer support, or for staff to facilitate a legal or welfare call. Interviews often had to take place outside or in houses, where confidentiality and security could be compromised. This limits the extent to which staff take-up matters of prisoner welfare. Men's Outreach Services believed they were being asked to take on too many welfare matters that prison staff should be addressing.

Pressures of short staffing and increasing prisoner numbers affected the ability of staff to know prisoners so the wearing of ID badges was more strictly enforced. Prisoners said they could see staff becoming tired and more likely to take out their frustration on them. Abandonment of WKRP's Integrated Offender Management case management system in which officers had monthly conversations with each prisoner was a lost opportunity for staff to develop their knowledge and connection with prisoners (see below in Chapter 3).

2.9 CANTEENS

Canteen ran well, and a second weekly spend was under consideration

There are separate canteens for the men and women, each of which also acts as supermarket for self-catering households (as discussed above). They operate effectively with the assistance of a good prisoner team of workers. However, they operate inefficiently given that the Vocational Support Officer in charge has not been afforded the essential training required to supervise prisoners, so a prison officer is also required to supervise the prisoner workers.

Orders are submitted on Sunday night, and prepacked for picking up in person on Wednesday at the canteen, or bagged and distributed for those in the maximum yard. Unlike some other prison canteens, no cold items such as yoghurt, bacon, deli meats, or ice creams are available due to unreliability of fridges; the fridges and freezers go down and have to be reset after every generator test. Nor has it been possible to get seals for a large display fridge, as its installers went bankrupt. Like most canteens, enormous sums are spent on tobacco and confectionery of various kinds. There were few healthy options for sale; some would like to be get dried fruit, yoghurt, or fresh tropical fruits.

Electrical items are procured in bulk for sale in the canteen, as it is too expensive to obtain such items on order as town spends.

The biggest issue for prisoners was that they find it too difficult to keep their drinks, biscuits, chips, and other confectionery for any weekend visitors. And some visits are booked during the week. Transfers in are also mainly on a Friday, so they have to wait five days for a spend. Some want more opportunities to obtain tobacco. Management were considering a proposal that a second spend be available each week, perhaps on Friday.

2.10 MEN'S RECREATION

Men's access to recreation was limited by staffing and infrastructure

In the pre-inspection prisoner survey, respondents were asked to list three good things about the prison. Recreation and gym was the top response (28 out of 95 respondents). However, recreation and gym was also the third most common response when listing three bad things about the prison. Only 59 per cent of respondents thought the amount of organised sport was good, down from 73 per cent in 2014. During the inspection, prisoners told us that they valued recreation highly. Their main frustrations related to the limitations of the infrastructure, and their reduced access to recreation. Prisoners complained that they were frequently confined to their houses during recreation time because of custodial staffing shortages.



Figure 5: Using the under-cover basketball court

Recreation infrastructure for male prisoners included an undercover basketball court, outdoor basketball court, oval, air-conditioned pool room and darts room, music room, outdoor isometric equipment, and library. The ‘ring road’ around the oval was used for walking, running, and cycling. The biggest gap was the lack of a gymnasium; prisoners desired access to an indoor, air-conditioned area for weights and other training. Women’s access to recreation is addressed in Chapter 5 below.

Recreation at WKRP was coordinated by the Activities and Projects Officer. However, the incumbent was working in the kitchen and the role was only partly covered by a relief VSO who was also covering the canteen officer role. The Activities and Projects Officer had been delivering circuit training sessions twice a week for male prisoners, and twice a week for female prisoners. This had ceased because of the officer’s increased workload. Most routine activities were instead run by the three prison recreation workers.

Recreation activities were scheduled for each evening and weekend. At the time of the inspection, activities for male prisoners included basketball, football, darts, library, and band. Unstructured recreation on the oval was available two evenings per week. We were concerned to find that many recreation activities were being cancelled due to staff shortages.

In addition to the regular scheduled activities, there had been a number of special events held in the prison, including a walk-a-thon, bike-a-thon, and a fun run. These had included participation from male and female prisoners, and staff. Annual NAIDOC celebrations are more culturally focused; the question of cultural expression is discussed in Chapter 6 below.

2.11 LIBRARY

The libraries are satisfactory, but only have the most basic of legal resources

The prison has two libraries, one located in the former cultural centre between Units 2 and 3 in the men's precinct, the other in the women's precinct. Both appeared to have a reasonable collection of fiction and other materials. Access to these by prisoners was limited due to staffing shortages. The women's library was also temporarily affected by a major water leak from the wet season.

We found some legislation of mixed vintage and generic legal textbooks in each libraries. We also saw on the desk of the men's library an update from the Legal Aid Commission for their information package for prisoners, but the information package itself could not be found. This is concerning as the information is tailored for prisoners and useful not only for a practical understanding of their criminal cases, but other important areas of law, such as family law, and prison offences.

TimeBase, a searchable computer-based collection of legislation and judgement summaries, was not available in either library. This resource is available in appellate libraries at Casuarina, Hakea, and Acacia prisons in Perth and is essential for anyone preparing their own defence or appeal. It may not be viable to maintain such a resource in such a remote facility, meaning that those needing such a resource may have to be transferred out. But as noted above in Chapter 1, remand numbers have been on the rise in the Kimberley, so this will need to be monitored.

2.12 VISITS

The visits centre is pleasant, flexibility is shown to families, and risks are well managed

Keeping in touch with friends and family is an integral part of a prisoner's rehabilitation and central to the WKRP philosophy. All prisoners can receive visits on weekends, and remandees are also entitled to visits daily during the week. When asked about visits in the pre-inspection survey, 37 per cent said they did not receive visitors. Another 11 per cent declined to answer the question. While a few people from the East Kimberley receive occasional visits, many do not. But those who did receive visits were clearly appreciative and generally considered their visitors were well treated. We observed staff showing respect to visitors, engaging them in friendly small talk while they were being screened and processed. Recognising that visitors from distant communities are non-regulars, and may only be in town briefly, the prison often allows such visitors to come in during the week to see a prisoner.

The visits centre has an indoor and outdoor area and most visitors and prisoners can choose where they would like to sit. Prisoners were concerned that sex offenders may also have a visit when their children come to visit. Some say they stop their visit if they see such a person in the visits centre. But such people are carefully placed at certain tables under close scrutiny and are not permitted to go near children. The ring road and lawn adjacent to the visits centre fence is also out of bounds during visits sessions to prevent unauthorised contact between prisoners and visitors. These controls are

adequate when the centre is appropriately staffed, but may be less effective if the visits centre is understaffed.



Figure 6: Social visits – outdoor section

2.13 E-VISITS

WKRP still lacked an e-visit facility such as Skype for remote visits

A large proportion of prisoners at WKRP come from the East Kimberley and such prisoners would rarely if ever, receive visits. Even within the West Kimberley, the distance and expense can render visits infrequent. Video link systems were originally deployed in most prisons and corrections offices to facilitate electronic visits by prisoners with families, recognising it as a far superior way of connecting remotely than by phone. However, this use was almost completely displaced by their use for court video links. Only for inter-prison visits are video links commonly used for social purposes. At WKRP, these had ceased due to staffing issues.

While video link facilities are available in some communities, access is difficult, and prisons have never invested in coordinators to make community video links a success. Much more effective is Skype, which operates over the internet and mobile data so can be received at home on a computer or at-large on a mobile phone. It has slowly been taken up in other prisons, and at the isolated Pardelup Prison Farm, e-visits over Skype were occurring at a rate of 55 per week. As discussed in our recent report on Karnet Prison Farm, we have

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previously made recommendations to institute e-visit systems for prisoners to connect with approved contacts among family and friends. The Department has responded positively to these recommendations in principle, but action has been slow (OICS, 2016a, p. 15).

E-visiting is an essential service that should be normalised at WKRP as soon as practical.

Chapter 3

REHABILITATION

3.1 ASSESSMENT AND CASE MANAGEMENT

There were insufficient resources for treatment assessments

Assessment, sentence planning and case management was managed and coordinated at WKRP by a Case Management Coordinator and two assessment writers. It serviced WKRP, the Wyndham Work Camp, and Broome Regional Prison (BRP). Although BRP was a separate facility, it had no assessment capacity of its own, but generated a significant amount of work for the WKRP team. The Coordinator informed that 250 assessment reports had been completed for BRP prisoners since October 2016, mostly Management and Placement Plans (MAPs) for remandees and short-term prisoners. In preparing reports for prisoners in another facility, it can be difficult to get adequate and timely information from staff, or to properly consult the prisoner.

A second assessment writer position at WKRP had been introduced in December 2016 primarily to cover demand from Broome, but workload had also increased due to population growth. This position was only temporary and it was hoped that Broome would gain its own assessment capacity. Even so, the WKRP team would struggle if the team fell back to a single writer.

The Department requires that an Individual Management Plan (IMP) and Case Conference be undertaken within 28 days for a sentenced prisoner with over 12 months to serve in prison (DCS, 2012a). The IMP sets out the prisoner's security classification, prison placements, education/training needs, and program requirements based on certain assessments, including a treatment assessment. But by the end of 2016 there were 43 IMPs outstanding, 28 per cent of sentenced prisoners. This was because there was only one person tasked to do treatment assessments, the Prison Counsellor/Senior Programs Officer, who had to prioritise counselling of at-risk prisoners, and delivery of programs over treatment assessments. A second position had been left vacant for at least a year. This left affected prisoners unable to get a place in a treatment program, and at-risk of failing to complete a program prior to their parole date; this reduced their chance of being granted parole which contributed to prison crowding.

The backlog in treatment assessments was only addressed in January 2017 when three additional staff, including a student, were temporarily sent to WKRP from Perth to conduct outstanding treatment assessments. It had since crept up to 11. We understand that efforts to recruit a second Prison Counsellor/Senior Programs Officer had stalled, as the Department intended to split these roles. Either way, it is questionable whether there were sufficient resources to cover these multiple key responsibilities, even if the second position were filled.

Recommendation 5:

Increase the level of resources for case management and treatment assessments at WKRP.

The demise of the Offender Management Model has impacted on prisoner reintegration

From its opening, WKRP ran a trial Integrated Offender Management (IOM) model. During the 2014 inspection, we recognised a number of positive features in this model, including supportive contact between prison officer case managers and prisoners, more detailed and holistic case notes by prison officers, and far more consideration of prisoners' reintegration needs. This was reflected in multidisciplinary reintegration conferences, which produced reintegration plans for each prisoner. The conferences included staff from education, employment, programs, mental health and, closer to release, the prison-based Community Corrections Officer (OICS, 2015b, p. 30).

The prison-based Community Corrections Officer was also central to the process, taking the lead in drawing up reintegration plans, but when the position was withdrawn, the model was considered to be unsustainable. An effort was made to revise the model, but in mid-2016 head office advised WKRP to abandon it because the Department was close to implementing a statewide Integrated Individualised Offender Management (IIOM) system of case management. In the meantime, WKRP has reverted to the standard limited system of case management in which prisoners have contact with case managers only every six months, (or 12 in case of long termers) that adds nothing in terms of support or release preparation.

To date IIOM has still not been rolled out, which is a major shortfall, and prisoners at WKRP are no longer served by a good practice system of case management designed to maximise their prospect of effective reintegration back into their home communities. This should be remedied as soon as possible.

Recommendation 6:

Re-establish an Integrated Offender Management model at WKRP and restore the prison-based community corrections position.

3.2 OFFENDER PROGRAMS**Offender programs failed to meet demand**

The program schedule at WKRP was inadequate for the prisoner population. At best, the prison was scheduled to deliver four programs per year: two high intensity addictions programs (*Pathways*), and two medium intensity family violence programs (*Not Our Way*, (*NOW*)). Capacity in each was limited to 10 participants, meaning that maximum capacity per year was no more than 40. In reality, program delivery was even more limited. For a variety of reasons, including unavailability of facilitators and participants, it was not uncommon for programs to be cancelled. In 2016, only one *Pathways* and one *NOW* was run, servicing just 20 prisoners.

