



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

2018 INSPECTION OF ACACIA PRISON

123

AUGUST 2019

*Independent oversight
that contributes to a more
accountable public sector*

2018 Inspection of Acacia Prison

Office of the Inspector of Custodial Services
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Inspector's Overview

ACACIA PRISON'S GOOD PERFORMANCE MUST BE MAINTAINED AS THE END OF THE CONTRACT TERM APPROACHES

ACACIA IS GENERALLY A WELL-RUN PRISON

Acacia Prison is one of only two privately operated prisons in Western Australia. It first opened in May 2001 and is a state-owned asset of the Department of Justice. It has been privately operated since it opened in 2001. The current operator Serco Australia Pty Ltd was awarded the contract to operate and manage the prison in 2006. The current contract has had two extensions and is due to expire in May 2021.

Infrastructure at Acacia is maintained under a separate contract which is currently held by Sodexo Australia Pty Ltd.

Acacia is generally a stable and well-run prison. There are a number of factors that contribute to this position.

First, Serco works hard to provide quality services and have shown to be innovative, agile and flexible in their operating model. That is not to say that they are perfect but we have seen over the years of our inspection work a sustained commitment to continuous improvement and learning from mistakes.

Second, the contract with Serco is very well managed by the Department. The level of transparency and oversight is commendable. Both the Department and Serco have good governance processes in place to ensure effective oversight and reporting that meets the requirements set out in the contract. The Department has contract monitors onsite for several days each week undertaking compliance work. The contract has a number of performance and compliance requirements and monthly performance reports are analysed and linked to operational payments. In addition, Serco are required to meet both quarterly and annual reporting requirements. The Department also reports annually on the performance of the contract.

Finally, there is a strong framework of independent oversight of Acacia's operations. The work of our Office in undertaking a comprehensive inspection of the prison's operations at least once every three years, together with our regular liaison visits and the work of our Independent Prison Visitors, provides a level of ongoing oversight. In addition to our work, other independent oversight agencies contribute to the transparency and accountability of Acacia's operations.

CONTRACT MANAGEMENT LIMITATIONS

During this inspection we did identify limitations in how effectively the infrastructure maintenance contract was being managed by the Department. The Department had already recognised this shortcoming and taken steps to address the situation. They have transferred responsibility for management of the contract to the Infrastructure Services section of the Department and better governance arrangements are being put in place, including monthly on-site contract management meetings between the Department, Serco, and Sodexo. We were informed that a range of measures were being implemented to more closely monitor performance. This will be an area of continued interest and focus for us to ensure oversight and management of this contract improves.

ACACIA PRISON'S GOOD PERFORMANCE MUST BE MAINTAINED AS THE END OF THE CONTRACT TERM APPROACHES

THE GOVERNMENT'S INTENTIONS ARE NOT YET KNOWN

The contract between the Department and Serco is due to expire in May 2021.

The government's intentions beyond May 2021 in regard to the operation and management of Acacia are unknown at this time. There are a range of possible options but these are questions for the government and not this office.

Despite the potential for uncertainty from now until 2021, Serco and the Department must maintain Acacia's positive record and ensure that services do not decline. We have made several recommendations in this report for improvement and while there may be some understandable reluctance by Serco and/or the Department to invest new funds, they both must continue to look at how they can achieve better outcomes in the rehabilitation of prisoners.

There is, however, one certainty and that is that Acacia will continue to be a large and complex prison housing over 1,500 male medium-security prisoners. Whatever the future may hold for Acacia, planning and decision making needs to be progressed as soon as practicable.

The effective operation and management of the prison must not be distracted by whatever uncertainty may exist.

WELCOMED RESPONSE

A copy of our draft report was provided to the Department and each of the relevant contractors for comment prior to finalisation.

It was pleasing to get a positive response from both the Department and Serco to the draft report and proposed recommendations. Both responses are summarised in an appendix to this report. We will continue to monitor progress towards implementation of the recommendations by way of our regular liaison visits to the prison and ongoing interaction with the Department and Serco.

ACKNOWLEDGMENTS

The success of our inspection work is dependent on a lot of hard work and strong working relationships with key stakeholders.

I would like to acknowledge the cooperation we received from all stakeholders during this inspection, particularly the Department, Serco, and Acacia leadership and staff.

It is also important to acknowledge the significant contribution of our inspection team and our independent experts who contributed so much to our inspection. Finally, I would like to acknowledge the efforts of Jim Bryden for his hard work in planning the inspection and as principal drafter of this report.

Eamon Ryan
Inspector

26 August 2019

LIST OF RECOMMENDATIONS

RECOMMENDATION 1

Provide appropriate resourcing in the property store.

RECOMMENDATION 2

The Department must urgently address the backlog of initial IMP's state wide.

RECOMMENDATION 3

Serco fully commit to the lifers' strategy and cease the cross-deployment of the LLOs.

RECOMMENDATION 4

Put in place appropriate and adequate supports for the Indigenous Services Coordinator position.

RECOMMENDATION 5

Ensure a regular, in-person Aboriginal Visitor Service at Acacia.

RECOMMENDATION 6

Serco actively seek and employ an Aboriginal education worker.

RECOMMENDATION 7

The Department must ensure that all through-care services are provided to prisoners released from Acacia.

RECOMMENDATION 8

Ensure that prisoner transport arrangements are sufficient to meet demand for medical escorts.

RECOMMENDATION 9

Review the staffing levels and workloads of unit staff, to ensure that they have enough time to focus on building strong relationships with prisoners.

RECOMMENDATION 10

Review and develop strategies to maintain staffing levels to ensure continuity and quality of service levels to prisoners for the remainder of the contract.

FACT PAGE

NAME OF FACILITY

Acacia Prison

ROLE OF FACILITY

Medium-security prison for adult males.

LOCATION

Wooroloo, 55 kilometres east of Perth. The traditional owners of the land are the Noongar people.

BRIEF HISTORY

Acacia Prison opened in May 2001. The facility is owned by the Department of Justice and the operation of the prison has been contracted to the private company, Serco. It is one of two privately operated prisons in Western Australia.

INSPECTION DATES

21–29 November 2018

BED CAPACITY

1,525

Chapter 1

BACKGROUND

1.1 ACACIA PRISON

The history of Acacia Prison

Acacia Prison ('Acacia') is located in the suburb of Wooroloo 55 kilometres east of Perth. It is Western Australia's largest prison, with the capacity to hold 1,525 male medium-security prisoners. The prison is a state-owned asset of the Department of Justice ('the Department'), which retains ultimate responsibility for the prisoners at Acacia. The prison services are managed by the private company Serco Australia Pty Ltd ('Serco') and the prison infrastructure is maintained by Sodexo Australia Pty Ltd ('Sodexo').

Acacia opened in 2001 and was Western Australia's first privately managed prison. When first opened, Acacia's services were managed by Australasian Integration Management Services ('AIMS'). In 2006 Serco won the bid to provide services for Acacia.

The government's contract with Serco was for an initial period of five years, with options for two five-year contract renewals, meaning that the contract can last up to 15 years. Our 2010 inspection was conducted towards the end of the first five-year period and its findings were very positive. Acacia was performing at a higher standard than previously observed (OICS, 2011). In 2011, the government offered Serco a five-year contract extension until May 2016.

In 2015, Serco was approaching the end of its second five-year period and the government was again presented with the option to renew the contract for a further five-year term (or part thereof), or of putting the operations of Acacia back out to tender. A 387 bed expansion was also completed in the first half of 2015. In February 2016, the government announced that the contract for the management of Acacia had been renegotiated with Serco for a further period of five years.

In 2018, Acacia again expanded their bed capacity by a further 50 beds bringing their total capacity to 1,525 prisoners. The contract is now in its third year of the final five-year extension period which expires on 15 May 2021. At some point prior to this, Serco and others may tender to take over the contract. The other option for the government is to take the management of Acacia in-house (run by the Department).

1.2 THE INSPECTION

Dates and methodology

This was the seventh inspection of Acacia and was conducted on site between 21-29 November 2018. Due to the prison's size and complexity, and the level of public interest in the state's first privately operated prison, we have inspected Acacia over and above the required three-year cycle throughout its history. Between inspections, we made regular liaison visits to review the prison's progress against past recommendations and to identify risk areas.

In the lead-up to the inspection, we conducted anonymous staff and prisoner surveys. Overall, 138 staff members (36% of all staff) responded and 476 prisoners (31% of the

BACKGROUND

prisoner population) completed a survey. We have compared the results from both the prisoner and staff surveys to the 2015 pre-inspection surveys for Acacia, as well as state averages compiled from the latest rounds of pre-inspection surveys.

Prior to the inspection, representatives from Acacia's Senior Management Team and the Department's Private Prisons Contracted Services team presented to our Office about their respective areas of responsibility. Both Serco and the Department were also invited to provide written submissions containing an assessment of Acacia's strengths and weaknesses and detailed information outlining how each of them had addressed the recommendations made in the previous inspection report.

During the inspection, we facilitated meetings with Acacia management, Sodexo representatives, custodial and non-custodial staff, and various prisoner groups. We visited all areas of the prison and spoke with both staff and prisoners living and working in these areas. We held a meeting with external service providers and requested submissions from local community representatives. At the end of our inspection, an exit debrief was delivered to staff and prisoners detailing our initial findings.

Chapter 2

JUST ARRIVED

2.1 RECEPTION

Reception runs smoothly

Acacia is a medium-security, sentenced prison, and only receives prisoners from elsewhere in the estate. Transfers in and discharges out tend to be regular and scheduled. Movements officers receive two to three days' notice of upcoming movements, giving reception and property staff time to prepare. However, the timeliness of transfers in was sometimes an issue as reception staff were not rostered on late in the day.

In the 2017–2018 financial year, Acacia's reception centre processed 1,916 prisoner admissions, and 1,911 discharges. This averages out at approximately five receptions and five discharges per day, seven days a week. The reception centre runs effectively, and no concerns regarding reception processes were found.

2.2 PRISONER PROPERTY

Property store is at capacity

The property store, adjacent to reception, was struggling. The store's footprint has not been increased since the prison was commissioned in 2001. It was originally designed to accommodate property for 750 prisoners (OICS, 2003). In 2018, the prison was holding over 1,500 prisoners, and the property store had reached capacity.

Years of expansion have seen sensible additions made to the property room's storage system. Shelving had been added, along with a scissor lift to ensure safe access to the higher levels. Shelving now reaches the ceiling, and has expanded to fill an entire mezzanine level. There is no more room.

The system for identifying, storing, and accessing prisoner property is organised and well-maintained. But population growth has meant that processes are slower, working space is restricted, and there are potential risks to the health and safety of staff working there.

In 2010, when Acacia's population was around 1,000, we found that the growth in population had implications for the efficient handling of property, but also for the occupational safety of staff. At that time conditions were cramped, with significant potential trip and fall hazards (OICS, 2011).

Positive steps have since been taken to ensure the safe management of heavy storage, reducing potential trip and fall hazards. Future population growth will require investment in infrastructure expansion.

The property store is understaffed

Staffing levels in the property store have fallen in recent years, placing further pressure on the work area. In 2015, the position was filled by two officers and a prisoner to assist (OICS, 2016). In previous years as many as three prisoners were employed. This saw the position filled seven days per week. In 2018, a single officer worked Monday to Friday without any

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prisoner assistance, effectively losing two days' coverage per week. In the past, the prisoners that were employed in the property store were responsible for duties other than directly handling other prisoners' personal property, and held such trusted positions consistent with the responsible prisoner model (OICS, 2011). In 2018, this practice had ceased due to a series of thefts.

We support the responsible prisoner model, and note that added security has since been put in place. Current staff did not wish to see the practice reintroduced, due to the overcrowded workspace undermining the ability to appropriately monitor workers. The loss of prisoner assistance adds to the responsibilities borne by the single property officer.

Inconsistent practice across the state was an added concern. Acacia are required to strictly adhere to Policy Directive 42 – Prisoner Property (PD42) or be financially penalised. State run prisons are also required to follow PD42, but are not as closely monitored as private prisons, nor are they subject to penalties. The paperwork accompanying prisoner property from other prisons is not always compliant (property is not accurately itemised). Acacia staff often have to complete the process again.

Property ranked as the third highest source of prisoner complaint received by Independent Visitors at Acacia.

Recommendation 1

Provide appropriate resourcing in the property store.

2.3 ORIENTATION

Involvement by peer support prisoners

Once prisoners have been processed through reception a peer support prisoner attends and escorts them to Kilo block to undergo induction and orientation. There is no peer support participation in reception, however, they do engage after this point. Peer support escort prisoners from reception giving them a basic tour and explaining rules of the prison as they head to Kilo block.

They also show them how to use the computerised prisoner information kiosk being the Custodial Management System (CMS). Teaching the use of the CMS provides a lengthy interaction period enabling the peer support prisoner to establish a bond with the new prisoner.

We feel that the inclusion of peer support prisoners as early as possible in the reception/ induction process would be even more beneficial. Having peer support prisoners present in the reception area upon arrival would be of benefit to new prisoners and staff as it may settle the new prisoners quicker. It also provides a second point of contact should the new prisoner feel uncomfortable about asking questions of the officers.

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Prisoner handbook may be too big

Some dedicated staff have taken on the development and continual improvement of the induction and orientation process. A Prisoner Handbook endeavours to cover everything a prisoner may need to know. This has resulted in a 53-page handbook. Unfortunately, it is so big that it has become too expensive to print for each prisoner. To give better access to this document it has been placed on the CMS. But given its length, it will take some time for a prisoner to read using the CMS. Prisoners are also given a PowerPoint presentation and there was talk of developing a video to pass a lot of this information on. The video would need to be accessible and played on a regular basis for prisoners to be able to refer to it. A copy of the handbook is also located in the library for reference.

Further development of a summarised handbook that would be affordable to produce for prisoners' personal use should be considered. The video should be pursued as it will assist those prisoners with low literacy skills also.

2.4 ASSESSMENTS AND PROGRAMS

The Department has hundreds of outstanding Individual Management Plans

The Hakea Assessment Centre is responsible for preparing an initial Individual Management Plan (IMP) for all male metropolitan prisoners sentenced to more than six months in custody. In the past, prisoners would be held at Hakea until all their court matters were finalised and the IMP completed. At the time of the inspection, people were transferred to Acacia as soon as they received an initial prison sentence. Some without an IMP being completed. Many have more court matters to resolve, which can result in extra prison time, which will require an initial IMP to be done.

As per Adult Custodial Rule 18 (9.7.1) an initial IMP should generally be conducted within 28 days of sentencing. It is intended as a holistic assessment of the prisoner's offending, security classification, care and wellbeing needs, intervention needs, and proposed prison placements. Recent changes to how treatment assessments were undertaken had not been accompanied by any increase in resources. As a result, there was a major backlog of completions of initial IMPs.

Table 2-1: IMP figures provided by the Department

| FACILITY | Initial IMP's Approved in the Month of April | Sentenced Prisoners with an effective term greater than 6months | Sentenced Prisoners with an approved Initial IMP | Sentenced Prisoners with Initial IMP dispensation | Exempt from Initial IMP process as per COB 12/18 * | Sentenced Prisoners who require an Initial IMP within 28 days | Sentenced Prisoners who have an outstanding Initial IMP Outside 28 days |
|-------------|--|---|--|---|--|---|---|
| ACACIA | 0 | 1406 | 732 | 132 | 85 | 30 | 427 |
| STATE TOTAL | 95 | 4347 | 2679 | 378 | 173 | 198 | 919 |

* Custodial Operation Bulletin 12/2018

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At the end of April 2019, 427 prisoners were waiting for an IMP assessment. Under the Department's Custodial Operational Bulletin 12/2018, 85 had been made exempt. In some cases, it was because they were already so overdue it would be pointless. For example, they would not be able to complete a program before their release.

As can be seen by the table above Acacia have almost half (47%) of the state total of prisoners that have outstanding IMP's. This makes it very difficult to plan programs for those seeking parole.

Failure to progress IMPs has cascading impacts for prisoners, the prison, and the community

Failure to complete treatment assessments, or significant delays, means prisoners cannot be booked into offender programs they need as part of their rehabilitation. The Prisoners Review Board (PRB) are aware of the situation the prisoners are in. However, the fact that offending behaviour has not been addressed is a negative factor in decisions whether to grant parole. Prisoners are less equipped to manage their issues on release and more likely to reoffend and return to prison. Further offending comes at a considerable cost to the victims, society at large, the offenders and their families.

Fewer parole releases and increased prison returns mean that prisoner populations are high and services, including for rehabilitation, are stretched thin. While prisons in the past have been unable to provide sufficient programs to cover the assessed needs of prisoners, we were told that many programs in 2019 may be cancelled because too few prisoners have been assessed as needing them. Case management is allocated to offenders eligible for an IMP. Contact with an officer is scheduled at three months after completion of the initial IMP. Acacia exceeds this requirement by having a primary contact for everyone within two weeks of admission, but further contact depends on completion of the IMP.

