



OFFICE OF THE INSPECTOR  
OF CUSTODIAL SERVICES

2018 INSPECTION OF  
ALBANY REGIONAL PRISON

118

JUNE 2018

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accountable public sector*

## 2018 Inspection of Albany Regional Prison

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# Inspector's Overview

## OVERALL ALBANY IS DOING WELL BUT HAVING DOUBLED ITS POPULATION IS UNDER PRESSURE

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### INTRODUCTION

This is the report of our sixth announced inspection of Albany Regional Prison (Albany). The inspection, undertaken in February 2018, found that Albany had improved in several areas since the last inspection, and is generally doing well. However, its population had doubled since our last inspection in 2015, and was now at 200 per cent of design capacity. This had placed stress on Albany's infrastructure and support services which had not kept pace.

In addition, there had been a significant increase in the number of maximum-security prisoners since 2015. Although the proportion has remained roughly similar the actual number had increased from 34 to 69. This meant the prison was operating at a higher level of security than it had previously needed to.

There has also been a significant increase in both the number and proportion of remand prisoners. Remandees now made up 25.5 per cent of the population, up from 6.4 per cent in 2015. Remand prisoners were less likely to have work and were unable to access many educational, training opportunities, or programs to address offending behaviours. In addition, most remandees were displaced from their home regions, and were therefore unable to use their right to daily visits.

### AN AGING INFRASTRUCTURE

Crowding, and age, was placing a significant stress on the physical infrastructure of the prison. Many of the buildings had not been scaled up to meet the increased number of prisoners they were expected to service.

The cells in Unit 1 A and B wings were too small to hold two prisoners in humane conditions and the entire Unit 1 (built in 1966 as the original prison) needed to be rebuilt.

Significant investment was also needed in most service areas including:

- Kitchen
- Laundry
- Reception
- Medical centres
- Industries

Recommendations 15 to 18 are directed at improving this situation. In their response, the Department acknowledged the age, capacity and condition of the Unit 1 precinct (which includes the kitchen, medical centre, education, programs, counselling, general purpose accommodation and the Management Unit). However, the Department has only supported the recommendations in principle, as any upgrade and extensions will be dependent on the Department's long term custodial infrastructure plan for the State gaining support from the Government.

## OVERALL ALBANY IS DOING WELL BUT HAVING DOUBLED ITS POPULATION IS UNDER PRESSURE

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### PRISONERS

We were also concerned at the situation of women at the prison. Women held at Albany are acutely isolated and often alone. Clearance from the prison only occurs weekly. Their room lacks windows or any direct access to an outdoor area. While not unpleasant we were concerned that women could be held alone for up to a week and recommended that women were transferred out of Albany in a timelier manner.

While stating that the situation 'was not ideal', the Department did not support this recommendation.

A further concern we identified was that protection prisoners felt unsafe in their own unit. They claimed bullying occurred, and fights occurred regularly out of sight from cameras. We recommended that Albany 'must determine how a safe and decent protection regime can be provided ...' We are concerned that the Department did not respond to this part of the recommendation, although we understand that Albany is now considering what it can do.

### DRUGS

Albany's drug strategy, as in almost all prisons in WA, was focused on reducing supply of drugs, and lacked strategies to reduce demand. We acknowledge that Bunbury Regional Prison's drug reduction trial appears to have demonstrated that it is possible to reduce supply. However, at Bunbury we formed the view that 'prisoners were complying because of fear of the consequences, not because their capacity to fight addiction had increased.' (OICS 2018). This raises serious questions about the likelihood they will re-use on release.

Unfortunately, the Department failed to fully support our recommendation that Albany 'should refine its drug strategy to include new measures and resources to reduce drug demand and harm for users' (Recommendation 14).

### CONCLUSION

Albany has successfully faced and overcome many of the challenges we had identified it faced in 2015. The prison needs to be commended for that, and the way in which it is presently going about its work. I am particularly pleased that Albany has already made a good start in addressing some of the concerns we identified during the inspection. However, some areas (such as infrastructure upgrades or replacement) are simply beyond it, or the Department, and need resourcing and support from the Government.

**Andrew Harvey**  
**Acting Inspector of Custodial Services**  
**18 June 2018**

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### INTRODUCTION

Situated in Albany WA, Albany Regional Prison is WA's third maximum-security prison and serves as an overflow placement option for maximum-security prisoners from Perth or other regions. As result less than a quarter of its population were from the local, Great Southern region. At the time of our inspection in 2018, we found that remandees had increased to 25.5 per cent of the population, up from 6.6 per cent in 2015. Aboriginals comprised 41.7 per cent of the population, and foreign nationals, mostly from Asian nations, comprised 22.2 per cent. More importantly, over an 18-month period in late 2016, the prison population had doubled to over 460.

We found the management team in a much better shape in 2018 than we had in 2015, with substantive officers in all key management positions. The Principal Officer team had been increased to three to enable coverage seven days per week. Only the ongoing absence of the permanent Superintendent caused an element of instability. We found that communication within the prison had improved, and was supported by a structured cycle of daily, weekly and monthly briefings and meetings at all levels.

### LIFE AT ALBANY

We found the reception centre unfit for purpose. Its sally port was too small for most vehicles and had been repurposed as a storeroom. The single holding cell was cramped and indecent, and there was no capacity to hold vulnerable prisoners or women separately. Confidential intake interviews were conducted in the hearing of other staff and prisoners. There was a backlog in processing prison property and boxes were scattered around the reception centre, cluttering the floor and walkways.

#### **Recommendation 1**

**Ensure privacy of reception interviews.**

None of Albany's accommodation units had cells of sufficient size to accommodate two people decently. Indeed, only the newest had cells properly sized for even single occupation. Despite this all standard accommodation had been double-bunked.

Food was good, despite severe limitations from the size of the kitchen which created significant workflow issues and safety risks. Provision was made for vegetarians, religious and medical diets. Aboriginal cultural meals were available monthly.

Maintaining contact with families can be difficult at Albany because of distance. There are excellent subsidies for long-distance calls, but calls to mobiles are expensive. Skype is well used by those whose families are distant, although the quality is poor. Skype is not available on weekends or late afternoons, when children would be out of school. If families can visit they are managed decently and the visits' centre had been improved with the recent installation of an air conditioner.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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The canteen at Albany continued to offer a good service to prisoners, but the prison has suspended the fresh food spend for enhanced supervision prisoners.

We were generally impressed with the cleanliness of much of the prison, but some areas, not least the urine testing room, needed attention. We also identified a hygiene risk for prisoners placed in the 'dry cells' of E section which had toilets but no hand basins.

### CARE AND SUPPORT

All new prisoners had the standard checklist orientation, but the orientation booklet supplied was one of the shabbiest and least informative prisoner orientation booklets we have seen. The orientation video was also outdated. No tour was provided, and peer support were not involved.

#### **Recommendation 2**

**Ensure that prisoners at Albany are provided with a thorough orientation, a properly printed orientation booklet, and contact with peer support.**

We were impressed with staff attitudes towards prisoners and when the grilles were open, interaction was quite good. But in 2018 Albany was affected by overtime restrictions and an adaptive staffing regime. The regime meant that, based on the number of unstaffed positions for the day, prisoners were progressively denied external recreation, confined to units, locked behind grilles, or locked in cells. When locked behind grilles or in cells, prisoners had no access to the unit officer and could not get essential needs addressed.

We were concerned that the role and status of peer supporters was not what it should be. No peer supporters at Albany were employed full-time, and only three had Gatekeeper training. Peer supporters felt that staff in units were often dismissive when they tried to bring issues affecting prisoners to their attention.

#### **Recommendation 3**

**Further develop peer supporters to be effective in their role.**

Positively, the Aboriginal Visitors Scheme (AVS) had recently been re-established, and provided important support for Aboriginal prisoners.

The Prison Counselling Service (PCS) at Albany consisted of a single officer who was under intense pressure to undertake risk-management assessments and counselling, without any local professional support or anyone to relieve her when taking leave.

#### **Recommendation 4**

**Increase PCS staffing at Albany Regional Prison.**



## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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Albany had just under 50 prisoners on its mental health register, meaning patients under active review and management. It was fortunate therefore that in November 2017 Mental Health Nursing increased from one to 1.5 FTE, particularly as the attending psychiatrist had left, leaving only a half-day of telehealth per week available. There was still a lack of local external resources for those experiencing a mental health crisis, and there was no suitable facility, such as a crisis care unit, within the prison for managing these prisoners.

Conditions for protection prisoners were much worse this inspection. Protection prisoners could only access outdoor recreation, library and canteen once a week; and only had access to a small, sterile, yard within the unit. Only three of the 19 prisoners in the protection unit had jobs outside of the unit. While a Local Order provides some compensations, including the ability to purchase and cook supplemental foods, the oven and stove had been removed in late 2017, leaving only a microwave, toaster and electric frypan.

Most concerning was that protection prisoners felt unsafe within their unit. They claimed bullying occurred, and fights occurred regularly out of sight from cameras. The wing lacked a staff control area and staff only visited infrequently.

### **Recommendation 5**

Albany Regional Prison must determine how a safe and decent protection regime can be provided, with better access to work and outdoor recreation, and restoration of cooking privileges.

Women held at Albany are acutely isolated and are often alone. Clearance from the prison only occurs weekly. The room lacks windows or any direct access to an outdoor area. While not unpleasant we were concerned that women could be held alone for up to a week.

### **Recommendation 6**

Ensure women are transferred out of Albany in a timelier manner.

Remand prisoners were less likely to have work and were unable to access many educational, training opportunities, or programs to address offending behaviours, for example addiction. Those working on their cases in the library still could not print legal materials.

Most remandees were displaced from their home regions, and were therefore unable to use their right to daily visits. The period on remand had also been getting longer. People on remand are unconvicted, so it would seem unreasonable to deprive them of much needed support from their family and friends by transferring them to Albany.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### **Recommendation 7**

DoJ (Department of Justice) should minimise the presence of out of country remandees at Albany Regional Prison.

### **Recommendation 8**

Albany Regional Prison should develop a strategy for remandees, to ensure they have adequate access to legal resources, can view evidence, and print legal materials; and to refine offerings in employment, education, training, and personal development.

There was a good awareness among staff of the presence of foreign nationals. Groups from similar backgrounds were accommodated together, and were helped to make international phone calls and Skype calls. Education was providing two English as a Second Language (ESL) classes for foreign nationals. But custodial staff almost never used interpreters for important communications and there was an over-reliance on amateur interpreting using fellow prisoners. Special spends through a local Asian food shop had ceased. Foreign nationals hanker for books, magazines, music and broadcast media in their own language, only some of which could be purchased through the canteen.

### **Recommendation 9**

Albany Regional Prison should develop a local order for foreign nationals, specifying: when professional interpreters must be used, communication provisions, and access to foreign language resources.

Albany had a significant number of prisoners with long sentences, with 40 serving either indefinite or sentences of 10 years or more. Another 75 were serving sentences of five to 10 years. Recognising the particular needs of long-term prisoners, the prison had introduced a Long-Term Prisoner Program in 2013. This was an excellent initiative, but depended on the availability of single cells, something that could no longer be offered to anyone other than for medical or security reasons.

ACCESS (Complaints, compliments and suggestions service in Corrective Services) was the most popular means of making complaints, but in 2018 we found that prisoners were finding it difficult to access the phone service due to ACCESS' reduced staffing.

## HEALTH CARE

The medical centre was small, cramped and unfit for purpose, with insufficient consultation rooms. The facilities compromised patient confidentiality and privacy. Installation of a new demountable had achieved little to improve the situation as the prison had failed to provide supervision to support its use. There is no infirmary at Albany, nor a crisis care unit, so there is no capacity for ongoing care or supervision overnight.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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Staff morale in health remained poor. Parts of the team were not functioning cohesively, and people had gone on worker's compensation leave because of the conflict. Health services management were aware of the fractured nature of relationships in the centre and head office staff had visited Albany as result. At the time of the inspection a recruitment process was under way to fill the position of Clinical Nurse Manager.

### **Recommendation 10**

**DoJ must take concerted measures to restore a harmonious work environment in the Health Centre at Albany Regional Prison.**

Health services had not increased in line with the growth in the prisoner population. Contracts to supply physiotherapy and podiatry services to prisoners expired at the end of 2017, and had not been replaced.

A dedicated dental practitioner attended Albany on a weekly basis, but only the most basic extractions and fillings are provided. There was a backlog of 90 prisoners waiting to see the dentist who had only just cleared the waiting list from 2016.

Prisoners' satisfaction with health services had significantly declined since the last inspection, mainly due to delays in accessing treatment.

Positively, in concert with Country Health Services, the centre delivered a Hepatitis C treatment model through which over 100 prisoners had been treated in 18 months.

## RECREATION AND REHABILITATION

It had become too risky to allow prisoners from different units to recreate together on the oval, so access was rationed on a unit by unit basis. A new system of prisoner workers in each unit helped organise unit based recreation activities including fitness sessions. But the overtime cap, staff absences, staff shortages, and the adaptive regime greatly reduced oval time and unit activities.

After banning any form of recreational art in prisoner cells or units, in February 2017 the prison allowed watercolour painting on A4 boards in the Unit 3 common rooms. Despite failing to catch on, the prison intended to adopt the same approach in other units. This severe restriction on recreational art is unique to Albany.

### **Recommendation 11**

**Lift restrictions on in-cell recreational art and media that can be used.**

It was pleasing to see that Albany had restarted its prisoner forum in the second half of 2017. But members did not feel they were listened to and minutes supported a view that management had responded in an overly negative way.

Prisoners told us in the pre-inspection survey, and repeatedly throughout the prison that there are not enough jobs. Indeed, we found that 30.8 per cent were effectively

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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unemployed, with another 29.7 per cent under-employed as unit workers. Just 101 prisoners (22.4%) had work in Albany's industries, and they did 23 hours per week at best. They were often not required to attend due to shortages in: staffing, materials, or contracts.

### **Recommendation 12**

**Implement measures to increase meaningful employment for prisoners at Albany Regional Prison.**

Equitable access to employment for Aboriginal prisoners had improved since the last inspection. Against this, almost half of remandees and appellants were unemployed. Additional attention was needed to restore and develop Albany's industries.

The education centre had a positive and productive feel, with a strong and united staff team, and good support from the prison's administration. The centre had had success in engaging some of the most basic students in the Sound Waves explicit teaching program as part of its focus on general education. Albany also had five students approved to commence the Uni Ready course from Curtin University.

Traineeship numbers had plummeted after the last inspection, and had only recovered in late 2017 when the ASOS worked with the Campus and Business Managers to rebuild. However, there was still a need to increase participation in education, and to extend industrial training.

System-wide population pressures meant that prisoners were being placed at Albany without either a completed Management and Placement checklist (MAP) or an initial Individual Management Plan (IMP). Forty-four prisoners had an outstanding IMP and 51 were overdue for reviews. The ability of the assessments team to progress these was being hampered by cross-deployment to other areas as part of the adaptive staffing regime. This makes parole much less likely for prisoners, and keeps the prison population higher than it should.

The Pathways addictions program was run at six times per year by an external provider. The programs team was delivering one Stopping Family Violence program, and one Violent Offender Treatment Program. More of the latter was needed, but the team was not fully staffed. The Think First program, which focuses on consequential thinking and is run by custodial officers, last ran at Albany in 2015. The only voluntary programs offered at Albany were Alcohol Anonymous, and a bible study.

We found a handful of prisoners anticipating release who had been told they would be subject to a two-year Post-Sentence Supervision Order after release on completion of their sentence. The sense of injustice felt by these men was palpable, creating an undercurrent that should be carefully monitored by prison managers.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### SECURITY AND SAFETY

As a maximum-security prison, Albany has a perimeter defended from inside and out by layers of both electronic and physical elements. An armed perimeter patrol is provided by the Albany Security Unit (ASU). Prisoner movements within the prison are now strictly controlled and prisoners from different units no longer mix in recreation.

The overtime cap and consequential adaptive staff deployments has affected contact with prisoners and the intelligence that can be collected and analysed. But we were impressed at the positive relationship between staff on the floor and the security team.

Following the Auditor General's review into *Minimising Drugs and Alcohol in Prisons*, Albany had upgraded its search strategies, increased random urine tests, used the drug dog more, and increased staff searches at the gate. We had concerns that this level of activity would be unsustainable, not least for the sole drug detection dog team.

#### **Recommendation 13**

**A second drug dog detection team should be deployed at Albany.**

Gatehouse processes had improved, and female staff were called to the gate to assist with pat-searching female visitors. A new x-ray machine had been installed, but staff needed training in its use.

Staff were not being challenged when a detection was made in the walk-through metal detector, however, and there was no effective separation between visitors and the key cabinet. Staff and visitors were still able to view monitors showing CCTV footage of distressed prisoners and people using toilets in cells through the control room window. Control staff continue to work 12-hour shifts risking fatigue and reduced vigilance.

Albany's drug strategy was focused on reducing supply of drugs, and lacked strategies to reduce demand and minimise supply. Bunbury Regional Prison has shown that more can be done to reduce substance use in prison, but demand must also be addressed including through treatment.

#### **Recommendation 14**

**Albany Regional Prison should refine its drug strategy to include new measures and resources to reduce drug demand and harm for users.**

Emergency management practices at Albany had improved since the last inspection and exercises were run monthly, some with external agencies, which has strengthened staff confidence.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### RESOURCES AND SYSTEMS

Albany had recently developed business plans and risk profiles. The business plan included articulation of the prison's philosophy and vision.

Prison management had responded effectively to significant change in prisoner population numbers and demography, and in staffing levels. The 2017/18 budget had increased to \$29.1M (up from \$26.2M). This increase covered additional officers for a Daily Average Population of 500. Other budget items, such as prisoner food and clothing, had not increased in the same way, so pressure may increase in future.

Albany is subject to an overtime cap of nine 12-hour shifts per 24-hour period. There were still nine vacancies in custodial officer ranks, and five vacancies in VSO positions. This means the overtime provision was almost continually oversubscribed, covering these vacancies and various forms of leave.

The Academy's Albany-based Satellite Trainer and a dedicated SO Training ensured that essential staff training was well covered. As a result Albany had the second-highest number of staff qualified in use of Breathing Apparatus in WA prisons.

Occupational Safety and Health (OSH) was functioning well, and a new anti-bullying committee had commenced regular surveys to establish a baseline for bullying in the facility, and to allow monitoring of the success or otherwise of future anti-bullying campaigns.

The inspection found that some accommodation and service infrastructure was unfit for purpose; notably accommodation in Unit 1, the protection wing, prisoner management areas, the lack of an infirmary or crisis care, reception, and medical centre. We also found other service infrastructure that had not been scaled to increased prisoner numbers, such as the laundry and kitchen.

#### **Recommendation 15**

Replace accommodation and management infrastructure in Unit 1 at Albany Regional Prison as a high priority.

#### **Recommendation 16**

Significantly expand or replace the reception centre at Albany Regional Prison.

#### **Recommendation 17**

Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, with adequate room for any growth in services.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### **Recommendation 18**

Facilities for prisoner employment, training, education and programs should be significantly expanded.

## FACT PAGE

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### NAME OF FACILITY

Albany Regional Prison (Albany)

### ROLE OF FACILITY

Albany is the receipt prison for men and women from local courts, or police. Men may continue to reside there on remand, or after sentence, but women are transferred to a prison in Perth. It is also Western Australia's third maximum-security prison and functions as an alternative placement option for maximum- and medium-security prisoners from Perth or other regions.

### BRIEF HISTORY

Albany was opened as a 72-bed minimum-security prison in September 1966.

### LOCATION

Albany Regional Prison is 9 km west of Albany, and 430 km from Perth by road.

### CAPACITY INFORMATION

*Table 1: Albany Regional Prison operational capacity*

Unit	Opened	Standard cells	Standard capacity	Special cells	Special capacity	Total capacity
1	1966	64	129	14	21	150
2	1988	56	112			112
3	1993	60	120			120
4	2012	64	128			128
<b>Total:</b>		<b>244</b>	<b>489</b>	<b>14</b>	<b>21</b>	<b>510</b>

### PRISON POPULATION

451 (at 1 February 2018)

### LAST INSPECTION

18–23 January 2015



# Chapter 1

## INTRODUCTION

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### 1.1 ROLE OF ALBANY REGIONAL PRISON

#### **Albany has a diverse population and is WA's third maximum-security prison**

Albany functions as a regional prison, receiving and accommodating local people on remand, sentenced, or returning to custody, for example, upon breaching a parole order. However, fewer than 100 of its population comes from the Great Southern region. It is also Western Australia's third maximum-security prison, and the only one outside metropolitan Perth. As such it is an overflow placement option for maximum-security prisoners from Perth or other regions, including those not receiving regular visits, and those in conflict with or vulnerable from prisoners in other secure prisons. Albany has traditionally held prisoners serving long or indefinite sentences with limited family ties. It has also tended to receive foreign nationals likely to face deportation at the end of their sentences.

As discussed below, we found a very different prisoner population during our present inspection in February 2018 than we did in our last inspection in January 2015. The population has increased dramatically, the proportion of remandees has significantly increased, and prisoner demography has also changed.

