



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

2018 INSPECTION OF HAKEA PRISON

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FEBRUARY 2019

*Independent oversight
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2018 Inspection of Hakea Prison

Office of the Inspector of Custodial Services
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Inspector's Overview

HAKEA PRISON: DELIVERING GOOD REMAND SERVICES TO THE JUSTICE SYSTEM BUT OVERCROWDED, OVER-STRETCHED AND OVER-STRESSED

HAKEA DOES A REMARKABLY GOOD JOB IN DELIVERING SERVICES TO THE JUSTICE SYSTEM

Hakea Prison is Western Australia's main metropolitan male remand and reception prison. It holds around 1,160 men. Around 200 have been sentenced but the majority are awaiting trial.

Hakea faces major infrastructure limitations and is overcrowded, stretched and stressed. In the circumstances, it does remarkably well in providing core remand services for the justice system.

Prisoners are constantly coming and going. In 2017, Hakea managed over 16,500 prisoner movements in and out of the prison without major incident. Prisoners' property was managed well, with no recorded complaints about missing or damaged property. Bail services were stretched but generally well-managed, and coordination with the courts was good. The legal profession should also be pleased that, after some years of negotiation and pressure from our Office, the Department of Justice (the Department) has amended its policies to make it easier for lawyers to take laptops into the prison for client consultations.

The video link area provides the best example of how staff managed, against the odds, to service the courts. In each of the last two years, they facilitated around 25,000 video link court appearances from a centre that was small, run-down, high risk and unfit for purpose. I am pleased to report that the current government prioritised the construction of a new video link facility. This became operational on 1 February 2019 and will provide a safer and more appropriate environment.

POOR SYSTEM PLANNING HAS IMPACTED HEAVILY ON HAKEA

Over the past decade, the Western Australian prison population has grown from 4,000 to over 6,900, an increase of almost 75 per cent. Hakea has been heavily impacted, not only by this general increase, but also by the fact that remand numbers and women have increased even faster.

Between February 2009 and February 2019, remand prisoner numbers increased by 200 per cent (from 690 to 2,050). They now comprise 30 per cent of the prison population, compared with 17 per cent in 2009. The number of female prisoners increased by 140 per cent over the same period (from 300 to 730). Women now comprise 10.5 per cent of the prison population, compared with 7.6 per cent in 2009.

Unfortunately, as we have said numerous times, there was inadequate planning and investment for these two critical growth areas, even when the trends were obvious.

HAKEA PRISON: DELIVERING GOOD REMAND SERVICES TO THE JUSTICE SYSTEM BUT OVERCROWDED, OVER-STRETCHED AND OVER-STRESSED

The growth in remand numbers cranked up the pressure on Hakea, in terms of both overcrowding and service delivery. The previous government did build two additional accommodation units but added little other infrastructure. And, as it turned out, the new units were rarely available for Hakea. For most of 2013, they held juveniles following a destructive riot at Banksia Hill Detention Centre (OICS, 2013c). Then in 2014, the government decided to convert them into a women's prison (Melaleuca Remand and Reintegration Facility).

The opening of Melaleuca did reduce intolerable overcrowding at Bandyup, but there are two major problems. First, it falls far short of what is needed (OICS, 2018). Women need a new, purpose-built, female-specific facility. Secondly, the decision to excise much-needed remand beds from Hakea when the remand population was booming, means that it is far too small to meet demand. This, in turn, generated serious problems for Casuarina Prison which must now house a large number of remand prisoners, intermingled with its long term sentenced population (OICS, 2016).

CONDITIONS ARE OVERCROWDED, STRESSFUL AND DEGRADING

Hakea is severely overcrowded, with no signs of reprieve. In 2015, it held around 900 people in 12 residential units. It was already under stress (OICS, 2016d). It now holds almost 1,200 men, and has only 10 units, as a result of the decision to create Melaleuca.

The residential units were noisy, cramped and stressful. Some were so crowded that it was considered too dangerous to unlock all the prisoners at one time, and they were regularly locked behind grilles. Prisoners spent most of their days lingering in unit wings with little to do except get bored. They had to eat in their cells because there was not enough space in the day rooms, encouraging poor hygiene. And there were long queues to use the telephones, which was causing stress and tension. The environment was not decent or humane, but it was tense.

Almost every cell in Hakea houses two prisoners. All are small and many do not meet national or international standards for one person, let alone two (OICS, 2016e). Cell mates must negotiate the use of floor space, chairs, bunk allocation, television, radio, lights and toilet.

The lack of personal space and privacy compromises dignity. 'Doubling up' also compromises safety. This is a matter I am continuing to monitor, and have again raised with the Department of Justice following some incidents that occurred after the inspection.

I was disappointed that the Department did not support Recommendation 4, that prisoners should have a clean set of clothes available every day. This should be an easy fix.

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Some accommodation units were doing it, but others were not. Improved oversight should solve the problem.

Every area was impacted by overcrowding. The kitchen was not equipped to cater for such a large population, access to recreation was restricted, and prisoners experienced excessive waiting times for medical appointments.

Overcrowding also impacted on families, as the visits booking telephone line could not keep up with demand. Even when families could get through, prisoners were not always able to get their entitlement to visits, either because the sessions were booked out or due to contact restrictions.

The expansion of Casuarina and Bunbury prisons

The government recently announced the injection of \$96.3 million to construct 512 additional prison beds at Casuarina and Bunbury prisons. Provided that the prison population remains relatively stable, as it has for the last 12 months, this should offer the Department the opportunity to mitigate the most severe levels of overcrowding at prisons such as Hakea and Casuarina.

I am also pleased that there will be a focus on mental health and drug treatment at the new Casuarina units, and that some of the prison's supporting infrastructure will be improved. Too often, in the past, beds were just added to prisons without any clear focus on prisoners' needs and other infrastructure requirements.

SHORT STAFFING WAS INCREASING PRESSURE AND LEADING TO EXCESSIVE LOCKDOWNS

As prisoner numbers increase, so does the need for more staff on the floor. Staff numbers are governed by a local agreement, but Hakea has too often been short of the agreed number.

Traditionally, prisons covered daily shortfalls by bringing staff in on overtime, even if this meant going over their allocated overtime budget. However, this was leading to massive cost blowouts. In early 2018, the Department instructed all prisons, including Hakea, to remain within their allocated overtime budgets.

As a result, Hakea was almost always short-staffed during the first half of 2018. Under the Department's agreement with the Western Australian Prison Officers' Union (WAPOU), the prison implemented a rolling lockdown regime when it was short-staffed. Prisoners were regularly locked in their cells or behind the grilles in the units. In the first quarter of 2018, there was only one day in February and one day in March when Hakea did not experience some form of lockdown.

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When the grilles were closed, the level of interaction between staff and prisoners was severely reduced. The atmosphere was stressed and tense, and prisoners told us they felt unsafe because staff were no longer patrolling the wings and providing adequate supervision.

Prisoner disengagement, a lack of meaningful activity, a poor sense of safety, and restricted access to recreation, telephone calls and basic services are known risk factors in any prison.

IMPACT OF THE GREENOUGH PRISON RIOT

On 24 July 2018, a riot broke out at Greenough Regional Prison. Prisoners gained control of the prison, threatened staff with makeshift weapons, and sprayed staff with chemical spray. Male prisoners breached an internal fence and gained access to the women's unit, and 10 men escaped.

The independent review of the incident found that the causal factors included the increased frequency of lockdowns and staff shortfalls, resulting in 'constant uncertainty and disruption to normal routines for staff and prisoners; and increasing limitations on access to work, recreation and services which led to frustration, disengagement and boredom among prisoners' (Shuard, 2018). Clearly, these factors were also present at Hakea.

In the wake of the Greenough incident, the state-wide overtime budget restrictions were lifted and, for the first time in months, we saw prisoners out of their units, participating in recreation and attending work and education. However, this proved short lived and soon Hakea began to fall short on filling overtime shifts again. After the inspection, even though the Department had loosened the overtime restrictions, lockdowns were still occurring and tensions have remained high.

REMAND PRISONERS NEED MORE PRACTICAL SUPPORT

Some remand prisoners spend a long time in prison before their cases are finalised, but a large number are released after a short time. In a report published in 2016 (OICS, 2015), we found that for remand prisoners:

- 55 per cent were released in under a month
- 25 per cent were released in less than a week
- the average stay was less than three weeks for women and four weeks for men.

A new contract for reintegration/ transition services commenced in 2018. The Department has prioritised services for longer term and higher risk sentenced prisoners.

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However, short stays in prison can also be extremely distressing, disruptive and destructive for prisoners and their families. Issues include housing, employment, family responsibilities, and household bills.

Hakea had recognised these needs and was employing a person for three days a week, on a casual basis, to assist prisoners. I am pleased to say this increased to five days after the inspection, but more is needed.

THERE IS AN INEXCUSABLE AND DAMAGING BACKLOG IN ASSESSMENTS

Assessments are a vital component of an efficient and effective prison system. They determine matters such as a person's security rating, their education and treatment needs, and their optimal prison placement. Assessments therefore have a major impact on a person's time in prison and their prospects of being granted parole. They are expected to be conducted within 28 days of the person being sentenced.

Hakea is the main assessments prison for male prisoners but has fallen way behind. On 7 January 2019, 538 assessments needed to be done for men in the metropolitan area, 483 of which were past the 28-day requirement. Reasons include the complexity of the assessment tool and under-resourcing of the Hakea assessments area.

The backlog has serious impacts:

- It affects prison management, as it hinders people's 'flow' through the system.
- By 2018, it was so severe that programs around the state were cancelled. This was not because there were no prisoners needing them, but because they were not assessed.
- It presents a risk to community safety as people will not be given the tools to change their offending behaviour.
- It reduces prisoners' prospects of gaining parole, resulting in them spending longer in custody and inflating an already overcrowded prison population.

Recommendation 2 in this report calls on the Department to ensure that assessments are completed within the prescribed 28 day period. It has supported this recommendation, claiming that it is already addressing the problem and will have completed the task by the end of March 2019.

One of the Department's strategies, implemented in June 2018, was to deprioritise some groups of prisoners, essentially denying them the opportunity to participate in rehabilitation programs. This strategy appeared to be driven by the Department's need to reduce a backlog and not by prisoner or community needs. In any event, seven months on, the backlog remains very high.

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I have requested updated monthly advice from the Department about the extent of the backlog and its remedial strategies, and will continue to monitor the situation. Potential solutions include devolving responsibility for assessments to other prisons which hold large numbers of unassessed men, notably Acacia. At present, the Hakea assessments team is travelling to these prisons to try and catch up, but they are swimming against the tide.

HAKEA HOLDS TOO MANY SENTENCED PRISONERS

Although Hakea is primarily a remand prison, it holds close to 200 sentenced prisoners. Some of them are there for assessment, but some are there on a longer term basis. For reasons discussed in this report (see 4.3), we are of the view that this is inappropriate and have recommended that sentenced prisoners should be moved on so that Hakea can concentrate on its core remand functions.

The Department has simply 'noted' our Recommendation. It is therefore not clear whether they accept or reject it.

STAFF/MANAGEMENT RELATIONS HAD IMPROVED BUT THERE WERE POCKETS OF BULLYING AND SEXISM AMONGST STAFF

Hakea has always been a complex prison, and at times it has been extremely negative and unhappy, with a marked divide between staff and management. I am pleased to report that we found much less antagonism during this inspection. This is a tribute to the Superintendent and his team, and it is vital for the Department to build on those gains.

Unfortunately, our staff surveys and our on-site discussions and observations revealed widespread concern about bullying and sexism (see Recommendation 16). Again, I am pleased to report that management made it clear that they had zero tolerance for such behaviours and have already instituted some remedial measures.

RESPONSES TO THE REPORT

It has taken longer than normal for this report to become public. We sent a copy of the Department on 21 November 2018 and, in line with agreed protocols, requested the formal response in three weeks. However, we did not receive it until 21 January 2019, almost six weeks late.¹

I was also disappointed with some of the responses. Some are clear and well-crafted, but others are unclear. For example, the Department has simply 'noted' four of the recommendations. Under our Memorandum of Understanding, the 'noted' response is used when the recommendation is outside the control of the Department or when it

¹ Under sections 34 and 37 of the *Inspector of Custodial Services Act 2003*, we must give affected parties a 'reasonable period' to make submissions. After a report is lodged in Parliament, there is an embargo period of at least 30 days (s 35 of the Act).

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intends to conduct a further evaluation before making any commitment. However, all four of the 'noted' responses involve matters that fall within the Department's control, and in none of the cases is there any commitment to conduct a further evaluation. In fact, in all four cases, the Department has said that a completion date is 'not required'. This seems to imply that it will not be taking action in response to the recommendations.

Neil Morgan
Inspector

7 February 2019

SUMMARY OF FINDINGS AND RECOMMENDATIONS

BACKGROUND

In the lead up to the inspection, Hakea had been experiencing short staffing and the prison was restricted by the number of overtime shifts that could be filled. This led to the prison being regularly locked down. A few weeks before the inspection, some of this pressure was eased when a new staff deployment regime was implemented. The agreement stated that before locking the prison down, the prison would try and ease the pressure by reducing services. While still not an ideal situation, at least prisoners had the opportunity to get out their cells most days.

RECEPTION, REMAND AND ASSESSMENT SERVICES

Hakea's reception and induction areas ran well. Prisoner property was also managed well with few complaints from prisoners. However, the Department should review how prisoners can access their property, particularly their valuable property like money and identification, when they are released from court. Bail services were well managed.

The prisoner orientation process was sound, but the orientation unit where prisoners first stay was old, crowded, run-down and not therapeutic.

Hakea was doing a good job of getting remand prisoners to and from court every day. The facility was small, old and not fit-for-purpose. However, the professionalism demonstrated by the staff in the video link area meant that, despite the difficult circumstances, video linking to court ran successfully every day. A new, purpose-built facility was under construction which should ease some of the pressures in the video link area.

Prisoners access to legal materials and computers was limited, making it difficult for some to prepare for their legal defence. The official visits area, where prisoners could meet with their lawyers, was also no longer suitable for the prisoner population.

Support for remand prisoners when they first enter prison was limited. Remand services that were provided by Outcare were no longer funded, leaving more than 950 remand prisoners with little or no support. The prison temporarily filled the gap by introducing a Remand Case Worker, but could only offer a temporary contract. There was a risk that funding could soon expire for this role, leaving remand prisoners again with no support.

Recommendation 1

Ensure that adequate ongoing support is provided to remand prisoners to help them deal with home, family, employment and personal circumstances.

The Hakea assessments and rehabilitation system was in a state of collapse. The assessment area was understaffed, and initial assessments for male prisoners in the metropolitan area were well overdue. Due to the delay, treatment programs could not be filled, some prisoners could not progress to lower security classifications and the opportunity for prisoners to get parole was being significantly impacted.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Recommendation 2

Ensure all IMP assessments are done within 28 days, consistent with Adult Custodial Rule 18.

PRISONER CARE AND WELLBEING

Almost every cell at Hakea was doubled-up. The small cells were cramped and provided no dignity. The lack of shelving led to some Occupational Safety and Health concerns and some ligature points were identified. The living units were all very crowded, noisy and chaotic, and were not suitable environments for either prisoners or staff.

Prisoners were dissatisfied with the quantity and quality of the food, but the kitchen staff were happy to discuss these concerns with prisoners. The kitchen was too old and too small to cater for 1,300 lunches and 1,100 evening meals every day.

Recommendation 3

Ensure the kitchen is appropriate to cater for the Hakea prison population.

Laundry practices in the units were causing some problems, and prisoners were not always afforded a clean set of clothes every day. Some prisoners were resorting to washing their clothes in the shower and hanging them out to dry before the daily cell inspections required them to take them down.

Recommendation 4

Ensure prisoners have a clean set of clothes every day.

Due to the high prisoner numbers and the complex mix of prisoners at Hakea, remand prisoners were not receiving their daily entitlements to visits. The visits booking process was also inefficient and outdated, and was a major cause of frustration for families trying to call the prison to book a visit. Processing of visitors in and out of the prison was sometimes slow, and cutting into visit times.

The number of telephones available for prisoners to make personal calls were not enough for the number of prisoners at Hakea. The long lines to use the telephones was a major cause of stress and tensions for the prisoner in the units, particularly during the afternoons when families were mostly available to speak on the phone.

A new canteen had recently opened and the new bagging and delivery system was still experiencing some teething issues. Prisoners also wanted more variety in the canteen.

Religious services were frequently cancelled due to short staffing, although it was good to see that services for Muslim prisoners had improved.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The role of the peer support team had become unclear. Instead of focusing on suicide awareness, the team was dealing with day-to-day unit issues. These issues should be dealt with separately by the prisoner council.

Recommendation 5

Reinvigorate peer support, with a stronger focus on welfare support.

PRISONER GROUPS

Protection prisoners had poor access to services, but their employment and living conditions had improved. The protection unit was full, so protection prisoners were also accommodated in the management unit or the Crisis Care Unit. These units are unsuitable, as they do not have full access to the same services as the other protection prisoners.

Recommendation 6

Ensure protection prisoners are accommodated in suitable accommodation, and not in Unit 1 or the Crisis Care Unit.

Aboriginal prisoners were not highly engaged in employment and education. To encourage higher engagement, an Aboriginal Services Committee was established, but this initiative soon failed. One strong area for Aboriginal employment was the concrete products workshop, but this was regularly closed due to staff shortages.

Recommendation 7

Increase the number of Aboriginal prisoners in work and education.

The Aboriginal meeting place was not used by Aboriginal prisoners. There was confusion amongst prisoners as to if the area was out-of-bounds. The Aboriginal men were appreciative when the prison held memorial services for those who could not attend funerals. They also appreciated the role of the Elders that visited the prison and ran a support and counselling program. The Aboriginal Visitors Scheme, however, required more support as the visitors were not able to service the 400 plus Aboriginal men at Hakea.

Hakea is not a suitable prison to house sentenced prisoners, as there are few rehabilitation and education options available. Some sentenced prisoners remain at Hakea long-term because other prisons do not want to accept them. Other prisons should not be provided the opportunity to turn down a sentenced prisoner, if it means getting them out of Hakea.

Recommendation 8

Ensure all prisoners are moved out of Hakea as soon as they are sentenced.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

KEEPING BUSY

Prisoners had little access to recreation, and the recreation program at Hakea had diminished. Recreation staff were being redeployed to operational roles almost daily, meaning that prisoners could rarely access the oval and gymnasium. Attempts to resolve recreation staffing issues have not been successful.

Recommendation 9

Increase prisoner access to the oval and gymnasium.

Most prisoners were either unemployed or under-employed. Due to staff shortages, Vocational Skills Officers were redeployed to custodial roles and their workplaces closed. Education and training was also far too limited. The centre had experienced budget cuts and was also being impacted by staff shortages.

The only official, full-length program for remand prisons had not run in 2018 because of staff shortages. However, a number of short programs for remand prisoners were still being offered.

HEALTH CARE AND MENTAL HEALTH CARE

A new health assessment process was introduced, which meant that nurses could conduct initial health assessments now rather than doctors. But the assessment system was not appropriately rolled out and the nurses required more training and guidance.

It was difficult for prisoners to get a medical appointment. Some prisoners struggled to fill out the written application, and even those who could were not always guaranteed to get an appointment. The doctors were so busy that they could only be reactive to acute prisoner needs, rather than taking a planned and coordinated approach to broader health needs.

Recommendation 10

Improve efficiencies and effectiveness in health service provision at Hakea.

Infection control standards were poor. The prison did not have a well-developed approach to minimising the spread of blood-borne viruses and sexually transmitted infections.