Completion of IMP programs can help reduce a prisoner's security classification. Failure, or delays in accessing programs, can affect a prisoner's progression to a minimum-security facility. This potentially inflates the number of prisoners held in more secure facilities. It is normally required that an initial IMP be completed before a prisoner can transfer to minimum. Acacia sentence management has been supported in overriding this requirement in some cases. Progression to a minimum-security prison tends to be beneficial in enhancing attitudes, life skills, work experience, training and reintegration programs that can improve resettlement outcomes for prisoners. It is also more cost-efficient to accommodate prisoners at lower security levels where possible.

Education assessments undertaken as part of preparation for initial IMPs have also been delayed. Acacia has a contractual requirement to provide general basic education in literacy and numeracy to all new prisoners who tested at C or D level in education assessments. But with prisoners not having had an education assessment from Hakea, many are slipping through without any remedial education.

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Education must consult sentence management before signing prisoners up to training programs that require availability for six months or more. Prisoners whose initial IMPs are incomplete cannot normally be endorsed for such a training commitment. Failure to improve literacy and numeracy, or to access other training can have consequences for the rehabilitation outcomes of these individuals.

Acacia sentence management should be resourced to undertake initial IMPs

Acacia has a strong team of sentence management workers who are confident and capable, and work well with Department sentence management.

We recommended in the report of our Hakea inspection that facilities like Acacia be tasked and resourced to undertake their own initial IMPs (OICS, 2019). Program facilitators at Acacia could also be trained to assist with treatment assessments should fewer programs be required in 2019. Any argument that such a task should be uniquely undertaken by a state prison is negated by what occurs at the privately-operated Melaleuca Remand and Reintegration Facility. The Department requires Melaleuca to undertake initial IMPs and other initial assessments for women. In 2017, Acacia offered to assist with initial IMPs, but nothing eventuated. Talks with Serco have since taken place and at the time of writing Acacia had begun to assist with initial IMP's. The Department also advised us that they were progressing toward further changes that should address the backlog.

Recommendation 2

The Department must urgently address the backlog of initial IMP's state wide.

Case management contacts should include all prisoners and more regularly

An initial Primary Contact Report (PCR) is due to be completed within 14 days of assignment to a case manager. Case managers are assigned to each prisoner on their first weekend at Acacia. Instead of completing a contact report checklist on the Department's system, Total Offender Management Solution (TOMS), at Acacia they are recorded in the offender notes on TOMS using a template. This is good practice as this information is more readily available to other staff.

However, there were 39 PCRs overdue at 10 September 2018, and 119 overdue follow up contacts. Of those prisoners eligible for case management 40 were yet to be assigned a case manager.

To be meaningful, and to improve dynamic security, case management would need to be applied to all prisoners, regardless of sentence length and IMP status. Contacts should occur at least every three months, and preferably every month.

Offender programs are running well

After a couple of years of leadership instability, the programs team is more settled with a new substantive manager and two clinical supervisors working with a team of 20

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clinicians. The Department had expected the team to run a mix of 33 IMP programs per year both for mainstream and protection prisoners. These comprised:

- Violent Offender Treatment Program (an intensive program for violent offenders)
- Pathways (an intensive drug treatment program)
- Medium Intensity Program (a medium intensity general offending program)
- Stopping Family Violence Program (a medium intensity domestic violence program)
- Think First (a medium intensity general offending cognitive skills program).

Because treatment assessments had fallen so far behind, by mid-2018 it was difficult to fill scheduled programs. The program mix was adjusted, and participants with longer term release dates were included. This was at the expense of unassessed prisoners approaching parole. This clearly disadvantages those that are due parole in the near future. Given the backlog it was not clear which programs would run in 2019.

No progress on IMP interventions for Aboriginal prisoners

Following the 2015 inspection, this Office recommended that:

The Department and Serco work cooperatively to develop new interventions and offender programs that are suitable for Aboriginal prisoners, particularly those who are out of country or whose first language is not English (OICS, 2016).

In framing this recommendation, this Office was primarily concerned with those programs mandated in a prisoner's IMP. The programs team at Acacia sought to adapt program delivery to suit diverse participants, including those with low literacy and from Indigenous backgrounds. But, none of these programs were developed to be responsive to the needs of Western Australian Aboriginal people.

Acacia wish to develop and 'refresh' IMP programs, but programs management both locally and within the Department, have not had the stability or capacity to progress this. Having said that, a good effort has been made to develop voluntary programs focused on Indigenous participants, notably the 12-step Corroboree program and the Passbook program.

2.5 VOLUNTARY PROGRAMS

Alternatives to IMP programs were very popular

Acacia has developed and delivers a range of voluntary interventions which complement or provide an alternative to the IMP programs. Most were developed locally to be inclusive of prisoners of all backgrounds, and a few directly target Aboriginal prisoners. These programs are extremely popular and all have long wait lists. They are valued by those not requiring an IMP program, those who completed an IMP program, and those not yet assessed for IMP programs. All hope to bolster their prospects of parole, and many see them as a way of maintaining a positive outlook and providing extra tools to be successful

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in their transition to the community. Responsibility for voluntary programs is distributed across various sections within Acacia.

Table 2-2: Voluntary Programs

| | |
|-------------------------------|---|
| General | Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) which are led by experienced prisoner mentors, with external support from AA. |
| Self-Help Programs | Keeping Off It is a 12- session therapeutic program led by a program facilitator and a counsellor. |
| | Getting Over It is a 12- session follow-up to KOI or Pathways. |
| | Green Lighthouse is a prisoner mentoring program. |
| Indigenous Initiatives | 12-step Corroboree Program is a drug and alcohol program based on Aboriginal culture, led by an experienced prisoner mentor. |
| | Passbook program is a culturally based personal growth program. |
| | Outcare domestic violence through-care program – a federally funded group program for Indigenous men with additional individual counselling and post-release support. |
| | Outcare career development workshops. |
| | Drumbeat (originally developed by Holyoake). |
| | GenOne - Vocational Training & Employment Centres (VTEC) man to man program with a focus on personal development and job readiness. |
| Resettlement | Skills for life program, developed since Outcare lost its re-entry contract. |
| | Preparing for parole. |
| | Storybook dad. |
| | Holyoake, Prison to Parole through-care counselling. |
| | Alternatives to Violence offers experiential workshops on creative conflict transformation and trains prisoners as cofacilitators. |
| Sycamore Tree | Sycamore Tree which challenges criminal thinking by listening to victims was initially developed at Acacia many years ago, and is still going strong. |

Chapter 3

LIVING IN ACACIA

3.1 PRISONER LIVING CONDITIONS

Crowding in the blocks

Due to the prison population increase and the lack of employment opportunities, there are more prisoners in the blocks during unlock hours and officers must manage more prisoners than ever before. A higher volume of requests and increased supervision places more demand on the officers.

Prisoners are also competing for access to phones, staff, space, recreation equipment, work opportunities and services. The crowding and lack of opportunity to get out of the blocks and away from others, creates tension and may lead to increased numbers of incidents.

There is no easy or quick solution to this issue. There needs to be more opportunity for the prisoners to get out of the blocks during unlock hours, either through employment, training, recreation or education. This may require some lateral thinking and/or investment in infrastructure and resources by the Department and Serco.

3.2 FOOD AND NUTRITION

Renovated kitchen in excellent condition

In July 2018, the kitchen closed for renovations. These included replacing the floor, lighting and air-conditioning. All the equipment had to be removed, and thoroughly cleaned before being replaced. It was a big project that had to be carefully planned and managed to ensure that almost 2,000 prisoners and staff still got fed.

Breakfasts and lunches were kept simple and provided by Acacia. The evening meal was prepared by an external catering company. Kitchen staff made sure that there were at least two days of frozen meals available if something happened to disrupt the supply of food from the catering company. Wooroloo Prison Farm and Yongah Hill Immigration Detention Centre, were also on standby to provide food if necessary.

When inspected, the kitchen was in excellent condition. Kitchen staff were satisfied that the amount and the quality of the equipment they had were sufficient to feed all prisoners and staff.

But prisoner satisfaction levels had declined

The food service has traditionally been good. It is the only prison in the state that offers a choice of meals for dinner. It was a surprise that prisoners interviewed expressed a decline in the quality of the food. Our pre-inspection prisoner survey results also revealed a decline in prisoner satisfaction with both the quality and quantity of the food.

LIVING IN ACACIA

Table 3-1: Survey results to question – What do you think about the ...?

| Question | 2018 results | | 2015 results | | State averages | |
|----------------|--------------|------|--------------|------|----------------|------|
| | Good | Poor | Good | Poor | Good | Poor |
| Food quality | 22% | 75% | 45% | 50% | 47% | 50% |
| Amount of food | 24% | 74% | 42% | 54% | 58% | 39% |

We did not find any significant change in the way meals were prepared or served that would account for this decline. Prisoners did tell us that they liked the portion control of the meals they received from the external caterer when the kitchen was being renovated. This removed concern that they might not get enough food. But this was a short term contingency and was not viable to sustain.

Prisoners also said that sometimes there was not enough food for all the prisoners. Some said if you are friendly with the prisoners dishing up the food in the units then you tend to get preferential treatment. You may get a bigger serve or a second helping. After investigation, this was found to be a supervision issue rather than a food production issue. This needs to be addressed by Acacia management.

Prisoners can provide feedback about the food, through monthly food committee meetings. Prisoner representatives from each block attend. There is a genuine engagement from the catering staff in trying to negotiate and compromise with the prisoners on this committee.

3.3 OUTSIDE CONTACT

Prisoners were not receiving their full allocated visit time

Prisoners contact with family and friends can occur through the visits program, telephone, Skype, email, and mail.

There is a large visits area with booths for non-contact visits, an area for prisoners on an incentive regime, vending machines, a café staffed by prisoners, and a crèche. In the past, the prison has held family days (visits on the oval). These were more relaxed opportunities to engage with families. But these have been reduced from three occasions to two per annum due to the pressures of the increased prison population. Visits staff were professional, courteous and maintained surveillance and security of visits in a manner respectful of privacy.

Prisoners said that actual time spent in visits was less than the allocation. Increased prison population increases the number of visitors that must be processed. This reduces the time spent in the visit. Visit sessions are supposed to be one hour and 15 minutes but sometimes this is reduced to 45 or even 30 minutes of actual visiting time.

Processing of visitors for the next visits session cannot begin until the previous sessions visitors have departed the prison. This is due to the gate house only having one entrance/ exit and as such there is a need, for security reasons, to prevent the visitors from each

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session coming in contact with each other. A review of visit processes and times, should be undertaken with a goal to increase time actually spent in the visit.

Access to Skype had improved

Skype access has improved since the November 2015 inspection in which we recommended that:

Serco should significantly increase prisoner access to Skype to facilitate family and community contact (OICS, 2016).

This was supported by Serco. Since the November 2015 inspection, three additional computer terminals with Skype facilities have been installed in three blocks, including one in protection. Prisoners can access Skype five days per week. This is good practice.

Increased demand for phones

Prisoners contact family and friends through the prisoner telephone system which records all calls. Prisoners are allocated 20 minutes per phone call. Prisoners reported difficulties in accessing telephones at high demand times such as when afternoon shift workers return to the block. It is important that there are sufficient telephones in each unit to meet demand as these times may be the only opportunity for prisoners to speak with their school aged children, family or friends. Each unit had been wired for two phone connections but to date only one phone has been installed. Management are looking at getting additional phones installed.

We were told that prisoners from the north of the state had virtually no contact with family and friends. This was exacerbated by the cost of calls to mobiles and length of time it often took to find the person wanted in a remote community, as phone access is often shared. This is compounded by the lack of work for prisoners to be able to afford the calls. Most prisoners from regional areas do not receive social visits due to the distances (OICS, 2018).

3.4 RELIGION AND SPIRITUALITY

Department delays cause problems for volunteer access

Chaplaincy services are provided by a small team of five staff working hours equivalent to three full-time positions. They provide a multi-faith approach to prisoners, five days a week, with a roster for providing an additional Sunday service. Occasionally there are also volunteers that come in to provide support, however, delays in the Department providing or renewing security clearances causes problems for volunteer access.

Increased pressure on religious services

The chaplains work for prisoners, staff and families of prisoners to provide pastoral care one-on-one. They provide broad-based voluntary programs, group activities, facilitate faith gatherings and support post-release through support lines and linkages with communities.

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All programs led by the chaplains are currently for Christian faiths, though prisoners of other faith may attend. All faith activities are for both mainstream and protection. There are also Buddhist meditation groups on Saturday, and at the time of the inspection they were in the process of identifying a Muslim person to lead Friday prayers. The previous inspection in 2015 identified that the efforts to introduce Friday prayers had not been approved by management (OICS, 2016). The communal prayers for prisoners of Muslim faith were in place but not run by an external facilitator.

One-third of the prisoners surveyed stated that they felt they could practice their religion. This is down marginally from 38 per cent last inspection cycle, and below the state-wide average of 39 per cent. Prisoner population increases are putting pressure on church services. The number of prisoners able to attend each service is capped at 80-85 prisoners per service or 10 prisoners per unit. Some prisoners who want to attend a service are missing out, limiting their ability to practice their religion.

3.5 PRISONER FORUMS

The peer support team was strong and well-supported

The peer support system was operating well. There were 28 peer support prisoners on the team which was led by two experienced Prison Support Officers (PSOs). The peer support team was representative of the prisoners in the various accommodation blocks. The team included foreign nationals, Aboriginal prisoners and prisoners from the two protection blocks.

The managing structure of the peer support system was appropriate to the role and function of the team. It sits within Psychological Wellbeing Services (PWS) which is headed up by a Clinical Psychologist. As such, we found that the team was well-supported emotionally. They each had opportunities for one-on-one supervision where they could discuss problems they were having with the role, highlight any prisoners who may be feeling particularly vulnerable, or just talk.

The psychologists in the PWS team also provided training and information sessions for the peer support team. This could be about various topics, including how to maintain appropriate boundaries with the people they are assisting, what information is important for them to obtain to feed into the Support and Monitoring System and At-Risk Monitoring System (ARMS) processes at the prison.

One of the PSOs and the Indigenous Services Coordinator were qualified trainers for the Gatekeeper Suicide Prevention training course and provided training sessions for the peer support team every six months.

The PSOs felt well-supported by their managers in the PWS team. The staffing profile for the PSOs is three. But there were only two PSOs on staff. This has been the situation for many years. There was a period during 2015 when Acacia did have three PSOs on staff, but the third one left to take up a role in the programs area and the position has never been filled since.

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The peer support role not fully understood by all

Peer support prisoners were each assigned specific blocks that they were responsible for; ordinarily this would not be their own accommodation block. This decreased the risk of them having prisoners in their unit constantly leaning on them for support, thus decreasing the risk of burn out.

Peer support prisoners needed to travel around the prison and enter other accommodation blocks to do their work. In general, prisoners are not allowed to wander in and out of accommodation blocks, other than their own. This is to prevent trafficking of contraband across the site. But peer support prisoners must be able to visit prisoners in other blocks if they are to offer them support.

The work of the peer support prisoners was sometimes disrupted by officers not allowing them access to the blocks. There have been incidents in the past involving peer support prisoners trafficking contraband between different blocks in the course of their peer support duties. Consequently, some officers remain suspicious of the motives of the peer support prisoners.

The peer support prisoners know that they will lose their job if they are caught trying to smuggle anything. They admit that they are often under intense pressure from prisoners to do this. Some peer support prisoners even suggested that they may give up their peer support position because the pressure they are under is so great.

The PSOs used to make a presentation to the new officers during their training about what peer support is and how peer supporters can assist officers by settling unsettled prisoners. This no longer occurs. Instead, information about the peer support system at Acacia has been incorporated into an overall presentation given by the PWS team, and covers a variety of topics, not just peer support. It would be beneficial to reinstate a specific peer support presentation, delivered by the PSOs, and focused on the peer support system and how it operates. This would assist the new officers and others, to understand the role of peer support. It would also improve the profile of peer support across the site.

Chapter 4

PRISONER GROUPS

4.1 PROTECTION

Protection prisoners' access to services had reduced

Protection prisoner numbers have increased and are now housed in two blocks being Juliet and India. These blocks have a design capacity of 95 prisoners each but operate with 303 between them. More so than the rest of the prison, the increase of prisoners has outstripped services.

Protection prisoners are isolated from the rest of the prison community and their movement limited for their safety. They must be escorted whenever they need to leave the block. The extra restrictions placed on them for their safety reduces their access to services. They cannot work in the same workshops, recreate, attend visits sessions, attend programs or attend education with mainstream prisoners.

Protection prisoners don't always feel safe

Protection prisoners are often threatened and abused by mainstream prisoners, especially when outside their block. An example being when they are escorted by two officers (one front and one rear) when attending the medical centre on a weekend. They do not feel safe when this occurs. There are often mainstream prisoners on the oval, oval seating and walking on pathways that the escorted movement must negotiate. Protection prisoners feel that if the mainstream prisoners were to attack them during this movement, the two escorting officers would be unable to protect them.

