



OFFICE OF THE INSPECTOR  
OF CUSTODIAL SERVICES

2020 INSPECTION OF BUNBURY  
REGIONAL PRISON

134

JANUARY 2021

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

## 2020 Inspection of Bunbury Regional Prison

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# Inspector's Overview

## GOOD MANAGEMENT AND STRONG LEADERSHIP STEERS BUNBURY THROUGH A LARGE EXPANSION

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Since our last inspection three years ago, Bunbury Regional Prison has successfully navigated a significant period of change and disruption. During this period there has been a major construction project completed within the secure perimeter, without any significant incidents. This culminated in the opening in late 2019 of the new Unit 6 accommodation block, an expanded kitchen, new dining facilities in Unit 2, an additional classroom in the education centre, and some related infrastructure upgrades. In addition, Unit 5 was reopened as a pre-release unit accommodating 37 minimum-security prisoners. This expansion resulted in Bunbury being allocated an additional 160 prisoners to be housed in Unit 6. To handle the increased population, Bunbury was also allocated well over 70 new staff, primarily custodial staff but there were also some non-custodial staff.

The expansion of the capacity in Bunbury relieved significant population pressure on the whole prison estate and allowed men from the region to be placed closer to home. This type of capacity expansion is something we have advocated for over many years.

The construction and transition processes were not without problems during both the construction phase and following the expansion of the prison population. But overall, the project was well managed and well led, particularly within the prison where the Superintendent and her leadership team adopted a 'can do attitude' to great effect.

This report highlights several areas that require attention and generally the Department has responded positively to all but one of our 11 recommendations. Only Recommendation 3 was not supported. Of the remaining 10 recommendations, eight were supported and two were supported in principle. Our role does not stop once a recommendation is accepted and we look forward to monitoring closely the implementation of those 10 recommendations.

Our reports often focus on services for, and treatment of, Aboriginal prisoners and this report is no different. Although we have only made one recommendation that specifically relates to services for Aboriginal prisoners (see Recommendation 2) much of the commentary and narrative throughout the report relates to, or impacts on, Aboriginal prisoners. The high incarceration rates of Aboriginal people effectively means that Aboriginal prisoners are impacted by most, if not all, of the recommendations we make.

In Bunbury around 20 per cent of the prison population identify as Aboriginal, yet only two per cent of the staffing group do so. Further, in Chapter Four we identified that Aboriginal prisoners are often not proportionately represented in various areas of prison life, such as: preferred places of employment and/or accommodation; gratuity levels; and restricted or basic supervision regimes. This is something that we raised with the Superintendent and she was focussed on addressing these issues. An opportunity exists perhaps for Bunbury to take the lead and undertake a more detailed consideration of the drivers behind this issue.

This disproportionate representation is something we have seen elsewhere during our inspection work. It may be too simplistic to always assume it is due solely to a lack of opportunity. We will endeavour to do more work on this question more broadly over

## GOOD MANAGEMENT AND STRONG LEADERSHIP STEERS BUNBURY THROUGH A LARGE EXPANSION

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the course of our ongoing inspection of prisons in WA.

During this inspection we met with a group of foreign national prisoners, which was a representative sample of the 52 foreign national prisoners living in Bunbury. Many told us they were facing deportation at the end of their sentence; some said they welcomed it and others feared it. Overall, the group appeared to feel lost amid an uncertain bureaucracy, many did not know what would happen to them and had limited contact with Federal authorities. Accordingly, we were a little disappointed that Recommendation 3 was rejected by the Department. Nevertheless, given the presence of many foreign nationals in prisons throughout WA, we are still of the view that the Department ought to liaise with the relevant Federal government agency in order to put together a consistent and reliable information package for foreign national prisoners facing deportation.

### ACKNOWLEDGMENTS

Bunbury has had, until recent retirements, two very experienced Independent Prison Visitors who are community volunteers appointed by the Minister for Corrective Services. They attend the prison on a regular basis providing an opportunity for the prisoners to raise issues and feedback that information to our office. I acknowledge the importance of their work and thank them for the contribution they have made to our ongoing monitoring of Bunbury. We are currently in the process of appointing two new volunteers to this important role.

It is important to also acknowledge the support and cooperation we received throughout the inspection from the Superintendent and staff at Bunbury and from key personnel in the Department. The men who took the time to speak with us and share their perspective also deserve our acknowledgment and thanks.

We had an expert education consultant involved in this inspection, Ms Janet Connor from the Department of Education. I am very grateful for Ms Connor's expertise and significant contribution to our inspection and to this report.

Finally, I would like to thank the members of the inspection team for their expertise and hard work throughout the inspection. I would particularly acknowledge and thank Lauren Netto for her hard work in planning this inspection and as principal drafter of this report.

**Eamon Ryan**  
Inspector

3 February 2021

## EXECUTIVE SUMMARY

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### A JOURNEY OF EXPANSION – 2017 TO 2020

Bunbury is a complex prison. It is a mixed-classification facility that accommodates maximum-, medium-, and minimum-security prisoners. Most of the prisoners are medium security, and are accommodated in units inside the main prison. The minimum-security prisoners are accommodated in two units located outside the main prison perimeter.

The main prison opened in 1971 comprising Units 1, 2 and 3. Unit 5 was added a decade later as a minimum-security unit located just outside the main prison for up to 37 prisoners. In November 2008, a 72-bed Pre-release Unit (PRU) opened. This Unit did not survive the crowding crisis and has been completely double bunked taking its capacity to 144. The PRU (also referred to as Unit 4) is a stand-alone, minimum-security facility situated a short distance up the hill from the main prison. And, in October 2019, a 160-bed, medium-security unit (Unit 6) was commissioned for opening. This unit is situated within the main prison.

When we inspected Bunbury there were 478 prisoners housed there.

### MANAGING THE PRISON

We found a strong senior management team in place, well capable of leading the prison through the massive expansion program that occurred between inspections. The team had been increased to include an Assistant Superintendent Offender Services (ASOS) position, as well as an Assistant Superintendent Security, Infrastructure and Emergency Management (ASSIEM) position.

We did think that the prison would benefit from more Aboriginal staff. Survey responses from prisoners about how they thought staff understood their culture were not positive. The presence of Aboriginal staff encourages Aboriginal prisoners to become more engaged with prison operations and helps build stronger relationships between prisoners and staff.

### SECURITY AND INFRASTRUCTURE

The security team was expanded to service the increased prisoner population as a result of the expansion. This was most welcome. The addition of the Assistant Superintendent, Security, Infrastructure and Emergency Management position was also a good indication of the prison's commitment to maintaining a safe environment for all staff and prisoners.

New processes had been introduced to ensure prisoner safety with the increased numbers. There had been an increase in assaults among prisoners as well as an increase in prison offences. This led to changes in the prison regime to limit the numbers of prisoners gathering in one location at a time, such as on the oval during recreation.

The new accommodation unit, Unit 6, was officially opened on 18 October 2019. The unit contains 80 cells over two storeys and across two wings. Each cell was doubled taking the capacity to 160.

But we heard from staff and prisoners that there were many problems with the unit which made living and working there difficult. These had been raised officially with the building contractor, and, while some had been addressed, most were dismissed with the excuse

## EXECUTIVE SUMMARY

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that it was built as per the design. The first recommendation that appears in this report emphasises the support that should be provided to local management at Bunbury to work towards addressing the deficiencies in Unit 6.

### LIFE AT BUNBURY

Prisoners rated their quality of life at Bunbury as good, and staff and prisoners mostly felt safe there. The peer support system was strong, having been increased to accommodate the extra prisoners.

But we found that Aboriginal prisoners suffered disadvantage. They were under-represented at the higher, better end of prison life, and over-represented at the lower end. This was across a range of measures, including supervision levels, employment, gratuity levels, and accommodation placement.

We also found that life for remand prisoners, foreign national prisoners and long-term prisoners was tough, with services available for these cohorts lacking in some areas and non-existent in others. We have made recommendations to address this.