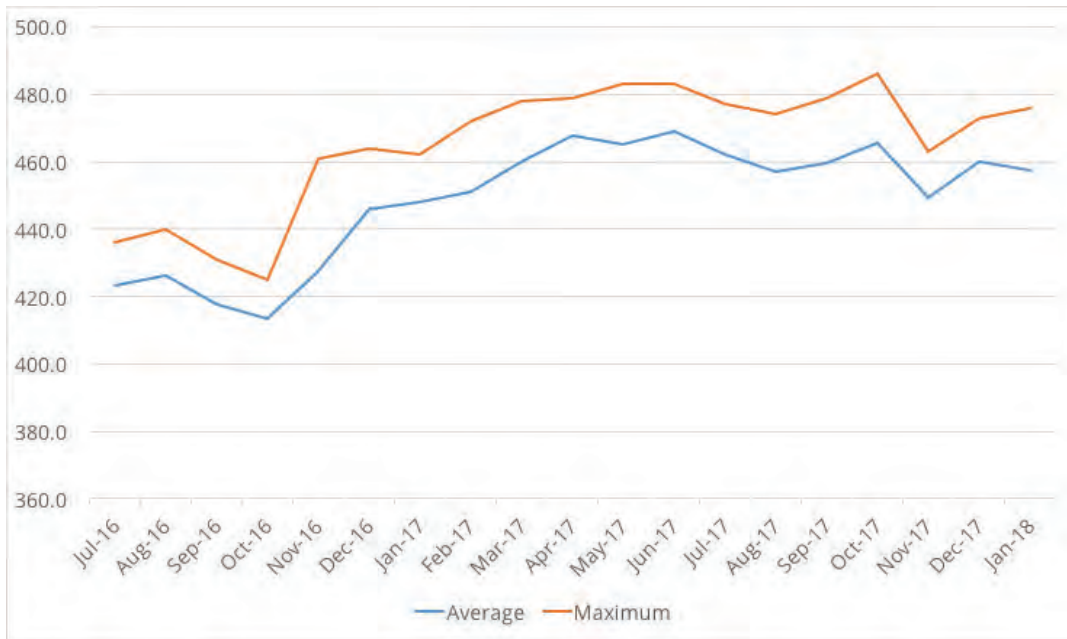
### 1.2 POPULATION GROWTH

#### **The prisoner population at Albany doubled in an 18-month period**

At the time of the January 2015 inspection, Albany had a population of 299. A major extension to Acacia Prison had just been completed and shortly after that inspection, many prisoners were sent there to fill it up, leaving Albany with a population of just 228 in April 2015. But, numbers rose progressively after that, especially as wings in Unit 2 were reopened, reaching more than 360 in early 2016, and over 460 late that year, a doubling of numbers in an 18-month period. This steep rise coincided with increasing staff shortages. In concert with strict overtime caps which applied from 2014 to mid-2016, this meant prisoners were locked in wings for much of the day, sometimes going for days without access to outdoor recreation. Shortages in Vocational Support Officers (VSOs) also escalated, and industries were progressively shut. Duty staff could not always be found for education, which was often closed.

Albany now has a total capacity of 510, with a standard capacity of 489. Of the 244 cells dedicated to standard capacity, one is the women's cell which can hold three women (and is rarely fully used), and seven are double cells in the Multi-Purpose Unit (MPU) which should never be used as share cells. And with nine prisoners with not-to-share alerts, the effective standard male capacity was actually only 470. For the previous 12 months, the Albany population had generally been in the 450-470 range with peaks up to 485 on Monday nights after transferees arrived by coach from the Perth metropolitan region, and before others are sent back to Perth the following day. More detail on accommodation capacity and quality can be found in the following chapter.

## INTRODUCTION



**Figure 1: Average and maximum population counts by month**

### 1.3 PRISONER DEMOGRAPHY

#### Remandees were 25.5 per cent of the population

On 1 February, the day prior to commencement of our inspection, there were 115 remandees in a population of 451, or 25.5 per cent. This is similar to the state average, and up from only 19 remandees from 299 prisoners (6.4%) in 2015. Few of these remandees were locals, most had been displaced from Perth, in many cases despite having families in Perth. Some came from as far away as Kununurra, and other remote regions of WA. Sixty one of these remandees were foreign nationals and included 39 Vietnamese, eight from China, and six from Malaysia.

#### There were many foreign nationals and Indigenous prisoners

Albany held 91 foreign nationals at the time of the inspection, only nine of whom came from English speaking nations. A good many of these foreign nationals were accused or convicted of drug importation. Most had poor English language skills and lacked any kin in this country. One hundred and eighty eight prisoners, or 41.7 per cent were of Aboriginal, and/or Torres Strait Islander (ATSI) background.

Despite being a maximum-security prison, only 17.1 per cent of prisoners were rated at maximum-security classification, up from 12 per cent in 2015. Another 80 per cent were medium-security, and 2.9 per cent were minimum-security.

## INTRODUCTION

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### 1.4 LEADERSHIP

#### **There has been more stability in leadership, and better communication with staff**

In 2015 the then Superintendent had only been in the role for about a year. His early days had been marked by having to implement an unpopular overtime cap, but he appeared to manage effectively, eventually winning respect from staff. He had been absent for much of the two years before this inspection and for most of that period the role was undertaken by the Assistant Superintendent Operations (ASO). Staff told us the acting Superintendent had been a 'good replacement' who had shown good leadership, and helped progress the prison in many ways. The acting Superintendent had management experience in WA's two metropolitan maximum-security prisons and had helped to embed similar practices at Albany.

In the 2015 inspection, we were concerned at the instability in senior management as most positions were covered only through acting arrangements (OICS, 2015, p. 43). We were especially concerned that neither of the two Principal Officer positions was filled substantively. We also believed that the lack of an Assistant Superintendent Offender Services (ASOS) position at Albany meant that prisoner rehabilitation, services and welfare had a lower priority than prison operations and recommended such a position be established (OICS, 2015, pp. 44-45, Recommendation 9).

We found the management team in a much better shape in 2018, with substantive officers in all key management positions including: the ASO, Security Manager, and Principal Officers. Only the ongoing absence of the Superintendent caused an element of instability, with staff acting up to cover that role and having to be covered in turn by someone else.

The Business Manager was made substantive in 2017, and by the end of the year had substantive Coordinators in Finance, Administration and Human Resources. It was also pleasing to see that an ASOS position had been created and filled in early 2017, something we had recommended (OICS, 2015, p. 45, Recommendation 9). Involvement of the Education Campus Manager and the Clinical Nurse Manager in Senior Management Team meetings made those managers more aware of operational matters and brought an added focus to prisoner wellbeing and rehabilitation.

The Principal Officer team had been increased to three to enable 12-hour day-shift coverage 7 days per week. That team had a pivotal operational role, as PO's acted as the officer-in-charge on weekends and at night. They were also responsible for setting up each day, assigning roles and responsibilities, undertaking bails and signing off prisoner movements and releases, coordinating prison officer performance appraisals, and mentoring new staff.

The next layer of leadership was the Senior Officers, who act as Unit Managers and in specialist roles in security, gatehouse, and reception. There are 32 Senior Officer (SO) positions, only half of which were filled substantively. An attempt to fill some of these

## INTRODUCTION

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positions in 2017 was only partly successful, with just two candidates being appointed. Despite this, we were impressed with the consistent approach taken by the SOs to custodial management in units and other areas, and with their effectiveness in conveying information between staff on the floor and management.

We expressed concern about ineffective communication at Albany following our 2015 inspection and made the following recommendation:

Ensure communication between staff and management and across different levels of staff are improved (OICS, 2015, p. 47, Recommendation 11).

We found in the present inspection that communication in the prison was supported by daily, weekly and monthly cycles of briefings and other meetings at all levels, including in units. The prison has an Intranet known as Front Page where circulars and reference information could be accessed. Regular bulletins from security were also well received by operational staff.

This improvement in communication had had an effect, with the results of our pre-inspection staff survey showing that staff rated support and communication from local management much more highly than in 2015, and higher than the average for similar surveys in WA prisons. Support and communication from line managers also rated more favourably than in 2015.

# Chapter 2

## LIFE AT ALBANY

### 2.1 RECEPTION AND PROPERTY

#### The reception centre is simply unfit for Albany's population

When admitted through the gate of a maximum-security facility, a prisoner transport vehicle should be able to enter an enclosed area where prisoners can alight and be securely escorted into the reception facility. But not at Albany where, the reception sally port was too small for most vehicles and had been repurposed as a storeroom. Prisoners are required to be double-cuffed to an officer for the 10m journey between the vehicle and the inside reception door. This was done methodically by contractor and prison staff working together, but the process was inefficient as it took more time, additional staff, and elevated risk to staff from a less cooperative prisoner. It also affected prison routine, as all prisoner movement across the facility had to stop when the escort vehicle was on-site.

The existing sally port should ideally be extended or replaced as part of a new facility. Instead, a start has been made in creating a cyclone-mesh cage capable of enclosing the coach and other vehicles along the side of the reception building shown below. A new door would be opened through the side of the reception centre. But the project had stalled for months, when the responsible VSO became unavailable. It will also need a roof both for protection from the elements and for security.



*Photos 1-4: From the coach, through the clutter and into a small cell*

## LIFE AT ALBANY

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On entering the reception centre, each prisoner was uncuffed and placed in the centre's only holding cell. We observed a whole coach-full of newly arrived prisoners being placed in that cell, not ideal after a long journey. There was a toilet and hand basin in the cell, but no privacy for prisoners needing to use these. It was not a decent environment. Reception lacked additional cells to hold vulnerable prisoners, or women. And only one person at a time could be processed through the adjacent search, shower, and change-room.

On the opposite side of the reception hall were offices, originally intended perhaps, as interview rooms, now occupied by staff. Much of the central hall is also taken up by three officer workstations. Intake interviews are conducted at these desks which are supposed to be confidential but are conducted in the hearing of other staff and prisoners. The checklist includes such personal questions like self-harm history, current emotional state, drug and alcohol use. It would be reasonable to suspect that new prisoners being asked these questions in an open environment would not necessarily be completely open in their responses.

### **Recommendation 1**

#### **Ensure privacy of reception interviews.**

This layout also added to an overall sense of chaos in the reception centre. The officers' desks were cluttered and there was a hazardous collection of computer, network and power cables on the floor around their desks. We were told that designs have been developed to rearrange the layout of the desks, although there was no timeframe for when this project would commence. But the original design allowed adequate room in the reception hall for movements and for staff to deal with any prisoners acting out. There is no such space in the current layout, just narrow walkways cluttered with prisoner property. The central desks should ideally be removed.

Staffing in the reception centre comprised two custodial officers, one VSO, a Warrants Officer, and an SO who also undertook the duties of a movements officer. The custodial officers conducted the intake assessment interviews, quality controlled by the SO. This was a change from the previous inspection when the SO conducted these interviews. The VSO was predominantly responsible for processing prisoner property.

#### **Property storage was dispersed, and processes were falling behind**

The most common kind of complaints made by prisoners to the Department's ACCESS complaints service were about property, 28 out of the 99 complaints received in six months to Sept 2017. Only one of the 99 complaints were resolved through 'rectification' meaning something was fixed. Most were resolved by providing an explanation to the prisoner. That suggests at the very least, that prisoners lack information about property. Our Independent Visitors have also reported many complaints about property, some of which related to property not forwarded from other facilities.

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Processing prisoners' property is an enormous undertaking. All items coming in with a prisoner whether from court or another prison must be carefully registered, and then put in storage, disposed of, or allowed in possession of the prisoner. Incoming prisoners are seen at reception on the working day following their arrival to see and sign the property record. There is a similar process before they are discharged or transferred out. Property must be culled if possible and packaged for transport. Items purchased by prisoners through town spends have to be added to the property record or deleted if disposed of. An especially careful record of valuable property must be kept, and the valuable property must be stored securely.

There was a backlog in processing prison property. And with nowhere in reception where unprocessed property could be held, boxes were scattered around the reception centre, cluttering walkways and any spare patch of floor. The original property store was full, having been designed for a much smaller prisoner population, so the sally port had also become a property store.

In summary, we found that the reception centre was unfit for purpose. There are evident risks to security, and safety of staff and prisoners due the lack of a secure and weather proof sally port able to receive prisoner vehicles, lack of more than one holding cell, and a reception hall cluttered with desks, cables, and property boxes. And there are significant inefficiencies due to inadequate work spaces, an inability to process more than one person at a time through the search/shower/change facility, and the diffusion of prisoner property throughout the site. We also found an unacceptable risk to prisoner confidentiality from the lack of private interview facilities.

## 2.2 ACCOMMODATION

### **None of Albany's four units meet modern requirements**

Albany's four units represent layers of historical custodial practice and building design. Unfortunately, as shown in the table below, none of the units have cells of sufficient size to accommodate two people decently, and only the newest has cells properly sized for single occupation, despite now being required to hold two. Prisoners are locked in their cells for 12.5 hours overnight, another hour and 10 minutes at lunch, and another three hours for training on Fridays, an average of 14 hours per day. Depending on staffing deficiencies, and other management reasons, prisoners may find themselves confined indoors, behind grilles, or in cells even longer. As shown above, this is in spaces as small as 6.43 m<sup>2</sup> and no more than 9.12 m<sup>2</sup> shared with another person.

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**Table 2: Cell areas in square metres by units against national standard guidelines (OICS, 2016)**

Unit	Cell area	Single standard	Double standard	Deficiency
1	6.43	8.75	12.75	49.6%
2	8.49	8.75	12.75	33.4%
3	8.08	8.75	12.75	36.6%
4	9.12	8.75	12.75	28.5%

Albany was opened in 1966 as a minimum-security prison with a standard capacity of 72. The original prison, a single quadrangle-style building, is now Unit 1 within a much larger campus style prison. The Unit has five accommodation areas: A and B Wings (the two main accommodation wings); C Wing, used for confinement and other short-term purposes; D Wing used for protection prisoners; and E Wing used for observation and confinement.

A and B Wings each comprise two rows of cells facing each other, over what was originally grassed courtyards, each row fronted by narrow covered walkways. Both yards were covered over, and the yard ends closed in when the prison became a maximum-security facility in 1979. The courtyards have since been fully concreted. The prison has tried to lift the tone and liveability of A and B Wings through repainting and installation of recreation equipment. But these wings lack any direct access to an outdoor area as enjoyed in other units. Their day rooms have limited amenity, and broken windows had simply been removed not replaced. The unit lacks interview rooms.



**Photo 5: A small cell in Unit 1 with tub for a table and ladder used as TV shelf**



## LIFE AT ALBANY

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C Wing is a multi-purpose unit, used for punishment, close supervision, or other forms of confinement. The yard has been separated into narrow cages in which prisoners can have 'recreation' time. C Wing is also used for short-term accommodation, including first night accommodation, vulnerable prisoners needing extra support, and those undertaking basic, or other less restrictive regimens.

D Wing has 10 cells surrounding a small enclosed courtyard, and has ablutions, a kitchen, a small day room, a small activity room with a few items of gym equipment, and a small outdoor area enclosed by a brick wall. This wing is the protection area.

E Wing in Unit 1 has observation, management, and punishment cells, with small enclosed yards for out of cell 'recreation'. It also contains the sole women's cell which is a good size, but lacks windows, or direct access to an external yard.

Cells in Unit 1 other than the women's cell, are small, even for single cell occupation (see table above). Installed wooden double-bunks are chunky, and the toilets and basins take up much of the remaining space. This left no space to install a desk or table – we saw plastic storage tubs used as a substitute. The top bunks lacked reading lights, and prisoners found it impossible to place the small flat-screen TV where both could see it. Ablutions were cramped, grimy, and damp. They were insufficiently ventilated to control build-up of mould. Prisoners complained that cleaning fluids supplied were too weak to properly clean these areas.

Unit 2 was completed in 1988, with double-stacked wings on either side of mid-level common rooms and staff control area.

Unit 3 was added five years later in 1993. Unit 3 was similar in design to Unit 2, except that four extra cells were added by reducing cell sizes. Both units have quite good common areas accessible when the grilles are open, and paved outdoor recreation areas which include courts, and gym equipment.

The inspection found that the cells, ablutions, and common areas in Units 2 and 3 were satisfactory, but these units were crowded. Prisoners had to make do with the same number of ablutions as originally provided for half the occupancy, and only some people had table space and seating at meal times. Most people had to eat meals in their own rooms, and at lunchtime, and during other lockdowns, this was mandatory.

Unit 4 is a more modern unit, with larger common rooms, better sight lines for staff into the wings, greatly improved secure areas and amenities for staff, interview rooms accessible to prisoners from the wings, program rooms, and covered patio areas outside. Prisoner cell sizes are compliant with national standard guidelines for single occupation, but not for double occupancy (OICS, 2016). Each has its own toilet, basin and shower, with screening. After six years' use, wet areas in many cells were showing signs of minor damage and decay, with loss of tiles, compromised grouting, peeling paint, grime, stains, and mould.

## LIFE AT ALBANY

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Until the last inspection, one side of the unit was a self-care section, and most cells on that side were single occupancy. At this inspection, only nine prisoners were allowed single occupancy, each of whom had been medically certified as unfit to share a cell. Unit 4 also has a much larger yard area inclusive of grassed areas, a tennis/basketball court, and covered gymnasium.

When Unit 4 was added in 2011, Unit 3 was closed for renovation, and reopened in 2014. That was followed by closure of Unit 2 for renovation. In renovating Unit 3, staff were afforded a larger safe area adjacent to the control, and direct entry and exit outside. But this was achieved in part through installation of massive grilles and heavy doors which discourages contact between staff and prisoners. It is hard to hear prisoners from inside through the hatch. Dispensing of medicine through a hatch in a corridor was similarly very poor.

During the renovations, the grilles in Unit 3 wings were shifted to allow prisoner access to ablutions when they are locked behind grilles. This did not occur in Unit 2. Renovations in both units included the installation of double-bunks in cells not already doubled-up.

### 2.3 FOOD, CLOTHING, BEDDING

#### Prisoners are happier about the food

The pre-inspection survey conducted by this office prior to the inspection found that while prisoners were happier about the quality of the food than they had been three years before, they were less impressed with their clothing, laundry and bedding.

**Table 3: Proportion of Albany prisoners rating living conditions as 'good' vs state average**

	2018	2015	State
Food quality	68%	59%	47%
Amount of food	64%	68%	58%
Clothing issued	52%	57%	51%
Laundry	55%	76%	63%
Bedding	66%	71%	61%
Your unit	69%	66%	68%

#### Food quality and quantity is good, but a greater variety would be appreciated

During the inspection, we observed several meals being prepared and provided to the prisoners. The food appeared to be of good quality, and was generally well received by prisoners. As shown in Table 2 above, over two-thirds of prisoners surveyed rated food quality as good, significantly higher than in 2015 and in other WA prisons. Some said it was the best prison food in WA. This accords with what we were told during the inspection, although some did want greater variety in food. A number missed the choice of meals available at Acacia Prison.



***Photo 6: Good food produced despite a grossly undersized kitchen and bakery***

The quantity of food supplied also appeared adequate with one exception. The salad provided for lunch was available on a self-serve basis, and some prisoners took quantities for friends to share at tables, leaving little for others. Still, it was refreshing to see salad served in a prison fully used, not wasted. Unfortunately, some missed out, although this was perhaps a deficiency in officer supervision rather than food quantity. Food quantity also rated quite highly in our survey, but was less than in the 2015 inspection.

Prisoners had the opportunity to request a vegetarian or religious diet, but can lose it if they take other food. A vegetarian alternative is provided for each meal. A Muslim prisoner in the kitchens provides assurance that food provided to the observant is uncontaminated by pork. Good provision is also made for Ramadan observance each year. There have been no requests for halal or kosher meat. A medical certificate is required for other diets.

At least one meal a week is rice-based and rice cookers are available for use of foreign nationals, primarily from Asia, with rice available for purchase from the canteen. There was resentment by some other prisoners of this privileged access to rice cookers, but it has freed up the microwave ovens previously used to cook rice.

An Aboriginal cultural meal, usually kangaroo stew and damper, is cooked by the PSO and peer support prisoners in the Voc Skills kitchen once a month. This was quite popular.

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### **Kitchen operating effectively but its size is restrictive**

The cook instructors are proud that they had continued to find ways of producing quality food for the increased prison population despite severe limitations from the size of the kitchen and cuts to the food budget. For example, they used to make 40 trays of pizza, a popular meal in prisons, but with the increased prison population they would need to cook 70 trays. There is no room for the additional oven that would be needed, although purchases of better equipment in the past few years had added to the kitchen's efficiency. Nor is there sufficient storage to prepare meals in advance, all food is prepared on a fresh-cook basis. Only packaged food could be supplied if the kitchen was unable to function.

Fresh vegetables are sourced from Bunbury Regional Prison, Albany's own garden, and a local supplier. Bread is made in the prison's own bakery.

While a consultant's Food Star Audit of March 2017 found no areas of concern with food handling, there would appear to be the possibility of cross contamination with dirty trays being conveyed through food preparation areas to the wash room. There is no change-room for the workers, and they were having to get changed in the rear entry to the kitchen. The kitchen is cramped, with significant workflow issues, and significant risks to safety, especially when trolleys are brought in to be packed for distribution of food.