The diversity of the protection prisoners in each block also presents a degree of risk; the cohort often includes: prisoners known for their violence; others who openly state that they dislike paedophiles; and others who are openly racist. Any mistreatment of other protection prisoners may jeopardise their protection status, but this does not always stop threats, demeaning attitudes and belligerent behaviour.

Mental health services for protection prisoners

Many protection prisoners have mental health issues before they are imprisoned. If a protection prisoner does not get along with other prisoners in their block it is difficult to relocate them as there are few other options. For their own safety, protection prisoners must be more tolerant of other prisoners in their unit. Constant threats, isolation, abandonment by family, lack of activities and for some, the realism of possibly never being released, adds to the possible development of mental health issues.

Many prisoners spoke of depression and other psychological issues. They expressed a need for more contact, counselling and support, and especially for more one-on-one counselling.

While prisoners at Acacia have far more access to general counselling than at some other prisons, protection prisoners told us they are not accessing as much as they require. As mentioned later in this report, the new mental health and Alcohol and Other Drugs (AOD) team provide two full days of psychiatric services each week, however, the team size

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remains the same as 2015. They are operating more efficiently with the same resources but this is not enough to provide the service required for 1,525 prisoners let alone a more concentrated service for those in protection.

4.2 LIFE SENTENCED PRISONERS (LIFERS)

The lifers' strategy was still in place

Lifers are accommodated in a self-care environment in November block where houses accommodate six prisoners each in single cells. Expansion in 2013–2014, led to a reconfiguring of the block into two distinct sections, one for lifers and one general self-care unit.

In response to a recommendation we made in 2014, a strategy for the life sentenced prisoners (lifers) was implemented (OICS, 2014).

Some of the opportunities that are available to the lifers in keeping with the strategy include:

- specific lifers only visit sessions
- family visits for lifers on the oval
- special spends items available for lifers to purchase through the canteen
- longer phone calls
- a more settled living environment in the lifers' section of November block
- representation on a committee for lifers, the Health, Education and Advancement for Lifers (HEAL) committee.

The HEAL committee comprised of lifer representatives from November block, and other blocks where lifers resided, including protection (Juliet and India blocks). Staff from various prison operation areas also attend. The meetings are held fortnightly. We found the level of engagement of the officers and staff who attend and their responsiveness in addressing issues commendable. The meeting is documented, and the minutes distributed.

The challenge is to ensure that the services and opportunities for these prisoners are maintained, that the regime remains settled, and that innovative ideas continue to be explored.

The Lifers' Liaison Officers were a cohesive team

The lifers' strategy provides for dedicated custodial officers working in the lifers' block. These officers are called Lifers' Liaison Officers (LLO). In most cases, they volunteer for the position.

The LLOs longevity in the role is important to build rapport with the lifers. Acacia is their home and some know they will never get out. LLOs must be mindful of what this means. As their awareness emerges over time, the rapport will build as and when the lifers feel the LLOs understand their experiences.

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In 2015, cross-deployment was destabilising the LLOs attempts to create a stable, settled block. LLOs were called to cover other positions, taking them out of the block for that day. This compromised their opportunities to spend time with the lifers and build the rapport with them that is crucial to their role. We recommended that Serco fully commit to the lifers' strategy and cease the cross-deployment of the LLOs (OICS, 2016). The recommendation was not progressed as intended with Serco blaming operational requirements as their priority. Staff expect to be redeployed every day and rotate so it is a different LLO each day.

Recommendation 3

Serco fully commit to the lifers' strategy and cease the cross-deployment of the LLOs.

Acacia has plans to strengthen the role and function of the LLO scheme. This involves rolling out the LLO model to other blocks where lifers may reside. Of the 166 lifers that have no defined date of release, only 80 of these are in the lifers section of November block. The others are in blocks across the prison, specifically the protection blocks Juliet and India. The strengthened role and function of the LLO scheme would include more formalised training for the LLOs.

Inclusion of non-lifers in some lifers' houses was destabilising

November block was not immune to population pressure. The new self-care houses were modified, changing 43 per cent of single cells to double cells. This increased the number of prisoners in many of the houses to seven rather than the designed for six residents.

As a lifer, the most significant reward for achieving earned privilege status is getting a single cell. Having to share a house with seven prisoners in a house designed for six, and facing the prospect of having to share a cell, was a big blow for the lifers.

The prisoners who were placed in these doubled up cells were not necessarily life sentenced prisoners. They may have long sentences, but they still have a definitive release date. The six lifers sharing the house may not have this luxury. This changed house dynamics and some lifers found it destabilising.

The houses were set up for six prisoners, dining chairs, cutlery, crockery, cooking equipment and storage facilities for six men. In one house, six prisoners sat at the table on dining chairs, while the seventh prisoner sat on a cheap plastic chair. This may seem a small inconvenience but it creates unnecessary tension.

Non-lifers sharing a cell were not entitled to the same privileges as lifers, such as the special spends items and electronic equipment. This caused tension in the houses. Lifers felt that this was just the beginning and raised concern that more cells would be doubled and filled with short-termers. This would irreparably damage the environment that they and the LLO's created.

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4.3 ABORIGINAL PRISONERS

Indigenous Services Coordinator position too big for one person

At the time of the inspection, there were over 500 Aboriginal residents, one-third of Acacia's prisoner population. The Indigenous Services Coordinator (ISC) manages and coordinates services and programs for this group of prisoners. The job is too big for one person. The ISC role is effective and busy, but lacks resource support. There is nobody to replace her if she takes leave and the workload builds up while she is away. This presents a risk that she will become overwhelmed and/or burned out, and an invaluable resource could be lost.

Recommendation 4

Put in place appropriate and adequate supports for the Indigenous Services Coordinator position.

The ISC has been at Acacia for a long time and has developed a good rapport with the Aboriginal prisoners. She works closely with the PSOs, but whereas the PSOs are managed with PWS, the ISC is situated with the resettlement directorate and is managed by the Assistant Director of this area.

She has strong networks with external service providers and is proactive in connecting these with prisoners. One of these is the Gen One VTEC Program run by the Ebenezer Aboriginal Corporation. Eligible prisoners are identified and assessed by the Ebenezer Corporation as to their suitability for inclusion in the program. The program works with prisoners while still incarcerated. It includes a post-release component during which the agency continues to support and advise prisoners and their families to aid their transition out of prison and into workplaces. They work to ensure that newly released prisoners are sufficiently supported to avoid factors that could possibly be triggers to reoffend.

Other services and programs this position is involved in include:

- coordinating special events like NAIDOC week and Chinese New Year celebrations
- working with re-entry service providers doing family violence programs
- coordinating cultural awareness training for staff.

No physical presence by Aboriginal Visitors Scheme

There were times when the ISC was doing the work supposed to be performed by the Aboriginal Visitors Service (AVS). The AVS is a group of Aboriginal staff who visit prisons and detention centres around the state, providing support and counselling to Aboriginal people in custody (DoJ, 2019).

Between 1 January 2017 and 30 July 2018 (a period of 19 months) AVS visited Acacia only nine times. Following our 2015 inspection we recommended that

Complimentary to the 24-hour hotline, the Department increase the amount of

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face-to-face contact by the Aboriginal Visitor Service at Acacia to meet the expected outcomes of the Department's Reconciliation Action Plan (OICS, 2016).

Serco noted the recommendation. The Department supported it as an existing departmental initiative, saying it would be considered as part of the review of the operation of the AVS. In its updated response, received just before the inspection, the Department said:

AVS have not had a physical presence on a regular basis at Acacia Prison since November 2017 however, the service is readily available to provide a visitor upon request. Requests for a visit from prisoners can be made via the AVS 1800 number which is a free call on all prisoner telephone accounts.

A 1800 number is not culturally sensitive or an appropriate method of contact for many Aboriginal people who prefer and sometimes will only, talk to people face-to-face. Many need to be able to assess the person and build up trust before expressing themselves. Many will not leave messages on answering machines and do not understand why they cannot talk to a person.

Aboriginal people from remote communities may not understand or trust technology. Negative past experiences often means that trust needs to be earned, something that is hard to do over the phone. Many issues that Aboriginal people have in prisons throughout the state may go unheard and not addressed for this reason.

We feel that the only way the AVS can do their role effectively is to have a presence in the prison on a regular basis. As there has not been an increase in the face-to-face contact by the AVS at Acacia we have no choice but to reiterate the recommendation from 2015.

Recommendation 5

Ensure a regular, in-person Aboriginal Visitor Service at Acacia.

4.4 YOUNG ADULTS

The reintegration vision for the young adults hits a speed bump

As part of an expansion program in 2013–2014, four double storey accommodation blocks were constructed to house up to 220 young adults. This became known as Uniform Block. Prisoners aged between 18 and 28 years are generally accommodated there.

Uniform Block had a specific philosophy, at the core of which was addressing recidivism and reintegration. This was to be achieved through:

- providing a specifically targeted program of activities
- fostering and maintaining links between the young adults, their families, and the wider community
- providing collaborative multidisciplinary case management of young adults both pre- and post-release.

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This philosophy aligned with that of Wandoo Reintegration Facility (WRF) which was also a Serco-run operation. WRF was a minimum-security prison for young men (also aged between 18 and 28) with a focus on re-entry and rehabilitation. Young adults in Uniform Block who were eligible to reach minimum-security could be transferred to Wandoo. This provided a better chance of successful reintegration back into their communities.

We inspected WRF twice, in 2014 and 2016. Both were positive inspections. The role that Wandoo provided in the prison system was essential. In March 2017, WRF was repurposed to become a drug and alcohol rehabilitation prison for women. It was removed from the private operator, and brought back under state government administration. While the government should be commended for introducing this initiative for women, this removed the key reintegration pathway for the young adults in Uniform Block.

The closing of the minimum-security prison for young men (aged between 18 and 28) with a focus on re-entry and rehabilitation has removed an important service for this group that was delivering successful outcomes. There is a need for these services. When Wandoo was repurposed, they should have been established in some manner elsewhere.

Up until April 2018, Outcare had also been based in one of the units in Uniform Block, providing re-entry services to those prisoners not likely to achieve minimum-security and get to Wandoo. Outcare previously had the contract to provide the re-entry services to male prisoners in the metropolitan area. They lost this contract in late 2017, and the new service provider commenced its services in April 2018. Unfortunately, these did not extend to the young adults in Uniform Block. Without such services, Uniform Block had become just another accommodation block.

At the time of writing Acacia had reviewed the young adults' unit and several changes were put into place to enhance the opportunities for young adults within the prison. Uniform Block has now been split into two working streams. Units one and two are now the induction units and units three and four are the Young Adult community. A Young Adult strategy has been developed and incorporates all young adults across the prison similar to the lifers strategy already in place.

The age of those eligible will be 18-25 however, this will be flexible to enable continued work with the prisoners on the strategy if they go beyond 25.

The Young Adult Support Worker was a positive resource

The Young Adult Support Worker was a new addition to the team in Uniform Block. She had joined in April 2018, having previously worked in a similar role at the WRF. In six months, she had put in place a program of activities for the young adults. This was progress against the recommendation we had made in the previous inspection that:

Serco ensure that there are enough constructive and meaningful activities available to the young adults (OICS, 2016).

The program she had worked out included, sporting events, life skills activities (cooking), art, music, information sessions (parole planning) and self-help groups (AA and NA).

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Uncles reinvigorated

The Young Adult Support Worker was also responsible for managing the Uncles who lived and worked in the block. The Uncles were specifically selected prisoners, generally older than 28, who provided mentoring and support for the young adults. There were two Uncles in each of the four units of Uniform Block.

The Uncles' responsibilities had diminished after the last inspection and were not performing as intended. However, with the Young Adult Support Worker's direction, drive and enthusiasm this had turned around. Responsibilities for coordinating the activities of the Uncles were given to the Uncles themselves. There was a roster put in place outlining who was responsible for what and Uncles were kept busy and engaged with the young adults. They felt a sense of responsibility in doing their job well. Being involved in the activities raised their profile among the young adults, making them more accessible, in particular, those who might be having a tough time and need some support.

Chapter 5

BEING PRODUCTIVE AND FUTURE FOCUSED

5.1 RECREATION

Cross-deployment of recreation officers still hampers delivery

Acacia has a large well equipped gym with recreation space (multipurpose courts), cardio, weight equipment, oval and tennis court. Issues caused by rabbits, found in the 2015 inspection (OICS, 2016), had been rectified by the installation of a rabbit proof fence. Equipment was functional, however, we were informed that there was no equipment maintenance plan in place. This needs to be addressed.

There is a range of organised activities including specific recreation programs for prisoners with needs such as the elderly and persons with a disability. There are also specific activities for reconciliation week and a health and wellbeing expo. However, short-staffing is hampering delivery of these activities. Cross-deployment remains an issue despite recommendations in our two previous reports that:

Acacia address the limitations on recreation caused by cross-deployment (OICS, 2014) (OICS, 2016). This practice continues to the ongoing detriment of prisoners and a healthy prison environment.

In 2013 we recommended that Acacia should:

[C]ease the cross-deployment of recreation officers; and ensure that appropriate additional physical resources and staffing are available to meet current and future demand for recreation (OICS, 2014).

This recommendation was supported by Acacia and a local order was produced detailing a preference for not cross deploying recreation officers. Yet the issue persisted in the 2015 inspection, and the recommendation was made in that report also:

[E]nsure prisoners have full access to recreation options as scheduled (OICS, 2016).

On each shift, there should be three recreation staff. However, there were often only two due to cross-deployment. Recreation is a crucial aspect to prisoner wellbeing and plays a key role in mental health and rehabilitation. Staffing needs across the prison need to be met in a way that does not impact on the delivery of the recreation programs that contribute to prisoner physical and mental health, rehabilitation and overall wellbeing. It is disappointing to see that the issue of cross-deployment of recreation officers remains, and continues to severely hamper delivery of a suite of excellent programs and activities.

5.2 EMPLOYMENT

Employment options were innovative but limited

During our last inspection, we commented that:

[K]eeping prisoners actively engaged each day is challenging for any prison, even more so for a prison with 1,395 prisoners (OICS, 2016).

Since 2015, prisoner numbers at Acacia have continued to climb and the daily count is now over 1,500. With this increase, Acacia has actively sought to create more employment

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positions for prisoners. The number of positions available has risen from 970 three years ago, to 1,106 in 2018. During the inspection, there were 1,055 positions filled which is around 95 per cent. While these are impressive figures, the prisoner pre-inspection survey reflected a different story. Analysis showed that there is significant underemployment. The employment rate is generally between 67 per cent to 71 per cent which means at any one time at least 30 per cent of prisoners are unemployed. In such a large prison this amounts to approximately 470 prisoners.

We have previously reported on how Acacia sought to create more employment (OICS, 2011), (OICS, 2014) and (OICS, 2016). The work day is broken into two shifts, morning and afternoon shift. This allows for double the number of prisoners to be employed. However, prisoner engagement is for only three hours per day. This is not representative of community standards.

Some workplaces, such as the kitchen and industries, provide opportunities for prisoners to work additional shifts (overtime). The prisoners receive extra gratuities and these positions are eagerly sought.

Acacia and the Department need to be mindful as they further infill prisons that just providing beds is not enough. Prisoners need constructive, meaningful daily activity and work for rehabilitation, security and reparation goals to be achieved. While writing this report, we have been informed that employment positions had been increased to 1122 and from July 2019 would increase to 1132. This is an encouraging development, and we hope this will further expand.

Work for protection prisoners continues to be an issue. In 2015, there were 128 protection prisoners. Thirty-two were working in the segregated workshop adjacent to the protection accommodation block. In 2018 the number of protection prisoners had increased to 303, a 236 per cent increase. The capacity of the protection workshops has increased with the relocation of the clothing exchange from the laundry to the protection workshop. But increases in employment opportunities have not grown in proportion to the increase in the protection prisoner population. There are 61 protection prisoners working in the segregated workshops and 85 in education.

There is a consistent approach to gratuities

Prisoners working in the prison receive varying levels of gratuities depending on the type of work they do. Gratuity payments dictate what they can purchase. We heard from prisoners that the price of tobacco had gone up without an increase in the gratuity levels. This reduces the amount they can buy each week and risks a rise in poor behaviour, such as bullying and standovers for tobacco.

The Department recommends set proportions of the prisoner population for each of six gratuity levels.

Acacia has been through a process to ensure consistency across the prison in the allocation of gratuities. This process was managed by the Assistant Director Reducing

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Reoffending and the Employment Coordinator and monitored through the Prisoner Employment and Activity Committee (PERC). It seeks to make sure that the gratuity level paid is based on the skills and level of responsibility required to do the job. It also seeks to make sure that employment is meaningful.

Despite these processes, prisoners at Acacia are falling below the recommended proportions at the higher-level gratuity payments.

