

# Inspector's Overview

## A WINDOW FOR IMPROVEMENT AT A CALMER, SAFER BANDYUP

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From 2011 to 2016, women's imprisonment in Western Australia was in crisis, and Bandyup Women's Prison ('Bandyup') bore the brunt of that crisis (OICS, 2011; OICS, 2014). Bandyup had been experiencing high levels of overcrowding for years. By 2014, despite having a design capacity of 209, it was housing as many as 290. Those women who did not get a bed had to sleep on mattresses on the floor, often with their heads adjacent to a toilet. Much of the other infrastructure was decrepit and poorly maintained.

Piecemeal attempts to address the bed shortage included the addition of leftover transportable buildings from a male prison expansion, and the addition of double bunks into cells designed for one. But our 2014 inspection still found conditions unhygienic, lacking privacy, and completely unacceptable.

By 2017 the landscape for women's prisons in Western Australia had changed. Following our 2014 inspection, the Department at last committed to serious action. It announced that part of Hakea Prison would be transformed into a remand and reintegration facility for women. Sodexo Australia Pty Ltd won the right to manage the new facility, and in December 2016 Melaleuca Remand and Reintegration Facility ('Melaleuca') began operations. And not before time. On 30 June 2016, Bandyup's design capacity was still 209, but it held 399, (OICS, 2016c, p. 6). Later that year the population peaked above 400 for the first time. It was the most crowded and hardest prison in the state.

In 2017 Bandyup felt calmer, more settled, and far less volatile than in previous years. This was directly related to a drop in the number of women held at the prison (down to around 230 during the inspection), and to the cohort of prisoners that had left. Melaleuca was now responsible for holding most remand prisoners, and the loss of this group and the challenges they brought had allowed a quieter atmosphere to develop at Bandyup.

The change in population numbers and profile had a profound effect. During the inspection, staff spoke about being in a 'recovery phase,' and a new-found sense of stability was evident across the prison. However, the prison remained fragile. It needed a confident leadership team, experienced in the management of female prisoners, to drive the prison forward and to prepare for future increases in numbers.

At the 2017 inspection, Bandyup had a stable and substantive management team in place. Unfortunately, they had all but dispersed not long after, to take up short-term positions elsewhere. More worryingly, our post-inspection visits indicated that the new managers were unfamiliar with the work of the change management project that had been running since mid-2016, or its findings. We are concerned that this loss of knowledge and disruption to the management team came at a time when Bandyup's future remained uncertain.

### PLANNING FOR THE WOMEN'S ESTATE

Bandyup has for many years suffered from neglect, indifference, and structural inequality. While we do not suggest that the sidelining of women's needs was intentional, departmental policies and priorities had the effect of disadvantaging women. The gap between the bullet point promises of official policy documents and the reality was stark and unforgivable.

Some of this is due to the fact that the Department of Justice (previously the Department of Corrective Services) has not had a Director of Women's Corrective Services or similar high-level position with a singular focus on the women's estate, for many years.

Despite the lack of long-term planning, a 37 per cent increase in the number of women in custody from December 2015 to March 2017, and the fact that Melaleuca is still bedding down, the women's estate is in much better space than in 2016.

Change is never static, however. On 27 August 2017 the West Australian Government announced that it would bring the 80 bed privately-run, male Wandoo Reintegration Facility back into public hands and repurpose it as a female drug and alcohol rehabilitation prison (McGowan, 2017). Wandoo presents some positive opportunities for drug rehabilitation if done properly, but careful planning and coordination are needed to ensure that prior mistakes are not repeated. From 2002 to 2007, Western Australia was an Australian leader in women's imprisonment but the long term promise never materialised. The Department's aim should be to become a 'market leader' once again.

## RECOMMENDATIONS

We make 15 recommendations in this report. The Department has supported five in full. Eight were either supported in principle or said to be a pre-existing Departmental initiative. One (relating to the need to improve processes and training around professional development) was noted. This left only one recommendation unsupported.

I am pleased with the improvements made by the Department since the inspection against six of the recommendations, including the areas of security, services, operations, and staffing (see Appendix 2: Department of Justice Response).

The recommendation that was not supported (Recommendation 13) called for the structured day at Bandyup to be continued, and its expansion to all other women's prisons. The model had been introduced to Bandyup in 2005 but had faded away. It aimed to encourage women to practice self-determination by developing their own weekly activity plans, and to strive for personal development in a range of areas. The model was designed to reflect women's lives in the community, which are typically different from men's, and its payment of gratuities reflected this model.

Unfortunately the Department seems to have determined that the women-centred philosophy embedded in the model, and particularly its unique approach to calculating gratuities, can no longer be justified and will be discontinued. That is disappointing. The model reflects the values and aspirations that the Department has set itself in its 'Women's Standard'. If it is abolished, something else that is women-specific must be implemented.

**SUMMARY**

Both Bandyup and women's imprisonment as a whole are in a significantly better state than 12 months ago. The Department has also already undertaken work to address some of the weaknesses identified during our inspection.

However, Melaleuca had a troubled start and there is still some way to go before it beds in. That will be a shared responsibility for Sodexo and the Department.

The advent of Wandoo as a women's drug rehabilitation facility presents a timely opportunity to assess the optimal role of all the state's women's prisons and to address the failings of recent years.

Neil Morgan  
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