This level of program delivery was not meeting the demand generated by a prisoner population of 200 plus. At 31 December 2016, 65 prisoners at WKRP were past their earliest eligibility date for parole and had not completed any of the programs required in

their IMP⁷. While some prisoners could be booked into a program at WKRP or at prisons down south, a number required programs that simply did not exist, for example, an Aboriginal-specific addictions program.



Figure 7: A dedicated room for programs

No offender treatment programs were available for women

Especially concerning was the fact that no offender treatment programs were available for women prisoners. This severely disadvantaged women from the Kimberley region. Some time ago a brief intervention program was provided for women at WKRP but that was problematic, as they started to raise experiences of trauma and abuse which could not be addressed in that program. Consideration was being given to offering the *Choice, Change and Consequences* program at WKRP, but adaptation would be required.

We had concerns about the integrity and efficacy of modified programs

This Office has doubts about the suitability and efficacy of the programs offered at WKRP for Kimberley prisoners. *Pathways*, licensed by Harvey Milkman from the USA, requires of its participants much written self-reflection and engagement with advanced cognitive behavioural concepts. WKRP participants included people with limited English language skills, functional illiteracy, and intellectual limitations, for example, from Fetal Alcohol

7 In its response to the draft report, the Department pointed out there a number of other reasons why parole may have been denied or deferred by the Prisoner's Review Board. Nevertheless, it is still the case that these 65 WKRP prisoners had all missed programs they were assessed as needing.

Syndrome. While local staff with support from head office have made extensive modifications to ensure better participation, there is a risk that such changes invalidate the evidence base for the program's effectiveness. The Department has apparently shed its Clinical Governance Unit or any capacity for programs evaluation which could provide assurance about these matters. The *NOW* program, licensed by Ken McMasters from NZ, and adapted for delivery with Australian Aboriginals in Eastern States and in Southern WA, has also required additional local adaptation and contextualisation.

Program facilitation was precarious

It was problematic that the burden of delivery and adaptation had fallen for the previous year or more to a single Prison Counsellor/Senior Programs Officer (PC/SPO). This same person was also meant to provide community programs, program assessments, at-risk assessments and counselling. The second PC/SPO had been vacant for some time, and we were unable to determine if this was likely to change. The PC/SPO was due to facilitate all four programs scheduled in 2017. Co-facilitation should be provided by an Aboriginal programs facilitator but that position had been vacant for over a year and had only recently been advertised. In the meantime, another facilitator had to travel from Broome.

A special unit is needed to meet the program needs of Kimberley men and women

The PC/SPO believed it would be better to have four *NOW* programs per year, augmented with more addictions content, rather than persist with *Pathways*. An appropriately adapted women-centred program is also essential, as is development of a new intensive addictions program targeted to Aboriginal people from remote areas. Less intense interventions may be more appropriate for some, if only to provide a grounding in cognitive skills and group interaction skills so they can make the most of a more intense program. Some may need individual counselling instead. Maintenance programs are also needed, to help prisoners stay motivated, practice relapse prevention skills, and be primed for release, especially in relation to their addictions issues.

If the Department is to acquire and deliver a range of programs to meet offender treatment and responsivity needs of Kimberley people, a unit of four or more skilled staff, inclusive of local Aboriginal expertise, will be needed. The unit should also find a research partner to assist with evaluation.

Recommendation 7:

Develop and deliver culturally appropriate offender treatment programs for men and women at WKRP.

3.3 EDUCATION AND TRAINING

There was evidence of real innovation in education and training at WKRP

The Educational and Vocational Training Unit (EVTU) sought to provide a good level of education and training at WKRP with a mixture of general education and accredited training. It was delivered in a way that supported the facility's ethos of self-determination and skill development. There were 5.5 full-time equivalent (FTE) in education, the

REHABILITATION

Campus Manager, two Prisoner Education Coordinators, an Aboriginal Worker, and a Clerical Officer. Two tutors were also employed for adult basic education. Northern Regional TAFE continued to provide a good level of Student Curriculum Hours, sending in further tutors for a range of courses.

As discussed above in Chapter 2, the centre provided three orientation courses, and tested literacy and numeracy levels using Compass. Some 85 per cent of WKRP prisoners were found to be at grade 3 level or below and 11 per cent were non-literate. Further assessment is done with sentenced prisoners. The centre's main strategy is to cluster units of credits rather than full courses, incorporating *Early General Education (EGE)* in literacy and numeracy as appropriate.

A popular and important program for prisoner rehabilitation was Key for Life Driver Education, a five week program for those eligible to apply for a Learner's Permit. A Department of Transport representative attends to administer the theory test.

Media studies tutored by an expert from Derby radio were popular. Radio programs and original music had been recorded with broadcasts through the TV video system due to commence at NAIDOC 2017 for one hour per week. A former prisoner has been employed at the local radio station and prisoners leaving WKRP are welcome to volunteer and undertake further education with Derby radio. At Wyndham Work Camp, students have been able to participate in a five day Horsemanship certificate program and Sea Food Industry (aquaculture) courses.



Figure 8: The prison radio station studio

A handful of prisoners at WKRP have been able to take advantage of the self-paced learning program at Certificate of General Education for Adults (CGEA) level produced by the education centre at Hakea Prison. A few others have enrolled in business studies and related programs provided by TrainWest. There was only one tertiary student at WKRP; another had applied to participate in the university entry study program offered by the University of South Queensland using a specially issued tablet.

Women had fewer opportunities for education and training than men

Women had more limited offerings in education and training than men, with the orientation programs provided infrequently and just textiles, horticulture, and self-paced learning programs in their own education centre. However, since late 2016, certain co-ed classes have been allowed. This included the orientation programs, media studies, automotive, and short courses such as forklift. Transport and logistics would also be available to women. But they were frustrated at the lack of access to driver education, or to courses involving art.⁸

A particular difficulty was that the foreign national women were ineligible for fee support for TAFE or University programs they wanted to do, and could not afford to pay for them. Some also needed to learn English. Since the inspection, it was determined that these women could do those courses able to be offered under the Department's own training registration. They were also included in the Soundwave program along with local Aboriginal women to acquire English communication and writing skills.

Delivery was diminished by staff shortages in education, industries and custodial staff

Education had much to offer, and there was evidence of real innovation in the scope of offerings and in the manner of delivery, and tremendous commitment on the part of staff. According to information supplied, 128 of the 204 prisoners on the WKRP count were engaged to some degree, a favourable proportion. But the reality at the time of the inspection was not so favourable. On the one hand, education had lost one of its two Prisoner Education Coordinators the previous September, due to be replaced only after the inspection. The Campus Manager was also still absent on a long medical leave when she was covered for only part of that period. The clerical position was also vacant.

On the other hand, as discussed in other parts of this report, education had suffered from the prison not providing prison officers to act as duty officers in education on many scheduled days over some months. In the previous week the education centre operated for one day and in the previous two weeks about two days a week. This caused loss of motivation and continuity for the students and insufficient time to get through course content.

Furthermore, long-term vacancies in VSO ranks, and cross deployment of some to areas in which they lacked qualifications meant that industrial workshops could not facilitate relevant training. Even hospitality training in the kitchen had ceased. Nor was external work being undertaken (known as section 95 work), which could also have afforded valuable training opportunities for example in construction.

⁸ A recommendation on equity of access to education and employment for women appears in Chapter 5 below.

In the pre-inspection survey, only 39 per cent prisoners rated education as “acceptable” and 22 per cent rated training as “acceptable”. This was a much lower rating than in 2014 when education was rated at 58 per cent and training at 38 per cent, and it was lower than state averages at 49 per cent and 41 per cent respectively. A number said more education programs were needed and some told us they wanted ongoing basic education. These comments are likely due to the difficulties experienced by education in the months leading up to the inspection, but there may be a case for additional educational resources to engage more of the increased population.

3.4 EMPLOYMENT AND INDUSTRIES

Too many male prisoners were unemployed or underemployed.

At the time of the inspection, as shown in the following table, 86 men had employment at level 4 or higher, 42 in more traditional industries such as the kitchen, gardens and grounds and laundry, nine in education, and a scattering in other roles. There were also 18 employed in unit work, mostly as house-coaches. But 70 received level 5 gratuities, the lowest level, including 57 listed as unit workers. These unit workers only did their rostered duties within their households, something everyone is expected to do, so it is not a substantial or meaningful role. Even so, payment of unit work at the same level as those who are officially listed as not working does not send a positive message. Women were almost fully employed within their own precinct and this is discussed in Chapter 5 below.

Table 3: Male employment and gratuities at 20 March 2017

Gratuity level	1	2	3	4	5	6	Total
Canteen	2	1	1				4
Education			9				9
Grounds/garden	2	2	5	6			15
Kitchen	3	5	2	2			12
Laundry/cleaning	3	2	3	7			15
Maintenance	1	1					2
Metals/mechanical	1	1	1				3
Not working					13	1	14
Reception	1						1
Recreation		2	1				3
Section 95	3						3
Stores	1						1
Unit work		13	4	1	57		75
Total	17	27	26	16	70	1	157

(Note: the 10 Wyndham Work Camp workers are not included.)

The level of under-employment and unemployment at WKRP was unacceptable. Lack of employment ranked highly in the pre-inspection survey. There is potential for much higher levels of employment in metals/small engine workshop, agriculture, greenhouse, beehives, aquaculture, education and community work (on section 95 or at the work camp). Neither workshops, vocational staffing had increased along with the prisoner population. Nor had additional positions been created in the gratuity system for men. There were also issues with vacancies, qualifications, and deployment of VSOs.

The Department had failed to provide the Essential Level Training Program to any VSOs commencing in the previous two years (OICS, 2016b, p. 80).⁹ This meant they were not qualified to supervise prisoners without the assistance of a prison officer. But prison officers were also short and were often unable to cover supervision duties associated with education and employment.

Administration were considering options for increasing employment opportunities such as placing egg carton stickers that could employ 20 or more people, but the lack of skill development inherent in this type of work is concerning.

Recommendation 8:

Recruit VSOs with industry-relevant qualifications, to fully restore and extend industrial work and training opportunities for prisoner rehabilitation.

Recommendation 9:

The Department must provide Essential Level Training Program to all VSOs within six months of commencing employment.

3.5 EXTERNAL WORK

Restrictive assessment procedures were holding back external work and activities

Under section 95 of the *Prisons Act (1981)*, prisoners may be authorised to leave the prison to undertake work to benefit the community. In impoverished communities, section 95 can make a real difference to community services, conservation, and amenities. External work can also help prisoners rebuild their sense of self-responsibility, restore their self-esteem and confidence, and gain specific skills that may assist in their rehabilitation.

In 2014, we found that section 95 had contracted to seven men working in the gardens or store outside the perimeter fence, because the Department had tightened procedures following an abscond in Perth (OICS, 2015b, p. 33). In 2017 we found just four men working outside the prison gate. One female prisoner had section 95 approval but was never given the opportunity to work externally. There appeared to be no prospect of additional prisoners undertaking community work or other community-based activities due in part to staffing issues. The prison had also recently lost its section 95 VSO by transfer to Broome Prison.

⁹ Since the inspection, WKRP VSOs have been able to complete ELTP using workbooks supported by the Satellite Trainer, and completion of the Control and Restraint module onsite by a trainer sent from the Training Academy.

The prison provides meals and laundry services to Derby Aboriginal Short Stay Accommodation Service (DASSA) which was working well. But under their Memorandum of Understanding (MOU), the prison had also agreed to supply section 95 workers for maintenance of grounds and gardens at DASSA which had not been done for some years; the question of billing the Department for this was under consideration.