There were not enough doctors to service Hakea's population and staff did not have many opportunities to participate in training or to develop their skills.

The workload on the mental health team was demanding. There were high numbers of acutely unwell prisoners housed at Hakea, turnover of mental health patients was high and there was a lack of forensic mental health beds available in the state. Drug and alcohol withdrawal treatment was limited, and methadone was only prescribed to prisoners who could confirm that they were on it in the community.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Due to staffing pressures, the monitoring of prisoners at risk of self-harm was sometimes neglected at night and the Crisis Care Unit was not therapeutic and was chronically full. Vulnerable prisoners were managed in the mainstream units and getting lost in the system.

Recommendation 11

Re-establish a therapeutic unit for vulnerable prisoners who need extra support and monitoring.

The Prison Counselling Service was not equipped to work efficiently and auxiliary services such as podiatry and physiotherapy were no longer offered statewide. The demand for dental service far exceeded the service on offer and there was no Aboriginal Health Worker at Hakea.

Emergency medical escorts were using up valuable custodial positions. Two custodial staff members accompanied prisoners to hospital each time there was an emergency. Unfortunately there were too many emergencies that resulted from routine, simple conditions that were left untreated by the health centre.

CUSTODY AND SECURITY

Hakea's gatehouse design was outdated and unsuitable and could become very crowded during peak times.

The fence between Hakea and the Melaleuca Remand and Reintegration Facility for women presented an unacceptable risk. The risks along the fence line need to be mitigated.

Recommendation 12

Reduce the risk of Hakea prisoners gaining access to Melaleuca.

The constant lockdowns impacted prisoner safety and were influencing the rising prison temperature. Staff were managing prisoners from behind the wing grilles, and prisoners regularly had to wait by the grilles to get the attention of staff. Prisoners told us that violence was occurring in the unit wings due to lack of supervision. Prisoners were disengaged, there was a lack of meaningful activities and a poor sense of safety in the units. All of these are potential risk factors that need to be addressed.

The management and punishment unit was crowded and not used appropriately. Prisoner charges were being held up due to the lack of available punishment cells.

Use of force incidents were not always captured on camera, and the prison has not yet adopted the use of body cameras.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Recommendation 13

Introduce lapel cameras in the high-risk areas of maximum-security prisons.

Hakea had completed the required number of emergency management exercises, but could do more. The prison also lacked an Occupational Safety and Health officer to proactively reduce workplace hazards.

RESOURCES AND SYSTEMS

The custodial staffing levels were not sufficient for the number of prisoners at Hakea. The prison was restricted to filling only 16 vacant custodial officer positions each day, despite regularly having far more vacancies. The prison had few other options than to move to a rolling lockdown regime, which was compromising the care, safety and wellbeing of prisoners.

Recommendation 14

Proactively address the causes of staff shortages at Hakea.

Relationships between management and staff had improved since our last inspection. New communication strategies have been introduced to bridge the gap between management and staff, and they seem to be working well.

Administrative staff were still burdened with a heavy workload, as many administrative processes were labour intensive and outdated. Most tasks were still being done on paper, instead of electronically.

Recommendation 15

Invest in technologies to minimise the labour intensive and inefficient practices currently imposed on the HR team.

Due to short staffing, staff were feeling stressed and the quality of their working life had declined. We were also concerned about the staff culture at Hakea, as we identified a culture of bullying and sexism.

Recommendation 16

Reduce bullying and sexual harassment among the Hakea staffing group.

Staff were well supported by their peers, but they felt that the staff grievance process was not working well. The mandatory training requirements for most staff were out-of-date, as prison operations did not allow enough time for people to catch up on their training requirements.

FACT PAGE

NAME OF FACILITY

Hakea Prison

ROLE OF FACILITY

The primary male remand, receipt and assessments prison for the Perth metropolitan region.

LOCATION

Hakea Prison is in the suburb of Canning Vale, 28 kilometres south of Perth.

BRIEF HISTORY

Hakea Prison incorporates the former Canning Vale Prison and the CW Campbell Remand Centre. Canning Vale Prison was originally opened in 1982 and had the capacity then to hold 248 prisoners. When the CW Campbell Remand Centre was built, it had the capacity to hold 150 remand prisoners. Over the years both sites were upgraded and expanded and in November 2000, the two adjacent centres were merged to become Hakea Prison.

LAST INSPECTION

25 July to 7 August 2015

THIS INSPECTION

25 July to 2 August 2018

CAPACITY

Unit	Original Design Capacity	Bunks Installed	Current Operational Capacity
1	62	10	72
2	63	63	126
3	64	64	128
4	63	63	126
5	58	58	116
6	79	53	132
7	86	58	144
8	48	48	96
9	64	64	128
10	64	64	128
Crisis Care Unit	15	Nil	15

NUMBER OF PRISONERS HELD AT THE TIME OF THE INSPECTION

1,146

NUMBER OF REMAND PRISONERS

951

Chapter 1

BACKGROUND

1.1 HAKEA PRISON

The history of Hakea Prison

Hakea Prison (Hakea) is the primary male remand, receipt and assessments prison for the Perth metropolitan region. It is in the suburb of Canning Vale, 28 kilometres south of Perth. The prison incorporates the former Canning Vale Prison and the CW Campbell Remand Centre. Canning Vale Prison was originally opened in 1982 and had the capacity then to hold 248 prisoners. When the CW Campbell Remand Centre was built, it had the capacity to hold 150 remand prisoners. Over the years both sites were upgraded and expanded and in November 2000, the two adjacent centres were merged to become Hakea Prison. Since the merger, Hakea has continued to undergo significant expansion. New units have been built and facilities upgraded.

Hakea has gone through several changes over the past few years. In 2013, two of the units at Hakea were taken offline, and used to house juvenile detainees after a riot at the Banksia Hill Detention Centre. The intention was to return the units to Hakea once Banksia Hill was restored and settled. The men were not back in the Hakea units for very long when, in 2016, the two units were separated and converted to become the Melaleuca Remand and Reintegration Facility (Melaleuca) for women.

Hakea is crowded. During the inspection, prisoner numbers were close to full capacity of 1,200. The conditions for prisoners were not decent. The units were dark, old and crowded and every standard cell was doubled-up, despite being designed for a single occupant.

Staffing and Lockdowns

These crowded conditions and short staffing also made for challenging working conditions for staff. In the 12 months leading up to the inspection, Hakea was in a consistent phase of lockdowns, meaning that prisoners regularly spent parts of the day either locked in their unit wings or locked in their cells. The prison simply did not have enough staff to manage the growing prisoner population. And in January 2018, because of government budget pressures, the Commissioner for Corrective Services imposed restrictions on the number of overtime shifts approved for each prison every day. This exacerbated the staff shortage problem.

Unfortunately, this meant that at Hakea prisoners were either locked in the cells or locked behind the grilles in their units almost every day. Tensions were rising and prisoners were becoming increasingly frustrated.

To ease the pressure, Hakea management negotiated with the Western Australian Prison Officers Union (WAPOU) and agreed on a staff deployment regime, also known as an adaptive regime. Instead of keeping prisoners locked down for days at a time, when staffing levels were low prisoners could be unlocked throughout the day, but services such as education and programs would be cancelled to allow this. This gave the prison some reprieve, but at the expense of prisoner rehabilitation.

BACKGROUND

The impact of the Greenough Regional Prison riot

The day before we inspected Hakea, a riot broke out at Greenough Regional Prison ('Greenough'). It caused major damage and 10 prisoners escaped. For years this Office has identified numerous risk factors at that prison. Greenough was old and run down, staffing levels were low and cost-cutting was affecting service delivery to prisoners (OICS, 2016c; OICS, 2013). Exactly the same risk factors were evident during this inspection of Hakea.

Just two days into our inspection, and two days after the Greenough riot, the Commissioner instructed all prisons to fill their daily vacant staff positions as best as they could, even if it meant exceeding the prison's overtime budget allocation. For the first few days of the inspection, we saw a thriving prison, with prisoners permitted on the oval and out-and-about around the prison. But it was to be short lived. A number of Greenough prisoners were immediately transferred to Hakea, which increased Hakea's prisoner numbers. In the days and weeks following the riot, more Greenough beds were taken offline as the damage was assessed and prisoners moved out. As a result, Hakea's population soared.

Hakea's population continued to increase and despite being able to fill all the overtime positions, it still could not staff the prison appropriately. The staff available to do overtime were getting tired, and the lockdowns recommenced. At the time of writing this report, there did not seem to be any reprieve in sight.

1.2 THE INSPECTION

Dates and methodology

The on-site phase of this inspection started on 25 July 2018 and concluded on 2 August 2018. Nine staff from the inspectorate were involved, and two interstate experts were used to inspect health care and remand services.

Prior to the inspection, staff and prisoners were given the opportunity to complete a survey. In the online staff survey, we asked staff about human resources, management support and communication, staff training, treatment of prisoners, safety and wellbeing in the workplace and the strengths and weakness of Hakea. Overall, 174 staff completed the survey, which made up 33 per cent of the staffing population. Likewise, we surveyed prisoners about their views of the prison, including living conditions, activities, family contact, health services, culture and religion, safety and security and staff relationships. We surveyed 347 prisoners face-to-face, which made up 32 per cent of the prisoner population.

Between the 2015 inspection and this inspection, we maintained a regular presence on site at Hakea. We visited the prison on average six times per year to maintain knowledge of the facility, to build relationships with staff, to assess the risks and to review how the prison was tracking against our previous recommendations. We also analysed the monthly reports produced by the prison's independent visitors and documents provided by the Department of Justice (the Department).

Chapter 2

RECEPTION, REMAND AND ASSESSMENTS SERVICES

2.1 RECEPTION AND ADMISSION

Hakea's reception is a well-oiled machine

Hakea receives remand and newly sentenced male prisoners in the Perth metropolitan area and surrounds. It does a good job of handling the massive number of prisoner movements. In the 12 months prior to November 2017, the centre processed 16,527 prisoner movements. This equates to an average of 45 movements per day. All reception areas, including the holding cells, were clean and staff were well-versed in their duties. Hakea would not be able to process the high number of prisoners efficiently and effectively if not for the dedicated and experienced staff that work in reception.

Once a prisoner has arrived through Hakea's reception, either from the courts or from police, they proceed through several checks, processes and interviews. Any personal property they had with them is itemised, logged and stored. They are then required to shower and be strip searched, and their clothes are laundered and put into storage. They receive an initial prisoner clothing kit and an identification tag. They are offered a three-minute telephone call to advise family and friends of their whereabouts. A brief risk assessment is performed to determine whether there are any issues that would prevent the prisoner from sharing a cell.

Prisoners then see a nurse, who undertakes an initial health screen. After their health screen, they participate in an induction, run by a separate induction team. The Hakea induction team works from 2.00 pm to 10.00 pm Monday to Friday, to be available when most of the new prisoners arrive. They have an initial welfare chat with the prisoner, check that the prisoner's details are correct and gather contact information for possible surety/bail options.

The induction officers also perform an at-risk assessment. The interview is sensitive, covers the prisoner's state of mind and helps determine the risk of self-harm or suicide. Sensibly, this interview is conducted in a private interview room. If a risk is identified, the prisoner is moved to the Crisis Care Unit (CCU) for further observation.

The functions of the induction team are critical in a remand facility such as Hakea. It was therefore difficult to understand why the induction team only worked Monday to Friday, particularly as the Perth Magistrates Court sits on Saturdays and Sundays to process overnight arrests. On weekends, Hakea induction interviews were being done by other staff with less experience. Positively, we have been advised by the Department that since the inspection, Hakea has implemented seven-day induction team coverage.

2.2 PRISONER PROPERTY

The property storage area was functioning well, but needed reorganising

The alphabetical clothing storage system functioned well. Prisoner complaints data for 2018 showed there was not a single complaint made about missing or damaged prisoner property at Hakea. The property officer who had managed the area for around 15 years

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was fully across the complex system, but left just prior to the inspection. For a new person taking on the role, the system could appear complicated, unclear, and barely comprehensible. The position is due to be advertised later in 2018. This will give the new property officer the opportunity to rejuvenate the storage area.

The processes for managing prisoner property were outdated and problematic

As a busy remand centre, prisoners are constantly coming and going. When a prisoner arrives at Hakea, their valuable property is securely stored for them. Often this will include personal identification, bank cards, cash and mobile telephones.

When a prisoner attends court, their property remains at Hakea and is not transferred with them. This means, that if they are released directly from court, the prisoner must make their own way back to the prison to collect their property later. This becomes problematic if the prisoner has no access to money, a telephone or transport to return to the prison. It is up to the prisoner to ask the attending officers for a travel pass as they do not automatically receive one. Otherwise they may be left stranded at the court with no way of returning to the prison to retrieve their goods.

Prisoners can earn money while on remand, or hold money deposited in their prison accounts. As with their valuable property, the prisoner must return to the prison to collect this money. Money can only be collected during business hours. If a prisoner is released from court after hours, and returns to the prison to pick up their valuable property, they still may not be able to access their funds if the cashier is not available. This is not ideal. Funds should be available to prisoners who return to Hakea to collect their belongings after hours.

Prisoners can also accumulate personal property during their stay at Hakea. When a prisoner is due to appear at court, they do not pack up their belongings in case of release. Instead, their property remains unattended in their cell, which is usually shared with another prisoner. This would not be a problem if most cells were single cells, but given widespread double-bunking at Hakea, the prisoner must trust their cell mate. Ideally, remand prisoners should pack their cell property and take it to the reception room for secure storage whenever they are required to attend court.

Hakea's Local Order referring to prisoner property states that the prison takes no responsibility for prisoner property when a prisoner temporarily leaves the prison. This leaves little option for the prisoner to recover their belongings if these go missing. It must also be noted that the local order referring to prisoner property was last updated in 2004, which predated most of the double-bunking.

The policy of destroying prisoners' mobile phones is outdated

The Department's policy regarding prisoners' mobile phones has not kept pace with social developments. The policy states that when a prisoner is received to prison, they have 14 days to send their mobile phone out of the prison or it will be impounded and destroyed. The policy was written in 2003, and has never been updated.

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Mobile telephones are indispensable today. They are used to store vast amounts of personal information, photographs, videos, banking details, contact information, details relating to government services such as Centrelink or Medicare, and countless other applications. The psychological significance of mobile phones today is far greater than it was in 2003 when the policy was drafted. Mobile phones also have significant monetary value. They may even contain evidence that could be useful for future police enquiries.

The 14-day timeframe can be problematic for remand prisoners. In 2015, we found that male remand prisoners spend on average 26 days in custody (OICS, 2015, p. 9). The requirement to remove or dispose of a phone within 14 days appears unnecessarily short. The timeframe also disadvantages people who cannot arrange to sign out their mobile phones, particularly Aboriginal prisoners from remote and regional areas, foreign nationals and prisoners from interstate. We acknowledge the security risks of storing mobile phones in prisons. However, Hakea's processes for storing valuable property, locked in a secure room, were appropriate.

We have raised our concerns about this with the Commissioner for Corrective Services, and we have been advised the policy is under review. We look forward to seeing the results of this review.

2.3 ORIENTATION

The orientation unit is not fit for purpose

Most prisoners spend their first night in the orientation unit, Unit 7, unless they are protection prisoners or are found to be at-risk, in which case they are housed elsewhere.

Unit 7 is old, run down, crowded and counter-therapeutic. It originally offered 86 single cells but due to population increases, an additional 58 bunks were installed. This brought the total capacity of the orientation unit up to 144, with all cells double bunked.

It is not appropriate for new, possibly vulnerable prisoners to share a cell in a unit that is unfit for purpose. New prisoners are likely to be in a volatile and vulnerable state after arriving in prison, and some may still be affected by various substances. There were also only five telephones for all the prisoners to share, which was causing tension and frustration.

The orientation process is sound

Although the physical facilities in Unit 7 are poor, we have consistently found that Hakea has good orientation practices (OICS, 2016d; OICS, 2012; OICS, 2010). Orientation officers in Unit 7 conduct an initial interview with prisoners, take them on a tour of the facility and assist them to complete a variety of forms. The new intakes are seen by peer support prisoners, and then attend an education workshop to caution them about the spread of blood-borne viruses in prison.

The unit staff track when each prisoner arrives in the unit, and if they had received an orientation. This helps to identify who moves out and when.

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Each prisoner receives a copy of the Hakea First Night and Orientation Handbook. The handbook is comprehensive and offers a good range and depth of information for newly arrived prisoners. It was last updated in October 2016, which makes it more up-to-date than the orientation handbooks we have seen in other prisons. However, some recent changes have occurred at Hakea, mostly about re-entry services and programs, meaning that it needs updating.

2.4 BAIL SERVICES

Bail services at Hakea were well-managed

As a remand facility, on any given day there can be up to 50 prisoners granted bail by the courts and waiting for release. A Senior Community Corrections Officer (CCO) is responsible at Hakea for the facilitation of bail and ensuring that the orders of the court are followed. She is highly focused on trying to facilitate as many bail/surety orders as possible and has good processes. Detailed records are maintained to track what actions have been taken, the outcome of those actions and what must be done next. The prison staff are supportive of the CCO role and assist where possible.

2.5 REMAND PRISONERS

Hakea efficiently processes remand prisoners

Remandees stay at Hakea until they are bailed, discharged by the court, or given a prison sentence. During the week of the inspection, there were 1,974 prisoners on remand in Western Australia. Of these, 951 were at Hakea.

The job of getting prisoners to court, works efficiently and effectively. Every week day morning, prisoners who are due to appear in court are woken early and processed through Hakea's reception area. They are taken to court by the contractor Broadspectrum, and either released or returned to Hakea. The huge logistical exercise works well, with seamless processes embedded and followed.

Staff in video link do an outstanding job in a high stress environment

This inspection found the same high level of staff professionalism and dedication in video link as we found at the last inspection. Six staff were rostered to work there five days per week. The staffing numbers did not change regardless of the increasing number of prisoners.

All the video link staff were highly competent and knowledgeable in their roles. The video link centre has major deficiencies and has only operated successfully because of the excellent knowledge, organisational skills, teamwork and good nature of the officers working in the area, and the leadership of the officer in charge.

Only a minority of court appearances are done in person, while the remainder of appearances are done via video link technology. In 2017, Hakea facilitated almost 25,000 video link court appearances. Hakea has been using the same small, cramped video link

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facility for years. The centre has only one holding cell for mainstream prisoners, one for prisoners requiring segregation and one for holding protection prisoners. The holding areas, or cages, were an unacceptable place for people to wait and prepare for a court appearance. Prisoners could be held in the area for eight hours per day, with no access to hot drinks, and an outside toilet that required each prisoner to be escorted by custodial staff.

During our 2015 inspection, the maximum number of prisoners crammed into the video link facility at one time peaked at 83. In 2015 we commented that '[t]he facility was unquestionably well outside its safe working capacity' (OICS, 2016d, p. 55). In 2018, we heard that the video link facility was much busier, regularly holding around 100 prisoners and peaking at 117.

The video link facility at Hakea at the time of the inspection was dangerous, noisy and no longer fit for purpose. Fortunately, the Department had recently committed to building a new video link facility, which was under construction during the inspection. The new centre is designed to hold 130 prisoners across two main holding cells, and several smaller holding cells for segregation and protection. There will be an outdoor area for smoking and toilets in the holding cells. The 10 video courts will enhance the quality of services, provide a much safer working environment and a more appropriate court environment for accused prisoners. The centre has also been designed for streamlined staffing, as custodial staff will no longer need to be present in the court room with the accused. Plans are also to have prisoner workers to help keep the centre clean and to provide tea and coffee for the accused that are waiting to appear. We look forward to seeing the completed video link centre in 2019.