### HEALTH AND WELLBEING

There had been resource increases in the nursing team and GP coverage with the expanded prisoner population and this was most welcome. But the health centre was still very busy and the team was struggling to keep up.

There is a purpose-built dental suite in the health centre in the main prison. Yet the dental service was inadequate and prisoners' dental health was poor. Attendance by the dentist was erratic, with more than a third of dental attendances having been cancelled to date in 2020. This created more burden for health services staff.

### REHABILITATION AND REPARATION

In 2017, we found that too many prisoners at Bunbury were missing out on programs, and further that there was a gap between the programs required and those available. And we recommended improvement in this area. Unfortunately, by 2020 the number of treatment programs being delivered at Bunbury had actually decreased. This was most disappointing, particularly given the significant increase in the prisoner population.

Education services remained busy despite lots of interruptions. But Student Contact Hours available had not been used due to poor relationships with the local providers and this impacted negatively on prisoners' education and training opportunities. Prisoners were missing out on crucial digital literacy opportunities.

Industries were busy and productive. But with the increased number of prisoners, under-employment was high and there were not enough meaningful jobs to go around.



## EXECUTIVE SUMMARY

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### PRE-RELEASE AND REINTEGRATION SERVICES

The focus of the Pre-release Unit (PRU) had shifted and was still taking shape. This was due to the re-opening of Unit 5, the other externally located minimum-security unit that had been mothballed for some time. All prisoners engaged in the section 95 work program, as well as those participating in the prisoner employment, resocialisation and reintegration leave programs were moved from the PRU to Unit 5. The focus for Unit 5 was on those prisoners nearing release and providing appropriate reintegration services for them. And the role of Unit 4 was still evolving, but it seems with more of a focus on life skills than pre-release opportunities.

Although Unit 5 was not a fit for purpose reintegration facility, the section 95 program that operated out of the unit was busy and productive. And there were other incentives to living in this unit.

The reintegration team was small, but remained committed and motivated. But we were concerned that the team was stretched and not adequately resourced to meet demand. We found that, despite the increase in the prisoner population most in need of these services (from 72 to 144 in the PRU), there had not been an increase in the reintegration team.

The Department's contracted reintegration provider for Bunbury continued to provide good services there. The parenting program they facilitated nurtured re-connections between fathers in prison and their children, and prisoners spoke very highly of this program.

## LIST OF RECOMMENDATIONS

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### RECOMMENDATION 1

The Department must provide support for local management in their efforts to have the identified Unit 6 defects addressed and fixed.

### RECOMMENDATION 2

Reinvigorate the Aboriginal Services' Committee to increase accountability and confidence in its processes.

### RECOMMENDATION 3

Provide more opportunities and support for foreign national prisoners.

### RECOMMENDATION 4

Develop and implement a specific strategy to improve the quality of life for long term prisoners.

### RECOMMENDATION 5

Engage with Dental Health Services to improve consistency of dental coverage.

### RECOMMENDATION 6

Ensure sufficient resources are available to complete outstanding treatment assessments at Bunbury and to ensure these are kept up to date into the future.

### RECOMMENDATION 7

Provide adequate training and support for all programs staff to ensure confidence in, and the integrity of, the programs being delivered.

### RECOMMENDATION 8

Re-establish the good working relationship with TAFE providers at BRP with the aim of using all allocated SCH each year, and explore the possibility of using other training providers.

### RECOMMENDATION 9

Invest in more digital literacy opportunities for prisoners including internet access, email, and additional computers.

### RECOMMENDATION 10

Resource initiatives to increase the scope and capacity of industries at Bunbury to provide more opportunities for meaningful employment for prisoners.

### RECOMMENDATION 11

Provide additional resources to support the reintegration team.

## FACT PAGE

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### NAME OF FACILITY

Bunbury Regional Prison (Bunbury)

### PRISON ROLE

Bunbury Regional Prison is a multi-security prison. Its maximum-security unit (Unit 1) accommodates those on remand and/or those rated maximum-security for short periods of time. It has three medium-security units (Units 2, 3 and 6) and two minimum-security units – Unit 5 and the Pre-release Unit (PRU) - which are situated externally, but adjacent to, the main prison.

Bunbury's focus is on self-sufficiency and a major feature of the prison is a market garden which supplies a large proportion of the fresh vegetables used throughout WA's prison system. The prison's industries are productive, and include a vegetable preparation industry to process the vegetables harvested from the market garden. It is also one of the busiest prisons in the state in relation to program delivery.

### LOCATION

Bunbury Regional Prison is located 11 kilometres south of Bunbury, and 183 kilometres south of Perth. The traditional owners of the land are the Noongar people.

### NUMBER OF PRISONERS HELD AT TIME OF INSPECTION

478

### LAST INSPECTION

17 – 21 September 2017

### CURRENT INSPECTION

22 – 30 July 2020

### RESIDENTIAL UNITS – DESIGNATION AND CAPACITY

	Capacity	Designation
Unit 1	32	Houses newly arrived prisoners, all security ratings, those on punishment or basic supervision regimes, those requiring observation and protection (for a short time).
Unit 2	96	Houses medium-security standard and basic supervision prisoners in a combination of doubled-up and single cells.
Unit 3	110	Houses medium- and minimum-security, earned supervision prisoners in a self-care living environment.
Unit 4	144	Also called the Pre-release Unit (PRU). Houses minimum-security, earned supervision prisoners in a self-care living environment.
Unit 5	37	The original minimum-security unit housing earned supervision, section 95 approved prisoners in single cell accommodation.
Unit 6	160	The newest accommodation unit housing medium-security, standard supervision prisoners.

# Chapter 1

## A JOURNEY OF EXPANSION – 2017 TO 2020

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### 1.1 A COMPLEX SITE

Bunbury Regional Prison (Bunbury) is a mixed-classification prison that accommodates maximum-, medium-, and minimum-security prisoners. Most of the prisoners are medium security, and are accommodated in units inside the main prison. The minimum-security prisoners are accommodated in two units located outside the main prison perimeter.



**Photo 1: The PRU environment and houses**



**Photo 2: Unit 5 – the original minimum-security unit**



## A JOURNEY OF EXPANSION – 2017 TO 2020

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The main prison opened in 1971 comprising Units 1, 2 and 3. Unit 5 was added a decade later as a minimum-security unit located just outside the main prison for up to 37 prisoners. In November 2008, a 72-bed Pre-release Unit (PRU) opened. This Unit did not survive the crowding crisis and has been completely double bunked taking its capacity to 144. The PRU (also referred to as Unit 4) is a stand-alone, minimum-security facility situated a short distance up the hill from the main prison. And, in October 2019, a 160-bed, medium-security unit (Unit 6) was commissioned for opening. This unit is situated within the main prison.



**Photo 3: The new Unit 6**

Bunbury is a complex prison. There can be 398 medium-security prisoners inside the main prison, with a handful of these at any one time being maximum-security prisoners. And up to 181 minimum-security prisoners outside the main prison, with more than 20 of these leaving the prison to work in the community most days. The risks involved in managing this complexity are significant, diverse and constantly changing. The Superintendent and her management team do a thorough job in assessing and managing these risks every day.

### 1.2 BUNBURY IN 2017

#### **A good prison and a good place to work**

We last inspected Bunbury in September 2017. We found an established and capable leadership team managing the prison. Prisoners told us that they felt safe, and their quality of life ratings were high. Staff said the prison was calm and settled. Officers were positive about their relationships with their peers, and there was a significant improvement in their attitudes about how well staff and prisoners get along.

## A JOURNEY OF EXPANSION – 2017 TO 2020

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Prisoner employment levels were good with 96 per cent of prisoners in meaningful jobs. Similarly, education outcomes had improved as had training opportunities for prisoners. Recreation had expanded with eligible prisoners having the opportunity to leave the prison to participate in external recreation activities. These included going to the beach, playing sport at community sport centres, and attending the local library.