Following closure of the Curtin Immigration Centre in 2015, the Department acquired a number of demountable accommodation units which the Shire of Derby/West Kimberley delivered to the front of the prison. It was intended that a minimum-security unit would be created from which prisoners could undertake work in the community, but there was no plan to progress this.

Staff lamented that there was pressure to move on any minimum-security prisoners likely to be eligible for external work to Broome or Wyndham Work Camp. The latter was chronically under-populated. But this meant it was difficult to build up a local program.

Recommendation 10:

Ensure sustainable levels of prisoner engagement in community work, and placements at work camps.

3.6 TRANSITION MANAGEMENT

Pre-release support services within WKRP were inadequately resourced.

In most releasing prisons across the state, the important task of preparing prisoners for release is managed by two key positions, the Transitional Manager and the Employment Coordinator. The Transitional Manager refers prisoners to government and non-government organisations for assistance with obtaining birth certificates, Medicare cards, driver's licences, welfare payments, accommodation, transport home, and other services in the community. The Employment Coordinator helps prisoners to get job ready, assisting with resumes, linking to employment service providers, and identifying potential employers.

However, there is no Transitional Manager position, the Employment Coordinator was covering both roles. She had also taken on some additional community-liaison responsibilities previously handled by the ASOS. Inevitably, transitional services were taking priority, and employment services had diminished. There is little point in linking a prisoner with a job if that prisoner has no way of getting home or nowhere to live when released. Nevertheless, in 2016, together with education and custodial staff, an employment expo was organised, which attracted a number of employment and training providers, Derby radio, and other service providers.

Even at the best of times, the Kimberley region presents many challenges to preparing prisoners for a smooth transition into the community. Prisoners are often returning to towns and communities many hundreds of kilometres away from the prison, where support services and employment opportunities are limited. It was no longer possible for the Employment Coordinator to meet with every new prisoner at WKRP. Instead, she

relied on prisoners to self-refer if they needed support, and on VSOs, prison officers, and education staff to make referrals. The prison, and the prisoners, deserved a specific resource for transitional management.

Recommendation 11:

Establish a Transitional Manager position at WKRP.

3.7 RE-ENTRY SUPPORT SERVICES

Relationships with community service providers remained strong

Positively, the Employment Coordinator had strong links and liaised effectively with a wide range of community service providers across the Kimberley region. The most crucial relationship was with Men's Outreach Services, who held the contract for delivering re-entry services to WKRP prisoners, as well as the contract for transporting prisoners back home after release. The Employment Coordinator worked closely with Men's Outreach, meeting with them on a weekly basis to refer prisoners six months prior to release and to discuss transitional plans and employment opportunities.

Men's Outreach are based in Broome but had a strong presence at WKRP. They also travelled to remote communities and towns to follow-up with post-release prisoners. Men's Outreach were delivering a number of services in the prison, including the community transition lifeskills program that was well attended and well regarded by prisoners, and the Life Cycles program, which taught bicycle repair and maintenance skills that had practical application in regional and remote communities. The Transport of Prisoners Service (TOPS) coordinated by Men's Outreach was operating smoothly to get released prisoners back to their home community, often many hundreds of kilometres away.

The contracts for re-entry services in all prisons throughout the state were due to be retendered. This process had been delayed repeatedly for at least eighteen months as a result of Departmental restructuring, and more recently because of the state election. This left Men's Outreach (and other service providers throughout the state) in an uncertain position, which impacted on their forward-planning, resource allocation, and staff retention.

A major challenge for Men's Outreach was that it was contracted to provide a service to WKRP with a population of 150. At the time of the inspection, there were 195 at WKRP, 10 at Wyndham Work Camp and another 60 at Broome Prison, a 68 per cent increase in prisoner numbers to be serviced. Capacity of WKRP was also due to increase after installation of additional beds to 223. This was affecting their ability to provide follow-up support to prisoners in their home communities. Service delivery within WKRP was also affected by custodial staffing shortages. It was not uncommon for Men's Outreach programs to be cancelled because there were not enough custodial staff available to facilitate the movement and supervision of prisoners.

3.8 VOLUNTARY PROGRAMS

Voluntary programs at WKRP were very limited

Voluntary programs in some facilities are multifaceted and engaging. For those undertaking the official offender programs, voluntary programs can help reinforce learning and motivation. For others, they may provide an opportunity to address offending behaviours. At WKRP, we could only identify the Men's Outreach *Community Transition and Life Cycle* (bike building) programs, and two health education programs.



Figure 9: Men's Outreach Life Cycle program

The comorbidity nurse runs a multisession psycho-educational program on drugs and alcohol misuse, based on the PAST program long provided at Hakea and Casuarina prisons in Perth. However, the presentation style and content has been appropriately adapted for Kimberley participants, including extensive use of music to engage and reinforce the messages. This appears to be well received and a positive initiative from health services at WKRP. Another regular health education program at WKRP was *Nuff' of the Puff*, delivered by the Broome Aboriginal Medical Service, as part of the Kimberley-wide Tackling Indigenous Smoking (TIS) Program 2016-2018.

Chapter 4

HEALTH AND WELLBEING

4.1 PHYSICAL HEALTH

Good health care was available, but under pressure from prisoner numbers and staffing issues

We found a stable team of experienced clinical staff who have mostly been at WKRP since the outset. Three clinical nurses and a specialist comorbidity nurse are managed by a clinical nurse manager. A GP is available four days per week. There is also a Resource Coordinator and a senior medical records officer. There appears to be an effective mechanism for prisoners to request appointments which does not compromise confidentiality and we were told that people are seen the same or following day and quickly referred to the GP if indicated. As with most other facilities, incoming prisoners are screened by nursing staff and scheduled for a health assessment with the GP within 28 days.

There has been no increase in staffing despite the increase in the population, which was affecting staff leave, and access to professional development in Broome or Perth. There was no certainty of good coverage if the doctor is away. He was also having to provide telehealth to Broome Prison which lacks a visiting GP service at present. The doctor and nurse manager also have to organise medical care and medications for prisoners at Wyndham Work Camp despite not having any face-to-face contact with them.

Prisoners with chronic diseases are picked up through initial assessments and an appropriate care plan is developed. It is harder to fully service these patients due to a rise in acute medical needs from a rising population. Medicine rounds are taking longer because of the increased population. The afternoon round is very early to be giving evening medication but there are not enough nurses to institute a 10 hour shift pattern which would allow a nurse to be available later in the day to dispense later in the day.

WKRP has had serious and exotic illnesses requiring hospital or specialist care, including a case of leprosy. Hospital appointments have often had to be rescheduled due to staffing shortages and competing requirements for court escorts. Some had to be transferred to Broome to access specialist services.

Problems with equipment, infrastructure and IT systems affected clinical practice

The health centre was designed with a separate women's entrance, waiting area, and consultation room. The waiting area is used for administration of the women's medication but is otherwise not used because it would require a prison officer to supervise in the waiting room and medical staff to shift their workstation, often for just one or two patients. Instead the women use the same waiting area and consultation rooms as the men but are brought up at a different time.

The computerised medical notes on the electronic records system (known as ECHO) was so slow it seriously affected clinical care. The electrocardiogram machine had a problem for several months and was still unrepaired. The health vehicle with stretcher had been out of action for several months. It was concerning to see that nurses were having to

dispense medicine through the hatch from inside the Unit 2 office which was a building site with ladders, dangling electrical wires, and loose building materials. The ceiling had been damaged in recent rains, but nurses were having to access the medicine safe.



Figure 10: Health response buggy

Health lacked training, strategy, or support to provide culturally appropriate care

Health staff worked in the Kimberley for some time and have made a great effort themselves to understand the cultural aspects of the work they do better. But there was a lack of Aboriginal staff in the health centre, and a lack of cultural training for staff.¹⁰ Nor has corrective services health services articulated a policy for services to remote and regional Aboriginal prisoners. However, the comorbidity nurse does consult with the Prison Support Officer (PSO) or the Women's Support Officer as cultural issues arise.

Two different organisations, one for East and one for West Kimberley provide the Aboriginal health re-entry program and engage with people prior to release. On release the health centre notifies the re-entry workers of any medical follow-up needed. The local renal team have provided some very welcome training. Derby Aboriginal Health Service also provides a psychiatry session once every six weeks.

10 The Department noted that: 'Health Services provide all health staff with access to regular training and professional development opportunities' and that staff have access to online resources such as the Nursing Reference Centre and CINAHL. This is true but does not directly address the question of training for cultural competency for working with Kimberley Aboriginal people.

4.2 DENTAL HEALTH

There are long waiting lists for the dentist.

Many prisoners have very poor dental health. Basic dental education is provided with treatment. In addition to dental cleans, fillings, and extractions, the dentist is able to do more complex work for long-term prisoners who practice oral hygiene. The dentist is scheduled to attend every fortnight but in practice only manages to attend about 15 times a year and some patients had been waiting since November 2016 for an initial assessment. The resource manager splits the waiting list into initial assessments and follow-ups and ensures that follow-ups are prioritised. During the inspection we encountered a woman who had lived with dental pain for weeks, and had just received notice of a dental appointment. Unfortunately, she missed that appointment as she had to be transferred to Bandyup for a court appearance.

4.3 MENTAL HEALTH, COUNSELLING AND SUPPORT

Staff work collaboratively to care for distressed prisoners despite staff shortages

The comorbidity nurse has day to day responsibility to assess and manage prisoners presenting with mental health and addictions issues. Derby Aboriginal Health Service provides a session of psychiatry once every six weeks. Their involvement is especially helpful for local people coming into prison, or leaving prison, as it provides continuity of care.

The prison has two Prison Counsellor/Senior Programs positions, but one has been vacant for some time, so it has fallen to a single individual to undertake risk assessments for prisoners for whom concerns are held. That person also co-facilitates programs for much of the year.

The comorbidity nurse and prison counsellor join with custodial management, Senior Officers and others in regular Prisoner Assessment Referral Group (PRAG) meetings to discuss and deal with those identified as at-risk of self-harm. A regular participant in that group is the PSO, a Kimberley Aboriginal person, who provides valuable family and cultural knowledge not only to PRAG as a group but also to the comorbidity nurse and prison counsellor in their work. To support their role in identifying and supporting prisoners at-risk of self-harm, 25 officers received Gatekeeper training in 2016. Staff can also access the Academy's online training module on the Department's Suicide Prevention Strategy at a time that suits them, but it is not known how many from WKRP have accessed this.

The PSO also maintains the peer support program whereby prisoners make themselves available to listen to others, provide support, and report any serious concerns to staff. Some also help others prepare correspondence and parole plans. This appears to function quite well, with most areas other than the maximum yard well represented, and a good presence in reception. But it was disappointing that none are rewarded with an increment to their gratuities and that Gatekeeper training has not been made available to peer supporters for at least two years. The PSO was also still responsible for the peer support at Broome Prison, but was struggling to maintain her support for that.

Comorbidity nursing, prison counselling, and prison support are all essential services, but none are covered during leave periods, making it difficult to assess, manage, and treat some prisoners at those times.

4.4 CHAPLAINCY

Access to church services has halved, and men and women can no longer mix

Chaplaincy services are provided by a Catholic priest and two lay people from the Uniting Church. One of the Uniting Church visitors attends weekly on a Thursday, making himself available to talk with people in the undercover area, Unit 3, and in the women's precinct for 40 minutes each. He said that being in prison is a good time for prisoners to find religion, because they are away from alcohol and they have time to think about life and God. Some ask advice about how to reconcile with people on the outside.

Services are offered weekly, but alternate between the men's and women's sections, with the priest taking two services per month, and lay people the other two. Numbers attending the joint service had risen to 65, and prison management believed this was because prisoners wanted contact with the opposite sex, rather than a religious purpose. This is not surprising as there are few other opportunities for men and women to mix. A church service is one of the safer ways for this to occur. This change in access to services is likely the reason that our pre-inspection survey found that the proportion of prisoners who felt that they were able to practice their religion in WKRP had fallen from 58 per cent in 2014 to 40 per cent in 2017. Separation of services between men and women has halved the access of prisoners to services and should be reconsidered.