Photo 1: The video link set-up at Hakea

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Access to legal material and computers was limited

Prisoners should have regular access to the legal library and computers to assist in their research and preparation for their court appearance. Prisoners on the west side, Units 2 to 5 of the prison could access the library during recreation hours. The library is well organised and the qualified librarian had the skills and knowledge to assist prisoners to look for what they need. All five legal computers were working and a legal database program had been installed for prisoners to access. However, with lockdowns and adaptive regimes, library access was regularly cancelled when recreation was cancelled.

Prisoners on the east side, Units 6 to 10 did not have access to the library and therefore had to request specific legal texts to be delivered to them on a book trolley. They had no opportunities to browse a catalogue, and had to request the exact documentation that they needed. The east side prisoners also did not have access to the legal library computers and databases. A library had been refurbished for the east side of the prison, which contained adequate legal materials and computers. It had been ready since January 2018, but a dispute about staffing meant that it was yet to open. It must be opened as a matter of priority to ensure that Hakea meets its obligations to remand prisoners to access legal materials.

Up until about 10 years ago, it was common practice for prisoners to have computers in their cells. Following a couple of incidents all computers were removed from prisoners. Prisoners still can have computers in their cells for education or legal reasons but they must go through a process of authorisation.

There were two recent occasions where prisoners were provided with a computer in their cell, at the request of the Office of the Director of Public Prosecutions. The prison gave computers to the prisoners but with unreasonable restrictions placed on them. They were required to keep their cell double-locked at all times. This meant that every time they left their cell for a shower, phone call, recreation period, meal, and visit they had to lock their cell, and a staff member also had to lock it. Also when they returned to their cell, they needed a staff member to regain entry. In an environment of staff shortages and adaptive regimes, securing a staff member to do any task was highly problematic, and some staff attitudes were such that letting a prisoner back into their cell was a low priority.

The two prisoners with computers in their cells eventually requested that the computers be removed from their possession because of the ongoing frustration with access. Consequently, during the inspection the prisoners did not have their computers. The Department should provide a better solution for prisoners who require computers to prepare for their legal defence.

Official Visits was crowded, busy, understaffed and not properly equipped

Prisoners can meet with their lawyers in the official visits area. The area is crowded and busy, and only two staff members are rostered to work in official visits. While resourcing remains the same as 2015, the demand in official visits has increased. As well as an

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increasing prisoner population, the staff in official visits now process Violence Restraining Orders against prisoners that are delivered by police. They also spend a significant proportion of their day taking email and phone call requests from lawyers wishing to book an official visit – a process that could be more efficient if it was available online.

It is the right of an unconvicted person to be able to see their lawyer, but we heard from staff that this has often been impeded by prison operations. Lockdowns and adaptive regimes have caused significant delays in getting prisoners to their appointment on time. We were told that on occasions the lawyer has not been able to wait and the prisoner misses the appointment. Hakea must ensure that legal appointments are not impacted by staff shortages and adaptive regimes.

Unconvicted prisoners have the right to confidential meetings with their lawyers so they can view the evidence against them, and instruct their lawyers about that evidence. The official visits area contained six computers that lawyers could use to insert CDs of evidence for the accused to view. While this was an improvement from our 2015 inspection, the problem is that CD technology is old. Most lawyers do not have CD enabled devices and instead store evidence on USBs or external hard drives. Neither USBs nor external hard drives can be brought into the prison.

We recently conducted a review into digital technology in prisons. In February 2018, in response to this review, the Department committed to review, clarify and consolidate digital technology that could be brought into prisons by members of the legal profession to work with their clients (DOJ, 2018). This was actioned just after the inspection, and as of October 2018, legal professionals are permitted to bring their own laptops into prisons.

Hakea was rebuilding welfare support for remandees

Remandees have diverse needs when they first enter prison. They often need assistance to sort out their housing, relationships, care arrangements for children and pets, motor vehicles, financial commitments, medical appointments, addiction referrals and so on.

Officers in the units were helping with some of the basic welfare needs of prisoners. In the past, the external service provider Outcare had also provided a remand re-entry service to new remandees. But when the new reintegration contract was awarded to ReSet, remand re-entry services were excluded and a lot of welfare matters were going unattended.

Recognising this gap, Hakea engaged a Remand Case Worker to help prisoners with their welfare needs for three days per week. The Transitional Manager and orientation staff can refer prisoners directly to the Remand Case Worker, and the process was working well. The service is valuable. However, three days per week seems to fall short of meeting the needs of over 950 remand prisoners. The case worker could see around 100 prisoners per week. She has been successful in obtaining accommodation for remand prisoners unable to obtain bail due to lack of suitable accommodation. She has also liaised with other service providers to provide remand prisoners with support and counselling. It is

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also concerning that the Remand Case Worker was a temporary local arrangement, and the contract is likely to have a finite end.

Recommendation 1

Ensure that adequate ongoing support is provided to remand prisoners to help them deal with home, family, employment and personal circumstances.

2.6 ASSESSMENTS

Hakea is no longer the state's male assessment prison

Hakea was created to be a unified reception, remand and assessments prison. All newly sentenced male prisoners would remain at Hakea for a 28-day period to be assessed by a team of report writers, treatment assessors, and education assessors. The prisoner's security classification is calculated, and an Individual Management Plan (IMP) drafted. This determines future custodial placements, offender program requirements, and intentions for education and training.

The Hakea Assessment Centre has the responsibility for conducting all initial IMPs for male prisoners in the metropolitan area. However, in June 2018, there were 200 prisoners at Casuarina waiting for their initial IMP to be undertaken by the Hakea assessments team. Given the population pressures and the need to free up maximum-security beds, a further 436 sentenced prisoners were transferred to Perth's medium-security Acacia Prison, where they were still waiting for their initial IMPs to be completed by the Hakea assessments team.

While this provided for the much-needed bed space at Hakea, this had only dispersed the assessment team's workload across five prisons instead of one. Staff now either must travel to conduct assessments, or complete them by phone, which is an inefficient use of time.

Table 1: Status of initial IMPs for male, metropolitan prisons as at 30 June 2018

Prison	IMP <28 days	IMP >28 days	Exempt*	Total
Acacia	25	354	57	436
Casuarina	54	134	12	200
Hakea	54	42	0	96
Karnet	1	24	0	25
Wooroloo	12	30	10	52
Total Metro	146	584	79	809
Total WA	217	790	85	1092

*Assessed as being exempt under Custodial Operations Broadcast 18/12

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The assessments and rehabilitation system was in a state of collapse

During our 2015 inspection, we found that Hakea was falling behind with their assessments. This was due to the introduction of a new assessment system and staffing issues (OICS, 2016d, p. 66). We also drew attention to the systemic failings in our 2016 report on Casuarina Prison (OICS, 2016, p. 43)

Things continued to slide. By the time of this inspection, the Hakea assessment team had lost three positions under the Voluntary Targeted Separation Scheme (VTSS) and report writers were increasingly being redeployed when staffing around the prison was short. The change in assessment process also meant that assessments were taking longer to administer. Consequently, the backlog of assessments this year was the highest it had ever been, with little reprieve in sight.

With such a bottleneck in assessments, many prisoners' treatment needs had not been assessed, therefore preventing them from being scheduled to participate in offender treatment programs. These prisoners have been essentially in limbo, waiting for some direction about their future placement within the custodial system. The backlog has also led to the cancellation of 19 scheduled offender programs in 2018 and 75 programs in 2019, primarily due to lack of participants. This suggests a critical collapse in the Department's ability to deliver offender rehabilitation, which will likely have consequences for prisoners as they progress through the system. Some prisoners must complete programs to reduce their security classification and progress to a medium and minimum-security facility. In the future, unless something changes, we will likely see an increase in offenders being held unnecessarily in the state's already overcrowded maximum-security prisons.²

The inability to get on to programs will certainly have consequences for prisoners and their prospects of parole. The Prisoner Review Board regularly cite a failure to complete offender treatment programs as a reason to deny parole to prisoners. The reasoning behind this is that such programs will reduce the risk of reoffending.

As a result of these systemic failings, there is a risk that community safety will be compromised as prisoners cannot complete rehabilitation programs, and that the prison population will continue to climb as fewer prisoners are released on parole.

Many initial IMPs were being dropped, delayed or 'deprioritised'

In May 2018, a broadcast was issued with directions on how to reduce the backlog of IMPs. It prescribed a form of triaging, whereby IMPs would be delayed or not undertaken for certain classes of prisoners, while other classes of prisoners were not to be prioritised. The deprioritising of certain prisoners appeared prejudicial and inappropriate, with negative consequences for their attempts at rehabilitation.

The broadcast also said that 'approval has been granted to redesign the assessment and IMP process'. Any reforms should address the disparity between assessment resources

² We were informed after the inspection that all departmental program facilitators will be taken offline in Q4 2018 and redeployed to the assessments team. The intention is to use the extra resources to clear the backlog of assessments and to schedule prisoners to programs for 2019.

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and prisoner locations. While the Department should maintain quality control over IMPs, it should allow metropolitan prisons – both publicly and privately operated - to conduct their own assessments. This is already happening in the women’s estate, with both Bandyup Women’s Prison and the privately-operated Melaleuca Remand and Reintegration Facility undertaking initial IMPs.

The individual assessment roles should also be reviewed. For example, custodial staff are seconded as assessment writers. They work Monday to Friday but keep their overtime shift allowances. They are also frequently redeployed to fill custodial roster vacancies. Currently, the initial treatment assessments must also be administered by a four-year trained psychologist, with recruitment to these positions proving difficult to fill.

In short, the system has collapsed under its own weight and is failing both prisoners and the community. Given the gravity of the situation, the assessments process for the Perth metropolitan area needs urgent reform.

Recommendation 2

Ensure all IMP assessments are done within 28 days, consistent with Adult Custodial Rule 18.

Chapter 3

PRISONER CARE AND WELLBEING

3.1 PRISONER LIVING CONDITIONS

Doubled-up cells compromise dignity and safety

Almost every cell at Hakea housed two occupants. The size of the older cells ranged between 5.1m² to 6.4m². This was well below the Australasian Standard Guidelines that state that cells with ablution facilities should be a minimum of 8.75m² plus an additional 4.0m² for every additional person (OICS, 2016e, p. 10). The small cells contained double-bunks, toilets and wash basins, leaving little space for prisoners to store their personal belongings.

Cell mates must negotiate the use of floor space, chairs, bunk allocation, television, radio, lights and toilet. The toilets are unscreened and there is no dignified way to use them in front of another person. This can be particularly problematic when prisoners are locked in their cell for 12 hours at night.

Many cells contained no shelving, so prisoners were using either the toilet or sink as a shelf for their televisions and fans. In one cell, we saw a television balanced on an upturned bucket which was balanced on a second upturned bucket balanced in the sink. This is completely unsatisfactory. This practice puts both prisoners and staff at-risk of electrocution and at-risk of transmitting infections due to lack of hand washing.

Many of the cells contain ligature points, as with the pipes under the sink in photo 2. The presence of such ligature points in cells housing newly received prisoners is a significant risk.



Photo 2: A doubled-up cell at Hakea where the sink is being used as a makeshift shelf

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The Department recently undertook a project to minimise ligature points in cells. The project removed obvious hanging points in cells such as window bars, light fittings and shelving brackets. Some other ligature points were also reviewed such as the length of power chords and cables in cells. The plumbing under the hand basins now needs attention. The pipes should be concealed with shrouding in an appropriate material, or the basins replaced with a more modern, ligature-free version.

The units were crowded, noisy and chaotic

Most units were holding close to double the number of prisoners than they were originally designed for. In the older units, there was not enough space for all prisoners to sit and eat their meals in the day rooms, so they were forced to eat in their cells. This encourages poor hygiene where prisoners sleep. It also means that prisoners are eating next to the toilet.

A program to upgrade and increase the number of communal showers was under way during the inspection. The completed showers looked much better, and the number of showers in the wings had increased. But in some units, the drainage was not installed properly and water was pooling in the corridors.

In the older units, the crowding was evident straight away. The units were noisy, cramped and stressful. Prisoners were locked behind the grilles and lingering in the unit wings. Some prisoners were hanging around the unit grilles shouting across the unit to prisoners in other wings. Other prisoners were gathered in cells sitting on buckets and toilets while chatting and playing games with one another.

This environment is not decent or humane for prisoners or staff.

3.2 FOOD AND NUTRITION

Prisoners were dissatisfied with the quantity and quality of food

In the prisoner survey, only 11 per cent of respondents thought that the food at Hakea was 'good'. This was lower than 21 per cent from our last inspection and much lower than the state average of 47 per cent. Staff who completed the survey were also disappointed with the quality of food served to the prisoners. Given that Hakea is designed to be a short-term holding facility, the menu is basic and repetitive. Prisoners were bored with the food options, particularly as almost half of the prisoner population had been at Hakea for more than three months.

When we asked prisoners what they would like to eat, most told us that they wanted more fresh and healthy food and more variety. However, the kitchen staff felt that this would be a challenge, given their budget of \$3.15 per meal per prisoner, and the poor-quality ingredients supplied to the prison. The kitchen had not undertaken any recent nutrition and dietary testing of its current menu.

Positively, the prisoners used the prisoner council forum to discuss their food concerns with the kitchen and with Hakea management. During this forum, prisoners suggested a

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system whereby prisoners could make suggestions regarding the menu, perhaps in the form of a suggestions box. Hakea management supported this idea during the prisoner council meeting and we look forward to its implementation.

Special meals were produced for prisoners with health and dietary needs, including vegetarian meals and soft food. In the lead-up to the inspection, we received numerous complaints from prisoners on Halal diets. As Hakea did not serve Halal certified food, Muslim prisoners had to eat vegetarian meals. Pleasingly, just prior to our inspection, the prison had introduced Halal meal packs, which Muslim prisoners were very grateful for.

Unfortunately, cultural food for Aboriginal prisoners was not available on the regular menu, and was only available during special events like NAIDOC week. Aboriginal prisoners requested kangaroo and damper, or even just the flour to make their own damper. Hakea should consider introducing Aboriginal cultural food on the weekly menu.

Other prisons such as Western Australia's Acacia Prison and Melbourne's Assessment Prison offer meal choices, to help meet the health, cultural and dietary needs of prisoners. In our 2015 inspection report, we recommended that Hakea implement a similar food choice system. The Department partly supported this, stating that they would consider introducing meal choices. As yet it has not done so.

The kitchen was too small for the prisoner population

The Hakea kitchen prepares 1,300 lunches and 1,100 evening meals every day. However, it was only designed for a population of 600. The infrastructure was old. The kitchen ceiling badly needed to be repaired and the paint was blistered and peeling. The ceiling fans above the food preparation area were covered in a thick, black dust. The uneven floor and lack of drainage caused water to pool in passageways.

Forty-five prisoners were employed in the kitchen. The food preparation areas of the kitchen, where prisoners could stand and work, were restricted, crowded and noisy. High pressure hoses were being used to clean food trays directly next to where prisoners were preparing vegetables and washing lettuce. The industrial pot washing machine was around 20 years old and was constantly breaking down.

In the store room, cleaning chemicals were stored next to bulk dry goods such as flour and rice. Boxes were piled on top of one another and open containers of lentils and beans were kept in the same storage room.

Prisoners who worked in the kitchen had very little space to change from their prison clothes into their kitchen uniform. There was nowhere for the prisoners to store their clothing, and we saw clothing stuffed in window spaces and stacked on the floor.

The prisoners enjoyed working in the kitchen despite the cramped conditions.

Recommendation 3

Ensure the kitchen is appropriate to cater for the Hakea prison population.

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Photo 3: Water that has pooled in the kitchen



Photo 4: Prisoner clothing stored in kitchen windows

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Photo 5: The cramped kitchen storeroom



Photo 6: The cramped kitchen cool room

3.3 CLOTHING, BEDDING AND LAUNDRY

Prisoners were not getting enough clean clothes

Seventy-seven per cent of prisoners who completed the pre-inspection survey were dissatisfied with clothing. A large part of this was due to unit laundry practices which meant that prisoners did not always have access to fresh, clean clothes. Prisoners are given two sets of clothes, one for wearing and one spare. In most units, prisoners could swap their dirty laundry one-for-one at the unit's clothing store. But clothing exchanges were only being held, at a minimum once every two to three days. Prisoners were not provided additional clothing for recreation, meaning that some had to remain in their sports clothes, or wear dirty clothes until laundry day.

We heard that prisoners were becoming so desperate for fresh clothing that they were washing their clothes in the shower each day, then hanging them in their cells. They then had to remove the washing from the hanging places around their cell each morning when cell and hygiene inspections were conducted, as hanging clothes in cells is prohibited.

Our inspection was held in the middle of winter, and while prisoners told us that their clothing was warm enough, their bedding was not. Prisoners had a choice of either blankets or a doona, not both. Many said they were getting cold at night and wanted extra bedding.

Recommendation 4

Ensure prisoners have a clean set of clothes every day.

3.4 VISITS

Remand prisoners were not receiving their daily entitlement to visits

Prisoners should be encouraged to maintain and develop relationships with family and friends through visits. Families play an important role in assisting the successful reintegration of prisoners back into the community. Family contact is also important for the mental wellbeing of prisoners.

Hakea's visits schedule is complex. Twenty-seven visit sessions are held each week, with a maximum capacity of 38 prisoners per session. The sessions are managed in accordance with prisoner alerts, gang affiliations, restraining orders and protection status. The visits booking office uses a colour coded matrix to identify prisoner groups. When a family member calls the visits booking line, the bookings officer determines the most appropriate session for that prisoner.

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Table 2: Hakea's weekly visits schedule, colour coded to identify different prisoner groups

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
8.30am - 9.30am	Orange	Pink	No Visit	Yellow	Green	Purple	Yellow
10.00am - 11.00am	Green	Purple	Yellow	Orange	Purple	Green	Orange
1.00pm - 2.00pm	Green	Green	Orange	Purple	Green	Orange	Green
2.30pm - 3.30pm	Purple	Orange	Green	Green	Orange	Green	Purple

Prison regulations state that remand prisoners are entitled to a one-hour visits session every day (Prison Regulations, 1982). The colour coded matrix clearly shows that prisoners in the purple group cannot have visits on Wednesdays, and the yellow group (protection prisoners) can only have visits on three days. Clearly, prisoners in these groups are not receiving their entitlement to daily visits.

In June 2018, there were 129 protection prisoners at Hakea, most of whom were on remand (69.8%). The visits schedule needs to be reviewed to ensure all remand prisoners have daily access to visits.

The visits booking process was inefficient and outdated

All visits bookings are made by telephone. Visitors can call during business hours and must book 24 hours prior to the visit. There are two officers who take bookings. They are incredibly busy and can take up to 100 bookings per day. The telephone switchboard has a constant queue of visitors waiting to make booking, and the line cannot hold more than eight people in the queue. Once there are eight people in the queue the lines drop out. We heard of people trying to get through to the visits phone line for hours, with some people not being able to get through at all. Unfortunately, when visitors finally get through, they are often frustrated and take their anger out on the visit bookings officers.

We heard from both prisoners and visitors that they are told that the visit session is booked out, but there are almost always empty tables during visit sessions. This is because visitors rarely call to cancel their visits when they cannot make it. The wait times on the visits booking line discourages people from calling to cancel their visit, and in fact encourages people to book multiple visits even though they may intend on only attending one session. Because of this, people are missing out on visits and some visit sessions are only partly filled.