Table 5-1: Number and percentage of each gratuity level

| Gratuities levels 28/11/2018 | Number of prisoners | Acacia % | Department % |
|---------------------------------|------------------------|-------------|-----------------|
| 1 | 126 | 8.26 | 10 |
| 2 | 188 | 12.33 | 20 |
| 3 | 477 | 31.28 | 45 |
| 4 | 269 | 17.64 | 15 |
| 5 | 431 | 28.26 | 10 |
| 6 | 34 | 2.23 | - |
| Total | 1525 | 100 | 100 |

Prisoners must apply to get a job

Part of the employment program is to provide prisoners with skills in preparation for release. Acacia has sought to replicate real world processes for prisoners gaining employment. All positions are advertised on CMS. Prisoners who are interested in a position are invited to apply by filling in an application form and giving it to block staff. The Trade Instructor (TI) of the area where the vacancy exists receives the applications and manages the selection process.

We heard that all prisoners are shown how to use CMS as part of their induction. But we also heard that some prisoners with low literacy and numeracy skills avoid using CMS. These prisoners were encouraged to talk to block staff who could assist them with their applications. But the staff are busy. There is significant cross-deployment and they must prioritise compliance requirements, like searching and escorts. This often means that prisoner requests, forms and enquiries are delayed or not done.

The TI of the area where the vacancy exists does the selection process for the job. There is no consistent approach to the selection process. We heard that often TIs will select prisoners with pre-existing skills rather than train a person in the role. This is not inconsistent with real world processes but prisoners with few skills can be further disadvantaged.

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Challenges continue with engaging Aboriginal prisoners into work. The unemployment rate for Aboriginal prisoners is around 36 per cent, which is higher than the prison average of 31 per cent. Therefore, Aboriginal prisoners are disproportionately represented in the lower gratuity levels.

Table 5-2: Number and percentage of Aboriginal prisoners at each gratuity level

| Gratuity Level | Number of Aboriginal prisoners at each gratuity level | Percentage of all people employed at this gratuities level % |
|----------------|---|--|
| 1 | 12 | 10 |
| 2 | 37 | 20 |
| 3 | 143 | 30 |
| 4 | 107 | 40 |
| 5 | 172 | 40 |
| 6 | 20 | 60 |

Acacia has introduced a buddy program to encourage young adults to participate in work. This is a two-week program where the young person is mentored in the workplace. This is particularly relevant for the young men accommodated in Uniform Block. However, while a positive experience for many, we were provided with little evidence that it translates into real employment.

There are further barriers to prisoners getting jobs. For security purposes prisoners are placed into an employment category matrix of A, B, C, or D. The matrix determines which jobs prisoners can hold based on risk factors such as access to certain material and/or escape risks. When advertising the positions on the CMS the category is displayed and a prisoner with a lower category than the position advertised cannot apply. From a risk management perspective, this makes sense. Usually the categories correspond with the amount of trust and responsibility that is needed. This in turn also corresponds with the gratuities levels. Prisoners looking for work, may be restricted in their options and their pay scales in accordance with their employment category. The category can be reviewed each six months or sooner through incident reports.

More work needed but little space for expansion

There are 216 positions in industries and 181 were filled. The positions are spread across the three metal shops, carpentry and the laundry. Acacia has entered industry partnerships with several private companies. This has provided prisoners with constructive and meaningful work. The success of industries has placed pressure on the existing infrastructure. For example, pressure on the paint shop means that a second paint shop is needed to keep up with demand.

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An external contract for laundry helps to provide work for prisoners. Unfortunately, the same cannot be said for the carpentry workshop and the machine shop. The work available in carpentry is limited and basic. While Acacia does make beds, they have not been able to enter any commercial arrangements because they are unable to compete with products manufactured offshore. The machine shop provides opportunities to gain additional skills, but much of the work available is dependent upon the arrangements with external parties.

The TIs feel that they cannot employ more prisoners unless the workshops are made bigger and there are more resources, including staff. There is little room for expansion of individual workshops in their current locations.

‘Taster’ courses but no job at the end

Prisoners are offered the opportunity to undertake a 12-week Build the Future ‘taster’ course. This is conducted in the training workshops. The areas include carpentry, painting and decorating, bricklaying, and welding/hot work. Each area has 16 prisoners for both morning and afternoon shift totalling 128 prisoners across the four areas plus a cleaner and stores worker. These areas are run by a vocational trainer in each area, supplemented by peer tutors. Security staffing levels consist of one officer in the control room, one officer patrolling the education/classroom area and one officer patrolling the work areas. With only one security officer on the floor of the work areas, staff raised concerns of safety because of the large number of prisoners.

There is a waiting list for employment of approximately 300. Prisoners are prioritised, with unemployed prisoners being offered a place first. A high-level of skill was evident in the work that had been completed. It was disappointing to see that the prisoners do not receive some form of accreditation for the course. Prisoners who complete the course receive a priority interview for vacancies in industries. It is however, difficult for them to secure a position as they are competing against qualified workers.

5.3 EDUCATION AND TRAINING

Prisoners with higher literacy skills have to wait

The Education and Vocational Training Unit (EVTU) has a positive and productive feel. The Campus Manager holds training qualifications and is experienced in training at a number of registered training organisations.

There are approximately 300 students attending the EVTU, 150 in the morning group and 150 in the afternoon group. Of these 35 per cent are Indigenous students and 65 per cent non-Indigenous. As with employment, the two shifts per day, allow for more prisoners to be engaged in education. These students receive two and three quarter hours of education daily.

Acacia is compelled to engage prisoners whose literacy and numeracy levels are low (assessed at C or D) within three months of arriving. Such students are offered early

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general education programs only until a certain level of competency is reached. The centre does not offer mid or higher levels of general education. Nevertheless, the waiting lists for prisoners were up to 300, and those with higher literacy and numeracy levels may never access further education or training.

Reduced opportunities for skills training

For the year to 30 June 2018 the vocational industries workshops were closed for 104 days. This reduced opportunities to meet rehabilitation requirements of linking employment with training opportunities.

The Acacia Education plan for 2017–2018 highlights a number of courses that were either changed, not delivered or partially delivered due to staffing availability and prisoner interest. For example:

- Nutrition course delivery is expected to improve with the proposal of additional staff.
- Painting and decorating skills sets, ratio has increased from one to 16.
- Bricklaying skill sets has been replaced with match stick modelling.
- Warehousing was closed due to a trainer not being replaced.
- Carpentry training was not implemented.
- Cleaning traineeships had progressed but only in the kitchen.

Some prisoners are disadvantaged when it comes to education

Education and training for prisoners should be consistent and seamless as they move through the system regardless of which prison they are in. At the time of the inspection eight prisoners were enrolled in University, with one student using a restricted laptop. Students at Acacia are disadvantaged compared to students in some other prisons, due to the lack of access to a range of personal devices, restricted laptops and E-readers. They do not have the resources to support continuation of studies after education hours which impedes educational success.

Another major barrier for prisoners wishing to access further education is that prisoners with jobs have no access to education courses, other than occasional short courses or, in theory, a traineeship relating to their area of work. This is to maximise the numbers of people counted as employed, which includes students. It may also maximise spaces available in both education and other employment areas. But Acacia prisoners are disadvantaged by not being able to undertake additional studies in their own time alongside their main employment, whether it be some form of self-paced learning, or external studies.

Traineeships declining

In 2015, Acacia had structured its training program so that it sat in the education portfolio, separate from the industries workshop. This appeared to be a positive change with potential to facilitate more traineeships. It was disappointing to see that by 2018 the

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number of traineeships had declined from 42 to 30, with 26 in the kitchen and only four in industries. Industries management spoke of difficulties in delivering all the components of the traineeship due to a lack of coordination between that portfolio and education.

On a positive note, it is commendable that the kitchen has now signed up seven apprentices.

Class room space was raised as a reason for not conducting more traineeships. However, the space remains the same as last inspection. The classrooms in industries are rarely utilised. Considering the increase in prison population and the need to provide more engagement for prisoners, traineeship numbers need to be increased, and distributed across all industries. This may provide opportunities for prisoners to gain a range of skills and knowledge that may assist with their rehabilitation process and prepare them for employment on release.

No Aboriginal specific training or Aboriginal education worker

The education centre does not deliver Aboriginal specific courses. Scheduling Aboriginal only classes on a regular basis may encourage more Indigenous prisoners to engage in education and training. While there is no Aboriginal education worker there are a number of educators who are excellent at working with the Indigenous students. With more than a third of the Indigenous prisoners engaged in education it is strongly recommended that Serco fund an Aboriginal education worker position to provide support, and to encourage Indigenous prisoners to engage in education and training.

Recommendation 6

Serco actively seek and employ an Aboriginal education worker.

Need for qualified Art and Music trainers

University art qualifications through the Justice and Equity through Art (JETA) program (the JETA program provides access to Higher Education for incarcerated students) is positive, however, there are no other accredited art courses being delivered. The recruitment for a qualified art tutor was in progress and the intention is to deliver certificate qualifications in art.

Music continues to provide a wide range of skills and knowledge. It is delivered by the full-time prisoner peer tutor and his assistant. As well as the music program the introduction of the Acacia information radio station has produced opportunities for prisoners to develop skills in reading music, creating compositions, sound mixing and production in a radio station environment.

Music is not an accredited course but could benefit prisoners by providing educational and training pathways. A qualified music trainer should be used for course delivery so that music may be linked to a recognised qualification such as Music Industry Skills.

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5.4 PREPARATION FOR RELEASE

Good resettlement practices

Acacia has a resettlement unit with a team of diversely talented staff and a team of 'yellow hat' prisoner clerks acting as extension workers for the unit. They assist with prisoner inductions, distributing information, and making appointments with resettlement staff for prisoners with more complex queries. They also assist prisoners with completing resettlement checklists, parole plans, completing referral forms, and much more.

Checklists are sent out prior to release. Functioning on a responsible prisoner model, prisoners need to request help if needed. Parole workshops are offered, as are life skills courses. But a subset of prisoners are called up for an interview to complete a Transition Plan three to four months prior to release. These include young prisoners, those on the methadone program and those under mental health supervision. This plan potentially triggers further referrals.

Resettlement staff achieve some success in finding accommodation for prisoners. This is by way of referrals for through-care support, for external drug counselling, and placement in drug rehabilitation centres. A housing kit is available for prisoners seeking housing options leading up to release. A more general booklet is provided to all prisoners on release. Assistance provided by resettlement staff or participation in workshops is recorded on offender notes. There is no ready way of knowing how many prisoners are seeking assistance, and how many are failing to get assistance they may need.

Acacia prisoners are excluded from new reintegration services

In-prison services can only do so much to prepare people in custody for release. Many prisoners can be expected to resettle more effectively back into the community with support from a community agency other than corrective services. In the year to 30 Nov 2018, Acacia released 938 sentenced prisoners, comprising 20 per cent of all released sentenced prisoners across Western Australia, and 35 per cent of metropolitan male prisoners.

In 2015, we were concerned that the re-entry provider was struggling to meet demand, and recommended that the Department:

Adjust the Re-Entry Link contract to ensure enough resources are provided to meet the demand for re-entry services at Acacia (OICS, 2016).

Instead, the situation has deteriorated further. In awarding Rehabilitation and Reintegration Services Contracts which commenced in April 2018, the Department excluded Acacia prisoners from any of these services. The main contract, Re-entry Support Services and Transitional Housing, was awarded to the ReSet Consortium. Led by the Wungening Aboriginal Corporation they are expected to work with 2,830 male clients per annum. After considerable discussion between all the parties, it was resolved that Acacia can make up to 160 referrals per year for re-entry support. This is a token number

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which does not begin to meet the level of need of the 900 plus prisoners released from Acacia each year.

The Specialist and Dangerous Sex Offenders Re-entry and Accommodation Services contract was awarded to Uniting Care West (UCW). Again, Acacia clients were specifically excluded on the basis that most such prisoners were in minimum-security prisons in the period prior to release. But such prisoners first have to wait in a medium-security facility such as Acacia before their resocialisation program is approved. The involvement of UCW is critical in planning such programs before decisions can be made by the PRB. UCW have since been limited to 10 clients, half the level of previous resources to Acacia. Another significant exclusion was from the Rehabilitation – Criminogenic AOD contract awarded to a consortium led by Cyrenian House, part of which is the Drug and Alcohol Through-care Service. This is a pre- and post-release assessment and counselling program.

Acacia was never contracted to provide these services itself. In awarding these contracts, the Department intimated that Acacia was already adequately funded to support prisoner re-entry. But there is nothing in the Acacia contract to include such community-based supports. Nor was there any formal advice of this to Serco, nor any attempt to renegotiate contract requirements.

Acacia has sought to engage with the Department to restore adequate service levels, with limited success. It has also utilised existing through-care resources and sought to source new services as well. Outcare, the former re-entry service provider, is separately funded by the federal government to provide a generic through-care support service for a limited number of Aboriginal prisoners. It also has federal funding for a domestic violence through-care program. This includes an in-prison group program which provides individual counselling, and ongoing support for the individual and their family, for up to two years post-release. These are good programs, but their future is unclear beyond the next funding round in 2019. Similarly, Holyoake has Prison to Parole funding and can offer some alcohol and drug counselling.

The lack of well-funded through-care programs for prisoners released from Acacia Prison, poses a risk of them reoffending with impacts for the community and justice system. We believe well-resourced through-care can make a measurable difference in reducing recidivism rates.

Recommendation 7

The Department must ensure that all through-care services are provided to prisoners released from Acacia.

Acacia's resettlement staff make referrals, on behalf of prisoners due for release, to various external community agencies. These include members of the ReSet corporation for particular services, such as Wungening for drug counselling and St Bartholemew's for accommodation.

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Aboriginal Initiatives, who manage the relationship with the Outcare services, have also partnered with Ebenezer Aboriginal Corporation's GenOne, in a new VTEC program for Aboriginal prisoners. VTEC at its core provides industry relevant training and jobs to its participants, but at Acacia, recruits join the man to man program as the pathway to VTEC on release.

Opportunity to better integrate resettlement efforts across silos

Resettlement efforts are diffused across various areas of the prison and responsibility has been placed on to the individual prisoner. There is no overall picture as to how many prisoners have been assisted, or referred for assistance as part of their release preparation. There are some rather odd inclusions in some of the areas. For example, resettlement is responsible for the three libraries and toddler time. There is an opportunity for the new Assistant Director Reducing Offending to address this.

5.5 ACCESS TO LEGAL RESOURCES

Mainstream prisoners have a high standard of access to legal resources

Acacia has consolidated all legal materials and supports into a single dedicated space. There are 10 computers available for word processing. A number of these have Case Base legal software loaded for access to legislation and case law. It is one of the best legal resource rooms available to prisoners in the system.

As well as providing access to materials, Acacia has dedicated human resources support for legal issues. This is through the resettlement department, where there is access to staff, as well as a dedicated prisoner worker. Having a dedicated person to manage and support prisoner's legal needs means those with literacy challenges can be helped.

There are set processes and procedures in place through the CMS for prisoners to access the legal library and support appointments to ensure equitable access.

Protection prisoners have less immediate access to legal resources

The library space in protection block is small, and there is limited space for legal materials. To supplement the small number of resources, a list of what is available in the main legal library is available to prisoners. There are two computers loaded with Case Base.

As in mainstream, protection also has dedicated resettlement workers. The same process of making appointments for legal support is also in place, via the CMS. While less suitable and fewer resources directly available, Acacia has provided relatively equitable overall access to legal materials and support for protection prisoners.

Chapter 6

KEEPING HEALTHY, MENTALLY AND PHYSICALLY

6.1 PRIMARY HEALTH

Acacia has done a lot of work to fix problems identified in the health centre at the last inspection

The 2015 inspection findings were critical of the strategic management of health services at Acacia. This resulted in a recommendation that health services needed to be reviewed with the aim of implementing 'measures to improve efficiencies, effectiveness and staff morale' (OICS, 2016).

Acacia took immediate action to address these findings. An independent expert consultant was bought in to do a full independent review of the healthcare centre. There were several recommendations that focused on the need to re-examine the centre's strategic priorities, demands and resource allocation. It also emphasised the need to include staff in these decisions to ensure everyone was clear about their role and the philosophy of the health service.

This inspection saw the results of this work. Following consultation and internal discussions a new management structure and communication measures were introduced. The mental health team was also merged with the alcohol and drugs team to improve cohesion, effectiveness and efficiency.

Staff morale has generally improved in the health centre

The morale of staff at the health centre was very low in 2015. There were reports of bullying and stress caused by staff shortages, lack of manager engagement, and frustration at not being able to achieve the centre's objective of providing health care equivalent to that found in the community (OICS, 2016).

The structural and philosophical changes made in the delivery of health services has improve morale. Generally, staff feel more supported and happier in the workplace but this was not unanimous with noticeable differences between the different health teams. Staff said the new management was more responsive and communication had improved. However, due to the very busy nature of the roles it could at times be hard to access managers.

The Aboriginal Health Worker particularly felt more supported since the changes had been made. He reported being more included in a diverse range of health services to prisoners and felt he was contributing more to better outcomes for prisoners.

Additional resources have been put into health care

In 2015, staff felt demoralised because of staff shortages and absences which placed pressure on services and they were not fully utilising their key strengths and skills. Consequently, staff were diverted away from their roles to ensure essential daily clinical services could be delivered (OICS, 2016).

The independent review identified two key areas outside of the daily clinics that used a lot of resources in the centre - pharmacy and chronic disease management.