### **Special food spends for earned privilege prisoners had been put in too hard basket**

Earned privilege prisoners in Unit 4 and in the protection wing until recently had the opportunity to complement prison food by having special spends of fresh foods from local supermarkets ordered through the canteen, which they cooked in their own unit. However, protection prisoners were recently stopped from cooking by removal of the stove and utensils, without explanation. And the special food spends for Unit 4 had also ceased, we were told, as the prison could not guarantee that orders could be collected on time due to overtime restrictions and staff redeployments. In its response to the draft report, the Department contended that 'the increase in prisoner population means that we have to prioritise our resource usage to maximise service delivery.'

This is regrettable as the ability to self-cater is an essential living skill that supports prisoners' capacity to function in the community.

### **Some food items in canteen were out of date, and storage conditions weren't ideal**

Food items stored in the canteen were inspected and we found items that were out of date. The high temperatures in the back-storage area would also not help with food preservation. Shelves were full and staff had concerns that some items were reachable only by ladder.

Fridges in the units were found to be reasonably clean with items stored appropriately. Cells were inspected on a regular basis and if there is an excess of items the staff often check the items against the prisoner's canteen spends to make sure that the items have been obtained in the proper manner. Any excess that the prisoner has not purchased is

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removed to help prevent bullying and gambling. Any item not stored appropriately such as an open packet that can attract vermin is removed if found.

### **Both clothing and laundry was good but could be improved**

Clothing at Albany appears to be of good quality and prisoners were seen to be wearing clothing that was in good condition and of good fit. We had no complaints from prisoners about the quality of the clothing, but there were complaints about the amount of clothing issued. Some prisoners said that they were only issued with the bare minimum when entering the prison and it took some time before they got their full quota of clothing issue. In the laundry, we found a distinct lack of stock available for issue, and only larger sizes were available in any quantity. Positively, all items are inspected weekly for wear and tear in the laundry, and either replaced or repaired.

Our pre-inspection survey suggested that satisfaction in the laundry had dropped markedly since the last inspection (see Table 2 above). It's an area that has struggled to meet demand for a larger population but, by December when the survey took place, larger machines had been installed, excellent instructors were in place, and it was running six days per week. Unit 4 prisoners washed their own clothing within the unit. Since the overtime cap was imposed, the main laundry has had to cut back to five days per week, which has caused difficulties meeting demand. Consequently, doonas, which were washed weekly, were now only washed once a month.

### **Not all bunks were safe**

The entire facility except special cells in E Wing of Unit 1 was double-bunked. Designs varied, but all were solid built-in bunks. Bunks all had sides for roll protection, but older designs were too small to be effective. Shelf-style ladders were installed but were usually used as shelves which rendered them unusable as a ladder. Anti-slip tape on the steps was missing or had worn-off. It is important that all ladders have anti-slip tape or paint applied. Additional hand grips may be needed for some beds. The facility needs to audit safe top bunk access in all cells and address any deficiencies.

### **Locally made mattresses and doonas are good quality**

Mattresses are made at Albany and supplied to prisons throughout WA. A high-density foam used which gives good back support, and has fire-retardant properties that meet Australian standards. Mattresses for standard use are covered with cotton fabric, as it is considered more comfortable than polyester mixed material, but those for use in special cells are covered in vinyl. Doonas are also made at Albany but covered with polyester to be hard wearing.

Despite this, the pre-inspection survey indicated a 5 per cent decline in those rating bedding as good compared to the previous inspection (66% down from 71%) but still above the state average (61%). Prisoners spoken to during the inspection said that the quality of the bedding issued such as doonas, blankets, pillows and sheets was good. No-one complained of being cold during the winter. But prisoners were none too pleased that single cells are no longer an option.

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The upholstery workshop at Albany has been both innovative and productive. But it often had to fulfil large orders for other facilities with limited notice. The instructor told us that a mattress packing machine would help meet production requirements more efficiently.

### 2.4 VISITS AND COMMUNICATION

#### Maintaining contact with families can be difficult at Albany because of distance

Maintaining ties with family and friends is a great source of support for most prisoners and important to assist with reintegrating back into the community on release. Families can also suffer greatly when a loved one is in prison, both through the loss of their presence, and the difficulties caused by having to visit. Not all such contact is benign, however, with family members and friends sometimes being put upon to provide unreasonable amounts into prison phone or canteen accounts, to smuggle in substances or other contraband, or to pay others for gambling or drug debts incurred in prison.

The table below shows that less than 20 per cent of prisoners (17.5%) were from the local, Great Southern region, and well over half (61.3%) were from the Perth Metro area when arrested. Most of the others came from further afield, including the Kimberley, and a handful from interstate or overseas. Albany has traditionally held prisoners who didn't receive visits in their home region; that is still the case, but there are many more who were getting visits and would like to be back in their home region, but must be housed at Albany. While some families do visit in person from Perth and other regions, this is usually infrequent, and only a minority of prisoners have visitors at Albany.

**Table 4: Region of last known address at 30 September 2017**

Region	Aboriginal	Non-Aboriginal	Total
Perth	99	191	290
Lower Great Southern	35	38	73
South West	8	14	22
Kimberley	17	4	21
Central	14	3	17
South Eastern	8	3	11
Upper Great Southern	8	2	10
Pilbara	6	2	8
Midlands	3	5	8
Interstate		7	7
Overseas		6	6
<b>Total</b>	<b>198</b>	<b>275</b>	<b>473</b>

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### **Visitors are managed decently and the visits' centre has improved**

Visitors first report to the family visitors' centre adjacent to the carpark, run by Pivot Support Services. The centre provides lockers, toilets, a toddlers' play area, tea, coffee, and biscuits to the visitors. Visitors are advised about the visit process and assisted in completing stat declarations if needed. Missing however, was any information sheet from the prison for visitors. This should be remedied. Pivot say they find that some visitors are homeless, experiencing family troubles, having drug issues, or struggling to fuel the car. Information, support, and referrals for assistance is available.

The gatehouse is more intimidating for visitors, but staff were friendly and respectful. After signing in at the register each was given a wrist band to wear, and those wanting to deposit cash into a prisoner's account were asked to do so after the visit to reduce delays. They had to put the money in a locker during the visit.

After passing through a metal detector, if the drug detection dog was present, visitors stood on a line until sniffed. If the dog indicated, the person is subject to a pat down search in the search room, and will be placed on a non-contact visit if nothing is found during the pat down. A find is likely to result in the person being held until police arrived, after which their car is likely to be searched as well.

On entry into the visits' centre, visitors are assigned a table where they can meet with the person they came to see. We were concerned in 2015 that the centre was stifling hot, and lacked airflow, and recommended that Albany 'improve the conditions of the visits' centre' (OICS, 2015, p. 33, Recommendation 6.) The Department supported this recommendation and remodelled its visits tables, increasing capacity to 16 visits. But it took three years to install an air-conditioner to improve airflow in visits. It was turned on only three days before the inspection. The outdoor area was still unused, despite its wall having been found to be structurally sound.

Staff overseeing the visits area are located at a table at the far end of the visits' centre with camera surveillance available in visits' control. Prisoners arrive through a narrow holding area adjacent to the chapel. Prisoners are pat searched on the way into visits and strip searched in an adjacent search room on the way out.

Sentenced prisoners get two visits per week, and those attaining earned supervision level can have three. Extras may be granted, especially if the family has come a long way, and is staying for a few days. Special visits for this and other reasons such as a death in the family are facilitated when warranted. Prisoners on certain management regimes, or in cases where the drug detection dog has indicated a visitor, may have their visit in one of three non-contact booths.

### **Prisoners desire a greater range of participants at family days**

There are four family days held each year when children of prisoners and their parent or caregiver are permitted to visit for an extended time in a more relaxed atmosphere. These are well received, but many prisoners were unhappy that distance prevented

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their kids from attending and that other family members were excluded from such visits. A number had elderly parents, grandparents, uncles, aunts, nieces or nephews living locally they would like to have in for such a visit, outside the restrictive visits environment. We thought there was merit in this, and the prison should consider whether one or two of the family days could include broader family involvement, subject to appropriate risk assessments.

Visits with official visitors such as lawyers and corrections officers are also hosted in the visits' centre, preferably at times other than social visits times. These may take place at a table within the main visits' area, or in a non-contact booth at the discretion of the visitor.

Mail entitlements are unlimited for remandees or appellants, with other prisoners entitled to 12 free letters a month up to 16 if visits are rare. Stamped envelopes can also be purchased. All incoming and outgoing mail is screened for inappropriate content and contraband by the prison, except privileged mail to bodies such as the Commissioner, Minister, or Ombudsman which cannot be opened.

### **Excellent subsidies for long-distance calls, but calls to mobiles are expensive**

Prisoners can apply for up to 10 phone numbers to be registered to access through the prisoner telephone system. Phones are available in every wing in every unit, and can be accessed if not at work, or not locked in their cells. But in Unit 2, phones are outside the grilles for each wing, so are inaccessible if prisoners are locked behind grilles, which is all too common. A local call costs 33c, with the longest-distance call costing \$3.19 for 10 minutes, and a call to a mobile phone, even locally, costs \$3.47. At these costs, many cannot afford to call home, so the prison provides an out-of-country remote allowance for non-local prisoners not receiving visits to cover two long-distance calls per week. This includes interstate and foreign prisoners. Free calls can also be made to certain help and complaints agencies such as Legal Aid, and the Ombudsman.

To fund calls, prisoners must transfer money into their phone account. Family members can also send or deposit money into that account. Currently the method for a visitor to deposit money into a prisoner's phone account or private cash account requires the visitor to attend the prison or post in the money. During inspections staff often raise that they would prefer not to have to handle money at the front gate. Other states of Australia have a more advanced and practical approach in that visitors/family can deposit money through electronic transfer directly into the prisoner's account. This not only makes it more convenient for the visitor but also takes away the issue of staff handling cash deposits. It would also alleviate some of the work load for the cashier.

### **Skype is well used but is not available on weekends**

Skype has been in use for video visits at Albany since at least 2011. It is regulated by Local Order 46 which prioritises its use for people not having social visits with immediate or extended family, and for those needing contact with a religious practitioner. At the time of the inspection Skype was becoming more popular with





*Photo 7: The Skype facility is well used despite unsocial hours and poor video quality*

out of country and foreign nationals. The Skype facility was being used for approximately 80 per cent of available sessions, up to 30 times per week.

However, the quality of the video feed was extremely poor, constantly freezing and dropping out, despite excellent new equipment provided by head office last year. This was because the Department would not carry Skype on its fibre network, using a low bandwidth radio link instead. The new National Broadband Network had recently become available at that location, so improvements may be possible in the future.

Skype is only made available between 0900-1100 hours and 1300-1530 hours Monday to Friday which effectively prevents contact with working partners and school children. It really needs to be available on weekends, at normal visit times.

### **Video link expanded for extra remandees**

Video link was initially installed outside of Hakea Prison to support video visits for out-of-country prisoners with their families but has long been taken over by court requirements. The increase in remandees at Albany has meant that three video links are now installed.

## **2.5 THE CANTEEN**

### **The canteen at Albany continued to offer a good service to prisoners**

The canteen was managed by a group of dedicated and committed VSOs, who also managed recreation. They were assisted by three prisoners working in the canteen, one

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of whom did administrative work including stock ordering while others packed shelves and filled orders.

Prisoners could choose to purchase items from an extensive range of products as shown in the table below. Canteen orders were submitted by each prisoner on a form, and collected at the time their unit visited the canteen once a week.

**Table 5: Canteen spends 12 months to 31 January 2018**

Category	Spent	Category	Spent
Art supplies	\$55.10	Other food	\$171,699.10
Biscuits	\$41,193.47	Medicated	\$5,625.10
Chips/nuts	\$18,696.50	Clothing	\$4,690.25
Confectionery	\$103,833.70	Stationery	\$679.90
Drinks	\$98,323.15	Toiletries	\$51,198.09
Electrical	\$44,255.75	Tobacco	\$497,575.45
Fabric softener	\$1,769.00	Nonstock item	\$146,375.74
		<b>TOTAL</b>	<b>\$1,185,970.30</b>

Three years ago, we were impressed that Albany had an effective system for purchasing non-stocked items such as shoes, DVDs, video games, and electrical goods, known as town spends. We were also impressed with the special spends system whereby earned supervision prisoners in Unit 4 and Protection, could order food, including perishables and cooking ingredients, which the officers would order online through a local supermarket. This was no longer available because the latest overtime cap meant that Albany could no longer guarantee that an officer would be available to pick the order up.

## 2.6 ENVIRONMENTAL HEALTH

### **We were generally impressed with the cleanliness of the prison**

Albany in general is very clean and especially in the areas of food preparation and storage. The main kitchen is very aware of the health requirements and as stated earlier meets all health requirements regarding cleaning, storage of food, food preparation and transportation of food. In general, the servicing of equipment used throughout the prison for refrigeration, cooking and laundry includes regular cleaning, maintenance work and replacement if required which helps to maintain hygiene standards. Regular cell and unit checks are also conducted by the staff to maintain a clean and hygienic environment.

Cleaning equipment and supplies are readily available and accessible to the prisoners which makes for a cleaner prison however, there are some areas of the prison that are less accessible to prisoners and some that require officers to be present during the cleaning process. It is these areas that appear to be an issue as they are not being

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cleaned regularly. The cleaning party, which could use pressure spray equipment, was not running at the time of the inspection. We have already noted above difficulties in keeping ablutions clean in Unit 1.

During the inspection OICS staff were shocked by the state of the Urine Testing Room. The floor was filthy and it didn't look as though it had been cleaned for months. Numerous stains on the floor were the first give away that this room had not been cleaned for some time. A room that is used for this purpose should be a priority for cleanliness. An officer accompanying the OICS team at the time was surprised at the state of the room and explained that it was hard for the officers to get time to accompany prisoners to clean these sorts of areas but agreed that it was very dirty and needed to be addressed.

Another area of concern is the workshops. During the inspection, OICS team members were told that the workshop area of the prison was a non-smoking area. With the introduction of prisoners eating their lunches in their workplaces this means that the prisoner would not be permitted to smoke for the length of the working day. This said, a meeting with the VSO's informed the team that the prisoners were still permitted to bring smokes to work. This was later contradicted by other staff including security.

The VSO's meeting suggested that the reasoning behind the prisoners being permitted to have their smokes in their possession when they came to work was that the prisoners were fearful that the prisoner they share a cell with may steal their smokes while they were at work. Various staff had conflicting ideas of what was supposed to happen. This needs to be clarified for all staff and communicated to all staff so all are on the same wavelength as to how to manage it.

### **There is a hygiene risk for prisoners placed in dry cells**

Upon entry to the prison, prisoners are issued with the necessities to maintain their personal hygiene. Every prisoner is required to shower daily and keep his clothing and cell clean. There is however, one area of the prison that presents as a concern to personal hygiene practices. That area is the dry cells in E section. The dry cells do not have a wash basin and as such there is no opportunity for a prisoner to wash their hands. This has meant that prisoners who use the toilet do not have an opportunity to clean their hands before eating their meal. Sometimes the meals are sandwiches or rolls and the prisoners do not get utensils to eat with and therefore must eat with their hands.

With the lack of any facilities a simple solution would be to supply hand wash, cleaning wipes, or towelettes before or at the same time as each meal. There needs to be a review of this situation, and a solution found that least impacts on the officer's routine but also provides the opportunity for the prisoners to clean their hands before their meal.

# Chapter 3

## CARE AND SUPPORT

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### 3.1 ORIENTATION

#### The orientation process was ineffective

We said in 2015 that ‘orientation was one function that was not done well at Albany, and that had slipped since the previous inspection’ (OICS, 2015, p. 23). We recommended that the prison: ‘Ensure that all prisoners at Albany are provided with a thorough orientation’ (OICS, 2015, p.24, Recommendation 3). The recommendation was supported in principle, and subsequent progress reported, but it had gone backwards by this inspection.

Unlike most prisons where orientation is done by a unit officer, newly arrived prisoners at Albany are recalled to reception the day after their arrival for their official orientation which involves going through the mandatory checklist on the Department’s Total Offender Management Solution (TOMS). This was doubtless thorough and professional, but at the end of the process they are given a poorly presented orientation booklet with limited information. Indeed, this was one of the shabbiest and least informative prisoner orientation booklets we have ever seen. The orientation video was also outdated. Nor was a tour of the prison provided to new prisoners, other than by a peer supporter who spoke Vietnamese and Chinese, and who would give a tour to new foreign nationals.

In our experience, prisoners listen best to other prisoners, but it’s a question of hearing the right messages from the right prisoners. Using trusted prisoners such as peer supporters is good practice for prisoner orientation.

#### **Recommendation 2**

Ensure that prisoners at Albany are provided with a thorough orientation, a properly printed orientation booklet, and contact with peer support.

### 3.2 OFFICER CARE AND TREATMENT

#### Frequent lockdowns were affecting otherwise good staff-prisoner relations

When prisoner and staff relationships are strong, prisoners tend to feel comfortable approaching staff. Good relationships help staff to understand the mood and temperature within prisons and may help to prevent incidents before they occur. It is therefore important for staff to spend time interacting with prisoners. This can be done by: regularly walking through the units, engaging in respectful conversations, checking on prisoners’ welfare, paying attention to hygiene and problem behaviours, and promptly following up on requests and queries.

We were less impressed in 2015 with staff/prisoner relations than we were in 2011. In 2018, the picture was mixed. On the one hand, we were impressed with staff attitudes towards prisoners. When the grilles were open, interaction was quite good, and the language was polite and respectful. Our survey results also revealed that more prisoners felt that staff applied the rules fairly, were respectful during cell searches and

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treated prisoners with dignity (see below). An influx of enthusiastic new staff in 2016, and progressive leadership appeared to have rekindled something of the 'Albany Way' approach to staff/prisoner relations.

**Table 6: Albany Prison Survey: Do you think the officers at this prison...?**

	2018	2015*	State Average*
Apply rules fairly	47%*	37%*	44%*
Respectful during cell searches	56%*	50%*	47%*
Use too much force	56%^	56%^	56%^
Treat prisoner with dignity	47%*	39%*	42%*

\* Proportion who ticked 'Yes'. ^ Proportion who ticked 'No'.

But in 2018 Albany had been affected by overtime restrictions and an adaptive staffing regime. The adaptive regime meant that, based on the number of unstaffed positions for the day, prisoners were progressively denied external recreation, confined to units, locked behind grills, or locked in cells. When behind grills or cells, prisoners had no access to the unit officer and there was no effective engagement between staff and prisoners. Services such as processing of prisoner interview/request forms, transactions, phone number applications may not be addressed, which can be problematic for prisoners. In addition, there had been a reduction in noticeable amenity as the population increased, and with a hardening of routine Albany was operating more like a maximum-security facility.



**Photo 8: No shower or phone access when grilles are closed in Unit 2**

### 3.3 SUPPORT SERVICES

#### **Peer support was operating but needed a lift**

The Prison Support Officer (PSO) is responsible for generating and supporting a team of peer support prisoners to provide ongoing general support to other prisoners in their units as part of the Department's suicide prevention strategy. The PSO position is reserved for an Indigenous person to ensure the role is effective for Aboriginal prisoners, but peer supporters themselves have various backgrounds, to assist all prisoners. Albany was fortunate in having an experienced person return to the PSO role in 2016, after it had been vacant for some time.

Difficulties emerged in July 2017 when certain peer supporters became quite assertive about how NAIDOC celebrations should be run, and in the way they raised prisoner issues. Management determined that there was a need to refocus peer support meetings on prisoner support. A separate prisoner forum was created in which prisoner issues could be raised. This allowed peer support to be more focused on looking out for new prisoners, those isolated from family (including those from overseas), and those with deaths in the family etc.

We were concerned that the role and status of peer supporters was not what it should be. No peer supporters at Albany were employed full-time, although they were given an increment for their pay. Only three had Gatekeeper training, so skills and knowledge for listening and supporting others were limited, and there appeared no prospect of a course in the near term. Nor had mental health first aid training been provided. They had been provided with yellow shirts to wear as a 'uniform', but they were reluctant to wear them as other prisoners call them 'canaries', or 'big bird'.

Peer supporters felt that staff in units were often dismissive when they tried to bring issues affecting fellow prisoners to their attention. Officers questioned them if they asked to speak to the SO about a sensitive matter. They also thought officers failed to pass on a request to see the PSO. Nor could they see prisoners they knew in other units who wanted support. Prisoners are expected to see the peer supporter only in their own unit, a restriction which appears to misunderstand the nature of peer support which relies on natural peer connections.

Peer supporters were not invited to support or orient new prisoners in reception, or in C Yard where many stay for the first night or so. Nor can they go to the MPU where prisoners may be stressed and unhappy. There is no systematic referral of new prisoners to peer supporters when they are placed in a unit as used to be the case. On the other hand, one peer supporter who speaks Vietnamese and Chinese, was constantly used by staff for translation including in reception, in units, and in one case during the inspection, for a distressed prisoner in the MPU. Yet he was strip searched on the way in and out of the MPU.

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While we understand that peer support has the potential to advocate inappropriately on prisoner issues, and that there are genuine security concerns around prisoner movements between units, there needs to be a better investment to ensure that peer support makes an effective contribution to the reduction of self-harm, potential suicides, and disruptive behaviours in the prison.