In May 2018, Hakea Prison identified these issues with its booking service, and requested funding from head office to upgrade to an online booking system. The Business Manager informed us that their vision was to create an online application, like those used when booking a medical appointment in the community. Visitors could have the option of booking online, using a mobile phone application or they could still call if they were uncomfortable using the technology. The proposal was to introduce an SMS booking

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confirmation service whereby visitors could easily cancel a booking if they could no longer make it. Karnet Prison Farm already uses an electronic booking system for visitors. It is a simple online form, and while is not as sophisticated as the solution proposed by Hakea, 20 per cent of the visits at Karnet are now booked online.

The visits centre was large, sterile and cold, with a lot of wasted space

The Hakea visits centre was large, with 38 visit tables, five non-contact visit rooms, two special visit rooms and a children's play area. It was expanded in 2015, and the floor area on either side of the existing visits area was increased by more than half.

An additional 35 visitor tables were originally installed, but they were removed shortly afterwards and the extended areas of the visits centre has remained vacant ever since. Various reasons were provided for this, including union disputes, inadequate staffing, no CCTV coverage, poor lighting and insufficient searching capacity. But this simply begs the question of why substantial amounts of money were spent this way. All of these issues could and should be resolved.



Photo 7: The expanded area of the visits centre that remains empty

Not only was this a waste of resources, it also meant that the empty visits room was cold in winter. Our inspection was held in the middle of winter. For security reasons, prisoners wore a thin, one-piece suit, with only underwear underneath and open toe thongs with no socks to visits. Neither prisoners nor visitors could have a hot cup of tea or coffee to keep warm because it was considered a security risk. Visitors told us that the prisoners often

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called their visit short because the room was too cold. To make the visits experience more comfortable, Hakea needs to look at the heating control system in the visits centre and should consider warmer clothing options for prisoners.

The children's play area at the end of the visits centre had been installed since the last inspection. It was good to see somewhere for children to play, but visitors were discouraged to use it because neither adult visitors nor prisoners were permitted to accompany children into the play area. At other prisons such as Casuarina, a child care worker has been employed to supervise children in the visits play area. She provides craft activities for the children, plays games with them and generally keeps them entertained (OICS, 2016, p. 27). No such service was available for children visitors at Hakea Prison, even though most of their fathers were not yet convicted.

Visitors were not always getting their full one-hour visit

When visitors first arrive at Hakea, they must register and leave their belongings at the external family centre. The family centre has been run by the service provider ReSet since April 2018. We observed the staff at the visits centre speaking professionally with visitors, and politely informing them about things such as the Hakea visitor dress standards.

Visitors wait at the family centre until they are called to their visit. Once called in, they must progress through gatehouse security and through to the internal visits centre. Both prisoners and visitors told us that most of the staff working in the gatehouse are friendly and courteous to visitors.

The security processing of visitors can take some time and can often delay visitors from arriving to their visit on time. We heard complaints from visitors that the security process cuts into their visit time and their visit session is cut down to around 40 minutes. During the inspection, we observed visitors being called up at 9.54 am for a 10.00 am visit, leaving only six minutes to walk to the gatehouse, progress through gatehouse security, walk to the internal visits centre and to be seated for the visit. The entire process took a lot longer than six minutes. To avoid taking up precious visiting time, Hakea should ensure that visitors are called to the gatehouse with sufficient time to be processed and be ready in the visits centre for the start of their visit.

3.5 TELEPHONE AND SKYPE

There were not enough telephones for the number of prisoners

Prisoners complained that they had trouble accessing the telephones. Most units had only one telephone per wing, and most wings were severely overcrowded with up to 32 prisoners sharing the one telephone. Constant lockdowns made access to telephones even more difficult.

Just prior to the inspection we received a letter from a group of prisoners explaining that prisoners were frustrated and the tensions in the unit were rising because prisoners

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could not access the telephones. In the letter, they explained:

95 per cent of the issues regarding phone usage, occurs in the evening, after the 4pm muster and the evening lockdown, when 24 men [s]quabble and argue over the phone. Tensions have rose in the past, and as a sole result of us working together and forfeiting of certain people from using the phone each night, have serious problems been avoided. All of this can be solved overnight with one extra phone being added to each wing as a minimum (Letter to OICS from Unit 8 Prisoners at Hakea Prison, 2018).

During the inspection, we saw long lines for the telephone, particularly in the afternoon, when family are mostly home from work and school. Prisoners told us that the demand for an afternoon telephone call causes issues between prisoners, including bullying, standovers, and fights.

Hakea was aware of the issues caused by the lack of access to phones, and submitted a business case to head office requesting one additional phone for each wing in the units. Overall, this would equate to 80 new phones being installed across the site, at a total cost of over \$500,000. At the time of writing this report, Hakea had not received a response to this request for funding.

Regional phone calls were too expensive for most prisoners

More and more people are moving away from landlines and relying solely on mobile phones for communication. This means that prisoners have no option but to call their loved ones on a mobile phone. We heard from prisoners throughout the inspection that many of them could not afford to call their family on a mobile phone. The cost of a 10-minute call to a mobile phone is \$3.47 for 10 minutes. A 10-minute STD call is also expensive, costing \$3.19 per minute. Over half the prisoners at Hakea (52.2%) were unemployed, earning only \$22.05 per week. This is not enough to make mobile telephone calls and make other purchases.

A sensible solution to reduce the costs of calls is to move to more online technologies. Skype technologies were set up in the video link facility and in official visits, but the function has rarely been used for social calls. The new video link facility should ease some of this burden, with additional Skype terminals scheduled to be installed. By the time of the next inspection we would expect to see them being used to facilitate social contact, with an open and equitable process for access.

3.6 PRISONER PURCHASES

The new canteen process was experiencing some issues

Hakea has two canteens, one on the east side and one on the west side. In the past, prisoners would be escorted to the canteen one wing at a time to purchase their weekly spends. In our 2015 inspection, we found that the system worked well, and that prisoners

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were mostly satisfied with the canteen services. However, since then, the Hakea population has significantly increased, and standover and bullying at canteen time started to become a problem. Recreation often occurred at the same time as canteen, making the canteen area crowded. This created a higher risk for prisoners in the canteen line to be stood over by other prisoners participating in recreation.

In light of these issues, Hakea moved to a bagging and delivery canteen system in November 2017. The new system involves prisoners filling out an order form in their units. The forms were submitted to the canteen, where prisoner workers bagged up the orders which were delivered to the units. The new canteen process was like the canteen set-up at Acacia Prison. Acacia is also a large prison, with the capacity to hold more than 1,500 prisoners. In 2014, Acacia moved to a canteen bagging system after identifying similar security issues. When we inspected Acacia in 2015, the process was working well and prisoners were happy with the canteen process at Acacia.

Since the introduction of the new bagging system at Hakea, prisoner satisfaction with canteen services had declined. Only 28 per cent of prisoners who responded to the survey were satisfied with the canteen services, compared with 62 per cent in 2015. However, it seemed that the bagging system was not the cause of this negative criticism. Instead we identified several other reasons for this dissatisfaction.

First, prisoners felt that the old system of attending the canteen replicated a normal shopping experience and allowed them some time out of their units each week. Indeed, with the number of lockdowns that Hakea was experiencing, and the lack of other activities and services on offer, it seems natural that prisoners looked forward to the weekly event of visiting the canteen. Hakea should consider this when reviewing the new canteen process.

Secondly, the prisoners were disappointed when products were out of stock. If an item was unavailable, instead of purchasing a substitute product, the prisoner was given a refund. Prisoners were disappointed that Hakea's range of products was more limited than other prisons. Management's view was that Hakea was a short-term transient prison, and a wide range of products was unnecessary. But with some prisoners staying at Hakea now for more than a year, it is time for Hakea to review its product range and stock controls.

There was also scope for rationalisation and efficiencies. Despite moving to the new bagging system, Hakea was still operating two separate canteens. The canteens both ordered from the same supplier, but were doing so separately. The two stores were maintained separately and separate records were kept. This meant that if one canteen ran out of stock, products could not be transferred from one canteen to the other. This caused palpable frustration during the inspection, when one side of the prison had access to products that the other side did not. We heard that there were plans to consolidate the two canteens, which seems very sensible.

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Prisoners could no longer purchase game consoles

Game consoles are a good source of entertainment for prisoners when they are locked in their cells for prolonged periods. They have long been used as a management tool, and to keep prisoners calm and occupied during boring periods. For many years, Xboxes have been available for purchase in prisons, with games available through the canteens and libraries. The Xbox console that was available did not allow prisoners to access to the internet, so security concerns were minimal. This model of console, and its suite of games, is now obsolete and the new models have not been cleared by security due to their ability to access the internet.

Prisoners were disappointed that they no longer had access to games consoles, particularly given the extended periods of lockdowns that they had been experiencing. They accepted that they would unlikely be permitted to purchase new Xboxes, and many suggested that prisons should allow prisoners to buy other game consoles without access to the internet. A new range of retro games consoles without internet access have been released in the market, that prisoners could purchase to help alleviate boredom and reduce stress.

3.7 RELIGION AND SPIRITUALITY

Christian religious services were frequently cancelled

Only 26 per cent of prisoner survey respondents felt that they could practice their religion at Hakea. Much of this was driven by the frequent cancellation of religious services, due to the lack of custodial staff available to provide security. Sunday church services were cancelled for seven out of the 13 weeks leading up to the inspection, and there was no service the week of our inspection, despite 95 men requesting to attend.

The coordinating chaplain works at Hakea five days per week, with a second chaplain working three days per week and a third chaplain working one day per week. They used to be able to speak with prisoners one-on-one in their office, but they had recently changed offices and were located in an area with little privacy. Most conversations with prisoners were now done in unit wings through the grilles. This is not an appropriate place for providing spiritual guidance.

Other religious visitors also visit Hakea to represent other faiths. They include Mormon, Greek Orthodox, Jehovah's Witness and the Salvation Army.

Improved services for Muslim prisoners

During the 2015 inspection, we found that Muslim prisoners could not participate in Friday prayers, and were not afforded any special daytime fasting conditions during Ramadan.

We were pleased to see during this inspection that Friday prayers had been introduced and the Muslim prisoners were given an appropriate diet during Ramadan. Prisoners told

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us that they were much more satisfied with the Ramadan arrangements in 2018 than they had been in 2017.

3.8 PRISONER FORUMS

The role of the peer support team was unclear

Prisoners can be part of the peer support team, either through paid employment or voluntarily. The peer support prisoners are primarily responsible for touching base with other prisoners and checking to see that they are coping. It is a particularly important role in a remand facility, where stress and anxiety is usually at its highest. In 2017, to help equip the peer support prisoners, the prison sent 18 peer support prisoners on a Gatekeeper suicide awareness course. The course helped the prisoners to understand and identify suicidal behaviour so they could be in a better position to respond to those people in need.

Despite this training, we found little evidence that the peer support team was supported to provide the relevant welfare support. The peer support prisoners were meant to meet once per month, but in 2017 formal minutes were only taken for two meetings. In one of the meeting minutes, it was noted that the role of the peer support team was to 'pass information on to the other prisoners and assist them'. Nowhere did it mention suicide awareness or helping people in need. In fact, the minutes contained items that we would expect to see form part of a prisoner council meeting, not a peer support meeting. Most of the items were prisoner requests for fans, doonas, guitars, and boxing gear. We received no evidence that any peer support meetings were held in 2018.

The peer support prisoners also felt very restricted in their role. Many were not permitted to enter unit wings unless they resided in that wing themselves. We were also told that they were not permitted to visit prisoners or to provide extra support to those who were grieving.

Recommendation 5

Reinvigorate peer support, with a stronger focus on welfare support.

The prisoner council was run well

The prisoner council was a good forum for prisoners to raise issues with management. Representatives from each unit met regularly with the Hakea management team to discuss issues brought to them by other prisoners. Issues ranged from requesting more work to providing management with feedback about the stock in the canteen. We observed one meeting where prisoners wanted to discuss the quality of their food. The Chef Instructor attended the meeting and took on board the feedback, explained the process and offered alternatives. Overall, the process ran very well.

Chapter 4

PRISONER GROUPS

4.1 PROTECTION

Protection prisoners had poor access to some services

Protection prisoners are kept separate from the main prison population to protect them from other prisoners. There are many reasons why a prisoner may be in protection, ranging from the nature of their offence, to association with different groups, or conflict with others at the prison or in the community.

In 2015, protection prisoners did not have equitable access to services and conditions compared with other prisoners at Hakea. This resulted in a recommendation that Hakea:

Ensure all protection prisoners, regardless of accommodation placement, are given equal access to all services provided to mainstream prisoners, including recreation and education' (OICS, 2016d, Recommendation 16).

This inspection found that, with the exception of visits and education, most other services were being equally accessed regardless of protection status. However, this was not a particularly good news story: the equality resulted mainly from the fact that services for other prisoners had declined. Staff shortages, overtime restrictions and adaptive regimes meant that all prisoners were increasingly locked in their cells or behind grilles in their units. All prisoners experienced severe restrictions in accessing services.

Ironically, many of the restrictions had been the reality for protection prisoners for some time. In the past protection prisoners had little or no access to the oval or education. This had become the norm for protection prisoners. Now other prisoners were experiencing the same.

Employment and living conditions had improved for protection prisoners

Protection prisoners had good access to employment. The laundry, administration and visits areas were set aside for protection workers. Protection prisoners could also work in peer support and as unit recreation workers. The number of unit workers in protection was comparable to the rest of the prison.

In 2015, protection prisoners were in Unit 5 but it was not suitable accommodation. The unit was too small for the number of protection prisoners and its central location meant that the protection prisoners were too exposed to general population. This inspection the protection prisoners had been moved to Unit 6, a much larger unit with its own yard that could be accessed even when the unit was locked down. The unit was much more appropriate for the protection prisoner population.

The protection unit was full, and alternative beds were unsuitable

Even though Unit 6 had provided additional beds for the protection prisoners, the demand for protection beds remained unmet. When Unit 6 was full, protection prisoners were accommodated in the management and punishment unit, Unit 1. The same thing was happening last inspection.

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Unit 1 houses prisoners on several management regimes, including close supervision and punishment. Some of these regimes mean that prisoners are let out of their cell for one hour per day, and when they are let out they are controlled and supervised. It is not acceptable to house protection prisoners in a high supervision, restricted regime unit, particularly when they have not committed any breaches of the prison rules. The staff in Unit 1 were under pressure managing prisoners on other regimes that they were unable to facilitate full access to services for protection prisoners.

We also found that some protection prisoners were initially accommodated in the CCU. This placement was also unsuitable because the staff in that unit are busy operating different regimes for other prisoners.

Recommendation 6

Ensure protection prisoners are accommodated in suitable accommodation, and not in Unit 1 or the Crisis Care Unit.

4.2 ABORIGINAL PRISONERS

Aboriginal prisoners were not highly engaged in employment and education

In the Department's Reconciliation Action Plan (RAP) for 2018/19 to 2020/21, the Department promises to:

[e]ngage in the development and delivery of targeted initiatives that produce better outcomes for our Aboriginal colleagues, clients and those in our care (DOJ, 2018/19 to 2020/21).

To help achieve this, the Department committed to maintain Aboriginal Service Committees in prisons and review service plans and outcomes of the program. An Aboriginal Services Committee was established at Hakea Prison in 2017, to service its 400 plus Aboriginal prisoners (35% of the prisoner population). The committee was established to 'engage Aboriginal prisoners in programs, services and initiatives, and to provide opportunities and to improve outcomes for Aboriginal offenders' (DCS, 2017). Representatives from areas around the prison were to meet quarterly to discuss Aboriginal engagement within their areas, and to brainstorm initiatives to increase Aboriginal participation.

The committee met twice at the beginning of 2017, with the second meeting showing real promise that Hakea was committed to investing in Aboriginal prisoner engagement. Unfortunately, we found no evidence that meetings ever occurred again. In fact, the data suggest that there were few, if any initiatives to attract and support Aboriginal prisoners into prison employment. During the inspection, there were no Aboriginal prisoners working in the canteen and the cabinet shop, and there was only one Aboriginal prisoner working in the metal shop. Other work areas such as the kitchen and garden party were also under-represented in terms of Aboriginal employment.

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VSOs had mentioned that many Aboriginal prisoners needed higher literacy skills to work in the workshops. So, in the April 2017 Aboriginal Services Committee Meeting, it was suggested that a literacy and numeracy pathway be established through the education area, as a stepping stone for Aboriginal prisoners to gain work in industries. Unfortunately, education was regularly closed due to short staffing and the pathways were never established. Education had also lost music, art, Noongar language and storytelling from the curriculum, which was a drawcard to entice Aboriginal prisoners into literacy and numeracy classes.

One strong area of employment for Aboriginal prisoners was concrete products. The VSO working in the area felt that the Aboriginal prisoners were attracted to the manual labour, and he used this as a recruitment strength. Unfortunately, in the 18 months leading up to the inspection, the concrete products workshop was closed almost every day due to staff shortages.

While the staff shortages at Hakea are wider issues beyond the scope of the Aboriginal Services Committee, Hakea would benefit from re-introducing strategies aimed at increasing Aboriginal engagement and participation in activities outside of the units.

Recommendation 7

Increase the number of Aboriginal prisoners in work and education.

Aboriginal men had few opportunities to meet with family and countrymen from other units

Hakea has an Aboriginal meeting place, designed as a cultural location for Aboriginal men from different units to congregate and yarn during recreation time. In the past, it was one of the only locations for Aboriginal men, particularly out of country men, to catch up with family members who reside in other units.

During the inspection, we came across several access issues regarding the Aboriginal meeting place. It could only be accessed by prisoners during recreation time on the oval, which was regularly cancelled due to staff shortages. When prisoners could get oval time, it was only with other prisoners in their unit. The opportunities to catch up with family and countrymen from other units had gone. Perhaps the biggest barrier was that the meeting place was located adjacent to the area where the new video link building was being constructed. Prisoners told us that the meeting place was now out-of-bounds, but management told us that prisoners could still access it. We did not once see any prisoner using the meeting place during the inspection, and the placement of out-of-bounds signs certainly made the place appear off limits.

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Photo 8: The Aboriginal meeting place with an 'out-of-bounds' sign in front of it

We were told by management that most out of country Aboriginal men were housed together in Unit 3. However, we found that a large number were scattered through other units. When we met with a group of out of country Aboriginal men, they told us that they no longer have opportunities to get-together and yarn. They are a long way from home, and feel isolated, sad and unsupported. The isolation can be particularly challenging during times of grieving and loss. In the past, grieving Aboriginal prisoners would support one another at the Aboriginal meeting place.

The Aboriginal men could request to meet formally with other family members when a close family member has passed away. However, we did not hear of many Aboriginal prisoners taking up this opportunity. It is likely that the system is too formalised and that the men were resigned to the fact that permission would be refused. Hakea should explore a more informal approach to allowing Aboriginal men to meet and support one another.

Aboriginal prisoners appreciated memorial services

While access to funerals is important for anyone in custody, it is especially important for Aboriginal prisoners. There is an obligation for Aboriginal people to show respect to their family, say goodbye and participate in 'sorry' time. In October 2013 and again in February 2017 we released review reports on access to funerals and other compassionate leave for prisoners. Our 2017 review revealed that fewer adults in custody were accessing compassionate leave than in 2013 (OICS, 2017, p. 1). This was certainly what we heard during the Hakea inspection too.

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The chaplains appreciate that funerals and memorial services are an important part of Aboriginal culture, and were doing their best to accommodate prisoners who missed out on attending the funeral. When prisoners could not attend funerals, the chaplains had been organising memorials or 'sorry time' for the prisoners who wished to attend. The 'sorry time' memorials have been well attended, to a point where up to 100 prisoners were submitting applications to attend. For security reasons, the process had to be reviewed and the numbers capped at 10 prisoners per service.