### **But some areas needed improvement**

Prisoner satisfaction with health services had declined. Our inspection found that health services had not received any more staff or resources when the prisoner numbers in the Pre-release Unit (PRU) doubled. Consequently, they were struggling to meet demand.

Similarly, transitional and reintegration services were under-resourced and not reaching all groups of prisoners. Again, the increase in prisoner numbers in the PRU had not been accompanied by any increase in resources for transitional and reintegration services, and they too were juggling competing demands.

We heard about inconsistency in approaches amongst senior officers which affected how units were managed and the directions they gave to officers. This was impacting operations and working relations in all the units. But we heard it most keenly in relation to the minimum-security PRU.

### **One prison or two?**

In 2017, we commented that Bunbury is unique in that it is really two prisons in one, each self-contained. There is the main, medium-security prison; and then there is the stand-alone, minimum-security unit called the Pre-release Unit (PRU or Unit 4) located separately, but within walking distance, from the main prison.

The design, build and philosophy of the PRU were supposed to align to provide an appropriate space for prisoners nearing the end of their sentences to reintegrate into their communities. But this was severely compromised when it was forced to double in size to help alleviate the crowding crisis facing the prison estate.

### **Big changes ahead**

Whilst no formal announcement had been made at the time of our last inspection, rumours about expansion at Bunbury were gaining momentum. Indeed, the official word came a couple of months later. The then Inspector urged that the expansion be properly managed and resourced. This was crucial if Bunbury was to continue as a good performer in the prison estate.

## **1.3 BUNBURY IN 2020**

### **More medium- and minimum-security beds**

In December 2017, the State Government announced that 672 beds would be added to the prison estate through expansion projects at Bunbury and Casuarina prisons. At Bunbury, this would see a new 160-bed unit constructed inside the prison grounds (Unit 6), as well as the re-opening of the old 37-bed, minimum-security unit (Unit 5) situated outside the main prison.

## A JOURNEY OF EXPANSION – 2017 TO 2020

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Unit 5 has had a colourful history. It closed when the Pre-release Unit (PRU) opened in 2008, the thinking being that the reintegration needs of minimum-security prisoners will be facilitated through the PRU which had been specifically designed for this purpose. It came back to life briefly between May and November 2010, but was then mothballed for eight years. Crowding creep across the prison estate called for its re-opening as part of the overall prison expansion program, and, in June 2019, Unit 5 became an operational accommodation unit once again.

Over the past five years, Bunbury's total prisoner population has increased by 35 per cent. The medium-security population has increased by 43 per cent (only in the last 12 months). And there has been a 60 per cent increase in its minimum-security capacity. The total capacity now stands at 579, up from 376 when we last inspected in September 2017. During the 2020 inspection, the prisoner population was just under 480 (between 478 and 479).

### **Additional infrastructure expansion**

In anticipation of the expansion at Bunbury, we cautioned that it was not enough to only resource the build without considering the additional services and infrastructure an increased prisoner population would require.

We were pleased to find that there had been some increase in resourcing for some prisoner services, and that prison officer staffing had been properly considered. There was also expansion of existing facilities across the site, new infrastructure added, as well as upgrade of essential services.

To accommodate the extra 160 prisoners inside the main prison the kitchen had to be expanded. The prisoner dining area, located within the overall kitchen space, was used to increase the kitchen's capacity and equipment.

The original dining room was for prisoners from Unit 2. So, to replace the dining area they had lost, two new, smaller dining rooms were constructed within the confines of Unit 2. The Unit's original design was a large open area surrounded by cells. This large open area was split by installing two small dining rooms constructed down the middle, effectively splitting Unit 2 into two separate wings.

The Unit 2 control room in turn had to be expanded to ensure officers had sufficient line of sight to the cells and communal areas. The new control room straddles the two wings so prisoners from each wing can approach officers in the control room with their enquiries. It also includes an interview room and staff offices.

In addition to the new 160-bed accommodation unit, the following infrastructure was added:

- An extra classroom in the education centre;
- A second sallyport; and
- 1.5 basketball courts.

The gas supply, sewerage, fire pumps, electrical switchboard, generators, and surveillance cameras across the site all had to be upgraded to accommodate the expanded prisoner numbers.

### 1.4 THE 2020 INSPECTION AND A PANDEMIC

The 2020 Bunbury inspection was highly anticipated by the OICS inspection team given the expansion that had occurred over the preceding three years. We were eager to see the new accommodation unit and associated infrastructure and assess its impact on Bunbury, which we have long regarded as a well-performing prison.

We announced the inspection in March 2020, just as the coronavirus pandemic was beginning to settle in across Australia. In early March 2020, the Commissioner for Corrective Services established a Taskforce to coordinate and monitor the response to the pandemic across the prison system.

By 16 March 2020, a State of Emergency had been declared in Western Australia, and the state's borders with the other states and territories were closed. Regional travel within Western Australia was also restricted, which impacted on our regional inspection work. Indeed, the on-site component of our announced inspection of West Kimberley Regional Prison, scheduled for late March 2020, could not proceed.

Given Bunbury's location as a regional area, unrestricted travel between Perth and Bunbury was prohibited. This was in place for almost three months. By 5 June 2020, most of the regional travel restrictions had been lifted, only those to remote Aboriginal communities remained in place. So the Bunbury inspection scheduled for late July 2020 could go ahead as planned.

In June 2020 we conducted pre-inspection surveys with staff and prisoners. The survey results provided a valuable snapshot of the prison, and these results are reflected throughout this report to support inspection findings as well as provide background information. As well as a significant volume of documentation, we received a comprehensive briefing from the Superintendent and her management team the week before the inspection.

Our on-site inspection commenced on 22 July 2020 and concluded on 30 July 2020. The Inspector presented the preliminary findings to staff and management on 14 August 2020. The Inspector led a team of seven inspection officers, including one expert seconded from Curriculum Support in the Department of Education.



# Chapter 2

## MANAGING THE PRISON

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### 2.1 THE LEADERSHIP TEAM

#### **A strong and enhanced senior management team**

Bunbury has a strong senior management team, with a wealth of experience, that has been in place for a long time. This team was well-equipped to lead Bunbury through the massive expansion program that occurred on the site over the last 18 or so months.

Throughout the expansion project, the prison continued to operate fully, and in fact continued to perform well. The prison, under the current leadership, has shown an ability to respond to pressures and manage change, with a minimum of fuss. The team did get two more positions to support the expanded prison and prisoner population. These positions were an Assistant Superintendent Offender Services (ASOS) and an Assistant Superintendent Security, Infrastructure and Emergency Management (ASSIEM).

The ASOS position at Bunbury had been 'on the books' for many years, but for some reason Bunbury had not been allowed to fill the position, until now. We were pleased to see an ASOS position in place there, but it was long overdue. This position is a crucial part of a prison management team as it manages those aspects of prison operations specifically relating to the prisoners. These can include: recreation, reception, orientation, property, accommodation, and even reintegration services. Before the ASOS position was appointed at Bunbury, all this work fell to the Assistant Superintendent Operations (ASO). Given the already heavy workload attached to the ASO position, this was not sustainable in the long term.

The ASSIEM position was a new position, and we thought it innovative. We are not aware of a similar position in other prisons. But if it is a success we may well see it introduced elsewhere. The position assumes some of the responsibilities previously within the Assistant Superintendent Security portfolio. These include the infrastructure components relating to security like maintaining a secure perimeter, duress alarms, radios, locks and keys. The ASSIEM is also responsible for processes in the master control facility and emergency management preparedness.

The ASSIEM had only been in place since 16 March 2020. Unfortunately, this is around the time that COVID-19 was impacting on the community and the Department was in the process of developing risk management plans to mitigate the impact of the virus on prisons. Accordingly, the ASSIEM was required to write the pandemic plan for the prison along with the containment plan for COVID-19. The focus on establishing protocols and procedures to deal with the virus in the prison has inevitably impacted on the establishment of the role. At the time of the inspection, the position was still finding its feet among the existing management structure within the prison.