As well as holding funerals in the community, sometimes attended by prisoners on escort, chaplains often provide a memorial service within the prison for those unable to attend, especially for reasons of distance. Chaplains are involved with some of the families of prisoners on the outside, and also of staff. They have often assisted families attend the prison for visits, there being no other affordable means of transport. One Uniting Church chaplain also runs an op shop, and often assists with release clothing. Religious materials have been provided to practising Muslims and a Buddhist.

Chapter 5

WOMEN

5.1 A PRIVATE SPACE FOR WOMEN

Women live in a private, well-designed, self-contained precinct

Since the last inspection, ten additional beds had been installed in the women's precinct (Unit 4) taking capacity to 40. Thirty-eight were resident at the time of the inspection; management informed they try to maintain two vacancies to accommodate temporary transfers and new prisoners from court. The precinct is self-contained and has good sight and sound separation from male units. It had purpose-built education and program rooms, a canteen/supermarket, library, basketball court, and separate access to the shared health centre. There were six houses in the women's section, all arranged on the same self-care model as the male accommodation units. The unit presented well. The gardens and lawns were well maintained. Some houses had small vegetable and herb gardens.



Figure 11: Cottage in women's precinct

Houses still lacked a second exit to facilitate evacuation

In 2014 we pointed out a potential risk to the women in the event of needing to evacuate the houses quickly if there was a fire or similar emergency. We noted that the houses in the other units all have a second door located at the rear of the house, which serves as an alternative entry and exit point. The houses in the female section do not have this second door. We recommended that a second door be fitted to the houses in Unit 4. The Department did not support this recommendation, stating that all the houses complied with the relevant national building guidelines. This is accepted, but we still believe a

second exit would enhance fire safety. At this inspection, we did notice that there were fire blankets installed in the communal area of the women's houses.

5.2 ORIGINS

The mix of female prisoners had changed

There was an interesting demographic mix of female prisoners at WKRP with a cohort of 10 foreign national women, joining Kimberley Aboriginal women and a handful of others. The foreign national women generally lacked friends or family in Western Australia and did not receive family visits. One exception to this was a grandmother who had numerous visits when she stayed at Bandyup. But she kept being sent away due to population pressures, surely no longer relevant now that Melaleuca Prison has taken the load off Bandyup.

The foreign national women mostly shared a house, growing Asian vegetables, worked in textiles, and explored study options. They craved reading materials, movies, and media in their own languages. They were recently informed that limited numbers of books or magazines sent by families would be accepted provided they were donated to the library. This is positive, but in general, WA prisons are unreasonably restrictive with foreign language materials. Some only allow materials vetted and supplied by consulates. Creative solutions should be considered including cheap and readily available satellite media, approved magazine subscriptions, library collections of language books, and use of e-readers.

5.3 SPENDING TIME

Women had more work opportunities within their precinct

We were pleased with the level of engagement the women had in work at WKRP. In early 2017, the Facilities Manager had reformed the work and gratuities system for women and interviewed each to assign an appropriate role. All the women in Unit Four had jobs within a few days of admission, with a good spread of gratuity levels:

Table 4: Female employment and gratuities at 20 March 2017

Gratuity Level	1	2	3	4	5	Total
Canteen/supermarket		1				1
Education (full-time)			3	1		4
Gardens and grounds	1	2	4	2		9
Laundry and cleaning	1	1	3	1		6
Not working					2	2
Painting and maintenance			3			3
Reception	1					1
Recreation	1		1			2
Textiles	1	1	3			5
Units worker (house coach)		5				5
Grand Total	5	10	17	4	2	38

WOMEN

The approach to the working day for the women was appropriate. The climate in the West Kimberley is severe. It is hot and humid all year round, but excessively so in summer. So, the women were not expected to work a full day to earn their gratuity level, especially those working outside in the grounds and gardens work party. Rather they were expected to engage in some meaningful work for at least a few hours each day.



Figure 12: Women working in textiles

Women had little access to work outside their precinct

Nevertheless, it was still the case that work opportunities for women were limited. They had no access for example to the metal/small engine workshop, the prison laundry, kitchen, or external store. Four were allowed for a time to work on weekends on an unpaid basis in the main kitchen, but that was said to have ceased due to waning interest. Changes in staffing in the kitchen would not have helped and the question of women's employment in the kitchen should be revisited. The one female approved for section 95 could be working in the community, but was not being given that opportunity.

There were also some negative feelings expressed by young Aboriginal women that textiles was almost exclusively populated by Asian women, while quite elderly Aboriginal women were working in hot weather in the gardens and grounds. While that outcome reflected employment choices made by individuals, the imbalance was problematic. As the Asian women have quite long sentences, it is likely they will increasingly be seen by others as a privileged group. The question of access of women to education and training is discussed in Chapter 3 above.

Recommendation 12:

Ensure that female prisoners have education and employment opportunities equal to those of males, including community work.

5.4 STAYING FIT**Infrastructure and staffing impacted on women's recreation**

Passive recreation options included a pool table, darts, board games, and quite a good library. The women could participate in a game of bingo once a week. Those more interested in physical activity could play table tennis or basketball or use the kind of exercise equipment one finds in suburban parks. While the Activities and Project Officer was no longer providing circuit training, prisoner recreation workers organised activities and helped with individual training routines. But few women, especially Kimberley women, engaged in physical activity.

In 2014 we commented that the uncovered basketball court was rarely used for its built purpose (OICS, 2015b, p. 45). This had not changed and in 2017 the women still complained that they could not play basketball because it was too hot, too wet, or both. In theory, women could also access the large undercover court in the male section on Tuesdays and Fridays, when men were excluded from that area. But due to staff shortages, this happened only occasionally. Nor were women allowed to walk around the main oval three times per week as had been the case in 2014. At some point management perceived a lack of interest, but women were adamant they wished to do this.

5.5 RELATIONS WITH MEN**WGRP had introduced excessive restrictions on interaction between men and women**

In 2014 we lauded WGRP as being an 'exemplar of good practice' in integrating men and women appropriately in recreation, education programs, visits and church services and recommended the Department adapt that model to other mixed gender prisons (OICS, 2015b, pp. 45ff, Recommendation 15). In 2017, we found that WGRP had drifted from the good practices observed in the previous inspection, having ceased mixed recreation, separated men and women in religious services and only a few mixed-education classes allowed.

It was left to a formal intra-prison visit process to facilitate contact between men and women. Men and women could apply to see each other in visits during normal weekend visit sessions on a monthly basis, but only if there was the same kind of 'immediate' family relationship as would apply in a funeral application. While that includes parents, grandparents, siblings, offspring, or existing partners, it excludes cousins, aunts or uncles, in-laws, or any one of a range of kinship relationships that are culturally just as close and important as any of these. This restriction is contrary to the WGRP operating philosophy which recognises and accepts cultural kinship and family and community responsibilities (DCS, 2012).

Male and female prisoners we interviewed felt frustrated at not being able to maintain connections with their family members also incarcerated at WKRP. They said that they felt they were missing out on a perfect opportunity to reconnect with loved ones during a time when they were not affected by drugs and/or alcohol, and could engage in a meaningful and sober way. Some just wanted support from people they know, and news of home. One elderly lady said that the only other people at WKRP who spoke her language were men, and how much it would mean to her to be allowed to speak with them.

Prisoners perceived inconsistency in the approach towards integration across different staffing groups, with some willing to facilitate these opportunities and others not. They felt that the negativity of those preventing communication with family was disrespectful. Due to short staffing, intra-facility visits allowed monthly were often cancelled, causing deep frustration. In the absence of regular, normalised opportunities to meet in person, prisoners said they were forced to try and communicate with family by shouting out or smuggling messages. Relations between men and women in custody have to be carefully managed through dynamic risk assessment and supervision. Many women have experienced trauma and remain vulnerable to further unwanted attention and abuse. Relations formed in prison can cause difficulties both externally and between prisoners.

Recommendation 13:

Subject to risk assessments and supervision, provide better opportunities for male and female prisoners at WKRP to mix. This must include opportunities for friends and families to grieve together.

5.6 MANAGEMENT OVERSIGHT

The lack of an ASOS was impacting on services for the women

In 2015, the ASOS was sent to Broome Annex to provide much needed leadership at that facility. This was a significant loss to the management team of WKRP. One of her responsibilities was oversight of services to women, including the Women's Support Officer (WSO). When we first inspected WKRP in 2014, the WSO role was focused primarily on life skills development for the women, to help them function effectively in self-care, and also hopefully to better integrate back into community living on release. In the absence of an ASOS, the focus of the position drifted somewhat and she had to take on the canteen officer role as well. Nor has the position been covered even during long absences.

In October 2017, the ASOS assumed the role of acting Assistant Superintendent Operations (ASO) at Broome, but the ASOS position was not released for even a temporary appointment at WKRP, and has since been permanently transferred to Broome. In late 2016, the Facilities Manager was given oversight over the women's services, and has sought to restore the WSO role, and as discussed earlier in this chapter, reform the work and gratuities system. This is not ideal, and may not be sustainable, given that person's unrelated burden of responsibilities, but the arrangement has worked well for the precinct.

Chapter 6

CULTURAL RESPECT AND MAINTENANCE

6.1 CULTURE NEITHER UNDERSTOOD NOR FULLY RESPECTED

A majority of prisoners thought staff did not understand their culture

Reflecting on the WKRP philosophy articulated in Chapter 1, we have seen that WKRP was sited for proximity to land and family, was designed with a strong connection to land and nature, that kinship and family responsibilities was respected through visits and phone connections, and that daily lifeskills, education, training, recreation, programs, and re-entry services also helped prepare prisoners for resettlement back into the community.

Despite this, a majority of prisoners (52%) in the pre-inspection survey said that staff did not understand their culture, and 43 per cent did not believe staff respected their culture. Some felt that officers did not believe in their culture, and stopped them meeting cultural obligation to attend funerals or allowing men and women to grieve together. Others complained there were insufficient opportunities for cultural expression at WKRP, including access to local bush foods and ‘tail-fish’ (meaning fresh fish), traditional dancing and music, story-telling, painting, smoking ceremonies, and sharing damper. We were told that young prisoners were missing out on cultural transmission from elders. There was also a desire for more Aboriginal officers with whom they may communicate.

In this Chapter we will look further at aspects of cultural respect and maintenance, including the input of Aboriginal agencies from the community, visiting elders, funeral attendance, supports, cultural expression and cultural awareness on the part of staff.¹¹

6.2 ELDERS AND AGENCIES

Culturally focused agencies and elder visits are largely confined to NAIDOC celebrations

A range of Aboriginal and culturally competent community-based agencies continue to work with prisoners at WKRP, Aboriginal health services (health promotion and psychiatry), health re-entry services, and re-entry/lifeskills services. But engagement by Aboriginal culturally focused agencies and elders was largely confined to occasions such as annual NAIDOC celebrations. Elders are made welcome, but there is no initiative to encourage or facilitate regular visits. We met a local elder in the community who visits occasionally to see the women to “get them back on track with their culture”, and conduct smoking ceremonies when there is a spiritual issue.

6.3 ABORIGINAL SUPPORT SERVICES

WKRP does not have an Aboriginal Visitors Scheme

The Aboriginal Visitors Scheme (AVS) was established in 1988 as a direct response to the Royal Commission into Aboriginal Deaths in Custody, to provide support to Aboriginal people in police and corrections custody and connection with family on the outside. The Department informs that an AVS Officer was recently appointed to WKRP but left for a full-time position with another agency.

11 In its response to the draft report, the Department stated positively: ‘The department and WKRP are committed to delivering a range of services and initiatives to address the specific cultural needs of the prisoner cohort’. See also the responses to this Chapter’s recommendations.