While the Aboriginal prisoners appreciate the opportunity to grieve with one another, some of the prisoners, particularly the non-religious prisoners, wanted Aboriginal Elders from the community to attend and support them throughout their grieving.

The Aboriginal Elders program was limited but well regarded

A new Elders program had just started at Hakea, to support and provide counselling to the most distressed Aboriginal prisoners. The mentoring program was piloted for four weeks, but then reduced to just two weeks. Up to 10 prisoners could participate in the program at any time.

The Elders role is to show the Aboriginal men that there are choices in life, and that the men can make good choices. The program is based on cultural yarning, and discussion topics included conflict, drug addiction, self-esteem and the external pressures that Aboriginal men are sometime subjected to.

The new Elders program was well received. While only a handful of men could participate at a time, the short duration of the program meant that the churn through could end up being quite high. The Elders were also regularly staying behind after the programs to yarn with other prisoners who may be looking for support. Hakea should consider increasing the presence of the Elders on site so they can become more accessible to the Aboriginal prisoners not undertaking the program.

The Aboriginal Visitors Scheme needs more support

The Department has hired Aboriginal people to provide support and counselling to prisoners as part of the Aboriginal Visitors Scheme (AVS). Prisoners can be referred to the service via AVS management, Hakea management and other staff. The visitors mostly support young offenders who have recently entered custody for the first time, at-risk prisoners, prisoners who have not received a visit in more than six months, and any other Aboriginal prisoners that may need additional support.

The need for welfare support at Hakea is amplified due to its remand status. Yet there were only two AVS visitors available to support the 400+ Aboriginal prisoners at Hakea. They attended the prison four days per week, but found themselves regularly restricted by lockdowns and other operational priorities. Despite limited access, the prisoners who had been in contact with AVS visitors found them to be helpful.

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In January 2016, to complement the service, the Department introduced a 24 hour, 1800 hotline that prisoners and families could call if they were stressed or concerned about someone in custody. Feedback from the community and from other stakeholders has highlighted a number of issues with the hotline. It is not deemed to be culturally appropriate or sensitive for some Aboriginal prisoners. It is also difficult to access at Hakea, when the demand for telephones is already so high.

Family who have called the hotline have informed us that they receive no feedback or return telephone call to let them know how their loved one is tracking. For example, a family member told us that she called the hotline to request assistance for her son in Hakea. When she called us she was clearly distressed because no one from the AVS head office could tell her whether or not someone was able to help her son. We later found out that the process is for the person who takes the call to pass the message to the AVS visitors on site. The AVS visitors can then conduct a welfare check on that prisoner, but there is no process for communicating back to the person who raised the enquiry. That person is left in the dark.

AVS staff felt restricted in their duties and their role lacked clear direction and leadership. The program is struggling and needs attention and review. The Department recognised this in both its 2015 to 2018 and 2018/19 to 2020/21 Reconciliation Action Plans, where it committed to reviewing the AVS and implementing a strategy to improve the service (DOJ, 2018/19 to 2020/21; DCS, 2015 - 2018). We support this commitment, and urge the Department to consider alternative models for AVS services. This may include devolving more responsibility from head office to the individual prisons, giving them a budget allocation, management responsibility, and KPIs to manage the AVS. This would better reflect their location, functions, and prisoner needs.

4.3 SENTENCED PRISONERS

Hakea is not a suitable prison to house sentenced prisoners

During the inspection, there were 195 sentenced prisoners at Hakea. While most were newly sentenced and waiting on an assessment and transfer to another prison, one group was stuck and could not be moved elsewhere.

Hakea, as a remand facility with a high turnover, simply does not have the capacity to hold sentenced prisoners. The prisoner menu is cyclical and repetitive. The canteen range is limited. No offender programs are offered. Work is scarce and difficult to get. And there are few rehabilitation and education options for sentenced prisoners. The sentenced prisoners also take up valuable bed space in an already crowded prison, and the dispersal of remand prisoners to Casuarina Prison has created serious problems at that site (OICS, 2016).

Sentenced prisoners therefore need to be moved on as soon as possible. However, one group will never be moved on because other prisons refuse to take them. This may be due to security alerts or associations, or because they may not get along with other groups

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housed at other prisons. However, the end result is that Hakea is left to manage the same risks on top of its remand functions. Some of the problematic sentenced prisoners were even being held in the orientation unit. This cannot be right for the prison or for the prisoners.

The control and management of the prisoner population around the state is largely driven by negotiation between the individual prisons. There is no centralised process to coordinate individual movements between prisons or to place people in prisons suitable to their security rating and remand status. New South Wales have introduced models, where the management of beds and the transfer of prisoners between prisons is managed and coordinated centrally, seven days per week. Individual prisons are not allowed to refuse prisoners, no matter how high the risk seems. Western Australia should consider adopting a similar model, and must move sentenced prisoners out of Hakea.

Recommendation 8

Ensure all prisoners are moved out of Hakea as soon as they are sentenced.

There were some re-entry services for sentenced prisoners

While the conditions for sentenced prisoners at Hakea were not ideal, there were some good re-entry services available to them. When a sentenced prisoner at Hakea was close to release, they were assessed by the Transitional Manager. If they were deemed to be a medium or high risk of reoffending, they were referred to the ReSet Reintegration Service. ReSet was offering re-entry support services such as pre-release life skills, post-release referrals to education, employment, training and other services, establishing relevant community connections and providing support and mentoring. They also offered transitional housing services and specialist re-entry and accommodation services to dangerous sex offenders. The Transitional Manager could also make referrals for sentenced prisoners to accommodation services, the Family Resource Centre in relation to child issues, or to drug and alcohol throughcare services run by Holyoake or Cyrenian House. Centrelink automatically saw sentenced prisoners four weeks prior to their release date.

Chapter 5

KEEPING BUSY

5.1 RECREATION

Prisoners have too little access to recreation

Recreation in prison is important. It helps to reduce stress, encourages physical and mental wellness, and promotes social skills and team work. In the lead-up to the inspection, we became increasingly concerned that the recreation program at Hakea had diminished. The survey results confirmed our concerns, with only 10 per cent of prisoner respondents claiming that recreation at Hakea was 'good'. This was far lower than the 40 per cent who claimed it was good in 2015, and the 57 per cent average for the state.

Table 3: Prisoner satisfaction with Hakea services, pre-inspection survey results

Area	2018	2015	State Average
Organised Sport	14%	46%	48%
Gym	14%	30%	50%
Other Recreation	10%	40%	57%

Similarly, 39 per cent of officers believed that the amount of recreation accessed by prisoners at Hakea was unacceptable. This compares to 13 per cent in 2015, and the six per cent state average.

Since mid-2016 the prison had been essentially operating without its recreation staff. As staff shortages were occurring, recreation staff were being redeployed to operational roles almost daily. This meant that the recreation staff would come to work every day dressed in their sports uniform, only to be told that they would be performing other duties for the day. This was frustrating for them and a poor use of their skills.

Given the daily redeployment of recreation staff, activities could not be organised and the recreation program was essentially abandoned. The last time a sports competition was organised was 2016, and the gym had been closed to all mainstream prisoners for around two years. Recreation was no longer about going to the gym, playing in organised team competitions or accessing the oval. It had devolved to become more unit based, which varied from unit to unit.

Units 2 to 5 had access to a tennis court and some isometric equipment. Units 8 to 10 had some better options, with access to a basketball court. Units 5 and 8 had the best unit based options, which included cycling and rowing machines, darts and table tennis. There were a lot more passive options, such as board games and cards, being played in units.

Attempts to resolve recreation staffing issues have not been successful

Just a month before the inspection, a new adaptive regime was implemented. Recreation officers were to be freed up to complete their duties and were no longer to be pulled away from their roles to fill in for operational staff. However, custodial staff shortages were still having an impact on the recreation program. Often officers were not available to escort

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prisoners to and from the gym, and sometimes there were not enough officers to supervise the number of prisoners at recreation.

We noted in the last Hakea inspection report that meaningful activity, including recreation, is not just a 'nice to have' – it is a safety valve that reduces frustration and tension (OICS, 2016d, p. 17). This risk has increased even more so in the last few years, with the increased prisoner population and the frequency of lockdowns. After two years without a functioning recreation system, Hakea desperately needs a solution.

Recommendation 9

Increase prisoner access to the oval and gymnasium.

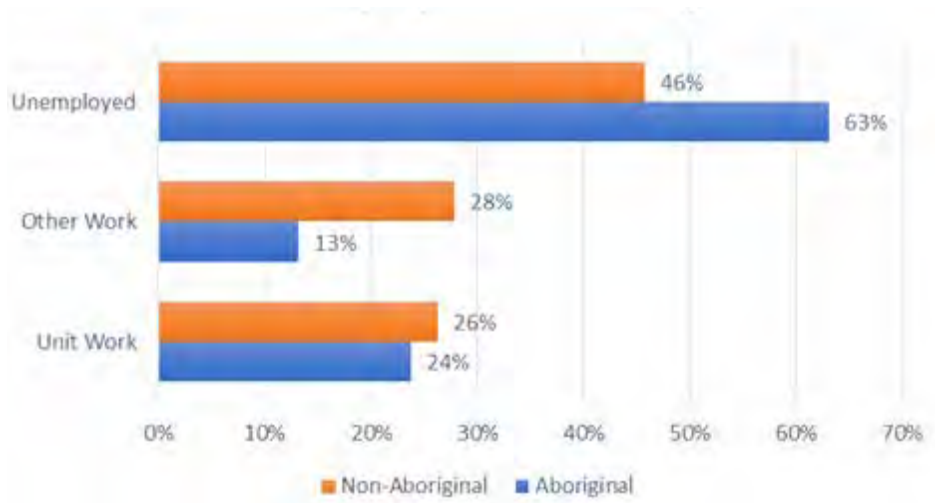
5.2 EMPLOYMENT

Most prisoners were either unemployed or under-employed

Prisoners who are engaged in employment, education and programs can assist in maintaining peace and order in a prison. Keeping productive can also significantly contribute to their rehabilitation. Unfortunately, at Hakea there were not many opportunities for prisoners to participate in work.

Over half (52%) of the prisoners at Hakea did not have a job and a further 25 per cent were employed to work in the units. A lot of this unit work was broken into smaller roles, taking up less than two hours per day. As such, unit workers can only be described as under-employed or minimally employed. Aboriginal prisoners were far more likely to be unemployed and under-employed.

Figure 1: Hakea prisoner employment at 23 July 2018



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Other jobs at Hakea included working in the workshops, maintenance, gardens, cleaning party, kitchen, canteen, laundry, library, education, peer support and recreation. These were potentially more meaningful roles which can provide valuable work experience. But at Hakea, prisoners were only able to work in these jobs for a few hours per day. While essential services like the kitchen and laundry always operated, most of the other worksites would only run depending on staffing numbers. During staff shortages, the VSOs, who provided most of the work opportunities, were redeployed to basic custodial roles. Sometimes only a handful of prisoners would be called to work, while at other times work was cancelled completely. Concrete products, one of the workshops with high Aboriginal representation, rarely opened at all.

VSOs bring trades, recreation and other qualifications and experience to the job. Redeploying them is a waste of their expertise and training, and can be quite demoralising. It is also counterproductive for prisoners who want to spend their time learning new skills and undertaking meaningful work.

5.3 EDUCATION

Education and training was far too limited

The education centre had experienced severe budget cuts just prior to the 2015 inspection. This inspection found that the budget was further impacting on education delivery. The education centre was only opened three days per week. There were no funds to engage tutors, so four staff plus the manager delivered many of the short courses directly.

Given the short-term remand population at Hakea, the education centre focused on delivering short courses. These included verbal communication, workplace health and safety and food hygiene. There were also a small number of general education and business studies course on offer, and some individual testing of literacy and numeracy. First aid training was run monthly and an external provider was funded to provide forklift training quarterly to Aboriginal prisoners. Prisoners were offered the opportunity to undertake Self-Paced Learning, but participation was not high.

A new Campus Manager commenced working at Hakea just before the inspection. He felt that education delivery was far too limited and was keen to introduce more short courses. Some of his ideas included courses in basic computer skills and compulsory food handling for all new kitchen workers and unit cooks. Six prisoners had also just commenced a six month cleaning traineeship, facilitated by the cleaning VSO. The position of Aboriginal Education Worker was vacant at the time of the inspection, but was being recruited. If the Aboriginal Education Worker was to be filled, the Campus Manager hoped to attract Aboriginal prisoners to education through Aboriginal culture, stories, language, art and music.

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The education centre was regularly impacted by staff shortages

Education could accommodate up to 50 prisoners when two custodial staff were present. But if only one custodial staff member was available, only 10 prisoners could participate. The reduction in supervision was driven by the staff deployment agreement under which custodial staff from education were the first to be redeployed when the prison was short staffed. In the month leading up to the inspection, the education centre was only open one day per week due to the lack of custodial supervision.

5.4 PROGRAMS

The only official program for remand prisoners was no longer running

Hakea has acknowledged that remand prisoners have a need to address their offending behaviour, and that remand prisoners need to acquire the skills and knowledge to help them succeed on release.

In the past Hakea offered the Cognitive Brief Intervention (CBI) program to remandees, a short program which sought to promote pro-social thinking and relapse prevention. Hakea was running 12 CBI programs per year, which would reach 120 prisoners. The program ran for many years, but attempts to run the program in 2018 failed. Short staffing and adaptive regimes meant that the program was constantly interrupted. Eventually the program was cancelled completely.

Hakea provided a range of short programs for remand prisoners

Hakea continues to provide a range of short courses for remandees that focus on personal development, health, life skills, addictions and parenting programs as shown below. In March 2018, Hakea was at-risk of losing its life skills programs when the contract for the program expired. The prison, to its credit, employed the individual contractor who was providing the life skills program. Unfortunately, she could only be employed on a short-term contract, and the prison could not determine how long the contract would go for.

The parenting program also stopped for a while when the Save the Children's contract expired. Thankfully the new reintegration contractor, ReSet employed the former Save the Children worker to ensure the program would continue. ReSet also intends to evolve the scope on content of its suite of programs to deliver a drug and alcohol group program in the future.

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Table 4: The suite of short programs on offer for prisoners

Program	Description	Run By
Prisoner Addiction Services Team (PAST) Addictions Program	Psycho-education program on drug and alcohol addiction	Health Services
Health in Prisons	Preventing the spread of blood-borne viruses in prison	Hepatitis WA
LIFE	Helping Aboriginal prisoners living with a chronic disease	Aboriginal Primary Health Care Team, Department of Health
Life Skills	Accessing services, getting on with other people, managing money	Hakea Case Worker
Career Development Workshop	Career planning, finding work, building a resume, disclosing convictions, available supports	Outcare
Parenting	Development needs of children, parenting styles	Reset
Elders Program	Yarning with Elders about life issues	AVS
Run Your Own Business	Planning, starting, marketing, and finances for small business	Small Business WA
Alcoholics Anonymous	Twelve-step group program for alcohol addiction	Chaplaincy
Bible Studies	As provided by particular chaplains	Chaplaincy

Only a limited number of prisoners can access these programs, and unfortunately in the months before the inspection many were cancelled as staff were redeployed.

Chapter 6

HEALTH CARE AND MENTAL HEALTH CARE

6.1 PRIMARY HEALTH

Nurses require more training and guidance to conduct initial health assessments

When prisoners first arrive at Hakea, they are assessed by a nurse as part of their reception process. In the past, nurses would complete this initial health assessment, and then within 28 days of arrival the prisoner would be seen by a doctor for a full medical assessment.

The Department recently changed this process, so the full medical assessment is only undertaken if the nurse identified a problem during the initial assessment. The change to a nurse only assessment is done in other jurisdictions and is appropriate if done correctly. However, we were concerned about the assessment tool, and the training and support given to the nurses to use the tool.

The new nurse only assessment system was also not appropriately rolled-out. The nurses undertaking the assessments were not provided with any opportunities to develop their skills, nor were any new processes or tools developed and introduced. Soon after implementation the doctors became concerned that chronic health conditions were being missed during this initial assessment. During consultation, the doctors have regularly identified other issues such as diabetes in prisoners that should have been picked up in their initial assessment.

Nurse-led systems can be efficient and effective, but the nurses need to have the appropriate skills to undertake high level correctional health assessments. This includes being suitably qualified in all areas of the assessment and having the skills and ability to map the prisoner's health needs. Additional accredited training should be introduced for this model to be successful and to reduce clinical risks.

It was difficult for prisoners to get a medical appointment

Prisoners were disappointed with the medical services at Hakea. In the pre-inspection survey, three-quarters (75%) of all respondents told us that health services were 'poor'. This was far worse than the previous inspection where 52 per cent of prisoners thought health services were 'poor'. The results were also worse than state averages where 40 per cent of prisoners felt that health services were 'poor'. When we asked prisoners to tell us why, they told us that they were frustrated with the long waiting times to get an appointment, the lack of follow up treatments, and the inability to get treatment for addictions.

If a prisoner would like to see a medical specialist, he must submit a form to the nurses during the daily medication rounds. The nursing staff will review what he has written on the form, and triage him accordingly. This process is not suitable. It creates difficulty for people with low literacy, those from culturally diverse backgrounds, Aboriginal people whose first language is not English, and people with low understanding of their own personal health needs. All these personal characteristics are common among the remand population at Hakea. The process was also not equivalent to community standards. In the community, anyone can make an appointment to see a doctor, but prisoners at Hakea

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may be denied the right to see one by triage. A more suitable and simple process should be introduced to ensure all prisoners have fair and equitable access to health services at Hakea.

The doctors confirmed that not all prisoners who submit a form can be seen. The demand is too high and the number of doctors too low. Even when a prisoner does get to see a doctor, the prisoner can rarely be seen for a follow up appointment. For example, we heard of doctors prescribing antidepressants, and wanting to follow up with the prisoner in a few weeks to see how they are going. But the follow-up rarely happens. We also found that the health centre was reactive to acute issues rather than taking a planned and coordinated approach to broader health needs. This meant that wait times to see a GP were blown out.

When a prisoner first arrives at Hakea, the nurse will ask if the prisoner was on medication prior to be taken into custody. If so, a Release of Information request can be made to the prisoner's community GP, and the on-call doctor can write a seven-day prescription for the medication if necessary. Following on from these initial seven days, the prisoner must see a doctor at Hakea to ensure an ongoing prescription. This is problematic, and due to the enormous demand Hakea was unable to guarantee that all prisoners were getting follow up appointments to renew their prescription. Again, this creates a high clinical risk of a patient not getting required medication.

Recommendation 10

Improve efficiencies and effectiveness in health service provision at Hakea.

Infection control standards were poor

Hakea did not have a well-developed approach to minimising the spread of blood-borne viruses and sexually transmitted infections. Screening was only undertaken if a prisoner presented as high risk during their reception interview, or if the prisoner requested screening. The Department has made great improvements in its treatment of Hepatitis C, and recently received an award for this (Cook, 2018). However, the treatment is only offered to sentenced prisoners with at least six months remaining on their sentence. As most of Hakea's population are on remand, they are excluded from this treatment.

A health education program runs for all prisoners when they first arrive at Hakea. The program teaches prisoners about blood-borne viruses, sexually transmitted infections and harm minimisation practices. Condom vending machines were available in the units, but prisoners had no access to cleaning bleach or other antiviral agents for needles. In our 2016 inspection report, we commented that:

Nothing has been done to reduce the risk of blood-borne virus transmission through the sharing of needles and other 'sharps'. As attested by research over many years, the regrettable reality is that needles and other sharp instruments are being used in our prisons for tattooing and drug use (OICS, 2016d, p. 37).