#### **Good leadership during a pandemic**

We thought that the Superintendent and her team showed good leadership in guiding the prison through the Covid-19 pandemic. They moved quickly to develop a pandemic plan early on to ensure continuity of essential services, as well as the health and safety of staff and prisoners.

## MANAGING THE PRISON

This was crucial to prevent panic spreading amongst the prisoners in particular which would have been difficult to contain. The order required the Superintendent to brief managers and Senior Officers daily about the status of the pandemic and the prison's preparedness. Appropriate signage was placed across the site. And each operational and service function (such as medical, reception, gatehouse) had specific responsibilities set out in the Operational Order to identify and prevent the spread of the pandemic through the prison.

We included three pandemic-related items in our pre-inspection survey of staff and prisoners. This was to identify how safe and informed staff and prisoners felt about how it was being managed at Bunbury. The responses from both staff and prisoners were largely positive.

**Table 1: Staff and prisoner perceptions of the prison's management of the pandemic**

Survey item	Staff Agree/Strongly Agree (%)	Prisoners Agree/Strongly Agree (%)
We have been well informed about the virus	95	86
I am feeling reasonably safe here from the virus	83	84
I believe the spread of the virus is being well managed at Bunbury	79	56

### 2.2 HR AND STAFFING

#### HR processes working well but could be more efficient

The human resources' team is working well at Bunbury. They have been provided with additional positions as a result of the expansion, which means they are now sufficiently resourced and up to date.

Staff responses to our pre-inspection survey supported this finding. The only areas that were not assessed as 'mostly effective' by 50 per cent or greater were coverage when staff were on leave and recruitment, which stood at 42 per cent and 36 per cent respectively. However, when the 'mixed' response was also taken into account those results were 66 and 71 per cent respectively.

We have reported elsewhere, though, that HR processes (leave, rostering, shift swaps) for prison officers remained paper-based, which made the work labour intensive and inefficient for the HR team (OICS, 2019). We understand that the Department is going through the process of procuring a new electronic rostering system, which should alleviate some of the manual transaction work.

## MANAGING THE PRISON

### Operational staff increased substantially

Prison officer and Vocational Support Officer positions were added as a result of the expansion. Twelve more VSOs were recruited, and custodial numbers increased by:

- 60 prison officer shift positions
- 10 Senior Officer shift positions
- 1 Principal Officer position

**Table 2: Staff increases between 2017 and 2020**

Survey item	2017	2020
Prison officers	89	149
Senior Officers	20	30
VSOs	35	47

### The prison would benefit from more Aboriginal staff

Aboriginal men made up 20 per cent of the prisoner population at Bunbury. But only two per cent of the staff at Bunbury identified as Aboriginal. We do acknowledge that it is not mandatory for staff to declare their background, and we note that at Bunbury 23 per cent had not completed the diversity section in the HR Kiosk.

But, the prison needs to do more in relation to Aboriginal employment, particularly among its officer group. We surveyed prisoners at Bunbury about how they feel staff understand and respect their culture. The responses were not positive. Only 24 per cent said they felt that staff understand their culture. And only 27 per cent felt that staff respected their culture.

The presence of Aboriginal staff encourages Aboriginal prisoners to become more engaged with prison operations and helps build stronger relationships between prisoners and staff. Aboriginal prisoners are known to seek out Aboriginal staff for assistance and support. Aboriginal staff can also support and respond to cultural obligations in an appropriate manner.

We were pleased about the recruitment of another Prison Support Officer (PSO) at Bunbury. Being Aboriginal, PSOs can connect with Aboriginal prisoners in unique and culturally meaningful ways. At Bunbury there were now two experienced PSOs available to support the Aboriginal prisoners. We were also pleased that the Aboriginal Education Worker position had become a full-time position, more on this in Chapter 6.

## 2.3 TRAINING

### Training is responsive and well managed

The prison has one full-time Training Senior Officer (SO), who has been in the position for a long time. Formal training sessions for prison officers were facilitated weekly during a lockdown of the prison each Friday morning. Vocational Support Officers (VSOs) also received weekly training opportunities every Wednesday morning at 7.30am.

## MANAGING THE PRISON

In addition to providing the mandatory training requirements, the Training SO adapts and develops training packages in response to emerging needs and issues. So, for example, following an incident around the section 95 program at Karnet Prison Farm, the Superintendent negotiated with the Training SO to develop an appropriate training module for VSOs at Bunbury who manage the section 95 program there. Similarly, he has developed in-house training for officers on methylamphetamine use and appropriate custodial responses, something which is not available among the Department's basic training options. This has been picked up by other prisons and he is going to Wandoo to deliver the training to other staff. This was good practice.

### But staff confidence is down

Our pre-inspection survey results about training showed a decline since 2017 in officers' confidence about the training they receive. Results from the 2020 officer survey are down compared to those from our 2017 survey. Here is a snapshot of these results:

**Table 3: Prison officers: Do you feel you have received adequate training in the following areas?**

Training	2020 results (%)	2017 results (%)
	Yes	Yes
Use of restraints	85	95
Use of chemical agents	85	95
CPR/First Aid	74	84
Emergency response – fire, natural disaster	36	61
Occupational Health and Safety	57	79
Suicide prevention	72	87
Cultural awareness	60	84
Managing prisoners with drug issues	32	50
Managing prisoners with mental health issues	23	53
Use of the disciplinary process	51	71

These results are not a reflection of the commitment to and motivation for training amongst officers and management at Bunbury. As stated above, training was regular, well managed, and responsive. Bunbury has had an influx of new officers to manage the increased prisoner numbers. We do not expect all officers to feel 100 per cent confident in all the above-listed skill areas within the short time (less than 12 months) that they have been in position at Bunbury. We do, however, expect that, when we return to inspect the prison in three years' time, staff feel a lot more confident in their skills across all of these measures.

We also acknowledge that there has been no increase in resources to deliver training at Bunbury despite the increase in prison officers needing training. There is still only one Training SO managing all the training needs of all the staff at Bunbury.

# Chapter 3

## SECURITY AND INFRASTRUCTURE

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### 3.1 MANAGING SAFETY AND SECURITY

#### An enhanced security team

Fortunately, the security team got some extra positions to help manage the safety and security of the prison with the increased prisoner numbers. The extra positions added to the team were:

- A second substantive Senior Officer
- One custodial officer position to monitor prisoner phone calls
- Two custodial officer positions to provide seven-day coverage, filled through expressions of interest
- One Intelligence Collator position

This increase has been most welcome. It allows room to move within the team, and also provides for a more comprehensive coverage of all aspects of security across the prison. The addition of the Assistant Superintendent, Security, Infrastructure and Emergency Management position was also a good indication of the prison's commitment to maintaining a safe environment for all staff and prisoners.

#### New processes in place keep the environment safe

Once Unit 6 was ready to be filled, the prison had to manage an influx of 160 new prisoners and 50 new officers arriving at the prison in quick succession. As early as March 2019, seven months before Unit 6 opened, the management team was working on identifying prisoners who would be suitable to be transferred to Bunbury as part of the 160 fill. The main criterion was place of residence, with those prisoners who ordinarily reside in the south-west of WA given priority. The team was determined that the new prisoners had to be a good fit for Bunbury so as not to disrupt the generally settled nature of the prison environment. And having prisoners from the local area, who wanted to be there, was one strategy to accomplish this.

But despite the work done to achieve a slow, steady and considered fill process, in reality the extra beds just needed to be filled. So the 160 prisoners who arrived at Bunbury had not necessarily been through any specific selection process, and many did not want to be transferred to Bunbury. This, combined with a lot of new probationary officers, made the initial settling in period for Unit 6 a very unsettling time.