### **Recommendation 3**

**Further develop peer supporters to be effective in their role.**

#### **The Aboriginal Visitors Scheme (AVS) has recently been re-established**

Albany lost its long standing AVS representatives at some point after the 2015 inspection when the Department sought to redistribute resources. It was not until 2017, when new appointments were made for a team for Albany and Pardelup prisons. They have an office within the prison, and visit prisoners in units three days per week, with a special focus on new prisoners, and prisoners from remote regions. They debrief with management after each visit and liaise closely with the PSO.

As appropriate, contact can also be made with families and communities externally. In a crowded prison where individuals can get lost, this is a valuable service. But the staff were only on six month contracts, and there is a risk that future renewals may create gaps in continuity of service, and run the risk of losing good staff. AVS staff would appreciate some kind of uniform so their role is more readily identified to staff and prisoners.

#### **Albany has an active chaplaincy**

Another valued support for many prisoners is the chaplaincy. Part-time chaplain Rev Alan Taylor has been attending Albany for nearly 18 years. Services include: religious counselling, weekly bible study, a weekly Prison Fellowship service on Saturdays, and church services on Sunday. The Sunday services are run by Anglican, Catholic, Baptist and Uniting Churches. The Salvation Army also has visits each week, and the Jehovah's Witnesses also run a bible study. The chaplain provides religious materials for all faiths, and Skype is available to facilitate prisoner contact with their own faith leaders. Counselling is provided to grieving prisoners. We were pleased to see the chapel has been recarpeted and furnished.

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*Photo 9: The newly recarpeted chapel*

### 3.4 PRISON COUNSELLING SERVICE

#### **Prison Counselling Services were stretched too thinly**

The Prison Counselling Service (PCS) has suffered a long and painful decline in WA prisons. In the best of circumstances, counsellors can make a significant contribution to prisoner mental health and wellbeing, helping them deal with: past trauma, separation from family, relationships, grief, addictions, and motivation to change. PCS is also a fundamental component in the systems to manage prisoners at-risk of self-harm or suicide.

Reduced staffing in metropolitan centres has meant that PCS has had to focus increasingly only on risk-management. While in regional areas, PCS staff were being decoupled from programs delivery and assessment responsibilities, losing any support or relief, while providing risk-management assessments and counselling to facilities that lack their own PCS by video link.

The single PCS officer at Albany is under intense pressure to undertake risk-management assessments and counselling, without any local professional support or anyone to relieve her when taking leave. It can be difficult to see prisoners in units, as offices can't be spared for long, or in the MPU where officers have other priorities. It was suggested the counsellor reduce involvement in ARMS/PRAG (the system of managing prisoners at-risk of self-harm and suicide) and/or SAMS (the system of managing vulnerable prisoners who typically have mental deficiencies), which makes little sense.



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By comparison, Bunbury, a smaller facility has 1.6 FTE. We understand the prison sought to increase PCS FTE to two, but was unsuccessful.

In responding to our draft report, the Department noted that only minimal risk assessment support for another facility has been required to date, and argued that the 'current staffing level allows for ARMS and SAMS coverage and a limited number of ongoing general counselling cases' with a focus on 'distress mitigation'. It claimed that aspects of PCS involvement in ARMS and SAMS were a duplication of services, and efficiencies could be made. The Department did not respond to concerns relating to local professional support or relief, but it did acknowledge that an additional PCS FTE 'would allow the service to expand to provide more in the area of therapeutic interventions to general referrals'. Indeed, PCS management had been 'progressing the move of the 0.6 FTE from Bunbury in recognition of the need in Albany', but this position was lost in the government's Voluntary Targeted Separation Scheme.

### **Recommendation 4**

**Increase PCS staffing at Albany Regional Prison.**

## 3.5 MENTAL HEALTH

### **Despite an increase in staffing, managing mental health services remained challenging**

Mental health nurses have an important role in assessment, referral, and management of prisoners with suspected mental health conditions. Visiting psychiatry provides clinical oversight, diagnostic assessment, and treatment planning. Mental Health nurses also work closely with PCS and custodial staff in assessing and managing prisoners identified as at-risk in the ARMS/PRAG system. Albany had just under 50 prisoners on its mental health register, meaning patients under active review and management.

In November 2017, Mental Health Nursing increased from one to 1.5 FTE. While much needed, this coincided with the departure of the attending psychiatrist who had worked one day per week at Albany. At first, it fell to the GP to manage medical aspects of mental health, but at the time of this inspection the Hakea Prison psychiatrist was providing a weekly half-day of telehealth. Mental health consultation by video is not ideal, and the level of service was insufficient. Scheduled reviews were inevitably pushed back by acute cases, and this contributed to a backlog that dated back to December 2017.

In the 2015 inspection report, we expressed concern about management options for Albany prisoners suffering from critical mental health episodes. We wrote:

External mental health care in Albany is extremely limited. The local hospital is reluctant to admit prisoners to local beds for security reasons, and access to beds in the Frankland centre (Perth's maximum-secured inpatient psychiatric hospital) remains very restricted due to the long standing lack of beds in that facility. Distance is also an extenuating factor (OICS, 2015, p. 38).

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We recommended that, in consultation with the Mental Health Commission and the Department of Health, the Department should 'develop more appropriate practices for managing prisoners at Albany and other regional prisons who suffer from critical mental health issues' (OICS, 2015, p. 39, Recommendation 8). This recommendation was supported by the Department, who stated that it was an existing initiative. Yet in 2018, nothing had changed. When a prisoner at Albany experienced a critical mental health issue, there was limited support available outside the prison, locally or in Perth. And there was no suitable facility within the prison for managing these prisoners.

### **The absence of a crisis care unit remained both a weakness and a risk**

Unlike other maximum-security prisons Albany has no dedicated, purpose-built crisis care unit. But Albany's population is now higher than that of Casuarina Prison when it opened with a well-equipped crisis care unit and infirmary.

The only option for housing prisoners with critical mental health issues are the three observation cells in Unit 1 E Yard. This is far from a therapeutic environment. The caged-off recreation areas for each cell are stark and confronting. The yard also contains multi-purpose cells used as punishment cells and is one of the more unsettled areas of the prison. There is a need for a calm, low stimulus, and caring environment to manage mentally unwell and at-risk prisoners. Part of C Wing has at times been used to accommodate mentally unwell prisoners while becoming stabilised, but it is often now quite busy and crowded, as it is used as a first night placement.

## 3.6 PROTECTION PRISONERS

### **Conditions for protection prisoners have declined**

Before Unit 4 was commissioned in 2012, D Yard in Unit 1 was the self-care yard and had 10 cells. With self-cooking facilities and a garden courtyard, it seemed promising when made a protection wing before the last inspection. There were concerns, however, and in 2015 although the protection prisoners had the option of cooking their own meals they were bored and were looking for more things to do (OICS, 2015, p. 7). We found conditions for protection prisoners much worse this inspection. Only three of the 19 prisoners in the protection unit had jobs outside of the unit as cleaners in certain areas. The rest had unit jobs requiring little time or effort. This contrasts with protection units in Hakea, Casuarina and Acacia prisons where prisoners in protection had access to workshop employment.

According to Local Order 25, protection prisoners are classified as earned supervision and have access to privileges including cooking facilities, earned spends items, additional phone calls, gymnasium facilities, and personal laundry and drying facilities. These are sensible compensations for a class of prisoners significantly deprived in other ways.

In 2015 we saw protection prisoners had the option of cooking their own meals, which helped alleviate some of the boredom and broke up their day. But self-catering ceased shortly after that, in both D Wing and in Unit 4, and meals were being prepared and

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delivered from the main kitchen. But until recently, protection prisoners still had an oven and stove they could use to cook supplemental foods purchased through the canteen, and occasional treats such as biscuits or cakes. But the oven and stove were removed in late 2017, and protection prisoners are left with microwave, toaster and electric frypan. This allows packaged meals to be reheated and simple fried foods such as bacon and eggs, but little real cooking.

The protection prisoners told us that most had nothing to do all day, and when we visited it certainly looked like that. Prisoners sat quietly on a bench in the small, lifeless yard, with no visual stimulation except for the brick wall and the place where a raised garden bed used to be. The garden was removed after a brew was found buried in the soil. Prison management had no intention of allowing a garden to be replanted there. Isometric gym equipment needing fixing.



***Photo 10: The protection wing courtyard where the raised garden beds had been removed***

The protection prisoners looked forward to Fridays, when they could attend education, pick up their canteen spends and participate in recreation on the oval. It was the one day of the week when they could leave the unit while the rest of the prison was in lock down. While this schedule works for the rest of the prison, it makes for a monotonous and tedious life for protection prisoners during the other six days of the week. The regime for protection prisoners is contrary to the Department's policy to:

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develop suitable regimes with constructive activities that provide prisoners with skills that increase the likelihood of employment on release, address their offending behaviour, meet their health needs, provide for self-development, and prepare them for integration into the community (DoJ, 2007).

Albany should review the regime for protection prisoners and introduce more opportunities for protection prisoners to participate in productive activities on days other than just Fridays.

### Protection prisoners felt unsafe in their unit

Prisoners are placed in protection to keep them safe from the mainstream prisoner population. However, the small group of protection prisoners at Albany told us that they did not feel safe within the protection unit. D Yard has 10 double cells and housed 19 people at the time of the inspection. It is widely presumed, not least by mainstream prisoners, that those in protection are child sex offenders. That is true for some, but others are vulnerable for various other reasons, including enmities arising from particular events or gang affiliations. While some in protection appear quite vulnerable in their mental health or personality, others are much more aggressive.

Unlike A and B Wings in Unit 1, and wings in all other units, there is no staff control area in D yard, hence no continuous staff presence. Unit 1 staff rely on CCTV and infrequent visits to supervise D yard. Prisoners told us that fights occur on a regular basis out of sight of the cameras. The prisoners are scared to press their cell call buttons for fear of reprisal from other prisoners. We also heard that there was quite a bit of bullying in the unit, and that there was a strong group of prisoners in the unit responsible for this bullying.

Albany has an anti-bullying strategy to provide a safe and healthy environment for all prisoners (Albany Regional Prison, 2018). The prison should refer to this strategy and address the safety issues affecting the protection prisoners. We are unsure, with the level of crowding and nature of prisoners, whether it is possible to provide a safe and decent environment for protection in D Yard. Of the 19 prisoners in 10 cells, only eight were from Albany or the Great Southern region. Local prisoners in protection may well be safer if the wing was not crowded with people from other regions. However, that may not be realistic in current circumstances, so it is questionable whether D yard can provide a safe and decent environment for protection prisoners. But are there no obvious alternative sites at Albany Regional Prison, and the Department should consider whether protection accommodation is really needed at that facility.

### **Recommendation 5**

Albany Regional Prison must determine how a safe and decent protection regime can be provided, with better access to work and outdoor recreation, and restoration of cooking privileges.

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### 3.7 WOMEN

#### Women held at Albany are acutely isolated

Albany has the capacity to hold female prisoners on a short-term basis. It receives women from local courts if sentenced or remanded, or from police for arrest warrants. Unless shortly returning to a local court, arrangements are made for her transfer to Melaleuca Remand and Reintegration Centre in Perth. But the transport to and from Perth runs only once a week. During the inspection, a woman was admitted on arrest for breaching her parole. She came in on a Tuesday morning, only a few hours after the weekly transport had left for Perth. She had to stay there by herself for a whole week. This is quite unsatisfactory; entering custody can be quite distressing and being essentially alone for up to a week adds to that.

Women are accommodated in a cell that can accommodate three women, located in E Wing, otherwise used for punishment and observation. The cell is quite spacious, and reasonably clean, fitted with one single bed and one double bunk, table and chairs, TV, and kitchenette, stocked with breakfast foods, books, toiletries and hygiene products. Equipment is also available for a baby, but that has never been needed. The room lacks windows or any direct access to an outdoor area. While not unpleasant, there was nothing feminine about its set-up or décor, and more was needed to make women feel they belonged.

While at Albany, women are kept separate from the male prisoners and do not have much opportunity to leave the cell. They can have social visits during normal visit sessions, and officers do try to let them outside once or twice each day, when they can smoke. But that can be difficult given other demands in Unit 1's MPU, protection, and overcrowded accommodation wings.

As well as receiving women into custody, Albany accommodates women on temporary transfer from other prisons to attend their trial in Albany Court, or to have visits with their children or other close relatives living locally. Such women at least have a purpose for being there and have already spent some time in prison. But we were quite concerned that a newly received person could be stuck there alone for up to a week. People arrested by police in small lockups must be cleared to a regional lockup within 24 hours. We believe that women should not be allowed to languish alone in a regional prison beyond a night or two.

#### **Recommendation 6**

Ensure women are transferred out of Albany in a timelier manner.

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### 3.8 REMANDEES

#### Remand prisoners were less likely to have work and many were displaced

As noted above, 25.5 per cent of the population were remandees, up from only 6.4 per cent in 2015. At Albany, as elsewhere, the treatment of remandees differed from that of prisoners only to a limited extent. Remandees have the right to a visit per day, but that was only relevant to those with local friends or family. They also have a right to free calls to contact a lawyer, arrange bail or sureties, for safeguarding property, or notification of whereabouts.

Remandees are not required to work, but receive the lowest level of gratuities if not working. Although many work, 49.6 per cent were either out of work or employed as a miscellaneous worker on Level 5 gratuities. Remandees are also excluded from training opportunities other than short courses, and have more limited educational choices. They are ineligible to participate in programs to address their offending issues, for example, addiction. Only AA is available to remandees as well as sentenced prisoners.

The library had a basic set of legal textbooks and TimeBase, an electronic legal resource with WA legislation and case synopses. A computer in the library was available for accessing these resources and viewing evidence, but it was disappointing to find that the printer we found was broken in 2015 was still unusable for printing legal materials. Management say that education is where prisoners can print things, but the legal computer is not part of the education network, and prisoners have no way of transferring files. Prisoners were dependent on staff to transfer any files that need printing so it was very difficult to get any legal printing done. While very few remandees are self-represented, some want to learn more and better assist their lawyer in preparing their case. There were also eight appellants at Albany.



Photos 11, 12: That printer and some legal texts

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Sixty one, over half of Albany's remandees were foreign nationals whose needs are discussed below. A large proportion were displaced from Perth or other remote regions, including from as far away as the Kimberley and Pilbara. Only a year ago, Albany had about 90 Aboriginal prisoners from remote regions, but by the inspection this had fallen to about 20. Remandees displaced from other regions were especially disadvantaged, unable to have daily visits with family or friends. Being on remand can create great anxiety about the future. Some from Perth were desperate to return there and were prepared to engage in quite disruptive behaviours to that end.

People on remand are supposedly unconvicted, so it would seem premature and wholly unreasonable both for that prisoner to be deprived of much needed support, and for their friends and family, including children, to be deprived of their presence.

Unfortunately, periods spend on remand appear ever longer. As shown in the following table, only 43 had been on remand less than 6 months to date, and 18 had already been on remand for over 12 months. This is a long time to be effectively warehoused away from friends and family.

**Table 7: Time (in months) spent on remand as at 1 February 2018**

Time on remand so far	No.
Under 6 months	43
6 to under 9 months	34
9 to under 12 months	11
Over 12 months	18

### **Recommendation 7**

DoJ (Department of Justice) should minimise the presence of out of country remandees at Albany Regional Prison.

### **Recommendation 8**

Albany Regional Prison should develop a strategy for remandees, to ensure they have adequate access to legal resources, can view evidence, and print legal materials; and to refine offerings in employment, education, training, and personal development.

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### 3.9 FOREIGN NATIONALS

#### Foreign nationals had particular problems

Foreign nationals from many nations over the years have been sent to Albany on the basis they don't have local friends or family in Perth to visit them. Most of the Asian prisoners present at the time of the inspection, and a few of the others, fitted that profile, having been arrested at the border or on short-stay visas because of involvement in drug trafficking. Such people faced very long sentences in Western Australian prisons if convicted. But that was not true for all. Some of the saddest cases were people facing deportation having grown up in Australia, or having a family here. Some of those had been placed away from their Perth-based families, losing last months of close contact before facing deportation.

There was quite a good awareness among staff of the presence of foreign nationals. Groups from similar backgrounds were accommodated together, and were facilitated in making international phone calls and Skype visits. Recreation staff had also been facilitating purchase of food products through a local Asian food shop for those with enhanced supervision status, something that was much appreciated. But like other special food spends discussed above, that was not currently occurring.

Education was providing two English as a Second Language (ESL) classes for foreign nationals. Staff knew they could use external interpreters, but there was little evidence any did, other than medical staff. Handheld translators were being suggested as an aid, and management was looking at having orientation information translated into Vietnamese. But the orientation package was so disordered, it will first need considerable work. Instead there was an over-reliance on prisoners to interpret for others, especially one peer supporter.

We believe that all prisoners not competent in English should have an initial orientation interview using a trained independent interpreter, whether in person, or by phone. The question of future communication should be carefully discussed as part of that. The prisoner's Unit Manager should also be involved. Additional interpretation is needed if the person appears distressed, depressed, or has medical issues, and when a key assessment, for example for an Individual Management Plan is undertaken.

Foreign nationals we meet in prisons hanker for books, magazines, music and videos in their own language. Small numbers of books and commercial CDs or DVDs sent by families are sometimes accepted into the property of a prisoner or as part of the library collection, but prisons won't accept copied or pirated materials. Albany prefers only to accept material provided by consulates, or ordered and paid for by prisoners. Recreation staff make a good effort to source specific items sought by prisoners which can be ordered online. However, cheap satellite systems were available that could access a range of free Asian language broadcast channels and installation of one should be considered.



### **Recommendation 9**

Albany Regional Prison should develop a local order for foreign nationals, specifying: when professional interpreters must be used, communication provisions, and access to foreign language resources.

### 3.10 LONG TERMERS

#### **Lack of single cells compromised the long term prison program**

Albany had 16 prisoners serving indefinite sentences, primarily life sentences for murder; 24 serving sentences of 10 years or more; and another 75 serving sentences of 5-10 years. Indefinite prisoners mostly have a statutory review date at which point the Prisoner's Review Board can recommend release to the Governor-in-Council via the Attorney General, and usually after the prisoner has completed a resocialisation program in a minimum-security facility.

In recognition of the needs of long-term prisoners, the prison introduced a *Long Term Prisoner Program* in 2013 (Albany Regional Prison, 2013). Prisoners with a sentence over five years are allowed to apply for the program subject to extended good behaviour and good performance in: work, education, and programs. The program aimed to 'enable long-term prisoners to have a sense of hope and direction while serving a long sentence, and to improve their lifestyle and conditions during this period.' The program sought to maintain family relationships (through increased visit, phone and postal entitlements), to provide single cell accommodation in a more settled part of the prison (with an in-cell fridge), and to provide access to 'luxury items' such as watch, sunglasses, or runners, and additional X-box games and DVDs in their cells.

This appeared an excellent initiative, but it really hinged on the availability of single cells, something that could no longer be offered to anyone other than for medical or security reasons. While some long-term prisoners were proactive in teaming up with someone they could live with, we spoke to others who were quite discomforted, sometimes after years of living alone, to have to share with another person. Some of their cell mates were a good deal younger with quite different tastes and interests to the longer-term prisoner.

### 3.11 COMPLAINTS AND GRIEVANCES

Prisoners have a range of options to make a complaint if unable, or reluctant, to resolve a matter through unit staff. They may lodge a grievance by requesting a grievance form from unit staff, who lodge it on the TOMS database before having it dealt with. Few prisoners are confident enough to do this, and only eight prisoners from Albany did this in a 6-month sample period to September 2017. They can also lodge a complaint by phone or yellow envelope with ACCESS, the Department's complaints line. Ninety nine did so in the same six month period.

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Such complaints are almost always referred to the relevant section of the prison for a response. The eight grievances were all recorded as having been 'resolved at prison level'. Eighty eight of the ACCESS complaints were resolved by an explanation to the complainant, 10 were just recorded, and only one resulted in 'situation corrected'. Independent Visitors also attend Albany monthly, and usually receive only a handful of complaints.

The yellow envelope system also provides privileged mail access to the Superintendent and Commissioner, Minister and a range of other complaint, review and anti-corruption agencies. Many of these complaints are misdirected or made to multiple agencies, but prisoners hope that such specialist agencies may take their complaint seriously. Prisoners we spoke to were convinced that unit staff check such complaints before they leave unit.

At Albany, these envelopes are cleared from locked mail boxes each morning by the SO in charge of visits. They are duly logged and passed on for mailing unopened to the relevant agencies. However, boxes for Unit 1 are in a corridor outside the wings, only accessible for those moving off to work, recreation, or other purposes, and certainly not for those on management regimes. There should be boxes for privileged mail in all wings in Unit 1.

When surveyed, prisoners were asked: 'if you had an issue you were concerned about do you think these people would help you?'. Seventy per cent said other prisoners and 50 per cent peer support prisoners. Sixty one per cent said unit staff, and the same proportion said medical staff. Forty nine per cent said the PSO, and the same proportion said the chaplain. Forty five per cent said the psychologist, and 40 to 41 per cent said prison management, industrial officers, or the transitional manager.

But just 37-39 per cent said they would look to complaints agencies including the Independent Visitor, ACCESS and other agencies for help. Unfortunately, in 2018, we have found that ACCESS has become much less available to prisoners by phone due to reduced staffing, a casualty of departmental amalgamations and redundancy programs.