The facility has just the PSO and WSO to bear the burden of culturally-informed support to prisoners, assistance with family liaison, and cultural advice to staff in managing Aboriginal prisoners. The PSO administers a peer support program whereby prisoners are coached to provide support to others in their units or workplace.

6.4 CULTURAL EXPRESSION

A more sustained approach to Aboriginal cultural expression is needed

A prisoner reminded us that “singing for country”, and related arts of story-telling, dance, music, and art, is part of an Aboriginal cultural obligation to care for the country. One of the community members we consulted before the inspection lamented the statewide restrictions imposed on art and music education in prisons. Music and art classes had been very successful, but offerings were now much more limited. There were many more concerts and special events with prisoners performing really well, and art was exhibited and sold externally.

While cultural expression is focused on the annual NAIDOC celebration, there would appear to be an opportunity to develop a much more sustained approach involving dance, music, smoking ceremonies, elder visitation, story-telling, fire pits, cultural foods as desired by prisoners. Some kind of standing committee, involving prisoners, staff, and outside stakeholders may be needed for this.



Figure 13: Band equipment

Our cultural adviser said that cultural programs will need to be sought externally to cater for the diverse language groups. WKRP needs to create a relationship with local external organisation from Derby and extended to Broome and Fitzroy Crossing. Examples of such groups are Garnduwa Amboorny Wirnan Sports and Recreation which covers the East Kimberley, Mowanjum Arts and Culture Centre, Derby, Nunga Women’s Group,

Derby, the Marninwantikura Women's Centre, Fitzroy Crossing, Nyamba Buru Yawuru, a Broome culture and services organisation, and regional peak body, the Kimberley Aboriginal Law and Cultural Centre (KALACC).

Recommendation 14:

Re-examine prison priorities and procedures to better meet the cultural needs of Kimberley Aboriginal prisoners, and develop a stronger and sustained program of activities to facilitate cultural expression.

6.5 FUNERALS

Aboriginal kinship and extended family relationships are not recognised for funeral applications

During the WKRP inspection, many prisoners expressed their disappointment with the Department's funeral policy. In 2016, WKRP received 63 applications to attend a funeral, but only 15 applications were approved by head office. Access to funerals is very important to Aboriginal people in custody. There is an obligation for Aboriginal people to attend funerals to show respect to the family, say goodbye, and participate in 'sorry' business. This obligation may continue even though the person is in custody. The WKRP philosophy aligns with these obligations, clearly stating that:

[t]here is a recognition of and respect afforded to traditional law and cultural obligations, and support provided to Aboriginal prisoners maintaining and fulfilling their cultural obligations and responsibilities (DCS, 2012).

Prisoner access to funerals has long been problematic across the state. We have produced two reports on the topic, which found that fewer people in custody are accessing compassionate leave to attend funerals or visit dangerously ill relatives. The Department's Policy Directive 9 requires that a person applying to attend a funeral can only be approved if they are an immediate family member of the deceased, or have had an exceptional (meaning a primary care) relationship with the deceased (DCS, 2015, p. 12. s.8.3.4). Aboriginal kinship ties and cultural obligations are not explicitly acknowledged.¹²

A close examination of 20 failed funeral applications made by WKRP prisoners between July 2016 and March 2017 indicated that 17 were rejected on the basis they were not immediate family members of the deceased, despite 13 claiming to have lived in the same household for a significant period either cared for by the deceased, or as a sibling to the deceased. Seven claimed that the deceased had mentored them in teaching Aboriginal lore and bushcraft. One prisoner's cultural obligation was such that she paid for the funeral. Five of the prisoners were rejected because there were possible victim issues relating to someone else who may attend. Three were rejected due to cost or logistical issues.¹³ Two of the last group were model prisoners at the Wyndham Work Camp

12 In responding to the draft report, the Department states that consideration of 'exceptional relationships as stipulated at 8.3.2 of the policy... has been applied to ensure appropriate consideration is given to Aboriginal kinship relationships'. This is not supported by the outcomes of funeral decisions for WKRP prisoners as discussed above.

13 More than one ground applied in some cases.

whose applications were rejected because it cost too much to send them back to Derby for a funeral!

In our report of the 2014 inspection of WKRP we commented that this criterion did not reflect Kimberley culture and was a form of cultural racism (OICS, 2015b, p. 39). In February 2017, we released a report that reviewed prisoner access to funerals. We recommended that the Department should:

Acknowledge Aboriginal kinship and extended familial relationships as significant relationships when considering access to compassionate leave and provide guidance as to what is needed as evidence of a relationship (OICS, 2017a, p. 18. Recommendation 1).

The Department supported this recommendation in principle, stating that it 'acknowledges the importance of kinship and cultural ties and as such will consult with the Aboriginal Advice Team on the most culturally appropriate approach'. We hope this may result in positive change.

WKRP is disadvantaged by not having a local transport contractor base, unfairly rendering many potential funeral escorts unaffordable. The prison has undertaken some of these by itself, but this has been limited by staffing and lack of funding.

Resources for funeral escorts are insufficient

It is expected that the Court Security and Custodial Services (CS&CS) contractor undertake funeral escorts for successful applicants, except certain metropolitan prisons who are funded to undertake their own escorts. Anticipated contractor costs are a factor in approvals; a local funeral is subject to a \$2,000 cap and a regional funeral a \$6,000 cap (OICS, 2017a, p. 9). WKRP is in a particularly difficult position as the contractor is Broome-based and has to add the cost of the return journey to Derby in any quote. This effectively ruled out any funeral east of Fitzroy Crossing, no matter how important the relationship of the prisoner to the deceased. In the report of the 2014 inspection, we reviewed a case where a prisoner could not attend his mother's funeral because the contractor's cost was too expensive, and the prison was not permitted to undertake the escort themselves. We made a recommendation for the Department to:

Allow prisons to conduct their own escorts when the contractor's quote is more expensive than that of the prisons, or when the contractor is unable to provide the requested service (OICS, 2015b, p. 40. Recommendation 12).

We were pleased at this inspection to find that WKRP had followed through on the Department's commitment to that recommendation. Management had developed a checklist for Senior Officers (SOs) to ensure that all options for conducting a funeral escort were explored and costed. As part of this, SOs liaise with external stakeholders such as the police or Adult Community Corrections, for assistance with transfers when air charter is involved. Men's Outreach Services, in a few instances, were able to step in and provide transfers at remote locations they were visiting as part of their re-entry support rounds.

Unfortunately, the ability to undertake a funeral escort depends on the ability to raise necessary staff, something that has proven extremely difficult in recent months. It also

depends on funding for additional overtime, air charter, or on road costs. There is no line item in the prison's budget for this, so it can only undertake some of these escorts. In contrast, an escort by the CS&CS provider is covered by head office under the contract and is no cost to the prison. Given the lack of a local CS&CS contractor base, WKRP ought to have funding relief for approved escorts of this type.

While there were 15 approvals for WKRP prisoners to attend funerals in 2016, 48 other prisoners were turned down. Many more who wanted to go would not have submitted applications, knowing it would not be successful. These prisoners all had to grieve without the benefit of being part of the funeral. Some are supported by peer supporters, the PSO, the WSO, sympathetic staff, or chaplains. A memorial service or prayers are facilitated by chaplains, especially at the time of the funeral.

Men's Outreach have also been supportive, and in one case managed to convey Skype vision of a funeral back to the prison. They also stepped in and helped a prisoner with low literacy to write his condolences for a family member who passed away. Prisoners told us during the inspection and in the pre-inspection surveys that while grieving they would appreciate an intra-prison visit with extended family of the opposite sex. Once again, support at such a time should also be available from visiting elders, or the AVS.

Recommendation 15:

Fund WKRP to undertake funeral and other compassionate leave escorts.

6.6 CULTURAL AWARENESS

Staff supported the WKRP Aboriginal philosophy, but locally-focused cultural training is needed

The report of our 2014 inspection documented the initial local recruitment drive in 2012 that saw 13 Kimberley-based people, including some Aboriginal people, undertake training locally and commence work as officers at WKRP (OICS, 2015b, p. 23). It noted that it was difficult for locals to participate in the Department's general recruitment drives as if successful, they would be required to spend 12 weeks in Perth in training. However, there have been no further local recruitments and custodial staff almost all come to WKRP by way of transfer, or as new recruits from Perth after completing their training.

The first staff cohort at WKRP were well aware that WKRP was being established as an Aboriginal prison with a particular philosophy that valued custodial proximity to land and family; recognition of cultural responsibilities; the spiritual connection of Aboriginal people to land, sea, and waterways; appreciation of kinship and family responsibilities; and the responsibility of the broader community to assist and resettle prisoners returning home (OICS, 2015b, p. 4) (DCS, 2012). The prison's primary goal was to develop strong community living skills and to improve rehabilitative outcomes. This knowledge was reinforced by training in the cultural and social backgrounds of Aboriginal residents in the Kimberley, including from an Aboriginal agency (OICS, 2015b, p. 14).

In 2017, we found most staff to be quite committed to the WKRP philosophy,

acknowledging that Kimberley Aboriginal people have distinct ways, and are happiest in country. They were confident in their cultural awareness, and felt they practised this daily in many ways. But some were concerned that crowding of houses through installation of beds in single cells and failure to engage life skills officers would make the self-care community living model unsustainable. Some of the older hands thought that the philosophy was almost dead, that the prison was having an identity crisis, and was at-risk of failing in its mission.

WKRK had lost any formal system of enculturating new workers to the prison's philosophy or the cultural and social backgrounds of its prisoners. There was a level of concern expressed by staff that some of those transferring in were coming to advance their career and had no initial interest in the distinct nature of the prison's population or the different approach in its operations. However, it was also evident that over time, most developed greater awareness as they interacted with colleagues, especially the locals, and with prisoners.

However, as noted at the start of this Chapter, prisoners perceived that cultural understanding and respect on the part of staff was not as deep as it should be. Some of this resulted from simple communication failures, and some reflected Departmental policy or security needs. Prisoners also desired more opportunities for cultural expression, cultural transmission and contact with elders.

While officers all receive generic cultural awareness training at the Academy in Perth, and modules are available through the Department's intranet, a need for training to enhance cultural competence in the Kimberley context is indicated. Some programs include opportunities to visit local communities and places of cultural importance to Aboriginal peoples. WKRK Aboriginal staff already play an important role in developing understanding of local culture, and some may be happy to make a more formal contribution in this area. It is also time a focused effort was made to increase recruitment by Kimberley people of all backgrounds.

Recommendation 16:

Ensure that all staff have locally-focused training in social and cultural awareness of Kimberley Aboriginal peoples.

Recommendation 17:

Improve local recruitment strategies and recruit training to encourage Kimberley locals to work as officers at WKRK.

Chapter 7

SECURITY

7.1 INFRASTRUCTURE

Too much infrastructure had not been built to tropical standards and had failed

In the report of the 2014 inspection of WKRP, we noted that the prison was experiencing an ‘extraordinary’ number of design faults and technological failings due to climatic conditions, far more than expected for a brand new facility (OICS, 2015b, p. v). These issues were even more acute in 2017, following one of the wettest wet seasons for some years. Condensation was leaking through light fittings in both prisoner houses and workplaces, mould appeared, taps were dripping, lights were blown and the fridge seals in the canteen were broken, creating large condensation puddles on the floor. Water damage to ceilings was evident and the ceiling in the Unit 2 office had collapsed completely, because deck seals in roofs had perished.



Figure 14: Unit 2 office ceiling destroyed by water

Some of the security infrastructure in the gatehouse and perimeter was also failing, including fence electrification and camera systems. Some of this was attributed to inappropriately installed wiring which was vulnerable to damp and to sheathing being eaten by white ants. A \$1.8M project to reinstall security-system cabling was approved and began shortly after the inspection. In the meantime, appropriate measures were undertaken to maintain prison security.