The Superintendent provided us with a snapshot of data during a six month period following the 160 fill compared with data preceding this time. There were increases across a range of measures:

- 20% increase in loss of privilege sanctions
- 34% increase in section 69 charges – minor prison offences
- 31% increase in section 70 charges – aggravated prison offences
- 72% increase in prisoner on prisoner assaults

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The last measure was most concerning, and threatened to jeopardise the safety and security of the prison. We heard that some prisoners were becoming increasingly fearful of leaving their units to attend activities like recreation and to collect their canteen orders each week, due to the threat (perceived or otherwise) of being stood over or assaulted.

Prison management and the security team acted quickly to manage the situation. Aspects of the prison regime were adjusted to limit the numbers of prisoners gathering in one location at one time and reduce the opportunities for assaults to occur. This included changes to the canteen process (explained below in Chapter Four) and access to recreation.

The recreation schedule was split with specific times allocated to different units. This affected recreation in the main prison only. Recreation was split into two sessions each day, one early afternoon and one late afternoon session, during the week. Likewise, there were several split sessions on weekends and public holidays. Different units attended at different times to minimise the potential for conflict while ensuring that all prisoners had sufficient opportunities to get out on the oval and exercise or play sport.

Some prisoners grumbled about not being allowed to go to the oval every day. But prisoner opinions about recreation were still high (as indicated in our pre-inspection surveys and discussed in Chapter Five). And the security team had noticed a marked reduction in allegations of, as well as actual, assaults and standovers.

Another, more internally focused, security process that had been introduced was a weekly intelligence report prepared by the security manager and intel collator for senior managers and officers. The report is disseminated and discussed at a weekly meeting. It provides a summary of any incidents that have occurred and identifies prisoners involved in orchestrating trouble around the prison.

We thought this was a good initiative, and showed progress against a recommendation we made in 2017 about the need for better engagement between security and staff (OICS, 2018, pp. 16, Recommendation 3).

### **Staff and prisoners felt safe**

The measure of how safe staff and prisoners feel working and living in the prison is an important one. It can indicate good relationships between staff and prisoners, which is essential in maintaining a calm and settled environment.

Two thirds of staff said that custodial staff and prisoners generally get on well. And 87 per cent of staff 'mostly or 'almost always' felt safe at Bunbury. Fifty six per cent of prisoner respondents agreed that officers would help them if they had an issue they were concerned about, and 71 per cent replied 'good' in response to the question: 'In this facility, how well do you get along with unit officers?'. Prisoners also felt safe with 83 per cent saying they 'mostly feel safe'.

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### **Emergency preparedness was good, but staff confidence was low**

In 2019 Bunbury conducted eight emergency management exercises. Five were desktop and three were live exercises. To the end of April 2020, they had conducted four exercises, two live and two desktop. While they are meeting their obligations in relation to the number of exercises they are required to hold, staff confidence in their capacity to respond was low.

Only 36 per cent of survey respondents said they felt they had received adequate training in how to respond to a fire or natural disaster. This was down from 61 per cent in 2017. And only 28 per cent were confident in managing a loss of control situation, also a decline from 39 per cent three years ago.

The new Assistant Superintendent position responsible for emergency management and preparedness (ASSIEM) had only been in the position a few months, so we accept that things should improve over time as the position settles and the focus can shift back to its original intent as the coronavirus threat lessens.

### **3.2 PROVIDING A SAFE ENVIRONMENT FOR PRISONERS**

The addition of Unit 6 had influenced thinking around all the accommodation units at Bunbury and their purposes. Increasing the capacity for prisoner accommodation also increased the scope for both re-purposing existing residential units, and enhancing privilege levels in other accommodation units.

#### **Increased capacity to manage regimes in Unit 1 despite no infrastructure upgrade**

The expansion did not affect Unit 1 in any way. Unit 1 is the maximum-security unit providing short-term accommodation for newly arrived prisoners, and those on a management and/or punishment regime, or who require close observation. We would have thought that some expansion of this capacity would have been included as part of expanding the prisoner population by 160, but this was not in the scope of works.



**Photo 4:**  
**Recreation**  
**area in Unit 1**



## SECURITY AND INFRASTRUCTURE

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Despite this, the prison had re-purposed some cells in Unit 1 to better accommodate the various roles of the unit and the pressure caused by the increase in prisoner numbers. This had involved converting specifically-purposed cells into multi-purpose cells, thereby increasing its capacity to manage the different regimes. So, whereas previously there had been only two multi-purpose cells, now there were eight. This had been achieved by placing cameras in these cells, and making the cell as safe as possible, for example by securing the television set in a non-breakable perspex box and installing concrete slabs as bed bases.

These cells were located in one, entirely separate wing of the unit. The other wing was used to house new prisoners waiting to be assessed, those requiring protection (but only for short stay), those transferring in or out of the facility. There were 11 cells in this wing all of which were double-bunked.



**Photo 5: Newly refurbished cell in Unit 1**

### Unit 2 changes further increased the capacity to manage different regimes

Unit 2 had also changed to reflect two different regimes. Whereas previously, this unit had been an open unit with a large grassed area bordered by cells, the construction of two separate dining halls down the middle of grassed space had divided the unit into two distinct sides, 2A and 2B.

Unit 2A had been designated as the appropriate unit and regime for so-called 'vulnerable' prisoners. These prisoners may require more support to adapt to life in prison for various reasons. These could be because of their offences, cognitive or other disabilities, a general low level of functioning, mental health issues, and the like. Many of these prisoners were on the SAMS (Support and Monitoring System) register. Their progress was tracked at the



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weekly PRAG (Prisoner Risk Assessment Group) meetings, to ensure they were being appropriately supported and to establish better supports for those who needed this.

Bunbury has never had a specific unit for prisoners requiring protection, unlike its metro counterparts Casuarina and Hakea Prisons. The prison has always managed all prisoners together in a mainstream environment with no separation between different cohorts. Indeed, this has been one of Bunbury's strengths, with the prison environment known to be calm and settled. So the designation of Unit 2A for vulnerable prisoners, including those that may require some form of protection from other prisoners, was a shift in the way these prisoners were managed.

The other side of Unit 2, 2B, was probably the least desirable accommodation unit, and deliberately so. It housed prisoners who had been regressed from other, more privileged units (Units 3 and 6 mostly) and needed to be managed on a basic regime. Also, those prisoners whose influence needed to be more closely monitored stayed in Unit 2B.

The split of Unit 2 into A and B wings gave the prison management options, and reduced the pressure on Unit 1 which is where these cohorts would have had to be managed previously. The introduction of these regimes in Unit 2 was still relatively new when we inspected and so we will continue to observe how this impacts on the overall population management across the site.

### **An enhanced hierarchical model for Unit 3**

Some progress had been made to increase the privileges available to prisoners in Unit 3, the self-care unit. The unit comprises 10 cottages, in which prisoners live communally and cook and clean for themselves. Looking after this unit and the prisoners who live there plays an important role in maintaining a safe and positive environment.



**Photo 6: Unit 3 self care cottages**

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**Photo 7: Unit 3 self-care kitchen**

Unit 3 is meant to be the most privileged accommodation unit in the main prison. But this had been compromised by the increased crowding in the unit over recent years. A quota of cells in each cottage had been double bunked. The level of privilege a prisoner feels declines markedly when he is forced to share his space with a stranger.

Unit 6 provided an alternative accommodation pathway for prisoners at Bunbury, and was an opportunity for management to strengthen the hierarchical management system, particularly in Unit 3. Prisoners needing to move on from Units 1 and/or 2 could be placed in Unit 6, rather than proceeding straight to the most incentivised accommodation option, Unit 3. The move, then, from Unit 6 to more privileged accommodation could then truly be earned through good behaviour, maintaining steady employment, abiding by prison rules and so on. This ensured that prisoners who made it to Unit 3 were a good fit for the self-care environment, and would not disrupt the flow of the unit.

When we inspected in July 2020, there had not been any meaningful drop in prisoner numbers in Unit 3 or a significant decrease in double bunking. But the vision for a more privileged accommodation option was starting to unfold, beginning with making sure the right kind of prisoners were being placed there. Further, some more privileges had been implemented for Unit 3, including additional visit and recreation sessions. We also heard about plans to decrease the double-bunking in Unit 3.