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Medication is an unavoidable service that must be delivered daily and to a strict schedule, so it must be adequately staffed. Prisoners with chronic ongoing medical conditions also took up a lot of the medical resources available in the general clinics. To address these problems, the restructure provided dedicated staffing teams to meet the needs of these areas.

The chronic care team focuses on the needs of prisoners identified with ongoing needs. This has created a better service with continuity and consistency of care, while having the additional benefit of these prisoners not taking up general nursing clinic time.

The health centre has moved towards a nursed-based practice

The independent review identified that the structure of the centre was based on a GP clinic, 'with an emphasis on maintaining the equivalent community standards as much as feasible' (Freshwater D., 2015). It urged a rethinking of this strategy, considering the specific complex needs of the population group, practice limitations, resource limitations, and need for multifaceted interventions. The independent review noted these factors meant that a GP style practice was increasingly difficult to replicate, and an alternative high quality, structure was necessary.

This led to a change in practice focus, moving away from being GP clinic based to a nurse-led practice. The practical impact of this is that all health appointment requests are generic and made through the CMS. Regardless of the medical need, they are given an appointment to a triage clinic, where a nurse will assess their need.

This can result in various outcomes. The nurse may order a referral to another professional. Another appointment will then be made with that professional at a later date. Often, the nurse will address the health issue and no further appointment should be required.

While the basis for the move to a nurse-based practice is sound, prisoners generally do not like the change. During the inspection, many prisoners voiced their displeasure about having no choice in who they initially see when requesting an appointment. They believe they should be able to see a doctor directly, if they want to. This would equate to what would happen in the community.

While this argument is understandable, the prison environment is different. The state (and its agents) owe a duty of care to ensure all prisoners have access to appropriate timely health treatment. How this is provided in the context of a community with extremely complex, multiple needs can be flexible. Maximising the use of limited resources is also important.

Providing the service through initial triage by properly qualified and experienced nurses is appropriate, and a wise use of resources. What is important is that all care provided is comparable and equitable to the community in terms of timeliness and quality.

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Despite improvements, prisoners remain dissatisfied with access to health services

A nurse-based model of care is necessarily reliant on the clinic providing the right number of nurses to provide the service. Unfortunately, the centre had experienced issues in regularly providing adequate staff.

At the time of the inspection the structure for primary care was that four primary care nurses are rostered each day. There is also one senior nurse who should provide support and oversight, but this position has not been filled for some time. There were 11 nurses on the roster to fill the positions available.

We were told that when a nurse is absent, there is limited ability to backfill due to a combination of distance to travel, security clearances being cumbersome, and having a relatively small staffing pool to draw from. When one person is absent, the whole process for prisoner access to services is disrupted.

Information provided to us indicated that the nurse responsible for responding to emergencies and unscheduled appointments (as well as a number of other duties) sees around 1,330 patients each month. The one nurse responsible for CMS scheduled appointments sees over 420 patients a month. These are very large client loads (Serco, 2018).

In the pre-inspection prisoner surveys and during the inspection the prisoners expressed criticism of the health access times for both nurses and doctors. We had difficulty determining if the length of wait was as bad as prisoners had stated. When investigated further there were several factors that may have accounted for the prisoners' criticism. The main factor was that the health services had moved towards a nurse-led practice, changing the way prisoners were processed.

Prisoners were used to seeing a nurse and then having an appointment with the doctor. This has changed. Now a nurse triages the prisoner and does not refer to a doctor unless absolutely necessary. The nurse provides a diagnosis and the appropriate action including medication for the condition presented. The prisoner then has no need to see the doctor unless it is determined that there is a need to do so by the nurse. However, prisoners are still expecting to see the doctor (as was past practice) and, as such, expressed dissatisfaction as they were still waiting for something that was not going to occur.

It is this change that has influenced the prisoners' dissatisfaction reflected in the pre-inspection prisoner survey. Access to general health services was rated as good by only 29 per cent of prisoners, and poor by 64 per cent. In 2015, 33 per cent rated it as good and only 55 per cent poor. It should be concerning to Acacia that after so much work to improve the structure of services, and to redirect the culture and philosophy of the centre, little progress had been made in patient satisfaction. Perhaps a process of educating/informing prisoners of the benefits of the new system may improve these perceptions.

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Also contributing to the difficulties is the delay in recruiting new staff. The security approval process with the Department can take a long time and delays appointments. This will often lead to successful candidates taking work elsewhere as they cannot afford to wait months for clearances to start work.

Once prisoners accessed health services, the quality of care was of a good standard

Acacia remain committed to providing prisoners with quality health care. The health centre provides a range of services and special clinics that are not available at most public prisons.

In the 18 months prior to the inspection, public prisons had limited access to ancillary health services such as physiotherapy, occupational therapy, and optometry. Acacia were providing either on site access, or regular appointments for these services.

Providing a chronic care health team was also a positive outcome of the centre restructure. A large proportion of prisoners have chronic illnesses, such as diabetes, cardiac, respiratory and epilepsy conditions. Each of these identified prisoners is provided with a care plan, and have a follow-up appointment with doctors and other health care professionals to meet their needs. This is an example of good practice.

Despite having a full-time dentist, access to dentist services remained difficult

Acacia remains the only prison in Western Australia that employs its own dentist and dental nurse. This provides a much higher quantity of service than any other prison in the system. It is one of the only practices that will perform restorative dental work, not just acute remedial work, and removal of teeth.

Unfortunately, this level of resourcing also creates a high-level of expectation from prisoners about their access to services and treatment options. Many reported being told by health services at public prisons to 'wait till you get to Acacia' to ask for dental work.

This adds a great burden to the demand for services at Acacia, as does servicing 1,500 prisoners. A large percentage of which have not practiced good dental hygiene in their lives outside prison. No additional resources were added to dental services with population increases.

Waiting times to access the dentist have not improved since the last inspection. This is causing a great deal of frustration for prisoners. With one dentist and one specialist nurse, all dental services cease if either is absent as the dentist cannot work without a nurse.

It is acknowledged that access to public dental services is difficult in the community, and in all public prisons as well. But the level of complaint about dental access was very high with only 15 per cent of prisoners in our pre-inspection survey saying that access was good and 64 per cent said it was poor. This is a decline in opinion since the last survey.

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Acacia retains a requirement to ensure all prisoners have seen a doctor

Pressure on health services in the public prison system resulted in changes to the Department's rules regarding how prisoners are medically assessed when they enter prison (OICS, 2019). Previously, all newly received prisoners had to be assessed by a doctor within 28 days of arrival. As prisons became unable to meet this requirement, the Department changed the rules. All prisoners must now be screened by a nurse on arrival, and only have to see a doctor if the nurse refers them due to an identified health need.

The Director's Rules at Acacia, however, have not been changed to match the changes in the public prisons. The common-sense approach would be for all prisons to have the same processes under the same rules.

The Department is placing prisoners' health and welfare at risk

There appears to be widespread acceptance that the transport provider (Broadspectrum) is not sufficiently contracted to meet the demand for prisoner transports to scheduled hospital appointments and admissions. By this we are referring to the minimum number of contracted transports that the provider is obliged to offer each day in both metropolitan and regional areas to meet the Department's requirements. Any transports beyond the minimum requirement are limited by contractor availability.

We have previously commented on this issue in several inspection reports, highlighting the impact this has on prisons' responsibility and capacity to manage prisoners' health and welfare. During this inspection, we have again seen evidence of this occurring.

The data provided to us during this inspection showed that in July 2018 Broadspectrum were unable to facilitate 30 per cent of scheduled medical appointments; in August 2018 they could not meet 27 per cent of scheduled appointments; and in September 2018 the figure was 70 per cent. It seems reasonable to conclude from this data that the demand for transport services to medical appointments, scheduled or unscheduled, exceeds the level of available contracted services.

Further, we understand that decisions on which scheduled medical appointments get allocated a transport are made by the contractor without reference to the particulars of the case or the clinical needs of the prisoner involved (i.e. no triage takes place). This is not a criticism of the contractor as they appear to be meeting the minimum requirements of their contract.

Acacia were not comfortable with this situation and took steps to address the issue by implementing a triage process of clinical assessment of the prisoner's need for hospital admission or appointment. If it was justified, Acacia then allocated staff to undertake the transport of the prisoner to hospital. This incurred an additional cost for the Department as it had agreed to reimburse Acacia for much of the costs involved. We were told that some months prior to our inspection, Acacia were instructed by the Department to stop this practice.

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There is a strong argument that Acacia, through no fault of their own, are not meeting their duty of care to prisoners who have their hospital appointments or admissions cancelled. The impact for individual prisoners in missing scheduled hospital appointments or admissions is obvious. The potential impact for the public health system is also obvious with high demand appointments or admissions often cancelled at short notice. Some action is required to address this issue.

In response to a draft of this report, the Department stated that the issue is caused by lack of contractor resources to conduct hospital sits, rather than prisoner medical escorts. However, this is not consistent with our findings. Most medical appointments do not require a hospital sit.

The Department stated that there are no minimum or maximum limits in the contract. However, Superintendents, BRS staff and Serco staff throughout the state were all of the belief that there was a maximum of five metropolitan escorts and one regional escort per day.

It appears that there was an administrative arrangement in place between the Department and the contractor that limited the number of medical escorts per day. We have been advised that this has now been reviewed, and the contractor has increased resources available for this service.

Recommendation 8

Ensure that prisoner transport arrangements are sufficient to meet demand for medical escorts.

6.2 MENTAL HEALTH

The move to a single coordinated service has been positive

The findings from the independent review of health care at Acacia in 2015 also applied to the provision of mental health services. There were high levels of pressure on services, staff were burned out and there were serious problems with recruiting and retaining staff in the mental health team.

A separate team treating alcohol and drug addiction issues was small and acting in a silo. Prisoners who had both mental health and drug addiction health needs were being seen multiple times for similar treatments and issues, and communication between professionals was not always good. They all were providing services on a reactive basis, being unable to practice in a more strategic and planned way due to the staffing shortages and demand for services.

The ultimate recommendation from the independent review was that a health strategic framework provide a more holistic and integrated way to provide services, as many clients were shared across the teams. This would provide a more efficient and effective use of

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resources, better communication and ultimately better care and treatment for prisoner patients.

From the independent review process, a new structure was put in place for services. It merged the mental health and addictions teams which now provide a team approach to treatment, ensuring resources are provided in a targeted way that reduces repetition. It also provides a way for a small team to support each other.

The new mental health/AOD team comprises of a team leader, two clinical mental health nurses, and two registered mental health nurses. One of the clinical nurses takes primary responsibility for AOD treatment needs. The team also includes two full days of psychiatric services each week. This is an increase since the last inspection, and to some extent addresses our previous recommendation to:

[S]ignificantly increase psychiatric services at Acacia (OICS, 2016).

Short-staffing threatened the quality of service to mental health and AOD needs.

The team is still a very small given it services 1,500 prisoners with high mental health and/or AOD needs. Other than the increase to psychiatric hours, the combined team has the same number of staff that it did in 2015.

Essentially all of the improvements that have been made in the area arise from a more efficient use of existing resources, however, the demand for services cannot be met. This has created a degree of dissatisfaction with mental health services at Acacia.

Of those that responded to the pre-inspection prisoner survey, only 15 per cent thought access to psychiatric care was good, while 49 per cent thought it was poor. This was a decrease in satisfaction since 2015. Despite an increase in prisoners on the methadone program since 2015, satisfaction with AOD services has also declined significantly.

Much of the dissatisfaction can be put down to problems of access caused by difficulty in attracting and retaining mental health staff. In 2015 the team was very short staffed, and could not retain the nurses it was recruiting. Unfortunately, this situation had not improved. There was only one substantive team position filled, that of the Clinical Nurse specialising in AOD. All other positions were vacant although one position was occasionally filled with a contract nurse.

The high functioning PWS team provides an excellent service to prisoners

The PWS are performing extremely well. The team of eight PWS counsellors were happy in their work and presented as a cohesive and productive team.

PWS staff participated in a mix of roles, including program delivery, crisis care management (through ARMS and Prisoner Risk Assessment Group (PRAG)), as well as ongoing counselling. About 60 per cent of their work fell into this last category. The mix of work meant staff found their roles challenging and stimulating, and they could develop and keep up their clinical skills.

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The way the team is managed means they can provide continuity, consistency and stability in service delivery to their clients. Given the needs of their client base, this is good practice and of high benefit to them.

PWS involvement in the ARMS and PRAG systems also works very well. They are engaged and know their clients. The case load of each staff member is generally not too onerous and can be well-managed. The process presented as meaningful, with the active involvement of a range of appropriate staff to support prisoners in crisis.

The team is also involved in providing voluntary programs related to the Drug Management Strategy and developing plans for prisoners with multiple positive tests for drugs.

Acacia is committed to drug demand reduction as well as supply reduction

The key finding from the 2015 inspection was that while Acacia was doing many things to address prisoners' substance use issues, more could be done. It resulted in a recommendation that it:

[P]rovide more support and interventions for prisoners struggling with drug and alcohol addictions (OICS, 2016).

Much of what we found in 2015 remained the same for this inspection. Acacia remain committed to a Drug Management Strategy that incorporates policies and support for demand reduction, and not just concentration on supply reduction. A range of programs, supports and interventions are in place to try and support prisoners move away from drug use.

Prisoners cannot be compelled to participate in the programs or accept the interventions. Motivation plays a significant part in substance abuse treatment, and if a person does not willingly participate, the program will be ineffective. In the 12 months preceding the inspection, 56 prisoners qualified for the creation of a management plan. Of these, only 17 chose to participate in the plan, and only 13 completed their plan. Of these 13, seven have since been targeted for testing, with two refusals and five positive results.

This is a disappointing outcome. With anecdotal evidence indicating that drug use among prisoners is very high, the current performance requirements of the agreement does not seem to be creating any headway with demand reduction. Acacia said these results themselves may not indicate the real impact, however, it does not tell us whether the prisoners had reduced their drug intake, or changed the type of drug used in response to the interventions.

Prisoners can also access the programs through other means, such as their IMP, self referral and staff referral. Programs available at the time of the inspection included group therapy sessions NA and AA, Green lighthouse peer mentoring program, individual counselling completed by PWS, and Aboriginal Alcohol and Drug Service.

Chapter 7

SAFETY AND SECURITY

7.1 CUSTODIAL INFRASTRUCTURE

Responsibilities for maintenance of infrastructure is confusing

Acacia's infrastructure has not changed since the last inspection. With the increase in the prisoner numbers the infrastructure is lacking in some areas, and more maintenance is needed than is provided. We were told that Serco are responsible for cleaning and painting up to three metres from the ground and above three metres it was the responsibility of Sodexo. Walking around the prison it is clear that there is an issue with the maintenance of vents and other ceiling items above three metres. There is dust caked on vents, wires hanging from ceilings and general cleanliness at height that needs attention.

Faulty fire alarms/panels put lives at-risk

There was also an issue with the fire alarms/panels in Mike and November blocks. We were told that the fire alarms/panels have been faulty since being built in 2014. To mitigate this obvious risk Serco provide an extra two staff on night shift to sit outside Mike and November blocks and observe in case of a fire.

Restricted options for housing/managing mainstream prisoners

Due to the increase in prison population, the number of regimes that Acacia must manage has increased. The management of the various groups of prisoners has been done well, however, it is at the stage that while the various groups are accommodated in defined areas there are only three blocks left to house the mainstream prisoners. This creates an issue as there are less options to move a mainstream prisoner to manage issues within the blocks. There are more prisoners remaining in the blocks than ever before as the availability of jobs and other services have not been expanded to meet demand. This makes the separation of prisoners and movement difficult to manage.

7.2 PROCEDURAL SECURITY

Acacia has always introduced measures to combat the flow of contraband into the prison. They look for innovation and best practices throughout the world and assess if they can use the technology and practices to enhance the security of the prison.

Since the last inspection, a number of additions have been introduced to their arsenal of technology to provide the best and most up-to-date security measures and practices they can.

Drone technology has been introduced

Drones are a modern-day threat to prisons around the world. Acacia has purchased a drone detection system that is state of the art. It will detect drones the moment they are turned on and they can be tracked during live flight. Should a drone be detected, and the flight tracked as heading for the prison, movement around the prison is prohibited until the threat is dealt with or disappears.

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Other detection technology will enable the identification of the drone and information will be given to police for further investigation.

Acacia has also purchased a drone of their own and at the time of the inspection the staff were being trained in how to pilot it. The drone can be set-up to launch itself, follow a planned route and return to base. It will be used for roof ascents, incidents, perimeter alarms, patrols etc. This drone will enhance the perimeter security and other areas of security.

Body cameras become more robust

In 2015, Acacia had introduced the use of body cameras for the recording of critical incidents and have since used them for many other incidents as routine. We acknowledged that this was good practice, and recommended that the Department consider introducing their use in high-risk areas. The Department supported this as an existing departmental priority, and cited their use at Banksia Hill Detention Centre (OICS, 2011). Although, there has been no further expansion of their use in the Department, the state's other privately operated prison, Melaleuca Remand and Reintegration Facility, has introduced body cameras.