7.2 RELATIONAL SECURITY

Security were well informed through intel reports and good staff/prisoner relations

Positive relationships with prisoners helped prison staff to be more aware of what was going on among prisoners. Despite increased crowding at WKRP, the mood of the prison was quite stable. Incident rates were low and issues of bullying and violence were rarely reported. This reflected the tolerant nature of Kimberley prisoners, many of whom would tolerate significant discomforts to remain in country and to be close to family. Just before the inspection, the security team trained staff on the importance of reporting information received from prisoners which increased the level of intelligence.

7.3 INCIDENT RESPONSE

Short staffing meant that there were very few officers to respond to incidents

Short staffing (as discussed in Chapter 8), combined with increasing prison numbers and the open layout of the prison generated safety concerns among staff. There was no dedicated response team on the roster, so custodial staff must respond to incidents. During the inspection, a code was called over the radio when two female prisoners were fighting. Only two officers were available to quickly respond. The fighters failed to cease when directed and had to be separated. Nor did onlookers leave as instructed and officers later said they felt the situation could have escalated into something more serious.

When intentionally activating a personal duress alarm, we found that the radio response was prompt and the first responder arrived in 95 seconds. This was satisfactory, but once again, only a few officers were available to respond. In the pre-inspection staff survey, more than half of the custodial staff did not feel that they were adequately prepared to respond to an emergency response or loss of control. This was higher than state average. WKRP needs to ensure that there are enough custodial staff available every day to respond to and control emergency situations.

7.4 PROCEDURAL SECURITY

Gatehouse staff were welcoming and practices were consistent

During the week of the inspection, we observed staff greeting everyone who passed through the gatehouse cheerfully and respectfully. Staff, contractors and visitors were appropriately processed, and processes were consistent across shifts. However, some gate staff were unsure who could bring in certain items, and others lacked confidence in interpreting the x-ray scans of belongings. Additional training was needed. There is a room to conduct searches if required, but it was also being used to store boxes and other items. This allows someone to hide contraband while being searched, or to claim they found it there. The search room should be kept sterile at all times.

Efforts to control drug trafficking were undermined by a lack of testing

WKRP had a drug management strategy that is heavily focused on reducing the supply of drugs to prisoners through surveillance, intelligence gathering, urine testing, gate controls, perimeter patrols, and searches. Cannabis was the biggest concern with 22

prisoners testing positive for cannabis in 2016. It was rarely found in searches on visitors, but often found in perimeter patrols thrown over the fence. Through intelligence, security often knew who it was meant for.

Yet even when staff found what they believed to be an illegal substance within the prison, it could not be tested, so prisoners could not be charged with drug possession. In 2014, the Department issued a notice to all prisons regarding the process for when drugs are found somewhere within the prison which stated:

There are still some ongoing issues with regards to the movement of samples from regional prisons for the purpose of progressing a charge under the *Prisons Act 1981*. Until these issues are resolved, prisons are to ensure suspected drugs are stored in the locked evidence safe at the prison (DCS, 2014).

In 2017, this 'temporary' measure was still in place and was affecting all regional prisons. This needs urgent attention.

We observed the Department's randomised prevalence testing using the new instant urine test cups during the inspection. This was conducted in a secure and respectful manner, but staff were unfamiliar with how to use the new instant test cups. Of the 54 prisoners tested that day, none returned a positive result.

During social visits, prisoners are pat searched on their way into a visit, and strip searched on their way out. Policy requires that searching must be conducted by two officers of the same sex. During one of the visit sessions during the inspection, female prisoners could not be searched because there were not enough female officers on duty. Senior staff took the correct decision to allow them to have their visit, but the short staffing issue must be sorted out.

The drug management strategy had little to offer on demand reduction and harm reduction

The WKRP drug management strategy identified the three key areas of: supply reduction, demand reduction, and harm minimisation. There were good strategies and procedures for supply reduction, but strategies for demand reduction and harm minimisation were addressed only briefly, with passing reference to available counselling and support services, education and training programs, vaccinations, condoms, and dental dams.

This is typical of WA prisons where drug management is driven primarily by security teams focused on trafficking. There was no evidence that the WKRP drug management strategy was holistic, or inclusive of staff from other key areas such as health services and education. There was a missed opportunity to link and coordinate services from different business areas to target prisoners in need of intervention.

7.5 PRISONER DISCIPLINE

The prosecution process was timely and efficient

The role of the prosecutor was undertaken by two experienced custodial officers who completed their prosecuting duties in addition to their regular work. Another two officers had recently completed a new prosecution course at the Academy. The WKRP management team allowed overtime for prosecutors to process charges, so charges were dealt with in good time.

When a prisoner is charged with an offence under the *Prisons Act (1981)*, they present before the Superintendent. If more serious, the case may be referred to be heard before a Visiting Justice. The Visiting Justice to WKRP recently retired so charges were being heard by the Visiting Justice to Greenough Regional Prison by video link. Two new Derby-based Visiting Justices were being appointed, and would sit in on these hearings before conducting hearings at WKRP.

The Multi-Purpose Unit (MPU) appeared to be used appropriately

WKRP has five multi-purpose cells that can be used for punishment, close supervision regimes, for management reasons or if prisoners need some 'time out' from the rest of the population. The MPU cells each have a toilet in them, and each cell has a back door that opens into a court yard for exercise.

A review of records showed that the MPU has been used appropriately. Following a fight between two women, one requested to be placed there to calm down. She was monitored by control staff using CCTV, and staff from Unit 3 were on hand to attend if she needed assistance. After a few hours, both women participated in mediation and she returned to the unit.

7.6 EMERGENCY MANAGEMENT

There is good emergency management planning and integration with external agencies

The prison has a thorough emergency management plan that details the steps to be taken in the event of an emergency. It covers a wide range of emergencies, including natural disasters, the death of a prisoner, escapes, hostage situations, evacuations, equipment compromises, and major disturbances.

WKRP run regular emergency management exercises to ensure staff remain confident to respond to an emergency. Either desktop or live exercises are conducted monthly, and afterwards a report is completed, which includes "lessons learned". Staff indicated in the pre-inspection survey that they were much more comfortable in responding to an emergency situation such as a fire or natural disaster than they did in the 2014 survey.

In the case of emergency, the prison relies on support from the local emergency service agencies and is a member of the Local Emergency Management Advisory Committee (LEMAC). It has partnered with the Department of Fire and Emergency Services and a number of local fire services to produce a bush fire management plan. This includes

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instructions to conduct controlled burns and maintain fire breaks, as well as operational guidelines for fire incidents. A small team of prisoners with external clearances helped reduce fuel-load around the prison. The prison also has a MoU with local police who agreed to make available their holding cells in an emergency and to participate with the prison in regular joint training exercises.

The prison ran a joint training emergency exercise in 2016, which included a number of external emergency service agencies. It was scheduled to host the LEMAC meeting after the inspection, and had arranged for the agencies to be shown around the prison. The prison's incident control centre is located upstairs in the gatehouse, easily accessible to external agencies, and isolated from other parts of the prison likely to be affected by loss of control or other emergencies.

But prisoners felt ill-equipped to handle an emergency. Household kitchens had fire blankets, but prisoners said they did not know how to use them. They also need instruction on responding to emergencies.

Chapter 8

ADMINISTRATION AND PLANNING

8.1 LEADERSHIP

Management strong notwithstanding loss of founding Superintendent

In 2014, we noted the senior management team at WKRP was largely substantive, which we thought provided stability and “empowered managers to provide leadership, to manage, to take decisions, and to implement change” (OICS, 2015, p.24). Exceptions were the Principal Officer and Facilities Manager, and we were pleased to see in 2017 that both were permanently filled.

WKRP was fortunate in its early years in having an Aboriginal person as Superintendent with corrections experience in Northern Australia. He was replaced in 2016 by a Superintendent with strong correctional management experience but limited exposure to Northern Aboriginal culture.

Management weakened by loss of ASOS position

Less positive for WKRP was the loss of the ASOS position. It was initially out-posted to Broome Prison Annex to provide leadership there, but remained, even after that facility regained status as a prison in September 2016. This left the WKRP senior management team weaker, as they were burdened with additional responsibilities. But the present report indicates a need for stronger leadership generally for prisoner services such as prisoner support, assessments, employment, education, health, recreation, and living skills. Close attention is always needed for women prisoners, the disabled, foreign nationals, and other special groups. And there was clearly a need for better engagement with local agencies and communities to provide additional voluntary programs, contact with elders, and opportunities for cultural expression.

Recommendation 18:

Re-instate the ASOS position at WKRP.

8.2 HUMAN RESOURCES

WKRP’s human resource services were valued by staff

The Resource Coordinator position was the primary point of contact for officers’ rosters, pay, leave, and overtime concerns. There were good processes in place for managing all these systems. Another member of the HR team coordinated leave. If there were issues with overtime, shift swaps, or leave for custodial staff, they were referred to the Principal Officer to address with staff. Staff were positive about the competence and responsiveness of the HR team.

Short staffing was undermining prison operations, prisoner services, and staff safety

Staffing levels across the prison were a major point of concern for both staff and prisoners at WKRP. We heard about the impact of this from officers and prisoners at every meeting, interview, focus group and incidental conversation we had with custodial officers, managers, VSOs, prisoners, and non-custodial staff throughout the on-site

inspection period. Prison management often had 15 or more vacancies on their roster, before overtime was offered; shifts often then ran with up to 10 short, a crippling deficiency in a fairly small prison.

These shortages in the prison officer ranks, in concert with staff shortages among VSOs, education, and other staff, often affected prisoner access to work, education, medical escorts, recreation, and intra-facility visits. This often meant prisoners were confined to their houses. For officers, it meant they were more likely to be moved around in their work assignments during the shift, they felt less safe due to thin staffing, and they were tired due to overtime. This could affect their health and family relationships.

There were 87 approved full-time equivalent (FTE) custodial officer positions at WKRP, including the Principal Officer, 16 Senior Officers, three First Class Prison Officers, and 67 Prison Officers. With 81 officers on the roster, the prison was only six officers short. To explain the deficiency of available staff, one needs to take into account a range of other factors, including unfunded positions, delays in transfers, and leave.

There were three unfunded custodial officer positions that the prison needed and had approval to utilise. These positions had to be filled 12 hours per day, seven days a week through overtime, despite no staff being attached to these positions. Full coverage of these positions actually requires over seven workers, taking into account annual leave, adding significantly to the overtime burden on existing staff.

Each time an officer transfers out of the prison to another facility, it takes two months or more before another officer can transfer in. Offers have to be made consecutively: people need time to consider and if the offer is refused, it is given to the next person on the transfer list. Personal arrangements have to be made for relocation for the whole family, and Departmental processes worked through. In 2016, five prison officers left the prison because they retired or resigned, but no new officers had commenced.

Prison officers are entitled to eight weeks annual leave, and a range of additional entitlements including sick leave, personal leave, travel leave (to return to the metro), and maternity leave. Some have also used worker's compensation leave, or been suspended following an incident. It is incumbent on the Superintendent to ensure that leave is taken in the year it is due to manage the Department's leave liability. But officers have to be replaced on leave using overtime. There were a number of couples in the ranks at WKRP who need to take leave together, doubling the absence that must be covered.

8.3 STAFF TRAINING

Staff training delivery and records had improved

Training for officers at WKRP was in a much better state than when we first inspected the facility in 2014. At that time, they had been without a training officer for the preceding six months, which resulted in failure to deliver essential training. Officers were concerned at the risk this posed for both themselves and the prisoners they were responsible for managing. We recommended that the prison remedy this by filling the basic training gaps and fill the satellite trainer position at the prison.