# Chapter 4

## HEALTH CARE

### 4.1 THE MEDICAL CENTRE

#### **The health centre is still unfit for purpose**

We noted in previous reports that the medical centre was small, cramped and unfit for purpose (OICS, 2015, p. 36) (OICS, 2012), and this had not significantly changed by 2018. There were insufficient consultation rooms, and patient confidentiality and privacy were seriously compromised. Despite installation of a new demountable after the last inspection, the working environment for the health centre had not improved. Adding an entirely separate building meant that additional custodial staff were needed if prisoners were to access the new consulting rooms, something the prison has never managed to do on a consistent basis. Only the medical records staff are based there. So, the original outdated centre is still the only building in which all the health clinics and consultations are done.



**Photo 13: Treatment areas in the health centre**

The main consulting room in the health centre was a walkway providing access to the staff tea room and the GP's consulting room. The second consulting room in the health centre was the Mental Health Nurse's office, so was not available as a consulting room all the time. A third room used to treat patients was a dental treatment room in the back corner, not suitable for general consultation. And this space could only be used if there were sufficient officers in the medical centre to provide adequate monitoring of all the various rooms and spaces in the centre.

## HEALTH CARE

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The Acting Clinical Nurse Manager had however, responded to our 2015 inspection findings by finding places to store clinical waste and other materials other than in the narrow main corridor (OICS, 2015, p. 36).

There is no infirmary at Albany, or crisis care unit, so there is no capacity for ongoing care or supervision overnight. Patients must either be placed in a general observation cell in the MPU or sent to the hospital. These elements should be considered in any new health centre development (see infrastructure recommendation in final chapter).

### 4.2 HEALTH STAFF

#### **The health centre was not a harmonious working environment**

At the time of the inspection, health centre staffing comprised:

- an acting Clinical Nurse Manager
- three full-time registered nurses, two agency nurses, and a casual part-time nurse
- two Senior Medical Receptionists
- one full-time and one part-time Mental Health Nurse
- one GP (0.8 FTE), shared with Pardelup.

We noted in 2015 that staff morale in health was poor and that some parts of the team were not functioning cohesively (OICS, 2015, p. 37). That was still the case in 2018, and some staff had left or gone on worker's compensation leave in the intervening period essentially due to staff conflict. One of those who had left was the former Clinical Nurse Manager, and the current acting Manager, was temporarily based in the prison's administration centre<sup>1</sup>. A Departmental psychiatrist had also ceased attending Albany last November because of the situation.

Prison health is always challenging for health workers, and especially in a maximum-security environment. But disease morbidity levels and mental health issues among prisoners are very high and drive demand. On average health centre staff at Albany have 1200 prisoner contacts each month. Yet the centre could only offer appointments for four hours per day in the health centre because of the prison routine.

Health services have not been increased in step with the growth in the prisoner population at Albany (although the medical facility could not accommodate additional staff). The centre itself is an inherently stressful environment, with people constantly negotiating for space for treatment, storage of materials, and desk space to access and maintain medical records. Yet we met several dedicated professional staff, who demonstrated appropriate empathy and care in clinical interactions with prisoners.

While the acting Nurse Manager worked hard to maintain service levels, there had been a high turnover in casual and agency staff. This created additional work as considerable downtime was needed to orient each new staff and obtain authorisations to use the

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<sup>1</sup> In its response to the draft report, the Department stated that administration office space was utilised 'from time to time to perform confidential management processes in a secure environment'.

## HEALTH CARE

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electronic medical records system. We heard from a variety of staff who were concerned that it was proving difficult to maintain services standards, especially where lower level agency staff were employed, posing a risk to staff and patients. It was alleged that mistakes were being made at various levels.

Health services management were aware of the fractured nature of relationships in the centre. A recruitment process was in train for the position of Clinical Nurse Manager. Much will depend on the successful candidate, who will need considerable support from both health services senior management and Albany prison management to heal relationships in the centre, and address outstanding concerns.

### 4.3 HEALTH IN CONTEXT

#### Health services were in a state of flux

Health Services administration in head office has been impacted by machinery of government changes, which brought corrective services into the new Department of Justice. At the same time, there was an active project to transition this portfolio across to the Department of Health. This should be a positive reform, but staff were discomfited at a range of what they perceived as cost cutting measures. For example, salary packages in contracts offered to GP doctors working the Department in late 2017, were greatly reduced, and L1 nurses were being recruited to fill vacancies in L2 positions. The contract to supply physiotherapy and podiatry services to prisoners expired at the end of 2017, and had not been replaced.

In responding to our draft text, the Department stated that it had been 'incorrectly paying Prison Medical Officers as specialist consultants rather than as GPs', and their terms now aligned with others in the WA Health System and the Mental Health Commission. Some nurse positions had been classified to enable new graduates or register nurses to join prison health services as part of creating a career structure for nurses. It also states that 'this is not about cost saving as all savings are directed into the service, looking at creating Aboriginal Health Worker and Nurse Practitioner positions which are missing from our service.' Unfortunately, there was no assurance about arrangements for allied health services. We were told that prisoners had to be given more pain relief to treat symptoms, in lieu of these services.

A recent change had also increased the pressure on nursing staff. The *Standard Guidelines for Corrections in Australia*, to which WA subscribes requires that:

2.33 Every prisoner is to be medically examined by a suitably qualified health professional within 24 hours after being received into prison, and thereafter as necessary.

To date WA prisons have met this requirement by having a preliminary assessment by a nurse within 24 hours of admission, and a full medical assessment by a doctor within 28 days. Of course, if necessary, the nurse would make an early referral to the doctor. But

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health services have recently ceased providing the 28-day doctor's assessment. Nursing staff now have to make a more thorough initial assessment, or a follow-up assessment requiring more time. Nurses felt this placed on them a higher burden of risk. It could, however, allow doctors to focus more on those prisoners who need them most.

In responding to the draft report, the Department noted that the change resulted from a 2017 review of their *Adult Admission and Risk assessment (PMO1)* policy, finding a lack of evidence to support a requirement that each prisoner be seen by a doctor within 28 days. It also cited a UK guideline document, *Physical health of people in prison*, by the National Institute for Health and Care Excellence (NICE) as evidence of compliance with international best practice with Registered Nurses considered competent to undertake initial health assessments. But the NICE guideline requires a much more detailed first stage health assessment on receipt and 'before the person is allocated to their cell', than that undertaken in WA prisons. It also prescribes a tuberculosis test within 24 hours and a more comprehensive second stage health assessment within seven days, which includes a number of tests eg for sexually transmitted diseases.

We will need to further explore with the Health Services Directorate questions about how comprehensive initial prisoner health assessments will be, how they will be undertaken, who will undertake them, in what timeframe, how they will impact on staff, and how they will affect or enhance other aspects of service provision.

### 4.4 DENTAL SERVICES

#### Dental services were inadequate

Another major deficiency in prison health services across the state that has yet to receive appropriate attention is dental services. Prison health relies on the public dental service to provide an inreach service to the prison. While a dedicated practitioner attends Albany on a weekly basis, only the most basic extractions and fillings are provided. There was a backlog of 90 prisoners waiting to see the dentist who said she had only just managed to clear the waiting list from 2016.

Nurses said that they were constantly having to treat dental issues with antibiotics and pain relief. Prisoners said that by the time their appointment came around the infected tooth had deteriorated so much that all the dentist could do was extract the tooth. Prisoners were very dissatisfied with the state of dental care at Albany. There is almost no capacity in the system for restorative work for long-term prisoners who had experienced continued disintegration of their teeth over some years. Teeth can be a significant factor in personal confidence and acceptance by others, not least by potential employers. Better dental services are therefore a valuable enabler of the successful reintegration of prisoners back into the community on release.

While the service is said to be comparable to that available to disadvantaged persons in the community, most community members can access private dental services at their

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own, or their family's expense. We contended in our draft report that no such alternative is available to prisoners. The Department responded that private dental services are available to prisoners 'at their own or family's cost', as per Policy Directive 16. However, this requires that a prisoner or family must pay not only for the dental care, but for a secure escort to take them there, which of course is very expensive. Further, approval is necessarily subject to security and resource considerations and is vulnerable to cancellation from lack of staff or other priorities. Such an arrangement is not a realistic alternative. The Department should explore whether visiting private providers can be accommodated within prisons, to complement the public dental service.

On a positive note, the Department has newly confirmed that an increase of two dental clinics per week will be available at Albany in the second half of 2018.

### 4.5 TREATING HEPATITIS C

#### [The health centre delivered an exceptional Hepatitis C treatment model](#)

In April 2016, direct-action antiviral drugs which provide an effective cure for up to 95 per cent of Hep C of patients were listed on Australia's pharmaceutical benefits scheme (PBS). These drugs are available to prisoners under the federal government's highly specialised drugs program. Dr Helen van Gessel, Director, WA Country Health Services South West, initiated an inreach service to Albany, working with a nurse knowledgeable in blood-borne viruses, to recruit and treat prisoners infected with Hep C. Treatment takes only 12 weeks, and over 100 were treated in the first 18 months. We understand that this comprised a majority of all WA prisoners receiving this treatment, making Albany the leading site. Hep C is an insidious condition capable of causing significant harm to health over time, which is believed to spread vigorously among prisoners who share needles. Dr Gessel believes there have already been instances of reinfection of prisoners cured from Hep C. If WA prison authorities continue to ignore medical advice to provide needle exchange services in prisons (Department of Health, 2014), it will remain a major factor in prisoner health.

### 4.6 PRISONER FEEDBACK

#### [Prisoners' satisfaction with health services had declined significantly](#)

Prisoners' satisfaction with health services had significantly declined since the last inspection. When asked in our 2015 pre-inspection survey what they thought of the general health service, 68 per cent ticked 'good' (other options were 'poor', or 'haven't used'). This was down to 55 per cent in 2018. Most told us that the service they received when they got to the health centre was good. The nurses were kind, helpful and professional, as was the doctor. The main dissatisfaction was in getting there. A request must be made on a form given to nurses dispensing medicine in the unit. They are triaged by nurses, and appointments made by the medical records staff. Ideally, they

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should be seen within two to three days, but it was often two weeks or more. Those no longer needing attention often then failed to attend, causing the appointment to be rescheduled.

In responding to our report, the Department claimed that:

All patients are seen within clinically acceptable timeframes and any escalating medical presentations are seen as a matter of urgency. At times concerns voiced by patients do resolve naturally and these patients state they no longer wish or need to see the nurse.

### **Recommendation 10**

DoJ must take concerted measures to restore a harmonious work environment in the Health Centre at Albany Regional Prison.



# Chapter 5

## RECREATION AND REHABILITATION

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### 5.1 RECREATION

In early 2016, Albany faced having to manage an increased population with a serious deficiency in custodial staffing that led to almost constant lockdowns. The prison also found itself with increased numbers of people affiliated to gangs and other groups in conflict which made it too risky to allow prisoners from different units to recreate together on the oval in the traditional way. In any case, it became too hard to assemble enough staff to supervise open recreation. But management were concerned that too few prisoners had meaningful work and looked to recreation as a core activity to maintain order.



**Photo 14: Looking across Unit 4's fine basketball court towards Unit 3**

Casuarina Prison was the inspiration for Albany's approach to recreation, with its emphasis on deploying more recreation resources and activities to each unit (OICS, 2017, pp. 24-25), with access to the oval and other central recreation rationed between units. In 2016, access to the oval was rationed at three times per week per unit, twice on weekdays, including a longer afternoon session which included canteen and library, and one on the weekend. While improving recreation access to some degree the centre sometimes only managed one or two oval visits per unit per week. Units were also supplied with upgraded fitness equipment and games materials.

This approach was further developed in 2017 when staffing levels were greatly improved. In an Admin Notice dated 23 Jan 2017, each unit was allocated five oval sessions per week, which included two morning sessions on weekdays, one afternoon

## RECREATION AND REHABILITATION

session on a weekday which included canteen and library, and one morning and one afternoon session on the weekend. This timetable was in place at the time of the inspection, with the modification that unit access to the oval on Saturday mornings was replaced by inter-unit competitions organised by recreation staff and prisoner recreation workers, as shown in the table below. People from the protection wing (D Yard) can only access the oval, canteen and library once a week on Friday afternoon.

**Table 8: Designated times for unit access to oval**

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun
09:00–10:00	4	3	2	3		Sport	
10:15–11:15	2	1	4	1		Competitions	
13:00–14:00	1	2	3	4	D Yard	3	2
14:15–15:15						1	4

Albany has three Activities/Canteen VSOs responsible for recreation, the canteen, and library. They have tried to add value to the recreation program by organising sporting competitions on weekends, AFL in April to September, Soccer, October to March, Basketball in NAIDOC week in July, and Indoor Cricket in January. Some of these were intra-unit and other were inter-unit competitions. The latter requires vetting of participants to ensure enemies don't clash, and extra staffing to supervise. While the winter AFL competition ran reasonably well, only six of 16 scheduled soccer fixtures went ahead, and none of the summer indoor cricket fixtures had yet occurred.

The reason for this was the overtime cap, staff absences, staff shortages, and the adaptive regime. Demand for staff leave is highest in January, and unplanned absences are higher on weekends, so supervision of prisoner recreation on a weekend is continually compromised. Even weekday access of units to the oval as planned often did not occur, and some prisoners were quite frustrated at missing out on one or more weekday visits to the oval, and weekend sporting competitions.

In 2017, a system of prisoner recreation workers was established, four per unit, to assist in delivery of recreation in each unit. This included maintaining recreation equipment and games resources in the unit, organising bingo games on each side of the unit, organising activities during oval recreation, and organising games in unit yards of half-court basketball (Units 2-4), tennis (Units 2-4), and yard cricket (Units 2-3). All units have their own dart boards, table tennis, gym equipment, and card games. Another prisoner who is a qualified fitness instructor was employed to train the unit recreation workers to run a 'cross-fit' program in each unit twice a week using a fitness training trolley.

Some of these recreation workers took their role seriously and bingo was said to be especially popular. We saw gym equipment, dart boards, table tennis, basketball, and tennis all being played, though card games in which canteen goods were gambled was

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also too popular. We saw less evidence of the cross-fit training, though we heard it was popular with a minority of prisoners. Unit 1 had the least recreational resources and had recently lost its recreation workers as they had been promoted to Unit 4 and not yet been replaced. Ideally, these workers should have returned to Unit 1 to maintain the program, but that was considered too much of a security risk. Yet Unit 1 is by nature the most volatile of units, and leaving it without organised recreation may pose an even bigger risk to security and safety.

Other prisoners are employed to help run the canteen and library where prisoners can obtain cards and chess sets, limited art and craft materials, borrow books, and access an extensive DVD library during their once a week afternoon recreation session. To date, prisoners have been able to purchase refurbished X-box 360 games machines, used with in-cell TV screens, and doubling as a DVD player. These machines have provided a high-quality gaming experience that many prisoners valued, but they are no longer in production, and refurbished ones are getting harder to obtain. Newer machines have more connectivity options and have not been authorised for use by WA prisons, for security reasons. Without a suitable alternative, prisoner access to quality gaming may soon be untenable.

We noted in our 2015 report that only watercolours were available for recreational art (OICS, 2015, p. 56). After that inspection, these were banned for use in units as art was no longer a widely available subject in education, and some prisoners in Unit 1 had painted on walls and light fittings. In February 2017, a 3-month trial commenced allowing watercolour painting on A4 size artboards in Unit 3, where most out-of-country Aboriginal prisoners were based. Painting was allowed only in common areas when prisoners were out of their cells and not behind grilles; no painting was allowed in cells.

We found no evidence of canteen sales of art boards, or watercolours in the 12 months before the inspection, which suggests the trial was a complete failure<sup>2</sup>. Storage cabinets were yet to be installed in common areas in other units so watercolour painting could proceed in other units.

Few Aboriginal artists outside Hermansburg, pioneered by Albert Namatjira, have used water colour, acrylic is the medium of choice, and few would use such a small canvas. Art has long been a therapeutic pastime for people in WA prisons many of whom have exhibited and become fine artists. Aboriginal arts and crafts is considered an industry in New South Wales prisons (see [www.csi.nsw.gov.au](http://www.csi.nsw.gov.au)). Those misusing paint or other materials should be dealt with robustly through prisoner disciplinary processes. This policy on recreational art is unique to Albany and represents an extraordinary restriction on basic human expression which should be overturned.

### **Recommendation 11**

**Lift restrictions on in-cell recreational art and media that can be used.**

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2 The Department contended that: 'there is no evidence that not allowing certain media is the reason for low uptake'.

## RECREATION AND REHABILITATION

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### 5.2 PRISONER FORUM

#### **Prisoner forum frustrated, not yet positively engaged**

It was pleasing to see that Albany had restarted its prisoner forum in the second half of 2017. Prisoners were invited to self-nominate to their Unit Managers, who chose who would represent their unit. Members we spoke to were pleased they had the opportunity to speak for fellow prisoners but they did not feel they were being listened to. Minutes of meetings supported a view that matters raised were responded to in a negative way, and there was little focus on what can be done that would be of value to prisoners.

In one case, Unit 3 prisoners requested that a second basketball hoop be installed in one of the yards. The court is fully marked out, but has a hoop only at one end. The request was declined. We examined the site with a SO who was unable explain why a hoop could not be installed. It was sufficient distance from a nearby roof as to rule out roof access as a concern, and indeed was an identical distance from the roof as a hoop in the adjacent yard.

In responding to the report, the Department stated that the forum 'is not an avenue simply for prisoners to make 'I want' requests', but is a 'two-way communication avenue'. No-one expects, least of all the prisoners, that many of their requests can be met, but we encourage management to make a sincere attempt to work with forum members to make positive changes for the benefit of all.

### 5.3 EMPLOYMENT AND GRATUITIES

#### **Only a minority of prisoners were involved in meaningful employment**

Prisoner employment provides a direct benefit for prisoners as it provides occupation, work experience, and a training opportunity that helps prepare people for successful re-entry to the community on release. It also offers a chance to earn a small gratuity to spend or save. And it benefits the prison by keeping prisoners occupied thereby reducing the burden of managing large numbers of unoccupied prisoners in units all day, and reducing prison costs, for example, through growing vegetables. But prisoners told us in the pre-inspection survey, and repeatedly throughout the prison that 'there are not enough jobs in the Jail', or that they had been 'waiting for a long time to get a job'.

Prisoner gratuities are paid into their canteen account according to the level assigned to the prisoner's job. Prisoners under punishment, on a basic supervision level, refusing to work, or newly received may be on Level 6 which is no payment at all. Those unemployed, but willing to work are paid at Level 5, or \$21.84 per week. In theory, work assignments requiring additional effort, skills, or responsibility to mentor others are paid at higher levels. At the highest level, a prisoner may earn \$69.58 per week.

## RECREATION AND REHABILITATION

**Table 9: Gratuity levels in WA prisons as at February 2018**

Levels	Daily	Weekly
1	\$9.94	\$69.58
2	\$7.60	\$53.20
3	\$5.95	\$41.65
4	\$4.22	\$29.54
5	\$3.12	\$21.84
6	\$0.00	\$0.00

At the start of this inspection 139 workers or 30.8 per cent, as shown below, were unemployed (including 14 classified as a miscellaneous worker). Another 134 (or 29.7%) were employed as unit workers, few of whom would work more than an hour or so each day. The prison has appropriately moulded the gratuity profile to incentivise work in other areas over unit work, so there are no Level 1s and only a small number of Level 2s in unit work. Nevertheless, some workers in industries jobs still felt that prisoners in units were overpaid.

**Table 10: Prisoner employment by gratuity level at 1 February 2018**

Gratuity Level:	1	2	3	4	5	6	Sub-total	Group total
<b>Service work</b>								<b>23</b>
Canteen	3						3	
Library/recreation	2	8	3				13	
Reception	1						1	
Cleaning	4	1	1				6	
<b>Industries</b>								<b>101</b>
Carpentry	1		1				2	
Garden	7	12	6				25	
Garments	1	3					4	
Kitchen	15	6	14				35	
Laundry	3	5	5				13	
Maintenance	3						3	
Metal	3	3	2				8	
Upholstery	2	3	6				11	
<b>Education/training</b>								<b>48</b>
F/t education	3	3	28				34	
F/t vocational	1	3					4	
P/t education				10			10	
<b>Programs</b>			<b>6</b>				<b>6</b>	<b>6</b>
<b>Unit work</b>		<b>6</b>	<b>91</b>	<b>35</b>	<b>1</b>	<b>1</b>		<b>134</b>
<b>Unemployed/miscellaneous</b>					<b>129</b>	<b>10</b>		<b>139</b>
<b>Totals</b>	<b>49</b>	<b>53</b>	<b>163</b>	<b>45</b>	<b>130</b>	<b>11</b>		<b>451</b>

## RECREATION AND REHABILITATION

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Just 101 prisoners, or 22.4 per cent had work in Albany prison industries. The structured day allows less than five hours per day for industrial employment on Mondays to Thursdays and 3 hours on Friday mornings, or just 23 hours per week. A number of workshops were essentially closed at the time of the inspection due to VSO vacancies, long-term absences, or a lack of orders including: skills, carpentry, and garments. Prisoners assigned to these workshops were given a wage, but were often not actually required to attend. The metal workshop was also only at half strength with one officer down. Garments make prisoner clothing under direction from the larger workshop at Casuarina which also supplied materials. At the time of the inspection, it lacked any work orders or materials. The regular closing of workshops when there were staff shortages, was a source of great frustration to both VSOs and prisoners.