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This led us to recommend in 2016 that Hakea should introduce a cleaning agent to reduce the spread of blood-borne viruses. The Department supported this recommendation but claimed that:

Tattooing instruments and needles are prohibited items.... The provision of a cleaning agent for prisoners to use on prohibited items presents an unacceptable security and safety risk to staff working within these facilities (OICS, 2016d, p. 96).

We were disappointed with this response. It would be naïve to believe that needles and tattooing instruments are not present within Hakea Prison. The lack of access to a needle exchange program or an effective cleaning solution, is ultimately putting both staff and prisoners at increased risk. In NSW, prisoners have access to a hospital grade disinfectant called Fincol. The cleaning agent can be used to clean blood and bodily fluids, handcuffs, cells, barbering and hairdressing equipment, any instrument used to pierce or penetrate the skin and for other situations to prevent the spread of blood-borne infections. The product is kept in locked dispensers within accommodation units and industrial and common areas where prisoners and staff have free and unhindered access (Corrective Services NSW, 2016). The Department should look into something similar for Western Australian prisons.

6.2 HEALTH CENTRE STAFF

There were not enough doctors to service Hakea's population

In the lead-up to the inspection, we had growing concerns about the staffing levels at Hakea. Nurses and doctors were stressed. They felt spread too thinly and consequently prisoner health needs were suffering. The health centre was operating with only 12 clinical nurses, who were overwhelmed with the workload. Positively, just a month before the inspection, the Department provided approval for more permanent nursing positions, bringing the total up to 16.

Unfortunately, the doctors did not experience the same increase in staffing. They were actually working with fewer doctors than they had in the past. The Department was struggling to recruit and retain doctors. Employment conditions for doctors were recently revised, making prisons a less attractive environment than the public health system. Their remuneration had dropped and they no longer had access to work vehicles.

The shortage of doctors across the state also meant that the workload for remaining doctors had increased. Doctors were expected to see prisoners on-site while also providing telehealth and on-call coverage to regional prisons. On some days, there were only 1.5 Doctor FTEs on-site at Hakea, with one of those positions on-call for other prisons around the state. This is not nearly enough to service the Hakea remand population, who traditionally have higher health needs than sentenced prisoners. In the past, when the prisoner population was far lower, Hakea was serviced by five doctors on any given day. Four would see patients while the fifth would spend the day undertaking medical administration. In 2018, Hakea rarely had a full complement of doctors on duty.

HEALTH CARE AND MENTAL HEALTH CARE

Staff had few opportunities to develop their skills

The medical staff at Hakea had very little access to training and development opportunities. Some mandatory training was available through an online package, but finding the time in a busy medical centre to do the training was challenging. There was no other training to upskill staff and equip them to work in a custodial health centre. There was no staff development and training schedule and no Clinical Nurse Educator. Some of the health centre staff were upskilling and taking professional development courses, but they were doing so in their own time and at their own cost.

6.3 MENTAL HEALTH

The workload on the mental health team was demanding

Hakea had the highest number and percentage of mental health clients than any other prison in Western Australia. It housed 144 acutely mentally unwell prisoners, making up one-quarter (25%) of the state's acutely unwell mental health prisoners. In comparison Casuarina housed just 12 per cent of the state's acute mental health prisoners. Hakea's mental health patients included:

- 10 with a serious psychiatric condition requiring intensive and/or immediate care
- 47 with a significant ongoing psychiatric condition requiring psychiatric treatment
- 67 with a stable psychiatric condition requiring appointment or continuing treatment
- 20 with a suspected psychiatric condition requiring assessment.³

The high turn-over of mental health patients, combined with a lack of hospital-based forensic mental health beds, created a challenging and demanding work environment for the mental health team. The high workload generated risks for mental health patients, who were not being screened, triaged, assessed and stabilised appropriately. Ultimately this creates knock on effects for rest of the prisoner's sentence, and continuity of care into community. The mental health team were trying to communicate transfer of care back to the community, but it was being done on an ad hoc basis and relied on individual staff rather than systems and processes.

In short, the mental health nursing staff worked well to assess, prioritise and monitor the most acutely unwell prisoners. However, given the numbers and the high 'churn' of mentally unwell remand prisoners, they were unable to meet the real demand.

Drug and alcohol withdrawal treatment was limited

When a prisoner was identified during the reception assessment as requiring assistance to withdraw from drugs or alcohol, they were referred to the Mental Health and Drug and Alcohol team. Prisoners suffering from acute alcohol withdrawal were referred to a doctor. However, given the high demand to see doctors and competing priorities, it appeared that prisoners acutely withdrawing from drugs were low priority and not guaranteed to be seen by the doctor.

³ Statistics provided to OICS by the mental health team (extracted from their internal weekly reporting register).

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Methadone could only be prescribed if the prison could confirm that the prisoner had an ongoing prescription in the community. This is common in other jurisdictions. Hakea was capped at only permitting 30 prisoners to be on methadone at any one time, recently reduced from 90. We also heard that most of the Hakea GPs had let their prescribing privileges for methadone lapse, leaving only a few doctors who could prescribe the medication. Prisoners during the inspection and in the surveys complained that it was too difficult to get on the methadone program. Many admitted that they will continue to use illegal drugs in prison until they can get on the program.

The Prison Addiction Services Team (PAST) was running a therapeutic program that focused on drug and alcohol addiction. Four groups per week were scheduled to run. However, for the 12 months leading up to the inspection, the program was regularly cancelled due to custodial staff shortages.

The monitoring of prisoners at-risk of self-harm was sometimes neglected at night

The At-Risk Management System (ARMS) is a set of processes designed to manage prisoners who are at risk of self-harm or suicide. A multidisciplinary Prisoner Risk Assessment Group was made up of representatives from the mental health team, the prisoner counselling service, peer support, chaplaincy, AVS and custodial staff and management. The group met 10 times per week to create and review management plans for prisoners on ARMS.

In our last Hakea inspection report, we noted that the ARMS system had proven to be quite robust and effective. This was still true in 2018, with Hakea managing on average around 50 at-risk prisoners at any one time. With such high numbers on ARMS, processes had to change and the daily one-on-one assessments were divided between the mental health team and the prison counselling service. Custodial staff were also no longer required to attend the meetings, and instead could attend by telephone from the units. In the past, custodial staff would attend the meetings, but often only needed to speak about one prisoner and had to sit through the entire meeting. In the interest of efficiency, they were then permitted to work in the unit office until they were called to discuss the prisoners in their unit. This new process was only in its early stages during the inspection and should be monitored to ensure it does not compromise the management and support of those people at risk.

Prisoners who were deemed high risk of self-harm were housed in observation cells. They needed to be observed at least hourly, including during the night. This was easy enough to do as they could be monitored from the CCTV cameras in the observation cells. Prisoners who were considered at moderate risk of self-harm needed to be observed every two hours, and low risk prisoners every four hours. We were very concerned to hear from staff that welfare checks on prisoners who are on medium or low risk ARMS were not always getting done at night when staffing levels were low. This needs to be reviewed immediately. The welfare of at-risk prisoners should not be traded off during staffing negotiations.

HEALTH CARE AND MENTAL HEALTH CARE

The Crisis Care Unit was not therapeutic and chronically full

The CCU is used to accommodate people at risk of self-harm, people being assessed for protection status, people with acute mental health conditions, people needing overnight medical observations and people withdrawing from drugs and alcohol.

The unit had only 11 cells and 15 beds, which made managing the different cohorts very challenging. Each group was managed on a different regime, meaning that for long periods of time, prisoners had to be locked in their cells, while others were unlocked. The reduced out-of-cell time was not appropriate or therapeutic.

The sterile physical environment of the CCU was also not therapeutic, and completely inappropriate for treating people with a mental illness. What was worse was that there were only a few observation cells, so safe cells in the Management Unit and protection unit were being used as overflow.

Most other remand facilities in Australia with similar population numbers to Hakea have dedicated mental health units within the prison where patients can be assessed and treatment initiated. But at Hakea, they are kept in the Crisis Care Unit, where the emphasis is supervision and monitoring rather than treatment.

The problems faced by the mix of prisoners and the shortage of cells was exemplified by an incident in November 2018 where a volatile and distressed young person and an older foreign national who spoke little English, were forced to share a cell. This resulted in a serious assault.

Vulnerable prisoners were being lost in the system

Prisoners who needed longer term monitoring were managed through the Support and Monitoring System (SAMS). Prisoners on SAMS included prisoners at chronic risk of self-harm, mental health patients being managed on medication, and other cognitively impaired prisoners. They were not managed in the CCU as it was believed that they would benefit more from a normal living environment with their peers. Unfortunately, the living conditions in the mainstream units at Hakea were quite harsh, and not suitable for SAMS prisoners. There was no in-between option, meaning that the SAMS prisoners often became lost in the chaos of the mainstream living units.

A few years ago, Hakea housed all of the SAMS prisoners together in a somewhat therapeutic unit. They were closely monitored and supported by staff who genuinely wanted to work with the more vulnerable prisoners. The unit was calm and quiet and provided therapeutic activities such as a chicken coup, vegetable garden and the greyhounds as pets program. Other trusted prisoners were acted as mentors or carers for the SAMS prisoners.

We were disappointed when the unit was disbanded in 2015. During this inspection the SAMS prisoners were just scattered throughout the prison, living in the loud, crowded and sterile accommodation units with the other mainstream prisoners. We were told

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that Hakea was intending to re-establish a unit for more vulnerable prisoners. Both health services and the prison counselling service embraced the idea and were willing to dedicate resources to the unit. However, the project had stalled due to custodial staffing disputes.

Recommendation 11

Re-establish a therapeutic unit for vulnerable prisoners who need extra support and monitoring.

The Prison Counselling Service was not equipped to work efficiently

The Prison Counselling Service (PCS) conducts risk assessments to identify self-harm and other behavioural risks. They help prisoners to adjust to their circumstances and assist them to deal with their feelings of anxiety, grief, loss, depression, and trauma. The PCS team at Hakea was dedicated but stretched very thin. Their focus was solely on risk management, with their client base being made up of new prisoners and those on ARMS. PCS had no time to provide regular ongoing counselling, or counselling for grief, loss, childhood trauma, and giving up smoking. Prisoners knew this, and many made flippant comments to us that they need to threaten self-harm to get counselling.

In the past, PCS worked alone, but just before the inspection they were merged with health services. While we had yet to see any direct changes on the ground, there was hope that PCS and health services would soon be able to access each other's record keeping systems.

In 2015, we noted that the work location for PCS was in a high risk area, which was potentially putting the staff in danger. We were pleased to see that they had since been relocated to a more appropriate and safe workspace. While the workplace was good, prisoners were not permitted in this area, and PCS still had no private interviewing rooms to undertake private counselling sessions.

A significant proportion of PCS time was spent negotiating for interview rooms so counsellors could run private counselling sessions with prisoners. There were rooms available in the assessments area, but they were reliant on room availability and custodial staffing. They could book one room in official visits, but they had to book it 24 hours in advance and they could only have it if it was not already booked. On Monday to Wednesday they could try booking a room in medical if it was not already being used by the medical staff.

Some rooms were equipped with a telephone and/or computer, while others were not. Counsellors could waste a considerable amount of time waiting for prisoners to be escorted to the room for their counselling session. Without telephones or computers, they could not use that time to catch up on other work. The situation was a completely inefficient way of working. PCS need dedicated interview rooms on both sides of the prison, where they can work safely and efficiently.

HEALTH CARE AND MENTAL HEALTH CARE

6.4 AUXILIARY SERVICES

Podiatry and physiotherapy services were no longer offered statewide

Auxiliary health services such as physiotherapy, podiatry, optometry and radiology were not provided at Hakea. The contracts for physiotherapy and podiatry services expired statewide in December 2017 and at the time of the inspection in August 2018 the tender was still not released.

While it may seem that these services are not an urgent priority, the lack of podiatry services impacts on Hakea's ability to prevent health complications in diabetic clients. Instead of a visiting podiatrist, Hakea was expected to use local hospital outpatient services for chronic disease patients. However, the challenge of facilitating medical escorts to the hospital meant that the likelihood of these patients receiving a service would be quite low.

The absence of a physiotherapist also meant that there was a higher demand from prisoners requiring pain relief.

The demand for dental services far exceeded the service on offer

Dental services were available at Hakea, but like all public health systems, the demand exceeded service availability. From the survey results, discussions with prisoners, prisoner complaints and focus groups during the inspection it was evident that there was a high need for dental services at Hakea. Prisoners had to wait weeks or even months for what they perceived as urgent dental pain. We also heard stories from prisoners who waited so long for treatment that they ended up with mouth infections. When this occurred, they then had to wait a long time to see a doctor.

There was no Aboriginal Health Worker at Hakea

Despite the large number of Aboriginal prisoners at Hakea, there was no Aboriginal Health Worker or Aboriginal Health Practitioner. Health workers who specialise in Aboriginal health are a valuable resource as they can provide culturally safe comprehensive primary health care. The position would form an integral part of a multidisciplinary health care team. They could be involved in health screening and health engagement, and would be key to identifying high risk Aboriginal clients with underlying health conditions. This could also help to promote continuity of care into the community post-release. There were also no Aboriginal in-reach health services at Hakea.

6.5 EXTERNAL MEDICAL APPOINTMENTS

Emergency medical escorts were using up valuable custodial positions

When a prisoner is acutely unwell or injured, they may need emergency hospital treatment. The risk of this rises when they are suffering from a routine, simple condition that has been left untreated because they cannot see a doctor or auxiliary health care services.

When a prisoner needs to be treated for an emergency, two custodial staff must be removed from their duties to accompany the prisoner to the hospital. There was no dedicated medical escort team at Hakea meaning that custodial operations are affected each time there was a medical emergency. Just a week prior to the inspection, there were six separate incidents where prisoners presented to the medical centre and needed hospital treatment. As a result, 12 custodial staff were removed from their duties, leaving the prison short staffed. The prison was locked down and operated with minimal staffing levels. We heard of many external medical escorts undertaken for Hakea prisoners who required emergency or semi-urgent medical assessment. The process was placing additional pressure on the staffing group that was already short staffed.

The health centre had an x-ray machine but it has never been used. As a result, there were no radiology services on-site. When a prisoner was injured, they were sent in an ambulance for x-ray and other diagnostic imaging. Large remand centres in NSW have an in-reach x-ray and ultrasound service. Hakea should explore a similar arrangement. Having diagnostic testing readily available would save money on ambulance fees and custodial staff wages, as well as improving the prison regime through reduced lockdowns.

Prisoners may also need to attend hospital for non-urgent or follow up appointments. Prisoners are assessed and placed on the normal public waiting list, and the health centre is notified of the upcoming appointment. The transport contractor Broadspectrum then provides secure transport and escort staff. If a prisoner is released or transferred to another prison, the appointment is often lost in the system and any follow-ups abandoned.

Chapter 7

CUSTODY AND SECURITY

7.1 CUSTODIAL INFRASTRUCTURE

The gatehouse design was outdated and unsuitable

The gatehouse is the main entry point for staff, visitors, contractors and official visitors to enter the prison. The area is small, the layout ineffective, and the technology old.

There are two pedestrian entry points in the gatehouse. Staff, contractors and official visitors enter on one side, where they must pass their belongings through an x-ray machine and walk through a metal detector. We spent some time observing staff entering through the gatehouse. If the metal detector alarmed, or if there was something unusual showing up on the x-ray machine, the person was taken into another room and searched. Staff entering the gatehouse readily accepted this practice, which suggested it had been in place for some time. This was a big improvement from the 2015 inspection, when staff in the gatehouse simply ignored the metal detector when it indicated.

Social visitors to the prison enter on the other side of the gatehouse. They too pass through a metal detector before entering the prison. If the metal detector indicates, a handheld metal detector is used on the visitor. Drug detection dogs are also used on visitors.

Most of the staff working in the gatehouse were not trained to use the x-ray machine. Staff also felt that the machine was ineffective at finding contraband, particularly if a person carries a contraband item on them that contains no metal. This was consistent with our pre-inspection staff survey results, where only 12 per cent of respondents felt that the prison was effectively preventing the entry of contraband.

In the past few years, there have been huge advances in body scanning technology. A full body scanner can detect any contraband irrespective of what it is made from. This could eliminate the need for a metal detector all together. The Department should continue to research newer technologies that can be used to prevent the entry of contraband.

The layout of the gatehouse meant that during busy visiting periods, the area could get crowded and movements were restricted. We also noticed that when visitors were standing in certain locations in the gatehouse they could see the computer screen that staff were using to access sensitive and confidential information about prisoners.

The key control area where staff could pick up keys, radios and duress alarms was congested at peak periods. Hakea has yet to invest in an electronic self-serve key control system that most other prisons use. Doing so would reduce the workload of the staff member appointed to distribute keys and could improve the traffic flow of staff through the gatehouse in the mornings and afternoons. However, it would require the gatehouse to be redesigned.

Some procedures in the sally port were not being followed

The sally port is located next to the gatehouse. Vehicles enter the sally port and the doors behind them close. The driver then alights from the vehicle while it is searched, inside and

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out. Once cleared, the sally port doors open and the vehicle can enter or exit the prison. If the vehicle requires an escort, an officer will accompany the vehicle through the prison.

Some staff were not following procedures in the sally port, presenting security and safety risks. We noticed the officer sometimes returned to the gatehouse before the sally port doors had fully closed. They should remain in the sally port to ensure no one enters at the last minute. There were occasions when the officers were in the sally port without high visibility vests and hard hats, despite safety signs clearly reminding staff to wear their personal protective equipment. We also noticed a vehicle that required an escort enter the prison without authorisation, before the escort had arrived. These issues can be easily fixed.

The fence between Hakea and Melaleuca presented an unacceptable risk

The Melaleuca Remand and Reintegration Facility for women consists of two accommodation units that were once part of Hakea. The two sites share one perimeter, with a dividing fence separating them. Some of the Hakea accommodation units are very close to the fence.

The single, internal border fence is made of cyclone wire with a drum cowling along the top and razor wire at the base. In November 2017, at our first inspection of Melaleuca, we concluded that the fence line was not secure, and posed an unacceptable risk (OICS, 2018, p. 22). If there was a loss of control at Hakea, there was a risk that male prisoners from Hakea would be able to enter the female prison through the internal fence.



Photo 9: The fence between Melaleuca and Hakea

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We recommended in the Melaleuca inspection that the fence be upgraded to reduce the risk. The Department did not support this recommendation, claiming that potential access points along the inner fence have been mitigated with the installation of razor wire coils.

During this inspection of Hakea, we still identified at least two weaknesses along the fence line where it would not be difficult for determined prisoners to access Melaleuca from Hakea, with or without access to tools.

The riot at Greenough Regional Prison in July 2018 reinforced our concerns. Just the day before our inspection, the male prisoners at Greenough broke into the female unit by breaching the inner perimeter fence. It took hours to regain control of the prison.

There is an obvious need for formal emergency management agreements and preparedness should such a breach happen. Part of this should include formalising security arrangements between Hakea and Melaleuca, conducting joint exercises and ensuring Memorandum of Understandings (MOUs) are in place with external agencies and the Special Operations Group should an incident occur. However, these appeared sketchy and poorly developed.

Recommendation 12

Reduce the risk of Hakea prisoners gaining access to Melaleuca.

Maintenance and management of the internal fences had improved

During our 2015 inspection, we found that metal rods from the internal fences were broken off at the rusted points, and pieces likely taken by prisoners to be used as weapons (OICS, 2016d, p. 69). A shiv made from one of these sharpened rods was found in a cell, but most of the other pieces were unaccounted for. At this inspection we found that the issue had been addressed. Metal plates had been welded over the areas of concerns, and the welds were painted to help stop the rust. Other areas of the fence had also been painted to slow down the rusting process.