A new model of body camera had been introduced at Acacia. The new cameras provided greater security and quality of recording, and are more robust. Acacia's management were very happy with the results, and staff saw even greater potential use for them, including recording of cell searches, prisoner interviews and so on.

Staff did not always remember to set their cameras to record when attending an incident. A change in procedures has resulted in a call for officers to turn their cameras on when a Code Red is called. This is also good practice, and should serve as a reminder to officers during stressful situations.

The use of body cameras in high-risk areas and high-risk situations is best practice for a number of reasons including:

- it offers staff protection against allegations of misconduct
- their use can de-escalate heightened situations
- footage can be used for training purposes.

Their use in any area of the prison would be advantageous to operational practices. A recommendation from the 2015 Inspection of Acacia was:

The Department should introduce wearable cameras in high-risk areas of maximum and medium-security prisons throughout the state. (OICS, 2016).

Additional CCTV cameras have been added

Acacia has also added additional closed circuit television (CCTV) cameras throughout the prison. Some of which have been placed so that the passages of units can be monitored. These areas were especially susceptible to bullying and assaults and without cameras

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there was no footage to observe who was responsible. These camera locations and others will assist security in many aspects of the protection of prisoners and staff.

Body scanners to help combat contraband

The gate house remains the same as the previous inspection however, there has been an additional layer of security added in the form of a body scanner. Acacia understand that the body scanner has its limitations when it comes to detecting contraband. Rather they use the scanner as another layer of security in trying to prevent contraband from entering the prison. Trials and tests conducted prior to and during the inspection showed that this technology will help greatly.

The scanner uses a cookie cutter image rather than a raw image of the person being scanned. This provides no issues with body image that may arise using raw imaging. The levels of radiation are negligible even over prolonged use. The scanning process is quick and non-invasive. Procedures are in place should an item show up on the scanner. The scanner can provide history of searches and can be operated by remote control from behind the front desk.

Acacia anticipate that all pedestrian movement through the front gatehouse will be scanned.

ION scanner provides another layer of security

At the time of the inspection Acacia were trialling (with the prospect of purchasing) an ion mobility spectrometry device (ION scanner). This is another addition to Acacia's layers of security against contraband entering the prison. The ION scanner is similar to those used in airports and can be set to detect drugs or explosives from a sample pad after it has been swiped across clothing or items in possession of visitors, staff or official visitors.

Searching of staff has increased

Staff searching has also increased with 339 searches being carried out during the month prior to the inspection. Search methods included the use of dogs, pat downs, bag searches, breathalysing (alcohol testing) and saliva testing for drugs.

Contrasting management styles between shifts is confusing to prisoners

As was the case in 2015 (OICS, 2016), there remains a contrast in how prisoners are managed between the two shifts A and B. An example, that was seen first-hand by the inspection team, occurred in the protection blocks. The protection prisoners in both blocks were seen to be locked into their units. They had to shout through the vent in the bottom of the door to get the officers attention. The next day we observed protection prisoners in both blocks left unlocked and free to approach officers. Each day was controlled by a different shift which highlighted the issue.

When asked, prisoners said that it was confusing to them and they just want consistency across the board. When told that if they ask for consistency they may end up with both

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shifts managing them in a stricter manner they said, at least they would know where they stood.

This has been an ongoing issue that will require a cultural change by staff. Despite attempts by staff and management to address this anomaly, there needs to be a more concentrated effort to provide consistency in managing prisoners between different shifts.

Still understaffed in the Detention Unit

In 2013, we were concerned that a high-risk area such as the Detention Unit (DU) was only staffed during the day by two officers (OICS, 2014). Acacia management agreed that the number of staff on duty in the DU should be at least three.

In 2015, we found that little had changed. The DU was still only staffed with two officers. We recommended:

Increase the number of staff permanently stationed in the DU, and protect these positions from being cross deployed to other areas of the prison (OICS, 2016).

In 2018, there were three officers stationed in the DU however, one was sometimes cross deployed elsewhere. This left two officers in the DU on occasions. Management stated that there was a concerted effort to have three officers in the DU.

On occasions when there are only two officers present, they cannot be expected to manage the DU efficiently and safely. They cannot accurately manage and record all events, answer phones, answer doors, exercise prisoners and manage the complexities of different regimes effectively and in a timely manner; it also encourages unsafe practices by officers in an effort to complete their daily duties. At the time of a visit to the DU during the inspection it was noticed that on occasions where staff were reduced to two, a Unit Manager was called and stationed in the DU until the officer returned or a replacement was found. We found staff in the DU to be dedicated, committed, and doing the best that they could with what they had.

Prisoners welfare and time in the DU is assessed daily

We observed the Duty Director and Operational Manager attend the DU to speak to the prisoners on a daily basis. These visits are conducted at separate times through the day. Unit Managers also attended every day to speak to the prisoners from their block. The Unit Managers assessed each of their own prisoners as to their health, state of mind and suitability to return to their block or to remain in the DU.

Unit managers were seen to talk to each prisoner at length. Explanations were given to the prisoner as to how their behaviour would affect their length of stay in the DU but also what the future held for them when they got out. This was good practice and was observed to be carried out with the welfare of the prisoner and the length of stay in mind.

There was some concern about delays in transferring prisoners out of the DU to other WA prisons. One prisoner had been in the DU for over a month awaiting transfer, and it

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appeared that he may be there for some time to come. Like many other prisons, Acacia on occasions have prisoners that just don't fit into the mainstream of the prison. This could be because of mental health issues or serious safety concerns, even from within protection.

For Acacia, like other prisons, this means negotiating the transfer of the prisoner to another prison with suitable management options for the individual. Acacia has often experienced obstacles and difficulties in negotiating these transfers with public prisons. This sometimes has led to escalation of the issue through Department of Justice management to achieve movement. Meanwhile the prisoner is held in the restrictive environment of the DU.

It is puzzling that individual prisons should be able to obstruct prisoner movement which may be necessary for safety and security reasons or to meet rehabilitation needs of prisoners. This is not an issue isolated to Acacia, as we have seen the refusal of transfers at other facilities such as Melaleuca and Hakea. Consideration could be given to having prisoner movements as a centralised function operated for system-wide safe and optimal prison management and strategic control over movements.

7.3 RELATIONAL SECURITY

Staff are too busy to develop positive relationships with prisoners

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. If implemented well, good relational security allows prisoners to feel comfortable to approach prison staff before problems escalate. It is therefore important, in a prison as large as Acacia, for staff to spend time interacting with prisoners and minimise the amount of time they spend in offices.

Acacia has a long history of encouraging pro-social culture between staff and prisoners (OICS, 2014; OICS, 2011). Serco's pro-social philosophy encourages positive interaction between staff and prisoners. While this worked well, as the prison population grew, the pro-social interaction began to slip. When we inspected in 2015 we found that officers spent little time out of their office, with most conversations occurring out through a glass window. (OICS, 2016).

This inspection we found that the opportunity for staff to develop relationships with prisoners was even more limited. There were more prisoners in the block and staff were busy completing administration/compliance duties rather than interacting with prisoners.

The impact of this was evident in the pre-inspection prisoner survey results. Fewer prisoners felt that they got along well with officers compared with the results from the last inspection. Results had dropped from 57 per cent of prisoner respondents telling us that they got along well with officers in 2015, to 51 per cent in 2018. In comparison, state averages show that around 64 per cent of prisoners tend to get along well with officers. Nonetheless, interactions observed between prisoners and staff was courteous, respectful and staff had a good attitude towards prisoners.

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Staff felt that they have been put into a position where they must prioritise compliance requirements, like searching and escorts. This often means that prisoner requests, forms and enquiries are not done. The demand on staff has been taxing, and has had a negative impact on prisoner services and safety.

Acacia management acknowledged this challenge in their submission to us, stating that:

Although caring for the individual prisoner needs is a strong point of the Acacia team, it can be more challenging when prisoner numbers are higher...the demand means the challenge for our staff to maintain high standards is much greater.

Acacia management need to review the staffing levels and workloads in the blocks, to ensure that staff have enough time to focus on building strong relationships with prisoners.

Recommendation 9

Review the staffing levels and workloads of unit staff, to ensure that they have enough time to focus on building strong relationships with prisoners.

Prisoners felt increasingly unsafe at Acacia

Thirty per cent of prisoners told us in the survey that they hardly or never feel safe at Acacia. This is up from 22 per cent in 2015 and much higher than the state average of 15 per cent. When asked why they do not feel safe, prisoners told us that they do not trust officers because they often feel ignored when they complain about bullying and standovers.

The staff admitted that they do not always have time to check on the vulnerable prisoners, prisoners suspected of dealing drugs, and prisoners who are known bullies. The lack of opportunity for engagement referred to above could be a driver for these results.

Intelligence reporting is still a key focus

If a staff member suspects that a prisoner, or groups of prisoners, are acting suspiciously, they can submit a Security Information Report (SIR) to the prison's intelligence team. The intelligence officers then collate and analyse the information to help determine risks and threats around the prison. In October 2018, a total of 236 SIRs were submitted to Acacia's intelligence unit. This is an average of around seven to eight reports per day.

The intelligence team communicate regularly with staff regarding the security issues around the prison through intelligence bulletins. The intelligence staff were also happy to provide feedback to staff about the status of their SIR.

In 2015 Acacia had an Intelligence Liaison Officers (ILOs) program. The program nominated an individual in each working area to facilitate communication between the intelligence team and the rest of the staffing group. The intelligence team would brief the ILOs on risks and threats, and the ILOs would pass this information back to their team. We

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found that the ILO program had been neglected since the last inspection, with many ILOs ceasing their employment and their position not being filled.

Tactical Tasking and Coordination Group is a good security initiative

The Tactical Tasking and Coordination Group (TTCG) is made up of operational representatives who meet weekly to discuss activities that may threaten the security and safety of the prison. This may include but is not limited to, potential escape plans, radicalisation, bullying/standovers, prisoners at-risk, security threat groups, violence, drugs and contraband.

The weekly TTCG meetings provide an opportunity for staff from around the prison to brief the intelligence team on potential threats that may not have been submitted in SIRs. The team also reviews incident reports.

The TTCG concept works well in bridging any communication gap between operational staff and the intelligence team. It provides a mechanism for following up and investigating suspicious issues that may otherwise be overlooked. The TTCG discusses any unexplained injuries that a prisoner may present with, and if it seems like the prisoner may have been assaulted, it is followed up accordingly. This is good practice and provides for an additional level of safety for prisoners who may not be forthcoming if they are assaulted by other prisoners.

7.4 EMERGENCY MANAGEMENT

Emergency management is comprehensive

Acacia continues to conduct regular and comprehensive emergency management exercises. The Manager, Emergency Management also conducts ongoing strategic reviews, assessments of exercise responses, staff training, and the development and review of business continuity plans. The exercises culminate in an annual multi-agency mass trauma exercise, which involves personnel from Wooroloo Prison Farm, Western Australia Police, Department of Fire and Emergency Services, and the local Mundaring council.

Acacia also conducts live exercises based on locally identified risks. These exercises incorporated input from many areas of the prison depending on the exercise scenario.

Acacia has three main locations identified as incident control facilities (ICFs) in the case of emergencies: one internal, one outside the perimeter but still at the Acacia site, and an external ICF in the local community. These contingencies enable a response to be coordinated from the most suitable location, depending on the level of threat.

Furthermore, the prison has well-prepared contingency plans in place for a variety of emergency scenarios.

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Table 7-1: Contingency plans

| EMERGENCY SCENARIO | CONTINGENCY PLAN |
|------------------------------------|---|
| Disruption to food supply | Acacia maintains a store of at least five days' worth of food on site, and three days off site at all times |
| Evacuation of Wooroloo Prison Farm | Acacia can facilitate the accommodation of the entire prison for up to three days |
| Loss of an accommodation block | Relocation of affected prisoners to another location in the prison, which is determined by their cohort |

The Correctional Emergency Response Team remains an asset

Acacia's emergency management processes are supported by their Correctional Emergency Response Team (CERT). The CERT is made up of staff who have undertaken additional, specialised training, in areas including incident response, firefighting, razor wire extraction, and negotiator training. The team is made up of 42 staff from both custodial and non-custodial areas of the prison.

These staff, unlike members of the Department's Special Operations Group (SOG), serve in their regular roles on a daily basis. But in the event that they are required, including after-hours' emergencies, they must be ready to attend.

In 2015 we recommended that the Department and Serco examine the feasibility of making the CERT available to respond immediately to emergencies at nearby Wooroloo (just 5 km away). Serco offered in principle support to this recommendation. But the Department did not, citing the low level of prior emergencies at Wooroloo and 'associated cost and liability issues' as prohibitive factors (OICS, 2016). We do not understand the rationale for associated costs and liability issues considering the potential risks of an issue, that may benefit from CERT's assistance, not getting an immediate response. Given the distance between Wooroloo and the Department's SOG base at Hakea Prison (65 km – approximately one hours' drive), we maintain the position that arrangements for CERT to provide support should be put in place.

Lessons from the Greenough riot were being acted on

Following the riot at Greenough in July 2018, the Department required that certain changes be made at prisons across the estate. This included a requirement to store certain items off site after-hours, including power tools, batteries, ladders and all propellants.

Acacia staff have also worked with the SOG to coordinate a lessons-learned approach but have instigated some further measures and testing of their own. These were predominantly related to fire response, and included the introduction of:

- new mattresses (following burn rate testing of different models)
- new rescue team locations and compressed air breathing apparatus arrangements
- relocation of breathing apparatus equipment.

SAFETY AND SECURITY

Emergency management is well-integrated with security. The Manager, Emergency Management meets monthly with the Assistant Director of Secure operations and the Security Manager, to share information and intelligence on possible predictors of a disturbance or incident.

Acacia must 'stay and defend' rather than evacuate

Following the expansion of Acacia's population to over 1,500, the Department advised Acacia that it no longer had the capacity to support a complete evacuation of the prison. Instead, in the event of a large-scale threat, such as a bush fire, Acacia must now prepare to 'stay and defend' – that is, to stay on site and defend the facility. This would see non-essential staff depart, but require key staff, and all prisoners, to remain at the prison.

This situation highlights future challenges for Western Australia's prison estate. With Hakea's population passing 1,000 in 2016, and Casuarina undergoing an expansion that will see its total capacity exceed 1,500 in the near future, these challenges may not be far away. Population growth of this extent has significant ramifications for emergency management and contingency planning.

We have previously highlighted to the Department of the risks of double-bunking as a means of meeting population growth. From this perspective, the double-bunking of almost all prisons has left the state with little capacity to take in large numbers of prisoners in the event of a loss or partial loss of any prisons infrastructure.

Chapter 8

RESOURCES, SYSTEMS AND MANAGEMENT

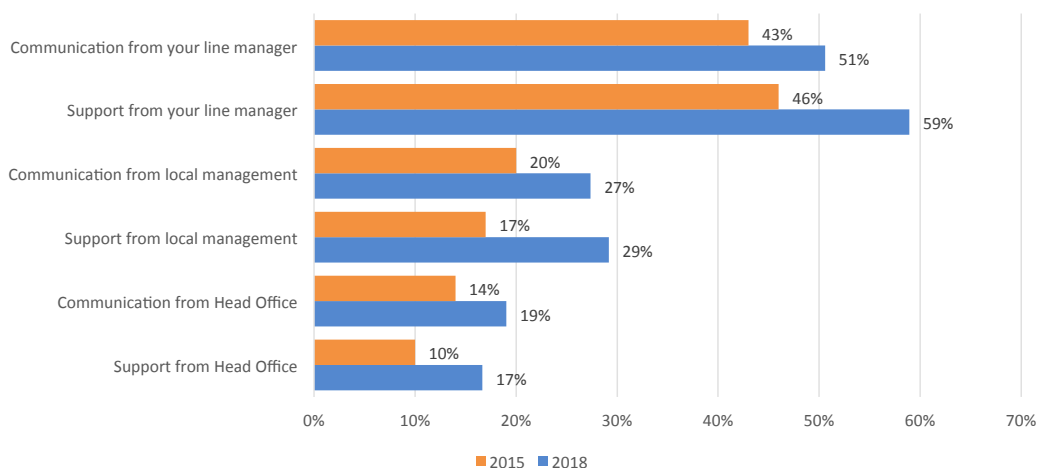
8.1 STAFFING LEVELS

Management support and communication has improved since the last inspection

Acacia's management team rely on various strategies to facilitate communication with staff. Director's Hour staff meetings are held monthly for both A Shift and B Shift. The Director also sends out regular email messages. Unit Managers attend operational meetings every week. Management and union representatives attend monthly meetings to discuss issues affecting staff. The Senior Management Team is regularly seen 'out and about' in the prison, and are approachable. The offices for most of the Senior Management Team members are also based in operational areas, making it easy for staff to approach them.

Staff told us that they get along well with and respect their managers. They like and respect the Senior Management Team, despite feeling some disconnect from them. The pre-inspection staff survey reflected these positive findings. The results showed positive improvements across all areas (compared with our last inspection), and the results were also higher than state averages.