We will continue to watch this space with interest. Many of the prisoners in Unit 3 are long-term prisoners who are effectively 'stuck' there for most of their sentence. They cannot move to a minimum-security environment because of the nature of their offences. Unit 3 is, and will be for a long time, their home. Chapter Four discusses this further.

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### 3.3 THE EXPANSION PROJECT

#### The expansion project was managed exceptionally well

It was a very big project. A two-storey accommodation unit had to be constructed within the confines of the prison. Prior to building works commencing inside, roads had to be cleared outside the perimeter fence. An alternative, secure entry/exit point was established at one end of the oval to provide access for the large trucks and other construction machinery required. More than 100 contractors had to be escorted and supervised on site, and more than \$1 million was spent on additional VSOs to provide these escorts.

Management, staff and the 300 prisoners all worked together to manage and live with the construction occurring around them as normally as possible. Some restrictions on prisoner movement had to be introduced to maintaining a safe environment for all. Otherwise the prison regime continued with prisoners being able to go to work, education, programs, visits, health appointments, recreation, and so on as per usual.

We were most impressed with the way the project was managed. The management team had robust strategies in place to ensure that all staff knew who was on site when. The prison regime continued to operate as normally as possible without extended lockdowns enforced on prisoners. Bunbury's senior management team made it work.

### 3.4 NEW INFRASTRUCTURE

#### The defects in the new Unit 6 build were a risk to the prison

The new accommodation unit, Unit 6, was officially opened on 18 October 2019. The unit contains 80 cells over two storeys and across two wings. Each cell was doubled taking the capacity to 160.

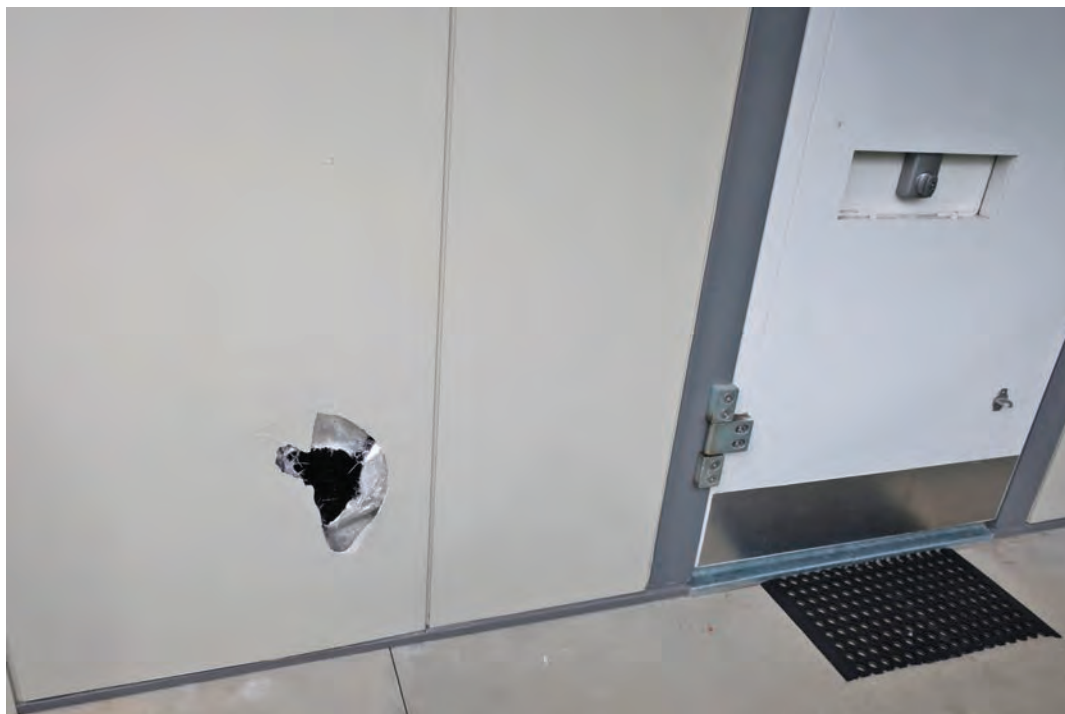


**Photo 8: Unit 6 control**

## SECURITY AND INFRASTRUCTURE

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But we heard from staff and prisoners that there were many problems with the unit which made living and working there difficult. These had been raised officially with the building contractor, and, while some had been addressed, most were dismissed with the excuse that it was built as per the design.



**Photo 9: Common defects across Unit 6**

We understand that prison management and head office personnel were trying to resolve the issues with the contractor. This is not within our inspection scope, although we will continue to monitor how these negotiations progress through our regular liaison visits and visits by our Independent Visitors. But it is important to report on some of the limitations of the new Unit 6 build, and how this was impacting life for staff and prisoners.

The unit does not stand up well to the weather conditions. In summer, the cells and day rooms get unbearably hot. We had many complaints from prisoners over the past summer about this. We were provided with evidence of this in the form of a spreadsheet that a staff member had kept of the temperature in the day room over the month of December 2019. The temperature in these areas on some days exceeded 40 degrees Celsius, with most days well over 30 degrees Celsius. One day was recorded as 50 degrees Celsius, which was the maximum reading for the thermometer and so it could well have been hotter than that.

There was no respite from the heat for prisoners in the unit. There was no cooling in their cells, and no shade over the grassed, outdoor areas in the middle of each wing. The lack of a protected outdoor area was also a problem during the winter months because there was no shelter from the rain.



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**Photo 10: Unit 6 exposed to the weather**

Another deficit that caused problems in wet weather was the lack of guttering along the roof line. When it rained, the water fell in sheets from the roof. This made moving around the unit on rainy days difficult and unpleasant for staff and prisoners.



**Photo 11: Unit 6 roof line did not have gutters**    **Photo 12: Unit 6 lacks adequate drainage**

The cell call units in place in every cell were also affected when it rained. Water somehow gets into the walls and affects the intercoms. It is a massive risk for the prison, and the Department, if the cell call system fails as this is the only mechanism by which prisoners can alert staff to an emergency when they are locked in their cells.

There were many other defects that were presented to us on site. The Inspector raised this with local management who were most frustrated over these defects and the delays in getting them fixed. And whilst negotiations with the builder were in train, we also heard

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that the defect period was due to expire soon after which the builder would no longer be responsible for fixing the defects. This raised concerns for us about the long term implications if these issues are not addressed soon.

### **Recommendation 1**

The Department must provide support for local management in their efforts to have the identified Unit 6 defects addressed and fixed.

### 3.5 LIMITS OF THE EXPANSION

#### **Important parts of the prison were not included in the expansion scope**

There was no increase in health centre infrastructure, although there was an increase in health service staff. During the inspection we heard, and saw, that the health centre is at capacity with all offices and consulting areas in use all the time. There was no dedicated office space available for the new Mental Health Nurse (MHN) that was due to commence, the only option was for the new MHN to share an office space with the existing MHN, who also shares an office with the visiting Psychiatrist.

Similarly, there was no increase in office space for administration staff. The admin block was at capacity, with offices meant for one person being shared by two or more. This block is part of the original prison buildings built for 80 prisoners more than 40 years ago.

Instead, a demountable office block was deposited outside the main prison to provide overflow office space for some admin staff. During the inspection we found the finance team working out of this area, isolated from the rest of the HR team in the main prison and from their supervisor, the Business Manager. The team had made the best of this working environment, and the location actually suited the cashier because she could interact with visitors wanting to deposit money into prisoners' accounts more freely than when she was located within the prison. But just because the team had made the situation work did not mean that it was a good solution. The nearest toilet facilities, for example, were some distance away in the staff training facility.

There were no plans to increase the number of secure beds in Unit 1 that are used to manage prisoners in crisis or those on management plans. The section above about Unit 1 describes how the prison has worked around this to increase its capacity to manage these prisoners without any additional infrastructure. Again we see local management and strategies compensating for the lack of overall planning and expenditure.