Some areas were strong employment areas, including the kitchen which employed 35, some of whom were needed seven days per week, the garden, 25, the laundry with 13, and upholstery with 11. Another strong area was the canteen, library and recreation, accounting for 16 workers. Only 48 prisoners were attending as students in education or in vocational education, even though many more were attending. And just six were involved in an offender program.

We also noted that there appeared to be much more equitable access to employment for Aboriginal prisoners, something that concerned us in 2015 inspection (OICS, 2015, pp. 52-53, Recommendation 12). As shown in the table below, Aboriginal prisoners who made up 41.7 per cent of the population, were well represented in services, industries, and unit work. They were also less likely to be unemployed. And 40.4 per cent of Aboriginal prisoners were earning Level 1 to 3 gratuities, which was only just under their overall representation in the prison.

Remandees and appellants fared less well in accessing employment than those who were sentenced. Remandees are 25.5 per cent of the population, but represented 41 per cent of all those who were unemployed, and were under-represented in all employment areas. While it is not compulsory for remandees to work, they only received the lowest level of gratuities unless they have a job. A few were too stressed to work, and most wished for additional gratuities and a way to occupy their time, if not work experience and training. But there is a tendency to prefer longer-term prisoners over remandees.

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*Table 11: Numbers and proportion of Aboriginal workers in employment areas*

Employment area	ATSI	Non-ATSI	ATSI proportion
Services	10	13	43.5%
Industries	42	59	41.6%
Education	17	31	35.4%
Programs	2	4	33.3%
Unemployed	55	84	39.6%
Unit work	62	72	46.3%
<b>Total</b>	<b>188</b>	<b>263</b>	<b>41.7%</b>

Notwithstanding some positive areas, overall, the status of prisoner employment at Albany was very poor. Only a minority of prisoners were involved in meaningful employment, meaning employment other than unit work.

The main reason for this has been a failure on the part of corrective services to prioritise expansion, or even maintenance of prisoner industries at the same time as prisoner populations have ballooned. While numerous prisoner officer schools were put through in 2016 and early 2017, to staff increasingly crowded units, recruitment to fill VSO vacancies was affected by freezes and other delays, and existing staff had been denied access to the three-week Essential Training Program (ETP) so they could supervise prisoners.

Having said that, the Business Manager was progressing VSO recruitment, and three good candidates had just been appointed at the time of the inspection. They were in Perth undertaking their ETP. One of these with strong training credentials would be reopening the skills workshop, which should provide foundational workshop skills for prisoners not previously employed in that field. The cabinet shop would also reopen. Other VSOs also finally received their ETP training in late 2017. But there were still five VSO vacancies, and at least one on a return-to-work program, so there was still some way to go in restoring industrial employment to existing resource levels.

However, to maximise prisoner employment in existing Albany industries, DoJ will need to invest additional efforts to attract new contracts, which may require retooling in some workshops. For example, the new spray-booth in the metal workshop must be commissioned, which will enable it to resume work on building and restoring horse-floats and other specialist trailers, and additional welding machines are needed. Upholstery needs machinery to automate its mattress making, so it can resume production of swags and custom canvas goods. By partnering with a suitable NGO, prisoners could be making swags for the homeless or shelter for people displaced from their homes by disasters. Consideration should also be given to employing more prisoners through split shifts, for example, in the kitchen and laundry.

While performing strongly, there were opportunities to increase garden production, notably using large garden beds installed some years ago, on prison grounds outside

## RECREATION AND REHABILITATION

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the prison. We appreciate that the idea of prisoners moving through the gate of a maximum-security prison is considered a 'no-no' from a security perspective, but with appropriate risk assessments and mitigations could be managed.

The Business Manager is primarily responsible for industries, but it is only one of several portfolio areas. She is supported in finance, administration and human resources by coordinators, but there is no industries coordinator, despite having several workers to supervise, and considerable expenses to administer. The ASOS was helping drive prisoner training and employment, but overall, there was a need for additional attention, to restore and develop Albany's industries with good quality contracts, to maximise prisoner work experience, employment, training, and reduce prison costs. Ideally, an industries coordinator should be created.

### **Recommendation 12**

**Implement measures to increase meaningful employment for prisoners at Albany Regional Prison.**

## 5.4 EDUCATION AND TRAINING

### **The education centre was highly productive, but should continue to build**

Many prisoners have had impoverished educational experiences, particularly those with learning deficits in literacy and numeracy. Consequently, re-engaging with learning inside prison can be an important part of making prison life a more positive and transformative experience. Successful engagement with educational programs can help prisoners with their social skills, artistic development and help them deal with their emotions. It also provides an essential platform for further technical training and education in skills for employment.

The education centre has a positive and productive feel, with a strong and united staff team, and good support from the prison's administration. This includes provision of two additional classrooms, two extra Duty Officers, and additional gratuities for those involved in training, which has increased traineeship uptake. About 90 students were attending education daily and there were 35 trainees in industries. The education and training program is well designed, with an emphasis on adult literacy and numeracy. However, regional amalgamations of TAFEs in WA resulted in a 2,000-hour reduction in Student Curriculum Hours (SCH) to Albany over the previous year.

The target participation rate for Albany set for 2017/18 is 30 per cent of the population, down 1 per cent from the previous year. This is greatly reduced from the target rate of 46.7 per cent in 2015, and 54 percent in 2011, reflecting a failure by the WA prison system to scale education and training in concert with increasing prison populations. In a similar vein, traineeships at 35 were up 10 from the previous inspection, one of the highest numbers in WA, but were in reality a smaller proportion of the prison's population.



## RECREATION AND REHABILITATION

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*Photo 15: A wonderful ceramic fresco in the art room in education*

Curtin University's tertiary level art program known as JETA was the only accredited art program allowed to continue after certificate-level Art and Music programs were cut by the Department from prison education prior to the 2015 inspection (OICS, 2015, p. 56). But it was pleasing to see that certificate-level art courses had recently been incorporated into the centre's general education offerings. Music, however, was offered only as part of a self-paced learning module. It was also pleasing to see that ESL classes were provided for Vietnamese and Chinese prisoners. In all, Albany education centre had six peer tutors, which is commendable. There were none in 2015.

We noted in 2015 that an unaccredited Noongar Language Class was running, and that TAFE was providing a Cert III program in Mentoring for Aboriginal students. The former ran successfully until mid-2017 when the tutor lost the confidence of prison management, and the class was stopped, unfortunate in a year when the NAIDOC theme was 'Our Language Matters'<sup>3</sup>. The mentoring program was no longer available from TAFE, but had been replaced by a Certificate 1 in Indigenous Tourism.

The target rate for Aboriginal prisoner participation in 2017/18 was the same as the general participation rate of 30 per cent. But Aboriginal prisoners tend to have a much lower educational foundation than other prisoners so more is needed to engage them. While many are happy with mixed classes, some would respond well to Aboriginal led activities and programs, especially if an Aboriginal Education Worker were engaged, something we have long recommended for WA prison education centres.

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3 The Department has since informed that a Noongar language class ran in Term 2, 2018 in preparation for 2018 NAIDOC week events.

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The centre has had success in engaging some of the most basic students in the Sound Waves explicit teaching program. Others undertook basic adult education studies at various levels, using self-paced courses on booklets or tablets, with the support of tutors. Stronger students enrolled in various TAFE-level programs such as business studies, or computer studies. In some cases, enrolment was required with an external provider such as Train West who offer courses to prisoners at a discount rate.

Albany also had five students approved to commence the Uni Ready course from Curtin University which would supply secure-laptops to facilitate study and work on assignments in their cells. Completion leads to university level diploma and other undergraduate programs. These programs were portable, in the sense they could continue if the student was transferred to another prison, or released from custody. These five laptops, and 22 e-reader tablets, add to 19 computers in the education centre represent commendable growth in access to Information and Communications Technology (ICT). But following TAFE holidays, the centre is closed for 11 weeks of the year and staff are encouraged to take their holidays during this time. Unlike some other prison education centres, students do not have any access to the education centre during these holiday breaks, nor to ICT resources. Tablets are presently used only within the centre, but in-cell use should be explored for those keen to progress.

Industrial training was a mixed picture in the period since the 2015 inspection. Short courses delivered by South Regional TAFE are timetabled to rotate four times a year in the Vocational Skills workshop. They include Forklift, Testing and Tagging of Electrical Equipment Chemical Handling, AUSCHEM, and Small Engines Maintenance. Also popular were Certificate III short courses in Tourism – Indigenous, and Fitness. Such short courses are excellent for prisoners especially nearing release as they gain a current TAFE qualification that may help them get work.

But traineeship numbers plummeted after the last inspection, recovering only in late 2017 when the ASOS worked with the Campus Manager and Business Manager to rebuild, with considerable success. Gardens had most trainees with 25. While most were enrolled with TAFE, the two trainees in the laundry were tutored by an external training agency Aspire to Succeed, which has a strong track record with prisoner students. A number of other areas could create additional trainees, including the kitchen, which lacked any, and the skills, cabinet, and metal workshops, as they reopened, or got back to strength.<sup>4</sup> That would increase the proportion of prisoners able to gain valued work skills during their time in prison and should be vigorously pursued.

The education centre is something of a rabbit warren, and female staff were quite concerned at the placement of the entrance to their toilet adjacent to the prisoner's tea room. They felt vulnerable to attack, as one said: 'every time I go I look behind me'. This was raised with prison management by this Office at the inspection's conclusion. The Department has informed us that work will commence in the new financial year on work to create separate male and female staff toilets in education.

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4 The Department later informed us that training had continued to expand to the kitchen, voc skills and cabinet workshops.

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### 5.5 ASSESSMENT AND CASE MANAGEMENT

#### **System-wide population pressures led to additional assessment workload for Albany**

Since the previous inspection in 2015, there had been huge growth in the state-wide prison population. As a result, there had been an increase in the number of transfers to Albany from prisons in the Perth metropolitan area. The total population at Albany had increased from about 300 in 2015 to about 450 at the time of the 2018 inspection. This included an increase in the number and proportion of remand prisoners – from 30 in 2015 (10 per cent of total population) to 118 in 2018 (25 per cent of total population).

Significantly, Albany was receiving prisoners from Perth who did not yet have a completed Management and Placement checklist (MAP) or an initial Individual Management Plan (IMP). This was happening because the metropolitan prisons were struggling to manage the increasing numbers and workload. In normal circumstances, Albany would mainly receive sentenced prisoners who had already been assessed. Albany lacked sufficient resources to manage the increased assessment workload. As in most regional prisons, resources for treatment assessments were a pressure point.

The IMP is the key sentence planning document that sets out a prisoner's security classification, prison placement, education and training needs, and program requirements. According to Department policy, the initial IMP should be completed within 28 days of a prisoner being sentenced. A core component of the IMP is the treatment assessment, which identifies program needs to address a prisoner's offending behaviour. At Albany, the only staff available to undertake treatment assessments were also responsible for delivering programs. This meant that they had limited capacity to complete treatment assessments in a timely manner. At the time of the inspection, there were 29 overdue treatment assessments.

This contributed to a backlog of 44 prisoners who had not received an initial IMP within the specified timeframe. Each IMP must be reviewed every six or 12 months, depending on sentence length remaining. There were 51 prisoners with an outstanding IMP review.

Remand prisoners and prisoners with sentences of less than six months receive a MAP, instead of an IMP. This is a briefer assessment that does not include a treatment assessment. The MAP should be completed within five days of remand or sentencing. There were only six prisoners (three remand; three sentenced) with an outstanding MAP.

Delays in assessment mean that the system is unable to schedule programs to address identified intervention needs of the prisoner before their eligibility date for parole. This makes parole much less likely for that prisoner, and keeps the prison population higher than it should. It can also slow the prisoner's progression in their security classification, to medium- or minimum-security prison placements.

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### **Case management was up-to-date, but the system continued to offer limited value**

Under the Department's case management policy, all prisoners with an IMP must be assigned a prison officer as their Case Officer. The Case Officer is responsible for meeting with the prisoner every three to six months (depending on sentence length remaining) and completing contact reports. At the time of the inspection, there were 250 prisoners requiring case management at Albany. Everyone had an assigned Case Officer, and all primary contact reports had been completed. Only three regular contact reports were outstanding.

However, the case management model continued to offer limited value. In the 2015 inspection report we stated:

the level of contact was too infrequent to encourage development of a supportive relationship between the officer and prisoner, or to make any meaningful contribution to prisoner welfare or preparedness for their return to civilian life. It was neither holistic nor throughcare focused (OICS, 2015).

This has been our consistent criticism of the Department's case management system for many years, and it remained true at Albany in 2018.

For several years, the Department has promised that the weaknesses of the case management system will be resolved by the introduction of a new Integrated Individualised Offender Management (IIOM) model. However, this has not been implemented, and it is unclear whether it remains on the Department's agenda.

## 5.6 PROGRAMS

### **Program availability was not meeting need in some areas**

According to the Department's own analysis of program needs at Albany in July 2017, the highest demand was for programs addressing drug-related offending, violent offending (including domestic violence), and consequential thinking. Prisoners identified as needing sex offender programs are streamed to other facilities. It should be noted that treatment assessments are only undertaken for sentenced prisoners with over 12 months to serve before their earliest release date as part of their IMP.

A good many prisoners have backdated sentences, leaving insufficient time before their earliest release date and are not assessed. As discussed above, treatment assessments are running behind and many are outstanding. Only those assessed as at least medium risk and needs are considered for a program. Short-term prisoners, appellants, and remandees are not eligible for offender programs. Thus, a great many prisoners who may have problems with substance use, aggression, or consequential thinking are not assessed as requiring programs.

Offender programs may be provided by Departmental program facilitators or by facilitators on contract from external agencies. Thus, the intensive Pathways program, which addresses drug-related offending, was delivered at Albany by Pivot Support

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Services, a locally-based service provider. Pivot conducted six programs per year, with 72 places in total. This was sufficient to meet assessed demand, and feedback from participants had largely been positive. Following a tender process, the contract was scheduled to transition to a new provider, Palmerston, at the end of March 2018, and it was not yet known what arrangements and level of service the new agency would provide.

The Albany programs team consisted of three Senior Programs Officers, and one prison officer who had been trained to co-facilitate the Violent Offender Treatment Program (VOTP). One of the Senior Programs Officers was acting as Clinical Supervisor, and her position had not been backfilled. The team delivered one Stopping Family Violence program with 12 places each year, which was sufficient to meet assessed demand. It also delivered one VOTP per year, with only 10 places available. This was fundamentally inadequate to meet demand within the prisoner population. The need to run a second VOTP per year had been recognised by the Department, but it would not be possible to achieve this without securing funding and appointing another Senior Programs Officer.

The other major shortfall is in cognitive skills programs to address consequential thinking deficiencies. The Think First program was facilitated by trained prison officers, and last ran at Albany in 2015, but delivery was interrupted by the lack of custodial staff in 2016, and changes in head office. Head office planned to train new facilitators in late 2017 but the course was cancelled, and the programs team did not know if Think First would be revived in future.

### 5.7 VOLUNTARY PROGRAMS

Voluntary programs in prisons serve as maintenance programs for those who have completed the official offender programs, as an alternative means of addressing one's offending issues for those unable to access the official programs, and to acquire living skills in preparation for release.

Albany has not been blessed with many of these. A suite of lifeskill programs were being provided by Pivot Community Services as required under their re-entry contract, but it was not yet clear what would take their place under the new reintegration contract. Alcohol Anonymous had just returned to Albany after a long absence.



**Photo 16: Up to 6 prisoners can be part of the RSPCA Dog Rescue Program**

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### 5.8 TRANSITION MANAGEMENT AND RE-ENTRY

#### **The assessments team functioned well, but they were under pressure.**

The assessments team consisted of the Case Management Coordinator, one Senior Officer Assessments and three Assessment Writers. The SO position had been introduced since the 2015 inspection in recognition of the workload associated with the increased prisoner population. The changing population demographics also had an impact on assessment workload. With more remand prisoners, Albany had higher turnover, and more MAPs to complete. The shorter timeframes and higher volume impacted on capacity to complete other assessment tasks such as IMPs.

When fully staffed, the assessments team had sufficient capacity to manage this increased workload. However, they had been affected by staffing shortages in the prison, and the adaptive staffing regime. Since the introduction of overtime restrictions in December 2017, the assessments team had been subject to frequent redeployment. In December and January, the assessments team lost 212 hours to redeployment – equivalent to losing a whole full-time position for about five and a half weeks. This greatly reduced their capacity to manage the assessments workload, and contributed to continuing backlogs. The need to redeploy to maintain prison operations is acknowledged, but this is not sustainable. If assessments do not take place, the system grinds to a halt.

#### **Transitional services were methodical and comprehensive**

The Transitional Manager linked prisoners to a variety of services and agencies prior to release. The prison had well-established working relationships with community service providers and government agencies in Albany. Pivot Support Services are the main service provider to Albany. They hold the contract to deliver re-entry services, as well as the Transitional Accommodation and Support Service and the Transport of Prisoners Service. Because many of the prisoners at Albany were not being released into the local area, the Transitional Manager also referred prisoners onto the relevant community service provider in their region.

Since the 2015 inspection, resources had been increased with the appointment of a Transitional Clerk (0.2 FTE). The Transitional Manager also employed two prisoners as transitional workers. There was a clear process for identifying all prisoners who were within six months of their release date, at which point they would be contacted by one of the transitional workers and offered transitional support services. Pivot also contacted every prisoner six months out from their release date. All processes were well documented, and prisoners received a letter advising them of any action taken by the Transitional Manager on their behalf.

Where possible, the Transitional Manager encouraged prisoners to act on their own behalf so that they were familiar with the processes involved, and better equipped for their return to the community. For example, rather than fill out Homeswest application

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forms for prisoners, the Transitional Manager makes these available in the prison library. He expects prisoners to fill the forms out themselves, stating that it is important for them to understand how to do it. He has met with the peer support team to explain how they can help other prisoners with the Homeswest forms. The Transitional Manager will help with any task that cannot be completed by a prisoner from inside prison, and will provide assistance for any prisoner who needs special support.

Processes were sound and meticulous, and we were confident that all prisoners were being contacted by both the transitional team within the prison, and by Pivot. We were therefore surprised to find that many of the prisoners we spoke to during the inspection had low awareness of the available transition and re-entry services. In some cases, prisoners had chosen not to engage with the services, but overall we found that prisoners had a poor understanding of what was on offer. Including information on transitional services in a more effective orientation process may go some way to addressing this problem. But consideration should be given to other ways to promote transitional services.

### 5.9 POST-SENTENCE SUPERVISION ORDERS (PSSOs)

#### **PSSOs were starting to bite**

We found a handful of prisoners anticipating release who had been told they would be subject to a two year PSSO after release, or under consideration for a PSSO. A PSSO can be imposed by the Prisoners Review Board for offenders completing a sentence for a serious violent offence. They were angry, bewildered and despairing, having served long sentences, and been denied parole, perhaps at their own request. The PSSO commences after their original sentence expires. It can have quite intrusive conditions, like parole, including travel restrictions, urinalysis, and electronic monitoring. If the order is breached, the ex-prisoner can be charged, and a three-year sentence can be imposed.

The sense of injustice felt by these men was palpable, creating an undercurrent that should be carefully monitored by prison managers.

# Chapter 6

## SECURITY AND SAFETY

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### 6.1 SECURITY AND THE PRISON ENVIRONMENT

#### **Pleasant grounds, but movements more controlled**

As a maximum-security prison, Albany has a perimeter defended from inside and outside by various layers of electronic and physical elements, and a lethal perimeter patrol. The prison inside has a pleasant campus style featuring lawns, garden beds, an oval and extensive vegetable gardens. In the past, this has been described as a calming environment and prisoners could mix freely during recreation (OICS, 2015, p. 15). But prisoner movements are now strictly controlled, as they attend education, industries, programs, visits, medical appointments, chapel, recreation, canteen, or library. Otherwise, prisoners are confined to their unit yards, day rooms, behind grilles, or in cells. Nor can prisoners mix from different units in recreation – each unit attends the oval, canteen and library at different times.

Perimeter security is the responsibility of the Albany Security Unit (ASU) made up of 16 prison officers who have completed the Special Operations Group selection course. An Emergency Response Unit is staffed on a 24-hour basis to patrol the perimeter, respond to any perimeter alarm activations, check the integrity of fences and other features, and maintain a visual deterrent to help prevent escapes. The ASU role in incident management is discussed further below.

### 6.2 DYNAMIC SECURITY AND INTEL

#### **The security team and staff worked well to manage security threats**

The more staff engage with prisoners, the more information they can collect about potentially problematic prisoner behaviours, relationships, and activities. This information can be collected and analysed by the security team, and used to predict and disrupt threats to the safety and security of the prison. As discussed earlier, the overtime cap in concert with adaptive staff deployments when staff are short, affected how staff can relate to prisoners. But installation of additional CCTV cameras in units has helped staff monitor prisoner behaviours in units. Recordings from these have assisted unit and security staff identify perpetrators or assaults and other illicit behaviours.