Figure 8-1: Percentage of staff respondents that claimed this area was 'good' (Survey choice being: poor, mixed, good)



Staff expressed frustration that they did not have a direct communication line with senior management. Many people had become disengaged with the Director's Hour meetings. They claimed that the meetings were usually just an hour of presentations, with no opportunity to discuss issues that are occurring around the prison. They wanted a forum where they are given a voice and an opportunity to talk directly with senior management. This reflects the feelings of being disconnected from the senior management team. There may be opportunities for better engagement between staff and senior management.

Staff said they would take issues to their direct manager, but would rarely receive feedback. They were not even sure if the issue had been addressed or if it had simply been forgotten about.

RESOURCES, SYSTEMS AND MANAGEMENT

A new Human Resource Manager had started working just prior to the inspection. He had identified this leadership gap, and the need to invest in more front line training for middle managers. His intention was to upskill managers to take more ownership of issues and to deal with complaints as they are brought to their attention. The training is intended to also help managers to have difficult conversations, and to better manage leave and absenteeism.

Operational areas regularly short staffed

Vacant custodial officer positions resulted in operational areas of the prison regularly being short staffed. Acacia’s Local Order 6.8 states that on a weekday, there should be 103 custodial positions on the floor and 86 on weekends. In the first three-quarters of 2018, the numbers became so low, that on one weekday, only 79 of the 103 custodial positions were filled. This covered only 77 per cent of the positions. In the third quarter of 2018, there was only one day where custodial staffing numbers were above 100.

Figure 8-2: Optimum staffing levels vs actual staffing levels – weekdays

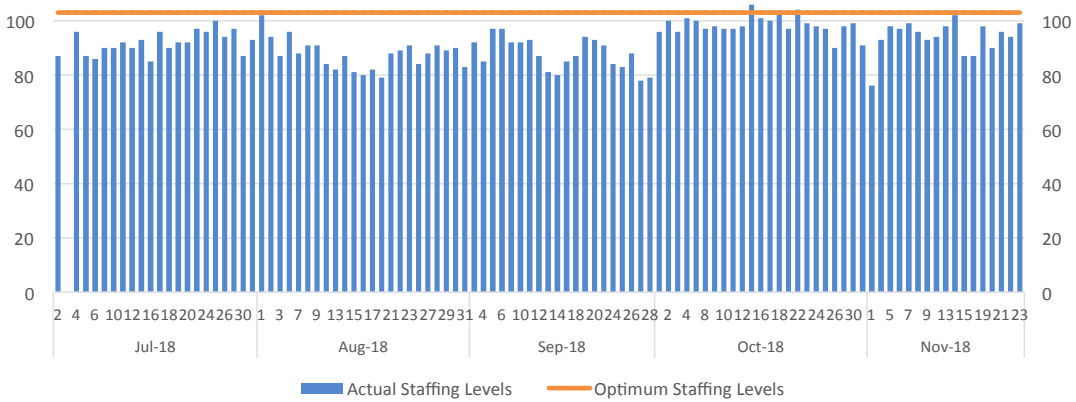
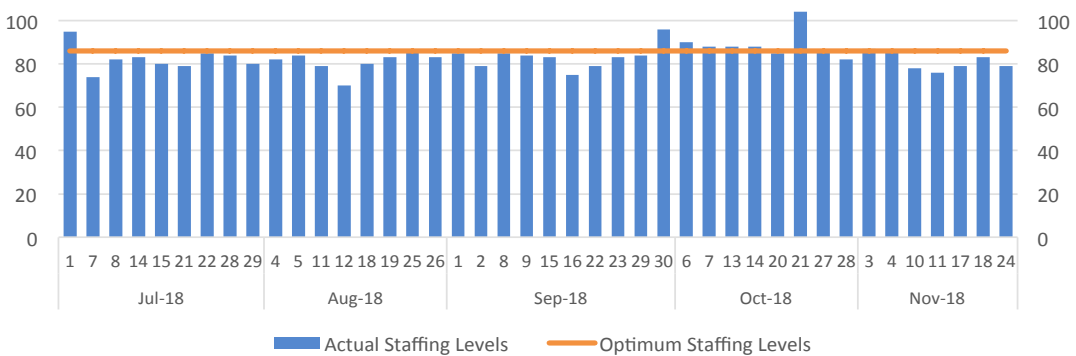


Table 8-3: Optimum staffing levels vs actual staffing levels - weekends



RESOURCES, SYSTEMS AND MANAGEMENT

There were several reasons for such high staff shortages, many that were unpredictable. In 2018, a large number of staff resigned, many as a result of a recruitment drive by the Department. Fewer custodial training courses had been run in 2018. This meant there were fewer new recruits in 2018 than most other years.

New recruits help ease the burden

Vacant positions can be filled by staff on overtime. But throughout 2018 staff willingness to do overtime was decreasing as staff were becoming tired. Survey data showed that 22 per cent of staff claimed that they were regularly doing one or more overtime shifts per week, up from six per cent in 2015.

Unlike other prisons, Serco cannot transfer staff or offer overtime shifts to staff from other facilities, as Acacia is now the only Serco-run prison in the state. Some of the stress of short-staffing was alleviated in October 2018 when 24 custodial officers graduated from their initial training course and could start working in the prison. While this lessened some of the stress, there were still some custodial positions left vacant.

Unlike state run prisons, Acacia does not lock down the blocks when staffing levels are low. They try to keep prisoners engaged in work and other activities. While the prison should be commended for this strategy, it also meant that staff were busy dealing with blocks full of prisoners. This is possibly why the staff surveys reflected that there has been a fall in the percentage of staff who almost always feel safe (33% in 2018, down from 38% in 2015) or mostly feel safe (39% in 2018, down from 52% in 2015), taking percentages for both below the state averages of 52 per cent and 37 per cent respectively.

Steps have been taken to address issues arising from vacant positions

Acacia management have taken steps to fill the vacant custodial positions and to try and relieve some of the pressure that has been placed on other staff. They have introduced an absence management strategy aimed at reducing the amount of unplanned personal and carers leave being taken by staff. As part of this strategy, weekly meetings have been introduced with relevant managers to review and discuss absences. These meetings should equip managers to better manage absenteeism.

Acacia advised us that they intend to facilitate two prison officer training schools in 2019. We would suggest that management need to review whether running only two custodial officer schools in 2019 will be sufficient to cover the projected attrition rate and vacancies in the future.

A further possible complication to staffing issues is the fact that the current contract ends in May 2021; whether this is a factor in current staffing issues remains uncertain. This will be a critical issue that will need to be addressed to ensure the continuity and quality of services to the prisoners.

Recommendation 10

Review and develop strategies to maintain staffing levels to ensure continuity and quality of service levels to prisoners for the remainder of the contract.

Human resource processes were working very well

In 2015, we heard numerous complaints about the human resource (HR) services at Acacia. Staff complained about late payments for overtime shifts, confusion around rosters and annual leave, and difficulty in getting responses to their HR enquiries. Some of these complaints seemed to be directed at the local HR team. However, some complaints were also due to the introduction of the new, centralised Serco MyHR online platform. There were issues with the rollout of the program, and moving from a paper-based system to an online system was not as streamlined as it could have been (OICS, 2014).

During the inspection staff expressed greater satisfaction with the HR processes. The MyHR platform now seemed to be working well. Almost all staff, custodial and non-custodial, were using the system to apply for leave and check their pay. Computers were available in all working areas for staff to access the website during working hours. Those who were still not comfortable using the online system could submit HR forms on paper. In the three years between inspections, Acacia moved from a disorganised HR system that was causing a lot of stress for staff, to a streamlined and simple system that everyone appeared happy with.

The staff survey results confirmed that staff were much more satisfied with pay, rostering and the processing of leave applications than they were last inspection.

Despite having a centralised HR system, Serco still retained HR staff on-site to drive local HR strategies and to assist with staff enquiries. Some initiatives planned for 2019 include a staff peer support program, talent profiling/succession planning, managing absenteeism, improving employee engagement and developing front line leadership.

Custodial staff training up-to-date

Acacia continuously meets its performance measure for having 100 per cent of custodial officers meeting the minimum training and qualification requirements. This includes annual refresher training for self-defence, restraints, batons, chemical agent, cell extraction, first aid and CPR. It is an enormous achievement to keep 273 Full-Time Equivalent (FTE) trained and qualified. Having 100 per cent of staff fully trained in such a large facility is a commendable achievement.

Acacia try to minimise staff training lockdowns to one day per month. This is clearly not enough to ensure all custodial staff remained qualified each year. To keep up-to-date, Acacia regularly run additional training courses and pay their staff overtime to attend. The courses are scheduled to meet demand, and there are penalties for staff who consistently miss training.

RESOURCES, SYSTEMS AND MANAGEMENT

Unlike the state prisons, Acacia is financially incentivised in relation to staff training. If Acacia falls behind, and staff training qualifications begin to expire, Acacia can lose performance linked payments. Keeping all staff trained, even if it means paying staff overtime, is somewhat compensated by these payments. In contrast, state prisons cannot afford to pay staff overtime rates to attend training.

The staff training area offers mandatory training requirements only

Keeping staff training up-to-date is important, particularly if a staff member is required to respond to an emergency situation within the prison. However, Acacia's training focus is predominantly based on complying with mandatory training, which leaves little time to run other types of training.

In the pre-inspection survey, we asked staff how they felt about training. This year they felt more confidently trained in the mandatory training areas such as use of restraints, chemical agents and CPR, compared with the last inspection. However, as with most other prisons, staff did not feel adequately trained in other areas such as managing prisoners with drug issues or mental health issues. Only 24 per cent felt adequately trained to deal with prisoners with drug issues. Only 27 per cent felt that they can manage prisoners with mental health issues.

When Acacia officers undertake their initial training course, they participate in a two-day Mental Health First Aid Course and two days of suicide awareness training. There is no refresher training offered.

8.2 ABORIGINAL STAFF

Acacia still lacks a strategic recruitment and retention strategy for Aboriginal staff

There were 511 Aboriginal prisoners at Acacia during the inspection, making up one-third of the prisoner population. Managing the needs of this large cohort of prisoners should make up a significant part of Acacia's core business. It is therefore imperative that Acacia focuses on the recruitment and retention of Aboriginal staff to help improve offender management and rehabilitation for Aboriginal prisoners.

During the 2015 inspection, we noted that only four of the 459 staff members were Aboriginal, making up less than one per cent of all employees. Acacia had the second lowest Aboriginal staff-to-prisoner ratio in the state, after Boronia Pre-release Centre for Women. We recommended that:

Serco introduce an Aboriginal recruitment and employment strategy that is suitable to the cultural needs of Aboriginal staff (OICS, 2016).

Serco supported this recommendation and committed to undertaking a review of Aboriginal employment practices. As part of this review, Serco intended to identify areas for improvement through consultation with Aboriginal staff and external subject matter experts.

RESOURCES, SYSTEMS AND MANAGEMENT

This inspection we were pleased to see that Aboriginal staffing numbers had increased to 13 and were spread across the prison in both custodial and non-custodial positions. However, there was still no local strategy to support and retain these employees, nor were there any local strategies to recruit more Aboriginal people.

Serco's Asia Pacific corporate office had produced a Reconciliation Action Plan (RAP) for 2017-2019. The plan promised to:

Investigate opportunities to improve and increase Aboriginal and Torres Strait Islander employment and employment outcomes within our workplace (Serco Asia Pacific, 2017).

The RAP detailed the deliverable to assist Serco businesses to reach this goal, including:

- introducing a professional development strategy and retention for Aboriginal employees
- implementing a pre-employment support program
- advertising vacancies in appropriate media
- engaging with Aboriginal staff to help develop and drive employment strategies and
- reviewing HR practices to ensure Aboriginal employees and future employees are not disadvantaged.

There was evidence of these initiatives being informally delivered, but there was no official local strategy to drive these strategies forward. For example, we heard of an Aboriginal trainee struggling with a part of the initial training, so management offered additional assistance to get this officer through the course. This was a good initiative that now needs to be formalised and introduced as part of an official Acacia Prison Aboriginal Staff Recruitment and Retention Strategy.

Chapter 9

CONTRACT MANAGEMENT

9.1 CONTRACT MANAGEMENT

The inspection involved a review of contract management of the Acacia Prison Services Agreement (APSA) and the Acacia Prison Maintenance Agreement (APMA). We looked to see if the following basic characteristics of good contract management were in place:

- effective governance arrangements
- performance and compliance measures established and monitored
- contract achieving the desired outcomes while meeting required standards and value for money expectations.

9.2 ACACIA PRISON SERVICES AGREEMENT

Contract nearing its end

Acacia prison opened in 2001 and was run by AIMS until May 2006. Serco successfully tendered to take over the APSA, from May 2006. The contract was initially for five years with the option of two, five-year extensions. The contract is now in its final five-year extension period and expires on 15 May 2021. At some point prior to 15 May 2021, Serco and others may be given the opportunity to tender for the contract but that is a decision for government. The annual value of the contract for the financial year 2017–2018 was \$78.02m with an average annual prison population of 1,475 prisoners. Under the contract there are prisoner focused services and prison administration services (refer table 9-1 below).

Table 9-1: Prison focused services and prison administration services

| | |
|--------------------------------|--|
| Prisoner focused services | Custody and containment |
| | Care and wellbeing |
| | Rehabilitation and reintegration |
| | Reparation |
| Prison administration services | Business systems |
| | Human resources and Occupational Health and Safety |

Since the start of Acacia's operation, the State has implemented a robust framework for the contract including:

- a strong legislative framework
- a well balanced, publicly available contract
- annual public reports by the Department
- a history of intelligent contract management by the Department
- regular OICS oversight (reports published every 2.5 years and also monitoring visits).

Throughout its history, Acacia has been one of the most transparent and oversighted prisons in Australia.

CONTRACT MANAGEMENT

Effective governance arrangements are in place

The governance arrangements for the APSA are well established and operating effectively. The Department's Private Prison Contract Management (PPCM) team oversees the APSA. Both the Department and Serco advised they had a good working relationship. The roles and responsibilities under the contract are clearly defined.

The agreement establishes a Joint Management Board that meets quarterly. Membership of the Board includes, the Commissioner, relevant Deputies and the contract manager from the Department and the Director and senior Serco executive staff. The agreement also establishes a monthly contract management meeting consisting of the Department's contract manager and other relevant senior executives and Serco's Director and senior executive staff. These meetings are used to discuss issues arising from regular reports required under the agreement and any other management and operational issues.

There are good reporting requirements in place against performance measures

There are performance requirements established under the agreement and regular reporting against these. Serco provides monthly performance reports for the contract management meeting. The PPCM team reviews the monthly performance reports and discusses them as necessary with Serco before approving them. The reports form the basis for monthly operational payments. The Department also has monitors on site a few days a week checking compliance with Prison Standards and other requirements.

In addition to monthly performance reports, the agreement requires Serco to provide summary quarterly performance reports and an annual performance report as well as its audited financial statements. The Department provides the Minister with an annual report on the APSA which is tabled in Parliament.

The agreement includes 13 performance measures used to assess compliance against service requirements of the agreement. Payment of up to five per cent of the monthly Operational Service fee depends on achievement of these performance measures. The Department can also apply sanctions for non-performance, as set out in table 9.2 below.

Table 9-2: Explanation of Performance improvement requests, abatement amount and default notice

| | |
|--|---|
| Performance Improvement Request (PIR) | A written notice from the Department to Serco requiring them to improve their performance relating to a specific service requirement. |
| Abatement amount | An amount paid as a result of a "Specified Event". The Specified Events are: <ul style="list-style-type: none"> • Escape • Loss of Control • Death in Custody (Unnatural Causes) • Failure to Provide Information • Failure to Comply with PIR |
| Default notice | A notice can be given by either party to the agreement specifying a breach or default of obligations. |

CONTRACT MANAGEMENT

Serco are delivering well against performance measures

Serco is consistently delivering against the performance requirements of the agreement. The 2017–2018 annual performance report tabled in Parliament shows that Serco achieved full payment for 11 of the 13 performance measures and partial payment for the remaining two (DoJ, 2018). They achieved 97.75 per cent of the performance requirements of the agreement and received three PIRs. No abatements were received.

9.3 ACACIA PRISON MAINTENANCE AGREEMENT

Maintenance agreement and Service agreement run separately

APMA has always been separate to the APSA. Initially both agreements were managed by AIMS, albeit the APMA was subcontracted to Transfield (now known as Broadspectrum). Since commencement the agreement has been novated on three occasions:

- 2004 it was novated from AIMS to Altys Multi-Services Pty Ltd (Altys)
- 2008 it was novated from Altys to Sodexo Australia Pty Ltd (Sodexo)
- 2009 it was novated from Sodexo to Sodexo.

We were provided with further background to the agreement contained in a briefing note to senior management of the Department as follows:

In 2015, additional infrastructure increased the capacity of Acacia Prison (Acacia) from 1,000 to 1,470. Requirements for the maintenance for the new infrastructure were not considered.

In 2014, an “Interim Maintenance Agreement” was negotiated between the Department and Sodexo Australia Pty Ltd (Sodexo) and is still current today.