In addition the Superintendent had requested that integrity checks be regularly carried out on the fences. The recovery team who were instructed to undertake the checks confirmed that these occurred, but no records were kept. We recommend that fence integrity records are kept to maintain frequency and monitoring of the project.

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Photo 10: The fence in 2015

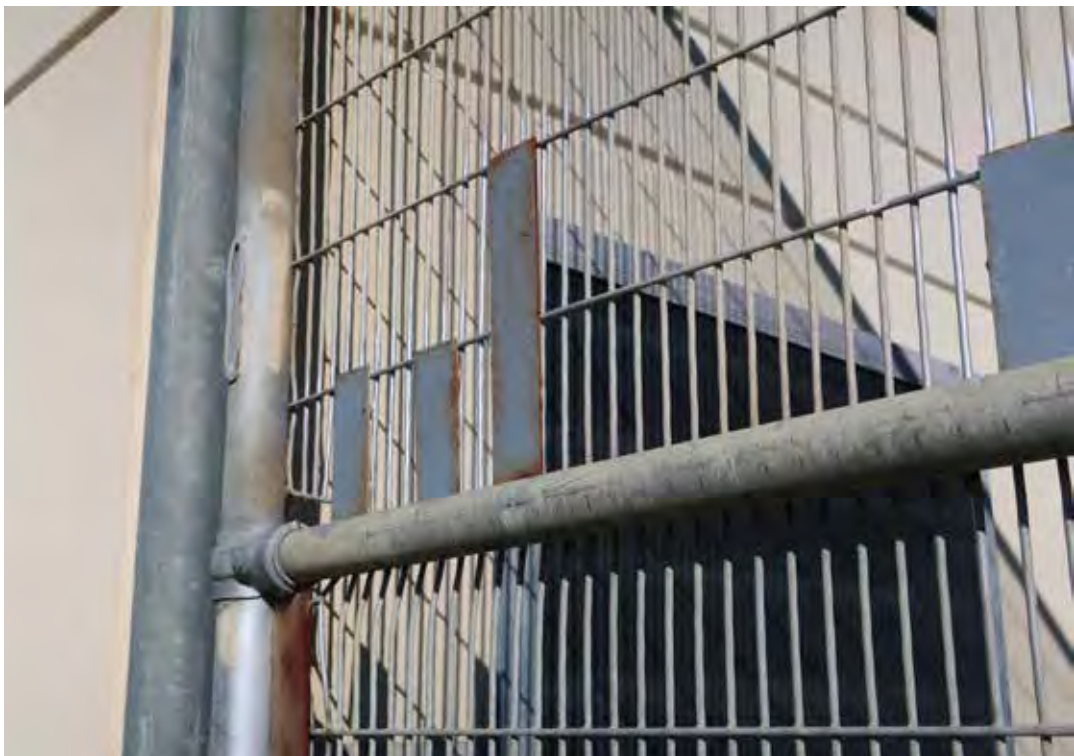


Photo 11: The repaired fence in 2018

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7.2 RELATIONAL SECURITY

The constant lockdowns have impacted prisoner safety

Safety and security in prisons is heavily reliant on how well staff interact with prisoners and how much the staffing group know about what is going on in the prison.

Unfortunately, in the 12 months leading up to the inspection, the constant lockdowns meant that the level of interaction between staff and prisoners was severely reduced.

Staff were managing prisoners from behind the wing grilles, with most interactions occurring between the grilles.

When we visited the units during the inspection we saw prisoners standing at the grilles, trying to get the attention of staff. They told us that they usually call out to staff or wait until a staff member happened to walk by to get their attention. We also heard many stories of prisoners waiting at the grilles being ignored by staff.

Poor relational security was almost certainly having an impact on the temperature of the prison. Only half of the prisoners who responded to our survey felt that they had good relationships with staff in the units, down from 60 per cent in 2015. Prisoners felt that the staff had less respect and understanding of their culture than last inspection, and fewer prisoners felt that staff treated them with dignity. Prisoners made numerous comments about the way in which some officers spoke to them. The survey also indicated a poor culture at the prison, including allegations of racist and discriminatory behaviour. Although these findings were strong in the prisoner survey, when we saw staff speaking with prisoners, most were polite and courteous.

The frequent closing of the grilles also contributed to prisoners' perceptions of safety. And not in a good way. One-third of prisoners who responded to the survey told us that they hardly or never feel safe. When questioned, prisoners told us that this was due to the lack of officer presence in the wings. They suggested that if staff were no longer going to patrol the wings, then the prison should consider installing more CCTV cameras. We heard from prisoners that bullying and violence occurs in the units when staff are not present. The staff survey results also revealed that staff believe that bullying, verbal abuse, racist remarks and physical abuse is common between prisoners.

During the inspection and in the staff surveys, staff expressed genuine concern for the welfare and safety of prisoners when they are locked behind the grilles. They know that the temperature in the units is more volatile when prisoners are locked in without recreation, telephone calls, showers and access to services. This is not just disappointing for the prisoners. It is a risk to the prison. Prisoner disengagement, a lack of meaningful activity, and a poor sense of safety are known risk factors, and Hakea must take steps towards addressing them.

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7.3 PRISONER MANAGEMENT

The management and punishment unit was crowded and not used appropriately

The management and punishment unit, Unit 1, was full during the inspection. The unit housed a wide mix of prisoners including those on punishment, prisoners who had regressed to close supervision, the overflow of protection prisoners and other prisoners who could not be safely accommodated in the mainstream population. This left very few cells available for punishment.

Unit 1 was so crowded that staff told us that prisoners on 14 days' close supervision were let out early due to occupancy restrictions.

The staff in Unit 1 were doing their best to manage prisoners, but the mix of prisoners on different regimes made this extremely difficult. Both protection prisoners and the more difficult to manage prisoners should be on a normal mainstream regime. However, movement and association restrictions with other prisoners in Unit 1 meant that they were locked in their cell for far longer than they needed to be. This was not fair to them, as they had not misbehaved in a way to deserve punishment.

In our 2016 report, we recommended that the Department:

Construct a new purpose-built Management Unit within Hakea Prison that can safely administer the full range of services and regimes currently required by Unit 1 (OICS, 2016d, Recommendation 19).

The Department supported this recommendation 'in principle', stating that it was 'reviewing its approach to population management and is considering best practice approaches to address the needs and requirements of prisoner cohorts'. Since that report was released, the situation in Unit 1 has only worsened.

We still believe that Hakea needs a new Management Unit, but this is likely to take some time to construct. In the meantime, Hakea needs to look at different ways to use Unit 1 and to find ways to move out the cohorts of prisoners who do not need to be there.

Prison charges were being held up due to lack of punishment cells

When a prisoner misbehaves, they may be charged under the *Prisons Act 1981*. Minor offences include disobeying the rules, behaving in a disorderly manner, using indecent language, and damaging property. Aggravated offences include returning a positive urine result, assault, behaving in a riotous manner, escape, being in the possession of a weapon or failing to submit for a drug test. After an incident occurs, the prosecutions officer determines if there is enough evidence to charge a prisoner, and if so, the charge proceeds. Depending on the severity of the charge, the prisoner may front the Superintendent and/or a Visiting Justice who will hear their case.

There were often long delays in prisoners being charged and appearing at a Superintendent's or Visiting Justice's parade. If a prisoner was found guilty of a serious offence, they could be confined to a punishment cell in Unit 1. Due to the limited

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availability of punishment cells at Hakea, the Visiting Justice was limited in the number of serious charges that could be processed, depending on the number of cells available in Unit 1 that week. This made the job for the prosecutor very challenging, particularly given the high number of charges to be processed. In 2017, Hakea processed 1,400 charges. Of these, 797 were serious charges, and in 698 of these cases (88%) the prisoner was found guilty. A proportion of these would have been confined to a punishment cell.

The prosecutor at Hakea also had the additional challenge of trying to process a charge before the prisoner was released or moved on to another facility. This meant a lot of juggling, and often meant that the charges of other prisoners were delayed even further. In 2017, 99 charges were withdrawn because the prisoners were released.

7.4 USE OF FORCE

Incidents were not always captured on camera

Half of the prisoners (50%) who responded to our survey felt that officers used too much force when dealing with prisoners. It is difficult for us to substantiate these claims, given that no use of force incidents occurred in the presence of our staff, and we do not investigate individual incidents. However, the Corruption and Crime Commission released a report just prior to the inspection which identified issues around use of force and the subsequent reporting of such incidents (Corruption and Crime Commission, 2018). The report highlighted two incidents at Hakea where the CCTV footage did not match the incident reports written by the officers involved. It highlighted the importance of camera footage as an investigative tool.

Unfortunately, the CCTV coverage at Hakea was rather poor, with many blind spots and areas that the cameras did not reach. It would be quite expensive to fit out the prison with more cameras, so it would be more sensible to explore the use of lapel/body cameras instead.

Hakea has considered trialling the use of lapel cameras in the past, but during the inspection none were being used. After further investigation, we were told that the idea of using lapel cameras at Hakea was rejected, but we were not provided any reasons why.

Lapel cameras are used in many other jurisdictions, as well as the privately-operated prisons Acacia and Melaleuca in Western Australia. At Acacia and Melaleuca officers working in high risk areas such as the Management Unit or in the recovery team wear the lightweight cameras clipped on to their shirt pocket. If a situation feels to be escalating, the officer can switch on the camera to capture the footage of the incident.

Lapel cameras are widely accepted by staff at the privately-operated prisons who see them as a tool for their own protection. The cameras can act as a de-escalation tool if a prisoner is made aware that their behaviour is being recorded. Footage from the cameras may be useful to ensure officers deliver a reasonable and safe amount of force. The footage also may be used as evidence if the prisoner is later charged for their actions, or if

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the prisoner makes an allegation against a staff member. Acacia Prison has also explored the idea of using the footage to train officers in best practice de-escalation methods and to show the footage to prisoners after they have calmed down so they can see how their behaviour is perceived.

According to Hakea's Local Order 21, when a prisoner is non-compliant during an incident or for the movement to Unit 1 an audio-visual device is to be used to capture the Unit 1 admittance from the time of arrival. But this was not always occurring. The recording device was a handheld video camera that had to be retrieved and turned on by staff involved in an incident. By the time staff get the camera and turn it on, they have often missed the beginning of the incident, or sometimes the entire incident, if it occurs without warning. A lapel camera not only captures an incident as soon as it begins, but the cameras can also be set to record and store footage for a period of time before the record button is pressed.

The recovery team at Hakea would also benefit from wearing lapel cameras. They attend most critical incidents and are involved in most planned use of force incidents anywhere in the prison. The lapel cameras would ensure evidence is collected during these incidents and lessons learned. They would also likely reduce the number of accusations against officers.

In our 2016 Acacia inspection report, we recommended that the Department introduce wearable cameras in high risk areas of all the maximum and medium-security prisons throughout the state (OICS, 2016b, p. 85). The Department supported this recommendation, but other than at Banksia Hill juvenile detention centre, the Department has not introduced them into any of the state-run maximum and medium-security prisons.

We strongly recommend that lapel cameras be introduced, especially in the higher risk areas of maximum-security prisons such as Hakea, Casuarina, Albany, and Bandyup Women's Prison.

Recommendation 13

Introduce lapel cameras in the high-risk areas of maximum-security prisons.

7.5 EMERGENCY MANAGEMENT

Hakea had completed the required number of emergency management exercises

Every prison is required to undertake a combination of live scenario and desktop emergency management exercises every year. During the exercises the staff practice their response readiness, identify deficiencies in plans, and ensure staff possess the skills required to respond. Each prison must run a minimum of one live exercise per calendar year and one other exercise every two calendar months. Each prison must undertake at least one exercise per year relating to:

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- death of a prisoner in custody
- escape from a prison
- fire
- hostage
- major disturbance (active or passive)
- medical emergency (either injury or illness).

Hakea had a far more comprehensive emergency management plan, with 21 exercises scheduled for 2018. The prison's plan ensured that more than just the minimal number of exercises were conducted, and that more staff were provided the opportunity to participate. Unfortunately, due to the adaptive regime and staff shortages, Hakea was not able to follow its plan, and was only completing the minimal required exercises.

Our staff survey results revealed that staff were not confident to respond to emergencies. Less than half (42%) of respondents felt prepared to respond to a fire or natural disaster and only 29 per cent felt that they were adequately trained to respond to a loss of control. To boost staff confidence to respond to an emergency, Hakea should try and run more than just the bare minimum number of emergency management exercises.

While it is a challenge to conduct exercises when staffing levels are low, exercises should still run as real emergencies may well occur when staff numbers are short. Emergency management exercises should be prioritised and continuously run throughout the year.

7.6 OCCUPATIONAL SAFETY AND HEALTH

The prison lacked resources to complete proactive Occupational Safety and Health assessments

The prison had no Occupational Health and Safety (OSH) Coordinator. The position was lost with the recent round of staff redundancies and not replaced (see Chapter 8). The Business Manager at Hakea was now responsible for all OSH matters, and was doing her best given the lack of resources. Assessment reports were being conducted after workplace incidents and compensation claims filed. The Business Manager addressed all hazard notifications and managed all Performance Improvement Notices and other Worksafe issues.

The biggest challenge was that the prison simply did not have the resourcing to undertake proactive OSH assessments. The basic paperwork was being completed but ongoing assessments and reporting were not being done. The lack of an OSH Coordinator may lead to more frequent and more severe workplace accidents. The prison needs to undertake a review and identify the risks of not having a proactive program in place to reduce workplace hazards.

Chapter 8

RESOURCES AND SYSTEMS

8.1 STAFFING LEVELS

Custodial staffing levels were not sufficient for the number of prisoners

Achieving the appropriate staffing levels has always been a challenge for Hakea. The population regularly fluctuates, making it difficult to predict the exact number of staff required. During our 2012 inspection, Hakea was staffed for 781 prisoners, however, the daily population regularly ranged between 725 and 900 (OICS, 2013b). The prison relied heavily on around 25-30 overtime shifts each day.

Since that inspection, population numbers have steadily increased. In 2016, in line with the population growth, WAPOU and Hakea management signed a new staffing agreement based on a prisoner population of 1,000. However, this was not put into full effect because of ongoing industrial disputes about the individual positions that needed to be in the new roster. The new roster was scheduled to be introduced in September 2018, two years after the staffing agreement was signed, two months after our inspection, and with a population of over 1,150.

Debates can be held as to how many staff are actually needed at any prison, including Hakea. However, the prison was severely understaffed relative to the staffing agreement for 1,000 prisoners, let alone 1,150. It still relied on more than 30 overtime shifts per day to be fully operational. To further compound matters, in January 2018 the Commissioner for Corrective Services issued a directive limiting overtime at all state-run prisons. Hakea could fill no more than 16 overtime shifts per day.

Data from the first quarter in 2018 showed that even after the 16 overtime shifts were filled, staffing levels almost always fell well short. The prison had few other options but to move to a rolling lockdown regime. The more vacancies there were, the more lockdowns there would be. There was only one day in February 2018 and one day in March 2018 when the prison did not experience some form of lockdown. In the year leading up to the inspection, prisoners were frequently locked in their cells for parts of the day, or locked behind the grilles in their unit.

In short, Hakea was operating in crisis mode, and had simply become a warehouse and processing facility for prisoners.

In May 2018, we were so concerned at the number of rolling lockdowns at Hakea and their impact on the care, safety and wellbeing of prisoners, that we wrote to the Commissioner for Corrective Services. We detailed our concerns about services for prisoners, the conditions in which they were being accommodated, and the Department's duty of care obligations. The Commissioner, in a letter dated 6 June 2018, responded, stating that:

The Department is required to deliver ongoing savings through specific savings measures, including a reduction in overtime. To achieve this and to manage the Department's finances responsibly as a public sector agency, the overtime budget for 2017-18 has significantly reduced...This results in lockdowns when required, however, the safety and security of staff and prisoners remains paramount.

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In June 2018 the prison experienced a slight reprieve when WAPOU and Hakea management managed to agree on a staff deployment regime. This meant that instead of locking prisoners down when short staffed, the prison regime could be changed and various prisoner services shut down. On the positive side, this meant that prisoners could be unlocked from the cells. The down-side was that services such as education and industries were closed.

At the time of the inspection, Hakea and WAPOU were negotiating for a staffing agreement based on 1,200 prisoners. However, even if this was agreed upon quickly, the Department would still have to undertake a recruitment drive to fill the positions, and negotiate a new roster. In the meantime, they must rely on overtime shifts and the staff deployment regime to continue operating the prison.

Recommendation 14

Proactively address the causes of staff shortages at Hakea.

8.2 LEADERSHIP AND MANAGEMENT

Relationships had improved between management and staff

We found less antagonism among the staffing group at Hakea, and staff/management relations seemed more settled and positive.

Previous inspections have generally found a highly adversarial and unproductive staff culture at Hakea. In our 2013 inspection report, we found:

[a] staff culture in which cynicism, dismissiveness and personal criticism directed at management featured all too prominently (OICS, 2013b, p. vi).

During our 2015 inspection, staff consistently told us that Hakea was the 'worst it had ever been', and that the main reason for this was management issues and issues relating to other staff (OICS, 2016d).

During this inspection, we were therefore pleased to find that this was beginning to turn around. We expected more negativity, particularly as only 13 per cent of respondents in the pre-inspection staff survey felt that management support and communication was 'good'. This was far lower than the state averages. However, despite these negative survey results, when interviewing staff there was far less negativity directed towards management than in the past. Staff told us that they wanted more communication and consultation from management, particularly with regards to decisions that impacted on prison operations. They also told us that they wanted to be able to take suggestions to management, and for management to listen to them and take them seriously.

Importantly, overall the comments were not vindictive or directed personally towards any manager, and were rather a reflection of communication levels. This feedback was constructive and professional.

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Since the 2015 inspection, the Hakea senior management team had made good attempts to bridge the communication gap between management and staff. One example was the twice weekly meeting between senior managers, senior officers and other managers around the prison. When we observed one of these meetings, all staff present were given the opportunity to speak about their areas and bring up any issues or concerns regarding their work area. The meeting was interactive, all staff had an opportunity to speak up and minutes were taken. This was a big improvement from last inspection, where these meetings seemed to be solely about reporting prisoner numbers and incidents, and other business was rarely discussed.

We also heard that senior management had consulted with senior officers when updating local orders and when producing new operational regimes. Consulting with, and including operational staff in decisions is good practice and should continue.

Administrative processes were labour intensive and outdated

A significant number of administrative tasks at Hakea were still being completed on paper, and taking up valuable resources and time. Most of these tasks were inefficient and labour intensive. While staff were generally happy with Human Resource (HR) processes, the HR team were under significant pressure to ensure these tasks were completed daily.

Custodial staff were submitting leave application forms on paper, then passing these on to HR to re-enter all the information from the form onto the online system. This was double-handling and additional work for the HR team. A full FTE had to be dedicated solely to processing custodial leave applications. Two more FTE were dedicated to processing custodial overtime forms and producing rosters. These tasks created an enormous administrative burden that generated high workload.

The non-custodial staff used a much more efficient tool for HR transactions. They used an HR online kiosk system. Non-custodial staff could apply for their leave through the kiosk, which their manager could then log in to approve. As public servants generally worked standard hours and did not access overtime the system was much easier to introduce for non-custodial staff. While it would be trickier to introduce an online system for the custodial staff who worked shift work, it is not impossible. The Western Australia Police have successfully introduced an online HR system for their uniformed staff. Police officers and other shift workers use the kiosk to apply for leave, saving the manual processing by administrative staff.