We were impressed at the positive relationship between staff on the floor and the security team. Security send out regular security bulletins to all staff and it showed how information staff provided was used to disrupt threats across the prison. Security also attend Senior Officer briefings and meetings to discuss the placement and behaviour of prisoners deemed to be high interest.

We observed a meeting during the inspection in which senior management, senior officers and security staff planned a local response to mitigate any fallout from an incident in a Perth prison that morning involving conflict between gangs. That appeared to be good practice.



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### 6.3 PROCEDURAL

#### **Increased searching has produced good results, but may be unsustainable**

In November 2017, the Auditor General released a review into *Minimising Drugs and Alcohol in Prisons*. The review concluded that ‘considerable improvements are needed to minimise the supply and use of drugs and alcohol in WA’s prisons and to help treat prisoners’ addictions’ (OAG, 2017, p. 6). This led to Albany upgrading its search strategies, with 1149 locations around the prison searched in January 2018, up from 827 locations the month before. Random urine testing also increased, and staff were searched more frequently at the gate. The drug detection dog was used more frequently both for searches in the prison, and to target visitors and their vehicles.



**Photo 17: Inside the gate showing reception desks and security scanners**

The security team reported significant finds in illicit substances, drug paraphernalia, and weapons. Prisoners were charged when implicated, and visitors were banned. While this was positive, this level of effort may not be sustainable. In particular, a considerable additional workload was being placed on the single drug detection dog and handler. At the same time, the drug detection dog and handler were working to a predictable roster for visitors, making it easy for traffickers to avoid.

This is a clear risk to the prison that could be managed by either by using a less predictable roster or employing a second dog and dog handler to provide seven-day coverage of visits. A second team would help maintain a high level of searches and provide coverage for the other handler during leave and training periods.

### **Recommendation 13**

**A second drug dog detection team should be deployed at Albany.**

#### **Gatehouse processes had improved**

In the 2015 inspection, we identified issues with gatehouse security procedures at Albany we would not expect to see at a maximum-security prison. The drug detection dog team was on leave and no replacement coverage was provided. Female visitors were rarely pat searched because the facility lacked enough female staff working at the gatehouse to undertake the search. We made a recommendation to:

Ensure effective security measures are taken at the gatehouse to prevent the entry of contraband (OICS, 2015, p. 18, Recommendation 1).

The Department supported this recommendation 'in principle', noting that these were compliance matters that needed to be addressed by local management. So, we were pleased to see in 2018 that female officers on duty were called to the gate to assist with pat-searching female visitors. But only 14 per cent of custodial staff were women (25 of 183), which meant there were days when female staff could not be found and visitors could not be searched. The composition of the workforce is further discussed below.

Throughout the inspection, we observed that all staff working in the gatehouse were polite and professional. When social visitors arrived, they were processed efficiently. Staff were extra friendly to children arriving for visits to help them feel more at ease about entering a maximum-security prison.

The gatehouse is equipped with a walk-through metal detector that anyone entering the prison must walk through, able to detect items such as knives, phones, or USB sticks on person. If a visitor walked through and the detector beeped, they were asked to remove any metal items and were scanned with a handheld device. If necessary, the visitor could be searched. But this process was not replicated for staff if the metal detector beeped when they walked through. There was no requirement for staff to remove their metal before walking through the metal detector. Management considered it unnecessary for staff to remove their key chains when entering the prison as that would create long delays during the shift change. This is inappropriate in a maximum-security prison and should be changed. We have seen the metal detector routine used with staff at Acacia Prison, a medium-security prison in Perth that is three times larger than Albany (OICS, 2016a, p. 15).

A new x-ray machine had been delivered to Albany only a week prior to our inspection after an extended period without a functioning machine. As social visitors are not permitted to take personal items into their visits session, the x-ray machine was used to screen items taken in by staff, official visitors and contractors. But effectiveness of the screening was limited as staff had not been trained to interpret images from the x-ray machine or to calibrate it for targeted items.

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We were told by staff working in the gatehouse that staff sometimes accidentally brought their mobile phone or other prohibited items into the prison. When this happened, gatehouse staff simply asked the staff member to return the item to their car or place it in a locker in the gatehouse. What was neglected, was any notation to the security team to monitor patterns in behaviour among staff.

Once a staff member is processed through the gatehouse, they proceed to pick up their keys, radios and duress alarms. The key cabinet is in a space through which visitors must pass, often waiting for a brief period, and is accessed by using pin codes. Most staff are vigilant not to access the key cabinet when visitors are in that area, but some did, entering their pin codes in plain view. Also in view to the public is the centre's control room through a window used for issuing staff their duress alarms and radios. A blind was installed to stop people seeing inside, but it is semi-transparent, and CCTV monitors for various parts of the prison can still be seen. Prominent among these are feeds from observation cells which may contain distressed prisoners, raising real privacy concerns. The monitors also lacked dots to obscure vision of prisoners using the toilet in these cells.

Consideration should be given to additional screens to prevent visitors seeing use of the key cabinet or into the control room. In the meantime, stricter controls are needed to ensure the key cabinet is never used when visitors are present. For the sake of decency, dots should be used on monitors to obscure vision of prisoners using toilets in observation cells.

### **Albany's drug strategy lacks substantial demand reduction and harm minimisation strategies**

Albany has a local drug strategy that details how the prison intends to manage drug use by prisoners. The strategy was first produced in July 2006 and was last updated in September 2013. Its continuing focus has been on approaches to reduce the supply of drugs into the prison, including drug detection dogs, urinalysis testing, visitor bans, searching, and controls on the dispensing of prescription medication. There has been virtually no attention over these years to other elements of the strategy at Albany, reduction in demand for substances, and reduction in harm from use of substances. Only a small proportion of prisoners at Albany can access Pathways, the formal drug program, and there are very limited opportunities to group programs or counselling.

Bunbury Regional Prison has shown that more can be done to reduce substance use in prison. Their strategy was to implement a drug management regime for each prisoner implicated in drug use or trafficking. This has punitive elements, involved monitoring over a 12-month period, and efforts to engage the prisoner in treatment. Early results appear strong, but prisoners at Bunbury did resent the punitive aspects, and complained at the failure to help reduce their dependency (OICS, 2018, pp. 18-22). What this plan lacked was any additional treatment resources. It may be that agencies involved with the new reintegration contracts may be prepared to support a new initiative taken by the prison to address addictive behaviours by prisoners.

### **Recommendation 14**

Albany Regional Prison should refine its drug strategy to include new measures and resources to reduce drug demand and harm for users.

#### **Staff working in the control room for 12 hours at-risk of fatigue**

The control room is the 24 hour security hub of the prison, where all activities can be monitored and controlled. It is the central location for monitoring and control of perimeter detection systems, duress alarms, cameras, radios, and sally port doors. All custodial staff are trained to work in the control room at Albany, and are rostered to work there on occasions for the full 12 shift. In our 2015 inspection report we argued that it was unreasonable to expect an individual to maintain alertness and vigilance for 12 hours in the control room, particularly during night shift. We recommended that Albany: 'Improve control room processes and practices including rotating night shift officers through the control room' (OICS, 2015, p. 19, Recommendation 2).

In response, the Department promised to review control room staffing and work practices, which it did. It concluded that rotation was not desirable as areas would be left vacant during the swap, inclement weather, and issues of continuity, especially in managing at-risk prisoners under observation. We consider these issues capable of solution, but the prison is advised to ensure that risks arising from individuals undertaking 12 hour control room shifts are properly identified and treated.

## **6.4 PRISONER DISCIPLINE**

### **Earned supervision is not as much of an incentive as it used to be**

As with other prisons in Western Australia, Albany uses supervision regimes to incentivise good prisoner behaviour. New prisoners commence on standard supervision status which confers a number of 'privileges' relating to property in their cells, visits, phone calls, recreation, and canteen spends. Those who misbehave can lose a privilege, for example, loss of contact visits, or loss of gratuities. Or they may be demoted to a lower supervision status (close or direct/basic) involving a range of diminished amenities. This is usually a temporary measure, and standard privileges are restored after an applicable period, subject to good behaviour.

After a period of good behaviour on standard supervision, a prisoner can apply for earned supervision status. Most are granted a place in Unit 4 as more favourable accommodation, but as shown in the following table, many stay in other units. Those on methadone must stay in Unit 2, those in protection must stay in D yard of Unit 1, and some prefer to stay with friends in another unit. For these, earned supervision status confers privileges of an extra visit per week, and increased limits in how much money

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they can receive from family outside, how much they can spend in the canteen each week, and how big a balance they may have in their telephone account.

**Table 12: Supervision levels by unit placement**

Unit	Direct/Basic	Standard	Earned	Total
1	2	97	15	114
2	1	90	11	102
3	1	106	9	116
4		25	94	119
<b>Total</b>	<b>4</b>	<b>318</b>	<b>129</b>	<b>451</b>

Earned supervision prisoners have traditionally had the opportunity to have a single cell, peace and privacy valued by many. But at Albany in 2018, nine people were reserved a single cell for health or safety reasons, not as an earned privilege. They have also had the opportunity to purchase fresh foods from the canteen that could be cooked as a supplement to the standard meals, although only those in Unit 4 and D Wing in Unit 1 had the means to cook. And while a small range of fresh food was still available in the canteen as standard items, access to much wider range of foods through town spends was suspended. This left few meaningful incentives for better-behaved prisoners.

### **The prison has extended its multi-purpose capacity to help manage prisoners on different regimes**

E Wing in Unit 1 has long been utilised as a multi-purpose facility (MPU), for prisoners in observation, for those who must be held for good order and safety after incidents have occurred, for those undertaking punishment after adjudication of prison charges by the Visiting Justice, and those on other regimes requiring confinement.

We noted in 2015 that with only four punishment cells, a Visiting Justice was unable to impose punishment for any more prison offences being heard (OICS, 2015, p. 7). At that time, a section of C Wing was used for those on close or basic supervision, but recently, seven cells in C Wing have been added to the seven in E Wing to comprise a MPU. A new unit office has been established to service the MPU.

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**Photo 18: 'Recreation yards' in C Wing**

There were now 14 ligature-minimised cells, 11 for punishment or other regimes, and three equipped with CCTV for observation. Yards in both E Wing and the back section of C Wing have been broken into cages allowing multiple MPU prisoners to have their requisite time out of cell, euphemistically termed 'recreation time'. While effective in keeping prisoners apart, these cages were confronting and could not provide a therapeutic environment for troubled people, especially those in observation. Prisoners on basic supervision could progress to the standard part of C Wing, which also accommodates new prisoners, prisoners who may require protection, and mentally unwell prisoners needing time out, or waiting for their medication to stabilise.

Prisoners who are not behaving well may find themselves regressed to basic or close supervision. These are temporary regimes, where prisoners are managed in Unit 1 and have restrictions placed on them. During the inspection, we encountered some prisoners on regressed regimes. They were confined to Unit 1, and did not have permission to visit the library or to use the oval.

### **Prosecutions are running well**

The Superintendent hears prison charges brought by the prosecutor. In a hearing during the inspection, each prisoner was encouraged to speak, evidence was carefully reviewed, and detailed explanations provided. One matter was dismissed as unproven and others dealt with by loss of gratuities, caution, reprimand, or suspending action for a period of good behaviour. More serious charges were referred to the Visiting Justice as required.

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There were no cameras in the courtroom where the parades are held. This could be considered a high-risk area and prisoners may become upset or angry during their hearing. There may be an opportunity here to introduce lapel cameras. The processing of all charges was up to date, so prisoners were punished within a reasonable time frame of committing the act. We do not always see this occurring at other facilities.

The prison prosecutor role is a full-time position undertaken by specially trained custodial staff. Prosecutors are responsible for reviewing and processing prisoner charges under the *Prisons Act 1981*. When we inspected Albany in 2015, the prison's sole prosecutor was performing well. However, when he went on leave his position was not covered and prison charges started to pile up. We suggested that:

Other staff at Albany need to be trained and made available to backfill the prosecuting officer's position and process charges when the substantive prosecuting officer is absent (OICS, 2015, p. 11).

We were pleased to find this year that two additional staff had been trained in the role of prosecutor at Albany. They had each worked in the role during leave periods, however, no ongoing work experience was planned for these two officers. There is a risk that without ongoing exposure to the prosecutor role they may lose their skills or become unfamiliar with updated legislation. The prison should look at ways to ensure the two trained prosecutors do not lose their skills.

### **Albany manages many prisoners who want to be transferred back to Perth**

A roof top incident is very disruptive to prison operations, as all movements in and out of the prison cease, and the facility gets locked down. Roof top incidents also carry a high risk to the prisoner and to the staff involved in responding to the incident. In the last three years, Albany has experienced six incidents of prisoners climbing on the roof. Albany management have conducted investigations into these incidents. They discovered that many prisoners climb on to the roof with the expectation that they will be sent away to be managed at one of the other maximum-security prisons in Perth. Management believe that prisoners act out hoping that they would be transferred to a prison closer to home, where they could have regular visits and maintain regular contact with family.

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***Photo 19: Gambling in a wing in Unit 1 where roof ascenders are confined***

This aligns with our own review findings of roof top incidents. In 2012, we produced a review report of custodial roof ascents and discovered that the most common reason for an adult prisoner to ascend the roof is a desire to transfer to another facility (OICS, 2012a, p. 3).

To combat this assumption, and to manage the risk of prisoners climbing or threatening to climb on to the roof, Albany introduced a Roof Ascender Management Plan. Albany's policy is now clear that anyone who ascends on to the roof will not be sent away for management at another prison. Instead, they will be housed in A or B wing in Unit 1, which has enclosed yards that limit accessibility to the roof. The prisoner cannot attend employment, education, recreation, canteen, library, or chapel outside the unit. He can only access unit work. He must be handcuffed and escorted by two staff members at all times when outside the unit.

Prisoners on a Roof Ascender Management Plan are reviewed weekly. When they are compliant with their regime and are deemed to no longer be a threat of roof ascent, they can return to a normal regime, but this typically takes three months or more. The harsh restrictions of the Roof Ascender Management Plan may deter some prisoners from climbing on to the roof at Albany. But having several people on such a regime in A and B wings of Unit 1 creates significant resentment in a pressure cooker environment, hence an elevated risk of serious disruption.

And the plan does not address the issue that prisoners are acting out because they are being housed in a prison away from their family. The staff and management team at Albany showed empathy towards prisoners who want to be transferred back to Perth,



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but little can be done at a local level. The prison however, does need to be cautious that prisoners wanting a transfer to Perth do not start acting out in other ways. Prisoners may start to try other methods, such as assaulting a staff member, to attempt a transfer back to Perth. The prison needs a plan to ensure this does not happen.

### 6.5 EMERGENCY MANAGEMENT

#### **Staff feel confident to respond to emergencies**

Emergency management practices at Albany have improved since the last inspection and exercises are run every month. These have included responding to bomb threats, medical emergencies, major disturbances, roof ascents, hostage situation, fire, prisoner death, escape and site evacuation. The prison's emergency management manual is updated regularly, with the most recent update undertaken in 2017.

In late 2017, the prison also ran a joint emergency management exercise, with the local emergency services (fire, ambulance and State Emergency Service). The police were invited to attend, but could not do so. The joint exercise allowed the local emergency services to familiarise themselves with the internal prison layout, and helped the security team to understand some of the logistical challenges of working with external services. For example, during the exercise, the security team noted that the paramedics could not enter certain areas within the prison until all prisoners were accounted for. The prison has learned from this and will ensure a safe environment for external agencies working inside the perimeter.

The prison has a strong relationship with the local emergency service agencies. As a result, the local Fire and Emergency Services has offered to train Albany's management team to use the Australasian Inter-Service Incident Management System (AIIMS). AIIMS is a consistent approach, that allows multiple agencies to integrate their emergency response activities and resources seamlessly.

With such a strong focus on emergency management, it is not surprising that staff feel confident to respond to emergencies within the prison. The number of staff in the surveys who told us that they felt adequately trained to respond to emergencies was higher than when we last inspected Albany, and also higher than state averages.

#### **Officers in the ASU are trained to resolve incidents safely**

The primary role of the Albany Security Unit (ASU) is to monitor the prison perimeter and to respond to emergencies. The ASU is made up of 16 custodial officers who have completed extra training in emergency response, firearms, riot control, respirator, chemical agents, high-security escorts, Taser, cell extraction and operational orders. The ASU officers form part of the general roster, meaning that an ASU trained officer could be rostered to monitor the perimeter one day then be rostered back in the units the following day.

## SECURITY AND SAFETY

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In the case of emergencies, trained ASU officers who are working in the units can respond, while those working on the perimeter must remain there. Other ASU officers who are not on duty may be called in to assist with emergencies. Additional support may also be provided by the Department's Special Operations Group but they are located in Perth, four hours away by road.

We were impressed with the attitude ASU staff had towards prisoners. The ASU staff we spoke with during the inspection told us that their primary objective is to resolve incidents safely, with force only being used as a last resort. The staff clearly showed empathy towards prisoners, and understood that prisoners sometimes acted out because of their circumstances. Most of the ASU trained officers have built relationships with prisoners from working alongside them in the units, and therefore feel confident negotiating with them. We saw this as a strength for the Albany ASU team.

The ASU trained officers also felt confident to respond to an incident with force if necessary. They are trained to the same standard as the Special Operations Group and assist in regular emergency management training exercises.

# Chapter 7

## RESOURCES AND SYSTEMS

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### 7.1 MANAGEMENT AND PLANNING

#### Managing prospectively and responsively

Albany stands out by having a business plan that outlines the prison's philosophy, and vision and sets out action items for completion in the current year for each management portfolio (DoJ, 2017). Over many years, staff and management at Albany have expressed the idea there was an 'Albany Way', which we characterised in 2011 as including 'shared positive values', a 'positive, pragmatic staff culture', a 'stable ... management culture', and a 'pro-social staff/prisoner culture' (OICS, 2012). However, we noted in 2015 a shift away from these positive characteristics, something which the Department ascribed to a change in the prisoner profile towards maximum-security. It requested we delete reference to the 'Albany Way' (OICS, 2015, p. iii) in the 2015 report, so it is interesting to see that the prison's philosophy is described in the current business plan as the 'The Albany Way', which:

Encompasses Integrity; Respect; Accountability; Excellence; and Learning between and for the benefit of offenders, staff and our community. We focus on providing positive life choices for prisoners, and ensuring staff work together to achieve positive outcomes congruent with our strategic direction (DoJ, 2017).

This new articulation of the 'Albany Way' is welcome, as it helps create a shared sense of purpose among staff, and supports an aspiration in the plan to 'strive for best practice in everything we do' (DoJ, 2017). The plan lacks outcomes, measures, responsibilities, or any budgetary component, but its importance was in the collaboration among senior managers in articulating the prison's philosophy and achievable actions for attention in each area. Some of these actions were already completed or in train at the time of the inspection. For example, good progress had been made in reviewing and updating all Local Orders and Standing Orders, an important administrative project in itself.

Albany's Business Plan is aligned with the Department of Corrective Services 2015-2018 Strategic Plan, *Creating value through Performance* (DCS, 2015). But that plan has effectively been rendered obsolete by changes in government, departmental arrangements, and leadership. The new Department of Justice has not yet provided a framework for business planning at prison level, and it was commendable that Albany had undertaken its own planning.

The prison also completed an *Albany Prison Risk Profile*, with input from managers. Twenty one risks were identified of which nine were considered high, including assaults or injuries to staff; assaults on prisoners; prisoners self-harming; contraband smuggled in; major health-outbreak; and inability to safely accommodate increasing numbers and diverse cohort of prisoners. Appropriate treatments were developed for each risk.

The Monitoring and Compliance Branch from head office conducted an *Albany Regional Prison Compliance Review* against selected outcomes from the Department's healthy prison standards in November 2017. The prison fared well in this review with a lack of

## RESOURCES AND SYSTEMS

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compliance found only in relation to managing the security of some aspects of tools and equipment in the industries area.

The Business Plan and Risk Profile were developed in the months prior to our February 2018 inspection, and used by the acting Superintendent to engage the management team as part of the centre's preparations for that event. However, the ability of the prison since the last inspection to respond effectively to significant change in prisoner population numbers and demography, and staffing shortages, and an influx in custodial staffing, indicates capacity to manage responsively as well as prospectively.

The 2017/18 budget was increased to \$29.1M, up from 2016/17 budget of \$26.2M. This reflects an increase in prison officer staffing for a Daily Average Population (DAP) of 500. The overtime cap, and recruitment delays will help contain staffing costs. However, other line items such as for prisoner food and clothing have not increased in the same way, so there may be some areas of pressure in current year out-turns.



*Photo 20: Entry to administration and visits' centre*

## RESOURCES AND SYSTEMS

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### 7.2 HUMAN RESOURCES

#### **Staffing levels higher, but an overtime cap was now in place**

In early 2016, prison officer staffing levels were seriously depleted, at a time prisoner numbers were beginning to escalate sharply. But in the second half of that year, there was an influx of probationary officers that put the prison over its staff establishment. The 2017-18 budget saw prison officer funding increased to manage a DAP of 500 prisoners. In February 2018, there were still 166 officers for 159 base grade positions. But only 16 of 32 Senior Officer positions were filled, so 16 officers were acting up, and the ranks were nine short.