In 2017 we were pleased to find an acting training officer in place at WKRP. There was a good database for keeping track of training requirements, competencies completions, training gaps, and expiry/requalification dates for each officer. When an expiry approached, the officer was flagged for inclusion in the next relevant training. Wednesday morning was dedicated to staff training with prisoners locked in their houses.

The training officer took advantage of other opportunities to progress staff training. For example, when searches were conducted across the prison, he would attend a specific unit to observe the officers searching practices, and to provide instruction on the correct searching procedures and feedback on how these were being applied in practice.

The pre-inspection survey results from custodial staff indicated high satisfaction with training at WKRP in most areas, notably in the use of restraints, chemical agents, suicide prevention, CPR/first aid, use of the disciplinary process, and case management. There was less satisfaction with training in cultural awareness, interpersonal skills, management of prisoners with drug issues or mental health issues, and occupational health and safety. There was least satisfaction, and perhaps a level of concern with training in emergency responses, and breathing apparatus.

8.4 DIVESTING RESPONSIBILITIES FOR BROOME PRISON

Various WKRP managers had continuing responsibilities for Broome Regional Prison (BRP)

At the time of the inspection, there were a number of portfolio areas in BRP operations for which WKRP managers had continuing responsibility, despite its notional separation as a ‘stand-alone prison’ since September 2016:

- business management and human resources
- occupational safety and health
- facilities management
- assessment and case management
- security
- training
- transition management
- peer support.

This was because BRP lacked any capacity to take on these responsibilities for itself, pending approval for new resources by the Department. It was hoped these would be forthcoming in the new financial year. In the meantime, the level of engagement and contribution to BRP from WKRP varied. Business management was involved through necessity, and assessments added an extra staff member to service BRP. Security and training had also made strong contributions, but the transition manager had ceased servicing BRP prisoners, and there had not been a visit from the PSO for some time. The loss of the ASOS position from WKRP caused some tension in the relationship between the prisons, but overwhelmingly WKRP were supportive towards BRP and there was good cooperation in most areas.

8.5 REGIONAL PLANNING

No evidence of the Department's promised strategic planning and consultation for the Kimberley

Given their relative proximity, their distance from Perth, and the relative importance of Broome's Court compared to Derby's, it is clear that the futures of both WKRP and BRP are irrevocably entwined.

In preparation for our 2014 inspection of WKRP, the Inspector requested all documents and internal reports associated with the decision to close BRP in December 2015. The response was that no such documents or reports existed. Minutes from Commissioner's Executive Team meetings only showed that the proposal was considered and authorised (OICS, 2015b, p. 58). Following the inspection we wrote that:

The lack of detail and accountability displayed in the decision-making process to close the prison is staggering. There is no documented evidence that the Department gave proper consideration to how the custodial and justice needs left by the closure of BRP were going to be met in the future, or indeed, to the interests of its employees (OICS, 2015b, p. 58).

As result of our findings we made two recommendations, one of which (Recommendation 19) was that:

The Department must finalise its planning for the closure of BRP and for the future of custodial corrections in the Kimberley, including genuine consultation with stakeholders and communication with its staff.

The Department supported this recommendation as an existing Departmental initiative and acknowledged:

[T]he need to develop a regional custodial plan for the Kimberley that will take into account all of the considerations within the East Kimberley in its focus on operational and infrastructure optimisation... (OICS, 2015b, p. 82).

The Department's nominated action on this recommendation was to 'develop a communications plan to facilitate any change decisions made.' Yet in response to documents requested for the present inspection, it stated there were:

No plans or strategies for custodial demand in the Kimberley (response to doc request 2.5).

No proposals for future correctional facilities in the Kimberley (response to doc request 2.6).

The level of strategic planning exhibited by the Department remains abysmal. While one hesitates to suggest once again to the Department that it actually undertake such planning, it is clearly overdue, and fundamentally necessary.

Recommendation 19:

Develop a regional plan for the Kimberley region, consulting with corrections staff and relevant community stakeholders, particularly in the East Kimberley.

Appendix 1

ACRONYMS

ASO	Assistant Superintendent Operations
ASOS	Assistant Superintendent Offender Services
ATSI	Aboriginal and/or Torres Strait Islander
AVS	Aboriginal Visitors Scheme
BRP	Broome Regional Prison
CGEA	Certificate of General Education for Adults
CS&CS	Court Security and Custodial Services
DASSA	Derby Aboriginal Short Stay Accommodation
EGE	Early General Education
EVTU	Educational and Vocational Training Unit
FTE	Full-time equivalent
HR	Human Resource(s)
IIOM	Integrated Individualised Offender Management
IMP	Individual Management Plan
IOM	Integrated Offender Management
KALACC	Kimberley Aboriginal Law and Cultural Centre
KARG	Kimberly Aboriginal Reference Group
LEMAC	Local Emergency Management Advisory Committee
MAP	Management and Placement Plans
MOU	Memorandum of Understanding
MPU	Multi-Purpose Unit
NOW	Not Our Way program
PRAG	Prisoner Risk Assessment Group
PSO	Prison Support Officer
SO	Senior Officers
TIS	Tackling Indigenous Smoking
TOPS	Transport of Prisoners Service
VSO	Vocational Support Officers
WKRP	West Kimberley Regional Prison
WSO	Women's Support Officer

Appendix 2

BIBLIOGRAPHY

- Corrections Victoria. (1990). *Standard Guidelines for Prison Facilities in Australia and New Zealand*. Melbourne: Corrections Victoria.
- DCS. (2012). *West Kimberley Regional Prison Philosophy*. Perth: Department of Corrective Services.
- DCS. (2012a). *Adult Custodial Rule 18 – Assessment and Sentence Management of Prisoners*. Perth: Department of Corrective Services.
- DCS. (2014, October 15). Assistant Commissioner Custodial Operations Notice No 23/2014.
- DCS. (2015). *EVTU - Operational Level Agreement (OLA) – West Kimberley Regional Prison: 2015/16*. Perth: Department of Corrective Services.
- DCS. (2015). *Policy Directive 9 - Permits for Absence – Procedures*. Perth: Department of Corrective Services.
- DCS. (2016). *EVTU - Operational Level Agreement (OLA) – West Kimberley Regional Prison: 2016/17*. Perth: Department of Corrective Services.
- Kimberley Aboriginal Reference Group. (2005). *Kimberley Custodial Plan – An Aboriginal Perspective – Stage 1: Custodial Plan*. Perth: Department of Justice.
- Logan, F. (2017d, 10 4). *Broome Regional Prison \$2.7 million upgrade*. Retrieved from WA Government Media Statements: <https://www.mediastatements.wa.gov.au/Pages/McGowan/2017/10/Broome-Regional-Prison-2-point-7-million-dollar-upgrade.aspx>
- OICS. (2005). *Directed Review of the management of offenders in custody, Report 30*. Perth: Office of the Inspector of Custodial Services.
- OICS. (2007). *Code of inspection standards for adult custodial services*. Perth: Office of the Inspector of Custodial Services.
- OICS. (2014). *Female Prisons in Western Australia and the Greenough Women's Precinct, Report No. 91*. Perth: Office of the Inspector of Custodial Services.
- OICS. (2015a). *Report of an Announced Inspection of Work Camps in Western Australia, Report 95*. Perth: Office of the Inspector of Custodial Services.
- OICS. (2015b). *Report of an Announced Inspection of West Kimberley and Broome Regional Prisons, Report No. 96*. Perth: OICS.
- OICS. (2016). *Western Australia's Prison Capacity*. Perth: Office of the Inspection of Custodial Services.
- OICS. (2016a). *Report of an Announced Inspection of Karnet Prison Farm, Report No. 105*. Perth: Office of the Inspector of Custodial Services.

BIBLIOGRAPHY

OICS. (2016b). *Report of an Announced Inspection of Roebourne Regional Prison, Report No. 106*. Perth: Office of the Inspector of Custodial Services.

OICS. (2017a). *Access to Funerals and Other Compassionate Leave for People in Custody in Western Australia: Follow-up Review*. Perth: OICS.

OICS. (2017b). *2017 Inspection of Eastern Goldfields Regional Prison, Report No. 111*. Perth: Office of the Inspector of Custodial Services.

OICS. (2017c). *2017 Inspection of Broome Regional Prison, Report No. 112*. Perth: Office of the Inspector of Custodial Services.

Appendix 3

DEPARTMENT OF JUSTICE RESPONSE TO DRAFT REPORT

The Department of Justice welcomes the inspection of West Kimberley Regional Prison (WKRP) as part of the Inspector's announced schedule of inspections for 2016/2017.

The Department has reviewed the report and provided a summary of the progress since the inspection, noted a level of acceptance and response against the 19 recommendations [reproduced in the following appendix], and identified a number of inaccuracies and comments for your attention and consideration [addressed in the text of the report above].

PROGRESS SINCE INSPECTION

Since the inspection the Department has made significant improvements to its operations at WKRP, including commitment to a program of remediation and infrastructure upgrades to Broome Regional Prison (BRP) which supports the operations of both the facilities and provides safe and secure management of prisoners in the Kimberley.

Capacity expansion at WKRP has been undertaken and refurbishment of the selfcare houses including the installation of larger appliances has improved living conditions. The Department's commitment to a dedicated Life Skills Officer has provided further opportunity to develop independent life skills and improve prisoner rehabilitation.

The Department has introduced changes to the work camp policy which has resulted in an increase in the utilisation rate of all work camps across the state. The population at Wyndham Work Camp has almost doubled with a prisoner count of 19 as at 17 September 2017. At the time of the inspection the count was 10. To improve administrative oversight, BRP is now the supporting prison for Wyndham Work Camp.

INFRASTRUCTURE

The capacity at WKRP has been safely and securely increased through the installation of additional beds for males and females. As at 17 September 2017 WKRP's prisoner population was 203 with a total capacity of 221 (213 general purpose beds).

Refurbishment to cells, including painting has taken place. The facility management team and contracted service provider has rectified a number of infrastructure issues exacerbated by the Kimberly wet season.

WORKFORCE

WKRP continues to consult with the WA Prison Officers Union (WAPOU) on the creation and filling of a number of facility positions, including the Life Skills Officer and the Assistant Superintendent Offender Services. A recent positive development for WKRP has been the appointment of a prisoner to the Life Skills Assistant role. This position adds value to the self-care philosophy of WKRP by providing peer support and acting as an informal reference point for other prisoners.

SERVICES AND OPERATIONS

The re-establishment of BRP as a standalone facility has seen a realignment of services and work practices enabling WKRP to bring their assessment workload on target.

A number of training initiatives have resulted in staff receiving additional Defence and Control training for prison officers and vocational support officers (VSOs). Entry Level Training Program (ETP) was delivered to VSOs through a workbook in conjunction with onsite Satellite Trainers on 29 and 30 April 2017.

Amendments to Policy Directive 53 (external activities) and Policy Directive 60 (work camps) has resulted in an increase in prisoners receiving approval for participation in external activities and placement in a work camp.

The prison has sought to increase opportunities for male and female prisoner interaction through program and education participation. The Department maintains that security and safety will always be the determinant factors in selecting suitable participants and programs.

Providing culturally appropriate services remains a priority for WKRP. Strategies such as the introduction of the Aboriginal Services Committee, training conducted by a local Aboriginal Corporation and the recently introduced prison produced radio station are all positive initiatives aimed at enhancing the cultural services provided by WKRP.