#### **And some expansion plans were poorly developed and implemented**

The kitchen required expansion to accommodate more equipment needed to prepare meals for an extra 160 prisoners. The only available space for the kitchen to expand into was the prisoner dining room. To replace the loss of the dining room, two new smaller dining rooms were constructed in the middle of Unit 2, separating this unit into two wings, each with its own dining room.

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But these rooms were too small. At meal times, not all prisoners from each wing could fit in the dining rooms. The space was cramped and uncomfortable, and many preferred to take their meals away and eat outside or in their cells. This was despite warning signs on the entry to these buildings that meals had to be consumed in the dining room.



**Photo 13: New dining room in Unit 2**

The size of these areas had been determined by cost, rather than functionality and prisoner needs. As a result, prisoners had not only lost a fit for purpose area where they could eat, they had lost the only opportunity they had to socialise over a meal.

Management had pushed for a solution to increase the size of the dining area by converting the two smaller spaces into one larger space. We heard that this work had been approved to go ahead. But it's bewildering that remedial work was necessary at all, and so soon, on a new build.

# Chapter 4

## LIFE AT BUNBURY

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### 4.1 QUALITY OF LIFE AT BUNBURY

#### Prisoners rated their quality of life at Bunbury highly

Our pre-inspection prisoner survey includes a question asking prisoners to rate their quality of life at the facility being inspected. A score of 1 is low and a score of 10 is high. Prisoners at Bunbury rated their quality of life there as 5.96, which is the average across all respondents. This was slightly higher than the 2017 result which was 5.41, and also higher than the overall state average which was 5.02.

Most prisoners felt safe (83%), and more than half felt officers were respectful and applied the rules fairly (54%). Seventy one per cent responded 'good' in answer to the question – 'In this facility, how well do you get along with unit officers?'

### 4.2 PEER SUPPORT

#### A good peer support system in place

We found that prisoners at Bunbury were well supported by the peer support system. A second Prison Support Officer (PSO) had been recruited when the prisoner population increased, and this position covered Units 4 and 5, the two minimum-security units located outside the main prison.

The PSOs were well-respected by staff and prisoners. One had been in the position at Bunbury for a long time while the second PSO had recently transferred from the same position at another prison in Perth. So both were familiar with and experienced in the position.

There were 20 prisoners on the peer support team representing all the units across the prison. Team members were identifiable and were present and engaged with the prisoners. Just over 60 per cent of prisoners said they thought peer support would help them if they had an issue.

### 4.3 THE DIFFERENT PRISONER GROUPS AND THEIR EXPERIENCES

#### Aboriginal prisoners at a disadvantage

There were 98 Aboriginal prisoners held at Bunbury at the time of the inspection (total taken on 20 July 2020). This is just over 20 per cent (20.8%) of the total prisoner population. The Aboriginal prisoner group did experience some disadvantage.

We found Aboriginal prisoners were under-represented at the higher, better end of prison life, and over-represented at the lower end. This was across a range of measures, including supervision levels, employment, gratuity levels, and accommodation placement. (The distribution of Aboriginal and non-Aboriginal prisoners across employment and gratuity levels is covered in Chapter 6).

There are three supervision levels in a prison regime – basic, standard and earned. Each supervision level attracts certain privileges, with earned being the most desirable with the most privileges. Supervision levels are lost or gained through behaviour choices.



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An earned supervision level assumes a good behaviour record, and prisoners maintain their earned supervision status by continuing to behave well and make good choices.

Sixty six per cent of the Aboriginal prisoners, who make up only 20 per cent of the population, were on either standard or basic supervision regimes. This consequently affected their accommodation placement, which was limited to units that supported a basic or standard supervision regime. At Bunbury these were Units 2 and 6 only. These are standard accommodation units, mostly double-bunked. There were 30 Aboriginal prisoners in Unit 2 (capacity of 96 – 31%) and 29 in Unit 6 (capacity of 160 – 18%).

The earned supervision units are Unit 3 in the main prison (medium security), and Units 4 and 5 (minimum security) outside the main prison. These units allow a lot more freedoms and opportunities for prisoners for self-determination, which are important as prisoners progress through their sentences and near release. But there were few Aboriginal prisoners in these privileged units – only 12 in Unit 3 (capacity of 110 – 11%), 18 in Unit 4 (capacity of 144 – 12.5%), and two in Unit 5 (capacity of 37 – 5%). These percentages are well below the proportion of Aboriginal prisoners at Bunbury which was 20 per cent.

### **The Aboriginal Services' Committee did not have much impact**

There was an Aboriginal Services' Committee (ASC) that had been established as an accountability mechanism to ensure equity across all prison operations for Aboriginal prisoners. This group met regularly and was well attended by staff from the relevant service areas. Records of the meetings provided statistics about the provision of services to Aboriginal prisoners and their engagement with these services. These reflected: Aboriginal population demographics, security ratings, accommodation and placement, education enrolment levels, health, transitional services, peer support engagement, employment, reintegration, programs and disciplinary matters.

We reported positively on the ASC in our last inspection report, commenting that the ASC 'presented a valuable opportunity for managers to reflect on what they were providing and how this could be enhanced' (OICS, 2018, p. 24).

Although the process was still in place in 2020, we thought that it had lost its way. Some staff who attended the ASC agreed, saying that issues raised at ASC meetings were not resolved and little had changed for the Aboriginal prisoners. Our findings in relation to Aboriginal representation across employment and gratuity levels support this.

We know that the Committee members are committed and motivated to improving life for Aboriginal prisoners. Some intervention or change is needed to make the ASC process one that Committee members and Aboriginal prisoners can have confidence in once again.

### **Recommendation 2**

**Reinvigorate the Aboriginal Services Committee to increase accountability and confidence in its processes.**

## LIFE AT BUNBURY

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### Remand prisoners were not well supported

We found a lack of support for remandees at Bunbury three years ago. Then, we recommended that 'the prison develop a strategy for managing remand prisoners' (OICS, 2018). And, whilst the Department did support this recommendation at the time, nothing has improved for this group.

In 2017 we reported the remand percentage at Bunbury as around 15 per cent of the total prisoner population. This had risen slightly in 2020 to 17 per cent. This rise was consistent with the overall increase in the population as a result of the expansion.

The remandees were frustrated about not being able to get consistent support to address immediate needs, particularly around administrative arrangements like what to do about Centrelink and completing a tax return. Prisoners stated, and admission forms show, that they are asked during the reception process, about any immediate needs. But there was a distinct lack of follow up in addressing these, and about who is responsible for ensuring these needs are met.

The Transitional Manager (TM) is traditionally the person who manages requests like these. But the focus for the TM must be on those prisoners nearing release, and providing transitional services for this group of prisoners. The position does not have capacity to meet these needs for the remand prisoners too, nor is this in its remit.

We also found that only the bare minimum of legal resources was provided. These were only available electronically via a single computer in the main prison library, and in limited numbers in hard copy. There was no capacity for prisoners to access case law for research, limited legal text book availability and no ability to contact legal representatives electronically.

### Foreign national prisoners felt lost

There were 52 foreign nationals at Bunbury at the time of the inspection, just under 10 per cent of the prisoner population. Of these, 30 risked being deported at the end of their sentences. We found that this group felt lost amidst the bureaucracy, and were both over- and overwhelmed by the information they had to process to understand their situation.

There was no single point of contact for them to access to find out about their case. Those who had spent time at Acacia Prison said that someone in the resettlement team there was a contact person for them, and they had hoped that something similar was available at Bunbury. We did hear that the Case Management Coordinator (CMC) at Bunbury was helpful and provided as much information as possible. But the legalities around immigration and deportation are complex and a CMC cannot be expected to know everything there is to know about these.