In 2014, the Acacia Waste Water Treatment Plant was excised from the Sodexo maintenance agreement and the contract for the plant passed to South Australian based firm Factor UTB.

Further, in 2015 the Department and Sodexo negotiated an additional amount for the maintenance of the expanded section of the prison following the expiration of the liability period. This increased the interim payment from \$62,505.59 to \$81,442.58.

In March 2017, the Department engaged a consultant to assist with redrafting the APMA via a Deed of Restatement to reflect the extensive variations undertaken.

The revised pricing provided by Sodexo was \$1m more than the existing Department budget for the agreement over the remaining life of the contract. On this basis, the Department left arrangements as is.

The current agreement, exclusive of GST, costs total approximately \$358,000 per month or around \$4.3m annually.

CONTRACT MANAGEMENT

Oversight of maintenance agreement has been poor throughout

The APMA has been poorly managed. There has been a general lack of oversight and failure to keep it up-to-date with the significant expansion of the prison. The Department has recognised that oversight of the APMA needs improvement and recently transferred management responsibility for the agreement to its Infrastructure Services section.

The following basic oversight mechanisms were included in the original agreement but have never been implemented:

- establish a maintenance manual
- regular asset survey
- regular works inspection
- contractor to develop a Quality Assurance plan and right of audit by Department.

As part of negotiating the Interim Maintenance Agreement, a scope of works was developed in 2012 by Sinclair Knight Merz. The scope of works includes a two-page list of items not covered by the service or maintenance agreements and assigns cost responsibilities for those items. It also includes 31 detailed schedules of items that are covered under the APMA.

The Department advised that the scope of works encompasses the maintenance and quality aspects of the original contract. However, the scope of works simply provides a high-level description of the assets Sodexo is responsible for maintaining. It does not include any of the details listed as requirements for a maintenance manual, or any requirements for regular survey and inspection.

We were advised that the Interim Maintenance Agreement is not a signed or formalised document. The Department was also unable to provide us with a copy of the Interim Maintenance Agreement.

Improvements from moving responsibilities for management of the contract to the Departments Infrastructure Services section

In the absence of the governance arrangements envisaged in the original contract, there is limited performance or compliance reporting or monitoring. Sodexo provides monthly reports and invoices to the Department. However, there was no mechanism to determine whether the APMA is maintaining quality standards for the assets and achieving value for money.

Until the recent transfer of responsibilities for management of the contract to the Infrastructure Services section of the Department, contract management meetings were irregular and rarely minuted.

Contract management meetings are now held on site at least monthly and include Sodexo, Serco for part of the meeting and the Department. The Department advised this was a forum for Serco to raise any concerns. The Department also advised they are using

CONTRACT MANAGEMENT

the building expertise of Infrastructure Services to better manage the contract and are now implementing a range of measures to more closely monitor performance.

9.4 COST MODELLING

Costings and comparisons are difficult and may be misleading

It is recognised that cost comparisons between private and public prisons, and prisons in general, are difficult, and taken in isolation may be misleading. Each facility is different – different prison cohorts require different security, different physical facilities, different programs and health care, and general services. Allocation of shared costs, including overheads, across the prison estate require numerous assumptions and these needs to be clearly stated, and applied consistently.

The Department publicly reports a cost per prisoner per day (CPPD) figure in its Annual Report and in the Productivity Commission's Annual Report on Government Services (ROGS). Both figures are an average across public and private prisons. At the simplest level, they present the cost of adult custodial services/daily average prison population (DAPP) = CPPD. However, the two figures have a different cost basis for calculation and are not comparable.

Both figures are calculated in a costs model (excel spreadsheet) that draws costs figures from relevant line items (account codes) in the Department's financial accounts system. These line items are then allocated to each of the prisons based on the key cost driver. Costs drivers are typically average number of prisoners per day, the FTE associated with the activity or if known actual usage/cost.

The 2017–2018 ROGS figure splits the CPPD on the basis of net operating (\$241) and capital costs (\$73) to give a total of \$314. Net operating expenditure excludes operating revenues, payroll tax and expenditure on prisoner health and transport. Capital costs include a user cost of capital at eight per cent of the value of government owned assets, debt services fee (finance lease payments) and depreciation.

The Department's Annual Report figure includes health and prisoner transport costs, totalling about \$66m and capital costs \$55m in 2017-2018. However, the capital costs do not include a user cost of capital. This means that the capital cost of \$55m in the Department's Annual Report is substantially less than the ROGS figure of around \$142m.

Historically OICS and the Economic Regulation Authority (ERA) have criticised DCS/ Department for lack of transparency on the methodology for calculating the CPPD figure and the allocation of costs including overheads between the prisons generally and the private and public prisons specifically.

The ERA gave a detailed description of the methodology used in the cost model for costs allocation in their October 2015 report (ERA, 2015). They also made recommendations for improvements in that methodology some of which appear to have been adopted with

CONTRACT MANAGEMENT

DCS reporting adjusted costs based on the new methodology in their 2016–2017 annual report (DCS, 2017).

The annual report figure is a key performance measure. The evidentiary basis and underlying assumptions of the costs model that produces the figure are audited by the OAG. However, the Department have advised that their current costs model is not designed as a private versus public prison costs comparator. They said that some overheads, such as rehabilitation and reintegration services and some executive services, are not allocated to the private prisons and are carried entirely by the public prisons.

Appendix 1

TABLE OF ABBREVIATIONS

| | |
|------|---|
| AA | Alcoholics Anonymous |
| AOD | Alcohol and Other Drugs |
| APMA | Acacia Prison Maintenance Agreement |
| APSA | Acacia Prison Services Agreement |
| ARMS | At Risk Monitoring System |
| AVS | Aboriginal Visitors Service |
| CCTV | Closed Circuit Television |
| CERT | Correctional Emergency Response Team |
| CMS | Custodial Management System |
| CPPD | Cost per prisoner per day |
| DU | Detention Unit |
| ERA | Economic Regulation Authority |
| EVTU | Education and Vocational Training Unit |
| FTE | Full Time Equivalent |
| HEAL | Health, Education and Advancement for Lifers |
| IMP | Individual Management Plan |
| ILO | Intelligence Liaison Officers |
| ISC | Indigenous Services Coordinator |
| JETA | Justice and Equity through Art |
| LLO | Lifers' Liaison Officer |
| NA | Narcotics Anonymous |
| OICS | Office of the Inspector of Custodial Services |
| PERC | Prisoner Employment and Activity Committee |
| PPCM | Private Prison Contract Management |
| PRAG | Prisoner Risk Assessment Group |
| PSO | Prison Support Officers |
| PWS | Psychological Wellbeing Services |
| RAP | Reconciliation Action Plan |
| SOG | Special Operations Group |
| TI | Trade Instructor |
| TOMS | Total Offender Management Solution |
| TTCG | Tactical Tasking and Coordination Group |
| UCW | Uniting Care West |
| WRF | Wandoo Reintegration Facility |

Appendix 2

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Appendix 3

RESPONSES TO RECOMMENDATIONS

| Recommendation | DOJ response | Serco response |
|--|---|---|
| 1. Provide appropriate resourcing in the property store. | <p>The Department of Justice will oversee Serco's actioning of this recommendation.</p> | <p>We recognise the increase in workload created for this department due to the rise in population and turnover rates; our large life sentence and long term cohort is also a contributing factor.</p> <p>Despite this, all prisoners are able to access their full range of entitlements and complaints associated with this area of service provision have remained at a low level.</p> <p>Plans are approved and in the implementation phase to provide additional storage using industrial containers. We support staffing levels with additional resources and will continue to cross deploy appropriately trained officers to the team to meet demand peaks. The volume and nature of prisoner property complaints is reviewed and managed via the monthly assurance meeting.</p> |
| 2. The Department must urgently address the backlog of initial IMPs state wide. | <p>Supported</p> <p>The Department have provided additional resources to Hakea Prison and Acacia Prison to address the backlog. Training commenced on 24 June 2019 and service delivery on 1 July 2019.</p> <p>The Department has commenced a review of the current IMP process and the Terms of Reference (TOR) has been developed and approved by the Commissioner, Corrective Services. The TOR have been distributed to all stakeholders listed and also to the WA Prison Officers Union and CSUP/CSA. Furthermore, the IMP Project Steering Committee held its first meeting on 2 July 2019.</p> | <p>Supported</p> <p>We agree with this recommendation and are fully supportive. Serco have worked with the Department of Justice in establishing processes for assessments to be completed by Serco employees at Acacia Prison. A contract variation has been signed and the project commenced on 24 June 2019. Acacia have employed an assessment team across programs, education and sentence management teams to facilitate education assessments, treatment assessments and IMPs to assist in reducing the backlog of assessments at Acacia.</p> |

RESPONSES TO RECOMMENDATIONS

| Recommendation | DOJ response | Serco response |
|---|--|---|
| <p>3. Serco fully commit to the lifers' strategy and cease the cross-deployment of the LLOs.</p> | <p>The Department will oversee Serco's actioning of this recommendation.</p> | <p>Profiled (or planned) cross deployment of staff is fundamental to our workforce planning model and enhances broader team working, individual development and peer challenge, as well as resource efficiency.</p> <p>Since the on-site inspection in 2018 and your observations about the importance of facilitating continuous access to appropriately trained and skilled staff for Life Sentence Prisoners all November block team members have undergone the full LLO development program.</p> <p>To further enhance this, we are currently delivering the LLO program to identified staff across the whole site who will be supported to deliver an enhanced role in the management of lifers in their areas.</p> |
| <p>4. Put in place appropriate and adequate supports for the Indigenous Services Coordinator position.</p> | <p>The Department will oversee Serco's actioning of this recommendation.</p> | <p>Supported</p> <p>Acacia support this recommendation. An Aboriginal Services Committee is being developed which will be chaired by the AD R&R in collaboration with the Head of Healthcare to ensure cohesive and coordinated service delivery, inclusive of all Aboriginal service personnel across site and provide adequate support and succession planning for the role of Indigenous Services Coordinator.</p> <p>The Aboriginal Services Committee will provide opportunity to inform site wide strategies to increase engagement of prisoners in education, employment and training.</p> <p>Acacia's People and Capability will ensure that our employment practices build a workforce that is diverse and meets the needs of the prison, including consideration and commitment to the Reconciliation Action Plan Deliverables.</p> |

RESPONSES TO RECOMMENDATIONS

| Recommendation | DOJ response | Serco response |
|--|--|---|
| <p>5. Ensure a regular, in person Aboriginal Visitor Service at Acacia.</p> | <p><i>Supported in Principle</i> A review of Aboriginal Visitor Services (AVS), Prison Counselling Services, and Prison Support Officers will be undertaken in the near future with a view on suicide prevention to determine the needs across the Department.</p> | <p>We recognise the fundamental importance of meeting the needs of our Aboriginal prisoners and welcome recommendations which reduce the over representation of Aboriginal people in custody.</p> <p>We believe that the responsibility and authority to deliver this recommendation sits with DOJ rather than Serco but do absolutely commit to effective partnership working to achieve it.</p> |
| <p>6. Serco actively seek and employ an Aboriginal education worker.</p> | <p>The Department will oversee Serco's actioning of this recommendation.</p> | <p>Supported in principle</p> <p>We recognise the fundamental importance of meeting the needs of our Aboriginal prisoners and welcome recommendations which reduce the over representation of this group in custody.</p> <p>We agree in principle and will continue to develop strategies to enhance engagement of Aboriginal prisoners in education whilst also ensuring fair and equitable service access through strategies such as the Aboriginal Services Committee.</p> |

RESPONSES TO RECOMMENDATIONS

| Recommendation | DOJ response | Serco response |
|--|---|---|
| <p>7. The Department must ensure that all through-care services are provided to prisoners released from Acacia.</p> | <p>Supported – Existing Departmental Initiative</p> <p>Serco operates a re-entry program through the Resettlement Team, which prepares prisoners for release and links them with appropriate through-care services delivered by the Department, its contractors and community organisations.</p> <p>Through the Reintegration and Rehabilitation contract, the metropolitan reintegration services provided by ReSet, have been provided additional funding to complement the work commenced by Resettlement Team, to deliver post-release services to eligible prisoners released from Acacia. Providing services only to prisoners assessed as medium to high risk of reoffending is in line with services delivered across the Department.</p> <p>There was limited funding available for reintegration and rehabilitation services and the Department has worked to negotiate with successful services providers to incorporate services to Acacia within the available funding and taking in to account the demand and resources made available to prisoners across all prisons.</p> | <p>Supported</p> <p>We support this recommendation.</p> |
| <p>8. Ensure that prisoner transport arrangements are sufficient to meet demand for medical escorts.</p> | <p>Supported</p> <p>The contractor (Broadspectrum) has progressed a solution to improve its capacity to facilitate a greater number of hospital sits.</p> <p>The Department will oversee Broadspectrum's actioning of this recommendation.</p> | <p>Supported</p> <p>We support this recommendation.</p> |

RESPONSES TO RECOMMENDATIONS

| Recommendation | DOJ response | Serco response |
|---|---|---|
| <p>9. Review the staffing levels and workloads of unit staff, to ensure that they have enough time to focus on building strong relationships with prisoners.</p> | <p>The Department will continue to oversee Serco’s delivery of services under the Acacia Prison Services Agreement noting that this is an outcome based contract which does not specify staffing needs.</p> | <p>Staffing is by far our biggest and most critical resource and our approach to prisoner management is based on the maintenance of effective relationships which means this is an area where demand and expectations perpetually exceed reasonable supply.</p> <p>We identify our challenge as working with staff to develop and maximise the ways in which we fully utilise the high volume of staff/prisoner interactions; allow space for reflection and enquiry and draw on the strength and depth of the relationships present with non-custodial staff as well as block officers.</p> <p>Acacia management supports the prosocial model of prisoner management and engagement in all areas and disciplines across site; we will build on our case management and MDT structures ‘join the dots’ of the many positive interactions and opportunities prisoners have to achieve a more holistic experience for prisoners and staff.</p> <p>We will review the allocation and scheduling of the most time consuming non-prisoner contact processes and tasks.</p> |
| <p>10. Review and develop strategies to maintain staffing levels to ensure continuity of quality of service levels to prisoners for the remainder of the contract.</p> | <p>The Department will oversee Serco’s actioning of this recommendation.</p> | <p>In response to your on site inspection in 2018:</p> <ul style="list-style-type: none"> • We introduced 21 new officers onto the ground from 15 April 2019 having completed their initial training course. • We have identified a group of 27 new officers who will commence their IATC on 26 August 2019 to commence on the ground on 18 November 2019. • Planning is underway to recruit suitable candidates for a 20 January 2020 ITC commencement. • We are reviewing the content of the initial training course to ensure the training meets the quality of service required to meet evolving needs of our prisoner cohort. <p>contd.</p> |

RESPONSES TO RECOMMENDATIONS

| Recommendation | DOJ response | Serco response |
|----------------|--------------|---|
| | | <p>contd.</p> <ul style="list-style-type: none"> • We are reviewing the timing of the delivery of the initial training courses to determine if there is requirement for a third course completed within each calendar year. • We have made progress toward the realisation of a performance based culture with changes to the organisational structure, investment made into the capability of our leadership team. • We are implementing training and investment into our current and future front line managers to ensure that they are able to effectively lead, coach, develop, guide and engage with our officers on the ground. • We are providing real development opportunities for our employees such as placements in other Serco contracts, internal knowledge sharing and external leaderships courses. Whilst it is acknowledged that the stresses of the custodial role contributes to higher unplanned absenteeism, we are actively managing this through a supportive approach including the implementation of a Staff Welfare Support Team, training from our Employee Assistance Provider and other wellbeing initiatives scheduled throughout the year. • We are actively engaging with our employees directly, being accessible to them, communicating with them with consistency, acknowledging and rewarding performance, ensuring all employees are well appraised on how they are performing and how their performance contributes to Serco's desire to be successful in any future bidding to manage Acacia Prison. |

Appendix 4

THE INSPECTION TEAM

| | |
|-----------------|--|
| Neil Morgan | Inspector of Custodial Services |
| Darian Ferguson | Deputy Inspector of Custodial Services |
| Derek Summers | Manager Corporate Governance |
| Natalie Gibson | Director Operations |
| Lauren Netto | Principal Inspections and Research Officer |
| Jim Bryden | Inspections and Research Officer |
| Amanda Byers | Inspections and Research Officer |
| Cliff Holdom | Inspections and Research Officer |
| Joseph Wallam | Community Liaison Officer |
| Grazia Pagano | Education and Training Consultant |
| Rebecca Minty | Office of the ACT Inspector of Correctional Services |
| Colin Campbell | Independent External Consultant |

Appendix 5

KEY DATES

| | |
|--|------------------|
| Inspection announced | 24 July 2018 |
| Start of on-site inspection | 21 November 2018 |
| Completion of on-site inspection | 29 November 2018 |
| Presentation of preliminary findings | 18 December 2018 |
| Draft report sent to Department of Justice | 11 June 2019 |
| Declaration of prepared report | 26 August 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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