Both the Department and Hakea need to look at introducing administrative efficiencies, particularly given the current fiscal environment. At Hakea, quite a few management and administrative roles were recently made redundant due to the Voluntary Targeted Separation Scheme (VTSS). Some of these roles included the Assistant Superintendent Offender Services, the Occupational Safety and Health Coordinator, the Senior Supervisor Movements and the Finance Manager. These roles can only be filled if efficiencies can be made elsewhere.

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Introducing a HR kiosk system for custodial staff would be much more efficient. While the Department would ultimately be responsible for introducing an online HR kiosk for custodial staff, Hakea would also need to make some improvements. Staff would need more access to computers to log in to the kiosk. During the inspection, it was evident that there were not enough computers available in the units for staff to access throughout the day. Hakea were well aware of the demand for more computers and in May 2018 had submitted a business case to the Department requesting more computer data points in unit offices. At the time of the inspection, Hakea was yet to receive a response from the Department about this proposal.

Another daily task for the HR team was the manual updating of the daily sign on sheets. Each afternoon an individual typed up the names of all people on shift for the following day, so staff could sign their name on the sheet as they entered and left the prison each day. This process is outdated and labour intensive and a more efficient solution should be considered.

The prison could invest in a simple swipe card system that would record the time a staff member entered and left the prison each day. It would require some investment to ensure compatibility with the online rostering tool but would reduce the administrative burden on the current HR team.

Recommendation 15

Invest in technologies to minimise the labour intensive and inefficient practices currently imposed on the HR team.

8.3 STAFFING

Staff were stressed and their quality of working life had declined

The pre-inspection survey results showed that the quality of working life for Hakea staff had declined since 2015. The amount of work related stress had also increased.

Most of the dissatisfaction and stress was driven by the conditions staff were working in. All units were full and almost all cells were doubled bunked. Prisoners had little access to services, and if they did not have jobs they rarely left the units. Prisoners had limited access to telephones, laundry and cleaning products and they had little mental stimulation in their cells and unit wings. Prisoners were frustrated, which was leading to a more volatile and stressful environment.

Poor culture, bullying and sexism must be addressed

We were concerned that the staff culture at Hakea was not conducive to a safe and positive working environment. On the one hand, staff seemed to look out for one another in the event of an incident, but we heard too many stories of staff making demeaning and inappropriate remarks to each other.

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The staff survey results were very concerning. Almost one third (31%) of respondents felt that staff-on-staff sexual abuse sometimes or often occurs at Hakea. Forty eight per cent felt that racist remarks were sometimes or often directed towards other staff. And 82 per cent felt that staff-on-staff bullying sometimes or often occurred.

When we asked staff about these figures, we heard stories of potential sexual harassment. They included stories of inappropriate and demeaning comments directed at women, and of unwanted touching being passed off as jokes or banter. When the women have reached out to other co-workers for support and guidance, they have been told that they need to learn to stick up for themselves.

These types of comments have the women believing that they are somehow responsible for the actions of the bullies, which has discouraged many of them from speaking up to management about the incidents.

The Department has a Code of Conduct and an anti-bullying policy. Neither document specifically defines sexual harassment, nor do they contain procedures for making and dealing with sexual harassment complaints. These documents should be reviewed, updated and a clear sexual harassment policy developed. Ongoing training should also be provided to all staff to ensure they are aware of appropriate behaviours in the workplace.

Recommendation 16

Reduce bullying and sexual harassment among the Hakea staffing group.

Staff support mechanisms were in place

Support for staff is essential in volatile and stressful environments. The Hakea staff support function was working well. Volunteer staff from around the prison gave up their time to listen to staff concerns and support people who may be having a hard time. They were available when there was a death in custody or other incident within the prison. They were also available to help with any personal issues.

The staff support team was well supported by prison management, and they relied on management to help with practical support, such as home welfare visits.

The group of 29 volunteers was reasonably diverse, made up of men and women and custodial and non-custodial staff. This gave staff a good choice of someone to turn to when they needed help. However, we noticed that the staff support group was lacking young females and new custodial recruits. Increasing representation on the staff support team may assist to support some of the women who were experiencing sexual harassment as identified above.

Staff could also turn to the grievance officer if they were experiencing difficulties with another staff member. The staff grievance program was designed to resolve staff conflict before it becomes a formal complaint. Mediation may occur between the parties involved, to try and reach a resolution.

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Our pre-inspection staff survey indicated that staff did not trust the grievance system. Only 52 per cent of respondents claimed that they could express work related grievances, and only 13 per cent felt that the process could successfully resolve a grievance.

Discussions with staff during the inspection also led us to believe that staff have lost faith in the grievance system. Staff told us that they would not put in a grievance because they did not believe that the grievances would be dealt with appropriately, and some felt that lodging a grievance would be bad for their career. The grievance officer also told us that he rarely deals with many staff grievances.

Hakea management should review how grievances are managed with the intention of improving staff confidence in the system.

Hakea was unable to meet mandatory staff training requirements

The Department's Use of Force policy states that all custodial staff need to undertake annual refresher training in: use of force, restrains, batons, escorts, self-defence and chemical agents. Hakea allocated one morning a week for staff to participate in mandatory training. Training covered the above mandatory elements. Other useful training such as fire extinguisher training or first aid was also delivered on training days.

There were two official training officers at Hakea, plus several other uniformed staff who were qualified to train. This allowed for around 45 people to be trained each week. The training staff had a very organised training records system that identified training gaps, and ensured appropriate courses were run. However, because of roster patterns, leave periods and staff shortages, it was impossible to ensure all staff completed their refresher training every 12 months. Attendance at the weekly training sessions was also regularly impacted by prison operations. As the training morning was the only time when the prison was locked down each week, meetings and other events were regularly scheduled at the same time, further reducing attendance at training.

At the time of the inspection, Hakea was not meeting its mandatory training requirements:

Table 5: Hakea Prison training completions for the month of July 2018

Training Requirement	Number Completed	Percentage Completed
Use of Force	334 out of 416	80%
Restraints	248 out of 416	60%
Aerosol Subject Restraint (Chemical Agent)	233 out of 416	56%
Cardiopulmonary Resuscitation (CPR)	251 out of 416	60%
Cell Extraction	146 out of 358	41%
Batons	185 out of 358	52%
Senior First Aid	77 out of 104	76%
Breathing Apparatus	92 Current	100%

RESOURCES AND SYSTEMS

Hakea's training schedule was full however, there were still a significant number of custodial staff whose annual refresher training was out of date. Despite this, custodial staff told us in the staff survey that they felt they had been adequately trained in most of the mandatory annual training areas. Eighty one per cent of respondents felt adequately trained in restraints, 79 per cent in the use of chemical agents and 83 per cent in CPR.

If an incident occurs in the prison, Hakea staff have still been responding, even if their refresher training was out of date. Given that it is beyond the control of the individual to ensure they can get on a refresher course, custodial officers have not been disciplined for this. However, there is a risk if the individual's training is out of date and they do not respond appropriately during an incident.

To meet the mandatory training requirements, the Department needs to either review its requirement for annual refresher training each year, or review and update how training is delivered.

With such a busy training schedule, the training staff told us that they can rarely train staff in other important areas that were not part of the mandatory training requirements. With such a volatile mix of prisoners coming to Hakea direct from the streets, Hakea staff need training in managing prisoners with drug and/or mental health issues. In the staff survey, only 27 per cent of respondents felt adequately trained to manage prisoners with drug issues, and 23 per cent felt trained to manager prisoners with mental health issues.

We had spoken with a few staff around the prison who had completed Mental Health First Aid training and reflected that it had helped them immensely with their job. A Mental Health First Aid training course was recently offered at the Department's training academy. Five staff from Hakea were approved to attend the course but at the last minute it was cancelled.

Appendix 1

TABLE OF ABBREVIATIONS

ARMS	At-Risk Management System
AVS	Aboriginal Visitors Scheme
CBI	Cognitive Brief Intervention
CCO	Community Corrections Officer
CCU	Crisis Care Unit
FTE	Full Time Equivalent
HR	Human Resources
IMP	Individual Management Plan
NAIDOC	National Aborigines and Islanders Day Observance Committee
NSW	New South Wales
OICS	Office of the Inspector of Custodial Services
OSH	Occupational Safety and Health
PAST	Prisoner Addiction Services Team
PCS	Prison Counselling Service
RAP	Reconciliation Action Plan
SAMS	Support and Monitoring System
STD	Subscriber Trunk Dialling
VSO	Vocational Support Officer
VTSS	Voluntary Targeted Separation Scheme
WAPOU	Western Australian Prison Officers Union

Appendix 2

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Appendix 3

DEPARTMENT OF JUSTICE RESPONSE

Response to the announced inspection:
Hakea Prison

Response to the announced inspection: Hakea Prison

January 2019

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DEPARTMENT OF JUSTICE RESPONSE

Response to the announced inspection:
Hakea Prison

The Department of Justice welcomes the inspection of Hakea Prison as part of the Inspectors announced schedule of inspections for 2018/2019.

The Department has reviewed the report and noted a level of acceptance against the 16 recommendations.

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

DEPARTMENT OF JUSTICE RESPONSE

Response to the announced inspection:
Hakea Prison

Response to Recommendations

- 1 Ensure that adequate ongoing support is provided to remand prisoners to help them deal with home, family, employment and personal circumstances.**

Response:

Remand prisoners are not excluded from the reintegration services. Remand prisoners may be referred by the prison to the Reintegration Service Provider if deemed necessary. However, it also acknowledged that there is a high churn of prisoners remanded into prison at Hakea, and the Department's priority is for the service provider to be at capacity transitioning longer term sentenced and higher risk prisoners back into the community.

The Department has engaged an employee on a casual, full-time, 5 days per week basis to provide a service to remand prisoners at Hakea to assist them with any immediate issues they may be experiencing due to being newly remanded in prison.

Responsible Business Area: Offender Management
Proposed Completion Date: Not required
Level of Acceptance: Supported in part

- 2 Ensure all IMP assessments are done within 28 days, consistent with Adult Custodial Rule 18.**

Response:

Custodial Operations Broadcast 12/18 was issued to all facilities on 13 June 2018 in order to reduce the backlog of initial IMPs. The broadcast contained a number of strategies which have been adopted by Hakea to address the backlog.

Responsible Business Area: Adult Justice
Proposed Completion Date: 31/03/2019
Level of Acceptance: Supported – existing Departmental initiative

- 3 Ensure the kitchen is appropriate to cater for the Hakea prison population.**

Response:

Infrastructure and capital works require additional funding and as such priorities for 2019/2020 will be determined in the Strategic Asset Plan.

Responsible Business Area: Adult Justice
Proposed Completion Date: Not required
Level of Acceptance: Noted

- 4 Ensure prisoners have a clean set of clothes every day.**

Response:

Hakea's laundry capacity is sufficient. An exchange laundry service is provided in each unit. Due to the logistics for high prisoner movement through the busy prison, it is accepted that on occasion there may be an increased demand for some clothing sizes, however, prisoners are provided with clean clothing during the laundry

DEPARTMENT OF JUSTICE RESPONSE

Response to the announced inspection:
Hakea Prison

exchange. This process is incumbent on the prisoner presenting to the exchange to obtain clean clothing.

Responsible Business Area: Adult Justice
Proposed Completion Date: Not required
Level of Acceptance: Not Supported

5 Reinvalidate peer support, with a stronger focus on welfare support.

Response:

The prisoner peer support is an important part of the Prison's welfare support system to prisoners. Processes will be reviewed and any opportunity for improvement will be examined and implemented.

Responsible Business Area: Hakea Prison
Proposed Completion Date: 30 June 2019
Level of Acceptance: Supported – existing Departmental initiative

6 Ensure protection prisoners are accommodated in suitable accommodation, and not in Unit 1 or the Crisis Care Unit.

Response:

The system has experienced a recent surge in male protection prisoners of 11% (555 to 616) since 1 February 2018, largely as a result of the recently formed methamphetamine taskforce within the WA Police. This has resulted in the availability of designated protection beds being exceeded. In response to this situation and to assist to relieve the pressures within Hakea and Casuarina protection units, the protection capacity at Albany Regional Prison has been expanded from 20 to 68 beds within unit 1. Albany is currently accommodating 43 prisoners on a protection regime due to being part way through the reallocation process.

This has resulted in the Hakea protection prisoner numbers being reduced down to 139 as at 5 December 2018 with plans to forward further protection numbers to Albany on an on-going basis until it reaches capacity. This is designed to alleviate protection prisoners having to be accommodated in units within Hakea that are not conducive to housing protection prisoners.

Responsible Business Area: Regulation and Operational Services
Proposed Completion Date: completed
Level of Acceptance: Supported – existing Departmental initiative

7 Increase the number of Aboriginal prisoners in work and education.

Response:

Since the inspection, a part-time Aboriginal Education Worker has been appointed at Hakea. The Aboriginal Education Worker's role is to actively engage Aboriginal prisoners in the education program at Hakea. Hakea has and will continue to explore options to increase pathways to educational and work options for all prisoners.

DEPARTMENT OF JUSTICE RESPONSE

Response to the announced inspection:
Hakea Prison

Responsible Business Area: Hakea Prison
Proposed Completion Date: Completed
Level of Acceptance: Supported

8 Ensure all prisoners are moved out of Hakea as soon as they are sentenced.

Response:

The premise of this recommendation is incorrect. The overall coordination and planning relating to available placements options throughout the estate is undertaken centrally by the Population and Allocation Management Branch (PAMB) within Corrective Services - Regulation and Operational Services.

Required numbers to be moved, to maintain adequate capacity within the metropolitan remand and receival facilities, are directed by the PAMB in conjunction with the respective facilities. Individual prisoner allocation to accommodate the required numbers to be moved are then negotiated at prison to prison level which takes into account completed MAP checklists, IMPs, health and risk/alert considerations etc. Communication clarifying in-coming inter-prison transfers into Hakea Prison has been issued to all facilities throughout the prison estate, specifying that the primary role for Hakea is to be in a position to continuously receive incoming prisoners from the courts and WAPOL (accommodating remand prisoners being the focus) with restrictions being placed upon the receipt of sentenced prisoners unless it related to absolutely essential reasons such as medical, discharge, deportation, court etc.

Responsible Business Area: Regulation and Operational Services
Proposed Completion Date: Not required
Level of Acceptance: Noted

9 Increase prisoner access to the oval and gymnasium.

Response:

Access to recreational activities continues to be a high priority for Hakea. Hakea is finalising a proposal to convert existing infrastructure into a new gymnasium for the Prison's west side. Where possible, Hakea Prison maximises access to the ovals and the gymnasium. Recreational access is provided in accordance with security and risk assessments and increasing access will form part of the 1170/30 prisoner negotiation and agreement.

Responsible Business Area: Hakea Prison
Proposed Completion Date: 30 June 2019
Level of Acceptance: Supported – existing Departmental initiative

10 Improve efficiencies and effectiveness in health service provision at Hakea.

Response:

All prison health centres are subject to an accreditation review against the Royal Australian College of GPs (RACGP) standards. This is completed on a three year

DEPARTMENT OF JUSTICE RESPONSE

Response to the announced inspection:
Hakea Prison

cycle in conjunction with a mid-term review conducted at the 18 month mark. Hakea Health Centre has been accredited on all reviews. The next RACGP accreditation review for Hakea is scheduled for March 2019.

Hakea experiences an extremely high prisoner turnover, which at times overstretches resources, however, the patient's health is always paramount. Processes are adapted as required to improve efficiencies and effectiveness.

In addition to the RACGP accreditation reviews, prison health centres are also subject to internal quality plans and audits.

Any comparison to community standards should only be done so against a facility that experiences the same turnover rate of new patients.

Responsible Business Area: Offender Management
Level of Acceptance: Not Supported

11 Re-establish a therapeutic unit for vulnerable prisoners who need extra support and monitoring.

Response:

Re-establishing a therapeutic unit is subject to population pressures and risk management for prisoner groups requiring a higher controlled environment (i.e. OMCG dispersal to other prisons) and infrastructure improvements.

Responsible Business Area: Adult Justice
Proposed Completion Date: Not required
Level of Acceptance: Noted

12 Reduce the risk of Hakea prisoners gaining access to Melaleuca.

Response:

The secure line is as per the security plan agreed to at the commencement of the project. Unless the risk has changed, there is currently no known basis to upgrade the fence.

Responsible Business Area: Corporate Services
Level of Acceptance: Not Supported

13 Introduce lapel cameras in the high risk areas of maximum-security prisons.

Response:

The introduction of body worn cameras or lapel cameras is subject to funding and policy amendments.

Responsible Business Area: Adult Justice
Proposed Completion Date: Not required
Level of Acceptance: Noted

DEPARTMENT OF JUSTICE RESPONSE

Response to the announced inspection:
Hakea Prison

14 Proactively address the causes of staff shortages at Hakea.

Response:

Negotiations for the Hakea Staffing Agreement for 1170/30 has commenced.

Responsible Business Area: Hakea Prison
Proposed Completion Date: 30 June 2019
Level of Acceptance: Supported in principle

15 Invest in technologies to minimise the labour intensive and inefficient practices currently imposed on the HR team.

Response:

The Department accepts the finding and recommendation. Custodial staff already have ready access to on-site computers to conduct their day to day role. This includes the use of emails and the Total Offender Management Systems (TOMS), and as such access to the current self-serve HR kiosk through the existing Human Resource Management System already exists based upon their current level of system access.

There are considerable differences between rostering and pay arrangements for WA Police and DOJ uniformed staff that inform the capacity to provide self-service leave within a HR Kiosk application. It is accepted that self-service functionality is desirable wherever practicable and this is a key consideration for the planned HRMS and Labour Management System (LMS) rostering system upgrades.

The Department is undertaking a new program centrally for the integration of Human Resource Management Systems (HRMS) and this was approved in early 2018. This includes a longer term strategy of a fully aligned tender and procurement process to source a new HRMS and to implement a new Labour Management System (LMS) rostering system by 2020.

Introduction of a new rostering solution will provide an opportunity to also investigate technological options that integrate time and attendance with staff access to prisons.

Responsible Business Area: Corporate Services
Proposed Completion Date: 31 December 2020
Level of Acceptance: Supported

16 Reduce bullying and sexual harassment among the Hakea staffing group.

Response:

Hakea Prison will continue to assist employees in identifying and dealing with bullying in the workplace and continue to have a zero-tolerance to all forms of workplace bullying. Where possible, Hakea will increase female representation on the staff support team, provide staff with additional training regarding appropriate behaviours in the workplace, manage grievances in accordance with legislative and policy requirements and implement strategies to improving staff confidence in Department systems.

Responsible Business Area: Hakea Prison
Proposed Completion Date: 30 June 2019
Level of Acceptance: Supported

Appendix 4

INSPECTION TEAM

Neil Morgan	Inspector
Darian Ferguson	Deputy Inspector
Natalie Gibson	Director of Operations
Stephanie McFarlane	Principal Inspections and Research Officer
Amanda Byers	Inspections and Research Officer
Jim Bryden	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Charles Staples	Inspections and Research Officer
Joseph Wallam	Community Liaison officer
Craig Gear	Expert Advisor, Health and Mental Health Care
Lee Downes	Expert Advisor, Custody and Remand

Appendix 5

KEY DATES

Formal notification of announced inspection	19 March 2018
Start of on-site inspection	25 July 2018
Completion of on-site inspection	2 August 2018
Presentation of preliminary findings	15 August 2018
Draft report sent to the Department of Justice	21 November 2018
Draft report returned by the Department of Justice	21 January 2019
Declaration of prepared report	7 February 2019

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



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