A recent effort to appoint SOs was only partly successful and another SO recruitment will soon be undertaken. But this may be greatly delayed, as recruitment within the Department is being slowed by head office controls. Most positions now require signatures both from the Acting Commissioner and the Director General both to proceed with advertising, and to make an appointment after the selection process is concluded.

Albany is subject to an overtime cap of nine 12 hour shifts per 24 hour period. Night shifts first have to be covered in full, with the remainder available to cover the day shifts. Overtime shifts are allocated in advance to cover expected absences, often leaving unplanned absences uncovered. Prison staffing levels and roster arrangements include only limited coverage only for annual leave, and personal leave. Overtime has been used to cover vacancies, long-term sick leave, workers' compensation leave, and purchased leave.

Even the small numbers of vacancies, coupled with absences for two staff on long-term sick, five on workers' compensation leave, and two performing modified duties, can incur a significant proportion of overtimes. Management were especially concerned at the lack of relief in staffing levels and rostering for purchased leave, quite popular at Albany. The cap was considered manageable by senior management at the time of the inspection, and an effort was made to utilise unused shifts whenever possible, especially for training days.

#### **Essential training for staff was well-managed**

The Academy has a Satellite Trainer based at Albany who also has responsibility for training at Pardelup Prison Farm and the region's Community Corrections staff. In 2017, the prison was also able to create an SO training position, to help coordinate and deliver training solely for Albany. While the Satellite Trainer was immune from having to cover vacant lines on the roster, there was no such immunity for the SO Training, who was increasingly being redeployed.

Essential training for requalification in CPR and Use of Force were well-managed, including for ASU staff who need specialist training. Staff report to visits each Friday for

## RESOURCES AND SYSTEMS

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assignment to training. Most would undertake essential training, but we saw, as an example, that a group of newer staff were due to receive awareness training in case management. Two non-leave periods in the roster help ensure that all staff receive essential training. Ninety nine prison officers were also current in using Breathing Apparatus in a fire emergency, which we were told was the second highest number in a WA prison.

### **New initiative for staff bullying**

Albany has systems of Grievance Officers and Staff Supporters in place. The staff survey showed indications of an underlying level of bullying but there were only limited concerns expressed by staff on-site. The exception was in health where there were multiple allegations of bullying.

Before the inspection, Albany created a committee, which was ready after the inspection to undertake a quarterly survey of staff to establish a baseline for bullying in the facility, as a basis for addressing particular concerns that may arise. This is good practice.

### **Occupational Safety and Health (OSH) functioning quite well**

The prison has a group of trained OSH delegates who meet with management on a regular basis. This appears effective, and identified hazards have progressively been treated, with one exception. The prison accepted that an extension to concreting was needed where skip bins are placed near the canteen. A business case was prepared, and the work since completed.

## 7.3 INFRASTRUCTURE

### **Infrastructure for service areas were not scaled to prisoner numbers**

Albany gained much of its services infrastructure, including its gatehouse flanked by embankments, administration building, visits' centre, canteen/library, program centre, and reception centre in the early 1990s, when Unit 3 was also built. Prisoner education was accommodated in the original prison building as was the medical clinic and kitchen. Prison industries is at least as old, as is the prison store outside. The period since then, when capacity was 186, has seen little growth in service infrastructure. Sheds were added for maintenance and gardens, security systems upgraded, demountable buildings dropped into the original prison's central courtyard, and the administrative building extended. Outside the gate, demountable buildings were added for the social visitors' centre, and for staff training. Unit 4 included two new programs rooms, which allowed the central programs building to be converted for staff amenities and a base for the Principal Officers.

### **Some accommodation and service infrastructure was not fit for purpose**

In the text above, we noted many areas where both accommodation and service infrastructure is either inadequate for the number of prisoners held at Albany, or unfit

## RESOURCES AND SYSTEMS

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for purpose. Accommodation in Unit 1 we found was unfit for purpose, including for general accommodation, for protection prisoners, those having to be managed in the multi-purpose wings, and for women. Other units were operating at double their design capacity. The medical centre, was also unfit for purpose, with insufficient consultation rooms, and serious compromise to patient confidentiality and privacy. Albany also lacks a crisis care unit or infirmary. The reception centre was also unfit for purpose, although it could be greatly expanded with appropriate investment.

We also noted that the kitchen infrastructure places significant constraints on the food that can be provided, meals cannot be stored in advance. Cramped conditions impede workflow, and there is an elevated risk to safety. The training kitchen needs refurbishment if it is to provide a meaningful training experience. Interview rooms for counselling, and rooms for groups programs, including for voluntary groups are inadequate. New industries are needed, and additional investment in machinery to increase efficiency, jobs and training opportunities.

### **Recommendation 15**

Replace accommodation and management infrastructure in Unit 1 at Albany Regional Prison as a high priority.

### **Recommendation 16**

Significantly expand or replace the reception centre at Albany Regional Prison.

### **Recommendation 17**

Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, with adequate room for any growth in services.

### **Recommendation 18**

Facilities for prisoner employment, training, education and programs should be significantly expanded.

# Appendix 1

## TABLE OF ABBREVIATIONS

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ACCESS	Complaints, compliments and suggestions service in Corrective Services
AllIMS	Australasian Inter-Service Incident Management System
ARMS	At-Risk Management System
ASO	Assistant Superintendent Operations
ASOS	Assistant Superintendent Offender Services
ASU	Albany Security Unit
ATSI	Aboriginal, and/or Torres Strait Islander
AVS	Aboriginal Visitors Scheme
CGEA	Certificate of General Education for Adults
DAP	Daily Average Population
DCS	Department of Corrective Services (Corrective Services is now part of DoJ)
DoJ	Department of Justice (WA)
EGE	Early General Education
ESL	English as a Second Language
ETP	Essential Training Program
ICT	Information and Communications Technology
IIOm	Integrated Individualised Offender Management
IMP	Individual Management Plan
JETA	Tertiary level art program for prisoners (Curtin University)
MAP	Management and Placement plan
NAIDOC	National Aboriginal and Islander Observance Committee
MPU	Multi-Purpose Unit
OICS	Office of the Inspector of Custodial Services
PBS	Pharmaceutical Benefits Scheme
PCS	Prison Counselling Service
PSO	Prison Support Officer
PSSO	Post-Sentence Supervision Order
SAMS	Support and Monitoring System
SCH	Student Curriculum Hours
SO	Senior Officer



TABLE OF ABBREVIATIONS

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TAFE	Technical and Further Education
TOMS	Total Offender Management Solution (electronic database)
VOTP	Violent Offender Treatment Program
VSO	Vocational Support Officer

# Appendix 2

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# Appendix 3

## RESPONSES TO RECOMMENDATIONS

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Government of Western Australia  
Department of Justice

# **Response to the announced inspection:**

## **Albany Regional Prison**

**May 2018**

## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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The Department of Justice welcomes the inspection of Albany Regional Prison as part of the Inspectors announced schedule of inspections for 2017/2018.

The Department has reviewed the report and noted a level of acceptance against the 18 recommendations.

There has been a considerable amount of progress at Albany Regional Prison since the on-site inspection.

Appendix A contains a number of inaccuracies and comments for your attention and consideration.

## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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### **Response to Recommendations**

#### **1 Ensure privacy of reception interviews.**

**Response:**

Albany Regional Prison (ARP) has planned an onsite donga to be repurposed to provide additional areas to facilitate enhanced privacy of reception interviews and augment the overall reception work environment. This repurposing will also allow for 3 separate holding areas to secure various prisoner cohorts on arrival. Further a new 'Officer Station' is being manufactured for the existing Reception area which includes partitioning to provide more privacy during interviews and secure storage of incoming property during reception processes. Additional monitors have also been provided to staff to facilitate and expedite the reception process.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 August 2018  
**Level of Acceptance:** Supported

#### **2 Ensure that prisoners at Albany are provided with a thorough orientation, a properly printed orientation booklet, and contact with peer support.**

**Response:**

The Orientation processes are being reviewed in consultation with the peer support prisoners. A redesigned 'Orientation' Booklet' will be printed through Casuarina Prison and is expected to be available in July 2018.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported

#### **3 Further develop peer supporters to be effective in their role.**

**Response:**

Prison Support Services' management are liaising with ARP management regarding Gatekeeper training, and with Health Services regarding Mental Health First Aid Training for the Prison Support Team. Options are being reviewed for the Prison Support Officer to deliver workshops/information sessions to their Prison Support Team, including Listening Skills, Dealing with Difficult Clients, and follow up information sessions with Re-entry Services.

There is no institutional restriction on providing peer support services in the Multi-Purpose area, however, there are security procedures to be followed in this area, inclusive of searching processes.

**Responsible Business Area:** Offender Management  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported

## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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#### **4 Increase PCS staffing at Albany Regional Prison.**

**Response:**

The Prison Counselling Service (PCS) in regional prisons was functionally realigned in December 2017. ARP was allocated 1 FTE for PCS, allowing for the four Offender Programs staff to facilitate offender programs. The demand on PCS in Albany is noteworthy and reflects the size and nature of the prison. The current staffing level allows for ARMS and SAMS coverage and a limited number of ongoing general counselling cases. The Department is continually evaluating staffing needs and service delivery outcomes subject to standard budgetary management.

**Responsible Business Area:** Psychological Services  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in principle

#### **5 Albany Regional Prison must determine how a safe and decent protection regime can be provided, with better access to work and outdoor recreation, and restoration of cooking privileges.**

**Response:**

ARP is providing a greater emphasis on education with prisoners in this area and will be reviewing work availability to Protection prisoners. A model where kitchen items are laundered in this area is currently being assessed. This will involve the installation of a washing machine and dryer in the protection yard within the next financial year. An enhanced recreation model will also be explored in the second half of this year.

Restoration of cooking privileges, other than supplementary self-cooked meals (personal use only), is problematic. There are only 2 prisoners currently on Earned Supervision in the protection yard (D Yard) who are able to cook foods for others. Under the 'duty of care' model, food standards must be met in respect to the preparation and cooking of foods for other than personal use. This matter has previously been identified through the OSH Committee.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in part

#### **6 Ensure women are transferred out of Albany in a timelier manner.**

**Response:**

The Department acknowledges leaving female prisoners at ARP is not ideal, however, due to Albany's location and limited escort availability, transfer out of Albany would require special escorts utilising both vehicle and staff resources that are not readily available or cost effective. Unless there are local 'in-person' Remand Warrants, the normal length of stay at ARP is generally under 1 week.

ARP strives to have female prisoners transferred out of Albany at the earliest opportunity. To provide the women better access to an outdoor area during their limited stay at ARP, a female only exercise area in the courtyard of Unit 1 is being developed. This is considered safe and away from the secure accommodation area.

**Level of Acceptance:** Not Supported

## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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**7 DoJ should minimise the presence of out-of-country remandees at Albany Regional Prison.**

**Response:**

Remand prisoners at ARP averages approximately 25% of its total population. Of this approximately 25% are from Albany and surrounding areas. With the increase in remand prisoner population across the prison estate, ARP provides an avenue for those that may not be held in-country by assessing their needs and relocating them at the appropriate management rating in the shortest periods possible. Until a prisoners 'Remand MAP' is completed, their security rating remains at Maximum security, leaving limited statewide placement options.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 December 2019  
**Level of Acceptance:** Supported in principle

**8 Albany Regional Prison should develop a strategy for remandees, to ensure they have adequate access to legal resources, can view evidence, and print legal materials; and to refine offerings in employment, education, training, and personal development.**

**Response:**

ARP attempts to provide a balanced service to all cohorts, whether they are remanded or sentenced. Installation of a stand-alone kiosk for prisoners to access forms and information has been looked at for some time however, there is an issue with the systems not being compatible. This issue is being investigated by the Department. In relation to other general printing, the process for requesting printing via unit staff will remain, as it maintains the balance between facility and prisoner needs. General printing will not be made available in the library.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in part

**9 Albany Regional Prison should develop a local order for foreign nationals, specifying: when professional interpreters must be used, communication provisions, and access to foreign language resources.**

**Response:**

ARP will develop guidance and local procedures around Foreign National prisoners.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported

**10 DoJ must take concerted measures to restore a harmonious work environment in the Health Centre at Albany Regional Prison.**

**Response:**

The recruitment process to secure a permanent Clinical Nurse Manager (CNM) has been completed and the recommended applicant nominated, although appointment

## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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is yet to occur. The acting CNM, strongly supported by both ARP management team and Health Services management, has addressed long standing issues concerning some staff members' practices and behaviours.

The current GP is employed as 0.8 FTE and there have been early discussions with a local GP to cover the remaining 0.2 FTE.

Approval to go through the procurement process for podiatry and physiotherapy (including ARP) has been received. The first stages have commenced in preparing to go to the market. In the tender process, ARP will be nominated to receive 2x physiotherapy sessions per fortnight and 4x podiatry sessions per quarter.

WA Dental Services (Albany) recently confirmed an increase to 2x dental clinics per week beginning in the second half of 2018 following the approval for an additional FTE for a Dentist. Recruitment is underway. Alternative private dental services are available to prisoners at their own cost as per policies PM37 and PD16.

It should be noted that over the last 2.5 years, 6 health services patient feedback surveys have been conducted and satisfaction has been rated between 75-95% positive for all areas of health care.

**Responsible Business Area:** Health Services  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported – existing Departmental initiative

### **11 Lift restrictions on in-cell recreational art and media that can be used.**

#### **Response:**

The only restrictions placed on recreational art are those for practical reasons which include the availability of space in 2 person cells, and the preservation of cells free from graffiti and paint damage.

Size restrictions on canvas are to allow for the adequate and practical storage of materials, both within the unit environment and in reception where space is very limited. Should painting be allowed in cells, it would be impractical to allow large boards in cramped spaces where two prisoners reside, and where officers carry out their daily duties when in cells.

Prisoners may use a variety of mediums i.e. pencil, charcoal, water colours and any other medium which may be used in a way which does not damage infrastructure. History has demonstrated repeatedly at ARP that despite sanctions, prisoners have continued to paint light fittings, windows and viewing hatches.

Storage cabinets have been procured for in-unit arts supply storage and will be installed into the Units by July 2018.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 July 2018  
**Level of Acceptance:** Supported in principle

### **12 Implement measures to increase meaningful employment for prisoners at Albany Regional Prison.**

#### **Response:**

ARP support the provision of increased meaningful employment and monitor recruitment to provide full staffing in the Industries areas where practicable. The major barrier is the limited infrastructure and increased prisoner population. ARP will



## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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continue to explore employment opportunities to maximise its Industries area. There is currently no funding available for infrastructure upgrades.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in principle

### **13 A second drug dog detection team should be deployed at Albany.**

**Response:**

A business case to establish a second drug detection dog team at Albany is currently being developed in partnership between the Drug Detection Unit and Albany management. Additional funding and staff resources will be required to raise, train and sustain this additional capacity. The establishment of drug detection measures at Wandoo Rehabilitation Prison is a current priority for the Department and may delay completion of this recommendation.

**Responsible Business Area:** Security and Response Services  
**Proposed Completion Date:** 31 December 2019  
**Level of Acceptance:** Supported in principle

### **14 Albany Regional Prison should refine its drug strategy to include new measures and resources to reduce drug demand and harm for users.**

**Response:**

ARP implemented a urine testing regime in an attempt to identify regular substance users/abusers, with increased targeted and random searches. Along a similar path to Bunbury, ARP has adopted a strong punitive response to the prisoner's drug use. To date, it is too early to reflect the effectiveness of these strategies at ARP. The Department is in the process of updating its drug strategy in line with the National Drug Strategy 2017-2026. It is expected a series of activities will be identified for implementation across Corrective Services which will have assist in the management of drugs in prisons, including ARP.

**Responsible Business Area:** Superintendent  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in part

### **15 Replace accommodation and management infrastructure in Unit 1 at Albany Regional Prison as a high priority.**

**Response:**

The age, capacity and condition of the Unit 1 precinct (which includes the kitchen, medical centre, education, programs, counselling, general purpose accommodation and the Management Unit) and the adjacent reception facility is acknowledged by the Department. A future master plan for this area within the prison has been explored and documented to concept stage, however, submitting any upgrade or expansion proposals at ARP in isolation are unlikely to be supported by Treasury. The Department is in the process of developing a long term custodial infrastructure plan for the entire State which will determine priorities for future custodial infrastructure upgrades and expansions. This plan will be included in the

## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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Department's Strategic Asset and all future requirements of ARP will be considered as part of this plan and underpin any future funding submissions.

**Responsible Business Area:** Infrastructure Services  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in principle

### **16 Significantly expand or replace the reception centre at Albany Regional Prison.**

#### **Response:**

The age, capacity and condition of the Unit 1 precinct (which includes the kitchen, medical centre, education, programs, counselling, general purpose accommodation and the Management Unit) and the adjacent reception facility is acknowledged by the Department. A future master plan for this area within the prison has been explored and documented to concept stage however submitting any upgrade or expansion proposals at ARP in isolation are unlikely to be supported by Treasury.

The Department is in the process of developing a long term custodial infrastructure plan for the entire State which will determine priorities for future custodial infrastructure upgrades and expansions. This plan will be included in the Department's Strategic Asset and all future requirements of ARP will be considered as part of this plan and underpin any future funding submissions.

**Responsible Business Area:** Infrastructure Services  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in principle

### **17 Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, with adequate room for any growth in services.**

#### **Response:**

The Department is currently working on a long term plan for the custodial estate for the upgrade or expansion of the ARP Unit 1 precinct (which includes the kitchen, medical centre, education, programs, counselling, general purpose accommodation and the Management Unit).

Currently, the ARP medical centre consists of one transportable for health services with three rooms plus a custodial watch room.

The Health Centre staff are managing the main medical centre space efficiently, given the age, size and condition, maximising community standards of service delivery, through daily strategic use of human resources:

- Patient health request forms received by nursing staff from patients twice a day at medication rounds.
- Twice daily nurse triaging of all patient requests and clinics to determine priority patients for review and referral to specialist health services.
- Daily managerial operations map to denote practitioner placement and maximise utilisation of space and practitioners.
- Daily clinic hours 0900-1130hrs & 1300-1530hrs (5 hours per day of consultation time available).
- Structured clinics arranged with visiting allied health professionals on different days to allow maximum use of all spaces.

## RESPONSES TO RECOMMENDATIONS

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Response to the announced inspection:  
Albany Regional Prison

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- An on call system whereby any patient with an escalated health need will be seen by the nurse at the centre as a matter of urgency and priority.
- Emergency response team on call during health centre opening hours (0700-2030hrs).

**Responsible Business Area:** Infrastructure Services  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in principle

### **18 Facilities for prisoner employment, training, education and programs should be significantly expanded.**

#### **Response:**

The age, capacity and condition of the Unit 1 precinct (which includes the kitchen, medical centre, education, programs, counselling, general purpose accommodation and the Management Unit) and the adjacent reception facility is acknowledged by the Department. A future master plan for this area within the prison has been explored and documented to concept stage however submitting any upgrade or expansion proposals at ARP in isolation are unlikely to be supported by Treasury.

The Department is in the process of developing a long term custodial infrastructure plan for the entire State which will determine priorities for future custodial infrastructure upgrades and expansions. This plan will be included in the Department's Strategic Asset and all future requirements of ARP will be considered as part of this plan and underpin any future funding submissions.

**Responsible Business Area:** Infrastructure Services  
**Proposed Completion Date:** 31 December 2018  
**Level of Acceptance:** Supported in principle

# Appendix 4

## INSPECTION METHODOLOGY

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Our 2018 inspection, the sixth of Albany Regional Prison, was announced to the Department of Justice in October 2017. We noted in the announcement letter to DCS that Albany holds many people from other regions and overseas, including many Aboriginal people from remote regions. It is also quite crowded, which potentially impacts on safety, security, decency, hygiene, amenities, and access to work, education, health, recreation and prisoner rehabilitation.

The inspection was preceded by administration of prisoner surveys in person, and of staff surveys online in early December 2017. A community consultation with representatives of other agencies involved with Albany Regional Prison was also held at that time. The Department provided a considerable body of information as requested prior to the inspection, and the Superintendent attended at OICS to brief the inspection team.

The official inspection commenced on Friday 2 February 2018, and concluded on Thursday 8 February. The Friday start made it possible to meet with staff at the start of the inspection, as Friday afternoon is the time dedicated each week to staff training. We also spent time during the inspection observing activity in much of the prison, and speaking to staff and prisoners both incidentally, and through various appointments and group meetings.

An exit debrief including preliminary findings was delivered to staff and management on 16 February 2018. Feedback on inspection findings was also provided to peer support prisoners and prisoner forum members.

## Appendix 5

### INSPECTION TEAM

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Andrew Harvey	Deputy Inspector of Custodial Services
Lauren Netto	Principal Inspections and Research Officer
Kieran Artelaris	Inspections and Research Officer
Jim Bryden	Inspections and Research Officer
Amanda Byers	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Grazia Pagano	Education and Training Consultant

# Appendix 6

## KEY DATES

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Inspection announced	4 October 2017
Community consultation	13 December 2017
Start of on-site inspection	2 February 2018
Completion of on-site inspection	8 February 2018
Presentation of preliminary findings	16 February 2018
Draft sent to Department of Justice	11 May 2018
Response received from Department of Justice	31 May 2018
Declaration of prepared report	18 June 2018

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



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