Appendix 4

RESPONSES TO RECOMMENDATIONS

Recommendation	Department of Justice Response/Acceptance Level
1. Modify or replace secure vehicle at WKRP so that prisoner passengers can sit in a standard position and have external views while seated, without compromising privacy.	Not Supported The Department acknowledges the Inspector's findings in relation to the secure vehicle at WKRP and will give consideration to the findings through the Department's fleet maintenance and replacement program.
2. Revise medical escort security procedures to reduce use of restraints to reflect its systems of security classifications and approvals for external activities.	Supported The Department is undertaking a comprehensive review of the prison rule framework and it is anticipated that changes will be made to ensure medical escort procedures reflect security classifications and other relevant factors.
3. That WKRP continue with its successful self-care model and dedicate lifeskills officers to develop prisoner living skills.	Supported The Department intends for WKRP to continue with its successful self-care model. Accommodation has recently been refurbished and the Life Skills Officer position has been advertised. The model of care is further enhanced by prisoners who take on the role of Life Skills Assistants, working closely with the Life Skills Officer which develops their skills and supports other prisoners.
4. Provide each prisoner with new underwear on reception, and make new underwear available for purchase.	Supported The Department provides all new prisoners on intake with new underwear. The Department will ensure that WKRP is compliant with this practice.
5. Increase the level of resources for case management and treatment assessments at WKRP.	Not Supported The level of resources for case management at WKRP is appropriate. Following Broome becoming a stand-alone prison, there has been a notable decline in the requirement of WKRP to complete Remand and Sentenced Management and Placement reports, Individual Management Plans, and section 95 activity checklists (including the 6 monthly reviews) for both Broome and Wyndham Work Camp. A recent increase of Program Facilitators has also seen Treatment Assessments being completed expediently at WKRP.
6. Re-establish an Integrated Offender Management model at WKRP and restore the prison-based community corrections position.	Supported in Part The Department is committed to an Integrated Offender Management approach to case management and to facilitate this at WKRP, the prison will engage community corrections officers to attend case management meetings when required.

RESPONSE TO RECOMMENDATIONS

Recommendation	Department of Justice Response/Acceptance Level
<p>7. Develop and deliver culturally appropriate offender treatment programs for men and women at WKRP.</p>	<p>Supported</p> <p>The Department is in the process of reviewing the current suite of criminogenic offender programs to ensure the appropriate programs are available to meet the needs of the specific prisoner cohorts across the state, including WKRP.</p>
<p>8. Recruit VSOs with industry-relevant qualifications, to fully restore and extend industrial work and training opportunities for prisoner rehabilitation.</p>	<p>Supported</p> <p>The process to fill Vocational Support Officer (VSO) positions on a permanent basis is ongoing. All VSO positions requiring industry relevant qualifications are checked and confirmed for suitability against criteria on respective Job Description Forms. An update on the filling of VSO positions is listed as an agenda item on the Prisons Consultative Committee (PCC).</p>
<p>9. The Department must provide Essential Level Training Program to all VSOs within six months of commencing employment.</p>	<p>Supported - existing Department initiative</p> <p>For a period of time the Academy was not able to deliver the Essential Training Program (ETP) to VSOs. As an interim measure, VSOs at WKRP received the training through a workbook and on-site training modules. Since early 2017 the Academy has developed a comprehensive plan to deliver the ETP in accordance with the Enterprise Agreement.</p>
<p>10. Ensure sustainable levels of prisoner engagement in community work, and placements at work camps.</p>	<p>Supported - existing Department initiative</p> <p>The Department is committed to providing prisoners with opportunities for reintegration and has recently made changes to department policy to increase opportunities for prisoners to engage in community work and be placed in work camps.</p>
<p>11. Establish a Transitional Manager position at WKRP.</p>	<p>Supported in principle</p> <p>As noted in the inspection, the Employment Officer at WKRP completes Transitional Manager duties. This is not unique to WKRP, as Employment Coordinators at various prisons have been assisting with Transitional Services work where there isn't a dedicated Transitional Manager.</p> <p>A request for funding has been submitted for additional Transitional Services resources.</p>

RESPONSE TO RECOMMENDATIONS

Recommendation	Department of Justice Response/Acceptance Level
12. Ensure that female prisoners have education and employment opportunities equal to those of males, including community work.	<p>Supported</p> <p>The Department asserts that female prisoners at WKRP receive equitable education and training opportunities. This has been further supplemented as noted in the report, with the approval of certain co-educational classes being run at WKRP in the orientation programs; media studies, automotive, and short courses such as forklift.</p> <p>It is also anticipated that in the future, female prisoners will be provided with opportunities to participate in section 95 External Activities.</p>
13. Subject to risk assessments and supervision, provide better opportunities for male and female prisoners at WKRP to mix. This must include opportunities for friends and families to grieve together.	<p>Supported - existing Department initiative</p> <p>Safety of the prison is paramount and where it is safe to do so, the Department allows male and female prisoners to mix and for friends and families to be able to grieve together.</p>
14. Re-examine prison priorities and procedures to better meet the cultural needs of Kimberley Aboriginal prisoners, and develop a stronger and sustained program of activities to facilitate cultural expression.	<p>Supported - existing Department initiative</p> <p>The Department is committed to meeting the cultural needs of prisoners through the introduction of Aboriginal Services Committees and cultural activities such as: Naidoc Week; Aboriginal Lore Men; Traditional healing and smoking; Welcome to Country for prisoners and staff not from the region; Use of local based cultural trainers for staff; Local indigenous staff to provide advice and guidance; and Sorry time. WKRP also caters for cultural dietary needs and morning teas at community nursing homes where traditional knowledge is shared in a relaxed cultural atmosphere.</p>
15. Fund WKRP to undertake funeral and other compassionate leave escorts.	<p>Supported</p> <p>The Department's current Policy Directive 9 - 'Permits for Absence Procedures' (PD9) sets out the criteria for consideration of funeral applications. Changes to local processes at WKRP in relation to transportation and escorts conducted by local prison based staff have seen an increase in the number of prisoners attending funerals. Escorts conducted locally by staff are funded through the prison's budget appropriation.</p>

RESPONSE TO RECOMMENDATIONS

Recommendation	Department of Justice Response/Acceptance Level
<p>16. Ensure that all staff have locally-focused training in social and cultural awareness of Kimberley Aboriginal peoples.</p>	<p>Supported</p> <p>The Department agrees with the recommendation and has developed cultural awareness training at WKRP using external Aboriginal corporations. Local indigenous staff also promote social and cultural awareness.</p>
<p>17. Improve local recruitment strategies and recruit training to encourage Kimberley locals to work as officers at WKRP.</p>	<p>Supported - existing Department initiative</p> <p>The Department has and continues to conduct local recruitment based on demand and as and when the opportunity arises. The Corrective Services Academy is exploring options in the delivery of flexible ELTP training in regional locations.</p>
<p>18. Re-instate the ASOS position at WKRP.</p>	<p>Supported</p> <p>The Department notes this recommendation and can confirm progress is being made to reinstate the Assistant Superintendent Offender Services position at WKRP.</p>
<p>19. Develop a regional plan for the Kimberley region, consulting with corrections staff and relevant community stakeholders, particularly in the East Kimberley.</p>	<p>Supported</p> <p>The Department acknowledges the need to develop a regional custodial plan for the Kimberley has been raised in previous inspections and can confirm a dedicated resource has been assigned to the development of a Strategic Asset Plan. Short, medium and long term options for delivery of custodial services to the Kimberley region are being reviewed and executed as appropriate in consultation with staff and community stakeholders. For example: BRP is no longer an annex to WKRP but a stand-alone facility that is self-sufficient and less reliant on WKRP for resources and services. The Department is examining options in relation to the potential to optimise the Wyndham Work Camp in the East Kimberley.</p>

Appendix 5

SCORECARD ASSESSMENT OF IMPLEMENTATION OF RECOMMENDATIONS FROM PREVIOUS INSPECTION

Recommendation No.	Recommendations	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
	Report No. 96, <i>OICS. (2015b). Report of an Announced Inspection of West Kimberley and Broome Regional Prisons Report</i>					
1.	Incorporate examples of good design and practice found at WKRP at other prisons and in future building programs.		•			
2.	Ensure that the total project management arrangements for future prison builds are more robust, collaborative and proactive than was the case at WKRP.			Nil		
3.	Implement appropriate screening and training processes for staff wishing to transfer to WKRP.		•			
4.	Implement the recommendations identified in the Emergency Services Group review of the WKRP master control room.			•		
5.	Enhance the physical environment of the management units to provide space that is safe and conducive to settling and treating vulnerable prisoners.		•			
6.	Provide an additional position in the WKRP security team.			•		
7.	Ensure that staff recruitment and training practices maximise the opportunities for the local population, particularly Aboriginal people, to obtain employment at WKRP.		•			
8.	Permanently fill vacant Principal Officer positions across the state.			•		
9.	Remedy basic training gaps and fill the satellite trainer position at WKRP.				•	
10.	Deliver programs at WKRP for Kimberley women.	•				
11.	Provide more life skills training for WKRP prisoners.		•			
12.	Allow prisons to conduct their own escorts when the contractor's quote is more expensive than that of the prisons, or when the contractor is unable to provide the requested service.			•		
13.	Revise the blanket policies which require restraints to be used on all prisoners attending funerals and medical treatment, adopting a more nuanced approach to risk management, including recognition of minimum security status or Section 95 approval.	•				

SCORECARD ASSESSMENT OF IMPLEMENTATION OF RECOMMENDATIONS
FROM PREVIOUS INSPECTION

Recommendation No.	Recommendations Report No. 96, OICS. (2015b). <i>Report of an Announced Inspection of West Kimberley and Broome Regional Prisons Report</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
14.	Fit fire doors to the houses in the women's section.		•			
15.	Learn from the way in which WKRP approaches the management of female prisoners and ensure that all the state's mixed gender prisons allow integration, subject to appropriate individual risk assessments and supervision.		•			
16.	Review processes at WKRP to achieve a more appropriate and timely distribution of medications.		•			
17.	Ensure that all medical staff are provided with timely opportunities to attend mandatory training.		•			
18.	The Department to initiate discussions with the Health Department and the Mental Health Commission to allow mentally ill prisoners from WKRP to receive inpatient treatment in a locked authorised bed in Broome Hospital rather than being transported to Perth. ¹⁴		•			
19.	The Department must finalise its planning for the closure of Broome Regional Prison and for the future of custodial corrections in the Kimberley, including genuine consultation with stakeholders and communication with its staff.		•			
20.	Cease the practice whereby prisoners automatically lose Section 95 status on transfer between prisons. ¹⁵		•			
21.	For as long as Broome Regional Prison remains open, increase custodial and medical staffing levels to provide appropriate basic services to prisoners.		•			
22.	The Department, in conjunction with Western Australian Police, to implement more efficient and cost effective arrangements for the housing, transportation and care of prisoners in lockups across the Kimberley.		•			
23.	Develop and action a plan that includes a new prison in the East Kimberley, maximises the use of Wyndham Work Camp and examines the feasibility of a short term holding and assessment centre in Kununurra.		•			

14 Recommendations 18-23 were also scored in OICS (2017), *2017 Inspection of Broome Regional Prison, Report No. 112*.

15 This has been addressed by the Department since the 2017 inspection.

Appendix 6

THE INSPECTION TEAM

Andrew Harvey	Deputy Inspector
Lauren Netto	Principal Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer/Planner
Kieran Artelaris	Inspections and Research Officer
Amanda Coghlan	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Sophie Davidson	Expert Advisor, Consultant Psychiatrist
Dianne Appleby	Expert Advisor, Yawuru Cultural Coordinator
Grazia Pagano	Expert Advisor, Education and Training

Appendix 7

KEY INSPECTION DATES

Formal notification of announced inspection	21 November 2016
Pre-inspection community consultation	15 and 17 February 2017
Start of on-site phase	20 March 2017
Completion of on-site phase	24 March 2017
Inspection exit debrief	27 March 2017
Draft report sent to the Department of Corrective Services	25 August 2017
Due date for return of report from DCS	22 September 2017
Draft report returned by DCS	26 September 2017
Declaration of prepared report	16 October 2017

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



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

Level 5, Albert Facey House, 469 Wellington Street
Perth, Western Australia, Australia 6000
Telephone: +61 8 6551 4200
Facsimile: +61 8 6551 4216

www.oics.wa.gov.au