Those up for deportation felt particularly sidelined. Of the 30 in this group, 13 were minimum security, and some of these resided in the Pre-Release Unit (PRU). But, despite having achieved minimum-security status and living in a privileged unit, they were not entitled to some of the privileges usually available to prisoners in the PRU. In particular, they could not be approved under section 95 of the *Prisons Act 1981* which would allow them to work

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and/or recreate outside the prison. The rationale for this was that they were facing deportation and this made them a flight risk. Allowing them outside the confines of the prison, even under officer supervision, was too much of a risk to manage.

Whilst we understand this rationale, we believe that prisoners who have achieved minimum-security status through good behaviour and mature decision-making should be entitled to the benefits of this work, regardless of their foreign national status.

### **Recommendation 3**

**Provide more opportunities and support for foreign national prisoners.**

#### **The quality of life for long term prisoners had declined**

Long term prisoners are those with sentences of 10 or more years to serve. There were more long term prisoners at Bunbury this inspection as a consequence of the overall expansion of prisoner numbers. This cohort had increased from 15 in 2017 to 45 in 2020.

Most of these prisoners reside in the self-care cottages in Unit 3. Apart from the minimum-security units outside the main prison (Units 4 and 5) Unit 3 has traditionally been the most privileged accommodation. Prisoners live in cottage-style accommodation, prepare their own meals, and share amenities like the kitchen and bathrooms.

The original establishment of Unit 3 was 70 single cells, so a capacity of 70 prisoners. But this unit has not been immune to the crowding across the prison estate, and now 40 of those cells have been doubled up. The population capacity of Unit 3 currently stands at 110.

Having to share a cell was the biggest frustration for this group of prisoners. They said that they had already completed significant prison time during which they had tried to create a space for themselves that felt like home. To have to then share this space with strangers on an ongoing basis was hard to accept.

They also raised other issues that specifically affect them as long term prisoners. Such as provision of annual health reviews and regular dental checks. Their access to health and dental services at Bunbury is the same as all the other prisoners, so if they have a health issue they can request an appointment at the medical centre just like everyone else. But these prisoners are in for a long time and will likely grow old in prison. Their health needs will become more complicated as they age, and so they would benefit from a more preventative and proactive approach to managing their health, like regular blood tests and six monthly dental checks.

They also suggested more opportunities to connect with family and friends through family days. And opportunities to be able to purchase different items from different places other than just the prison canteen.

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We think that a lot more could be done for this cohort. They provide stability among the prisoner group, they are reliable and hard workers, and all they really want is to live in a relatively peaceful environment. They should be supported to do this.

### **Recommendation 4**

Develop and implement a specific strategy to improve the quality of life for long term prisoners.

## 4.4 SETTLING IN

### Reception processes were good but the facility was limited

Reception and orientation processes were working well despite the constraints of the reception centre. In 2017, we said that ‘the building was old, and becoming less and less fit for purpose’ (OICS, 2018). There has been no structural change to the facility since then.

There were enough staff working in the area which ensured that processes ran efficiently. The increase in the prisoner population saw an extra Senior Officer position allocated to reception, which allowed for seven-day coverage in reception. This was a good outcome.

The facility incorporated one searching room and two holding cells. The space was limited for managing big groups of prisoners, some of whom had to be held separately. The introduction of new cleaning protocols to meet COVID-19 sanitising requirements also impacted on the movement of prisoners through the space with deep cleaning of the cells necessary before and after prisoners had occupied these.

There was only one interview room in the centre. Most often, multiple interviews with new intakes take place simultaneously to ensure efficient and timely processing of the new arrivals. So these interviews have to be conducted in the general open area thus compromising privacy. This presents a risk not only to confidentiality, but also a risk that crucial information may not be shared by the prisoner for fear of being overheard.

### Orientation was going well

The responses to our pre-inspection survey about how prisoners felt when they first arrived at Bunbury were mixed. Not many (26%) reported feeling upset on arrival at Bunbury, but only 49 per cent said they got enough information to understand how the facility worked. More than half (55%), however, said that the help officers provided to them at that time was ‘okay’.

The orientation handbook that new prisoners received had recently been updated, and was more succinct than the previous one. The handbook contained useful information and was written in plain English. We did wonder, though, about its reliance on fairly strong literacy skills from readers to fully understand all its contents.

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One of the officers working in reception is the Orientation Officer. He tracks the new arrivals, interviews them, and goes through the orientation checklist on TOMS. Prisoners unfamiliar with the physical layout of the prison are provided a tour by one of the peer support prisoners if they wish. And weekly information sessions are held for all new prisoners. Overall we found that the various aspects of the orientation process provided enough opportunities for new arrivals at Bunbury to become familiar with their new environment.

### **Some concerns about storage capacity and valuable property**

Prisoners' property is stored in a room in the reception centre. Each prisoner is allocated a box in which his property is stored, and the box is clearly labelled. The property store has not increased in size to accommodate the extra prisoners and their property, and is becoming overcrowded.

The process for storing valuable prisoner property is good. These items are placed in a pouch that cannot be cut or torn and secured with a seal, and a record is kept each time the seal is opened. But the pouches are stored in a cupboard which, although locked, has sliding doors which could be easily breached.

Prisoners needing to store mobile phones can apply for approval to do so. If approved, it is stored with the valuable property and, we were told, there is a small, weekly storage fee. Otherwise they need to sign the phone out to a friend or relative who must attend in person to collect it. If neither option is selected, the phone can be disposed of by the prison. This caused some frustration, especially for foreign national prisoners, who had no other choice but to pay for storage. For those prisoners who do not have anyone to collect their mobile phone storage of this device should be free.

We raised this issue formally with the Department two years ago following an inspection of Hakea Prison. Then we were told that the policy for storage of mobile phones was being revised. The policy has been updated and states that Superintendents can allow mobile phones to be stored for up to 30 days (the original policy allowed only 14 days), as a guide. We still think that the policy disadvantages some prisoner groups, like foreign nationals.

## **4.5 FOOD AND SHOPPING**

### **Prisoner satisfaction with food remains high**

Eighty two per cent of prisoners who responded to our survey said the food quality was good. And 71 per cent were satisfied with the amount of food. This was in keeping with our 2017 survey results, and was significantly higher than the state average across these two measures which was 45 and 49 per cent respectively.

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Given the situational factors beyond the kitchen's control, these results were remarkable. The kitchen had continued to provide meals to staff and prisoners for every meal, every day despite months of major disruption caused by the construction that was occurring across the prison, and in the kitchen in particular.



**Photo 14: The refurbished kitchen**

### A change in canteen processes in the main prison

Along with the increase in the prisoner population came an increase in prisoner-on-prisoner bullying, standover and assaults. To manage this, changes were introduced to some of the prison's routines, and prisoner canteen purchases was one of these.

Previously, prisoners ordered canteen items in advance and then collected these in person from the canteen. But, recently, this process had become fraught, with some prisoners regularly being targeted and stood over for their canteen items on the way back from collecting these at the canteen to their units.

In order to address this, a new canteen delivery system was introduced and commenced while we were on site for the inspection. Canteen purchases were still ordered in advance. But these were now delivered to prisoners in their cells rather than collected in person. This removed the potential for prisoners' canteen items to be stolen from them as they made their way across the prison to their units.

This new process had only been completed once by the time of our inspection. Some initial hitches had been encountered, but we would expect these to be ironed out in time. Although not immediately popular with prisoners, it is a system that works well in other facilities, and does provide protection to those more susceptible prisoners.



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### **A more privileged canteen system in Units 4 and 5**

The canteen system in Unit 4 (PRU) was unchanged since 2017. It was a good system, designed on a community-style supermarket model. Unit 4 prisoners attended the supermarket weekly to purchase household groceries from a communal house budget, and personal 'spends' items, paid for from their private accounts. There was a good selection of items available, from toiletries to confectionery to perishable goods. Two VSOs managed the supermarket and canteen efficiently and maintained good working relationships with the prisoners, who were happy with the canteen system in place there.



**Photo 15: PRU supermarket**

The system in Unit 5 was different, despite also being a minimum-security environment. Unit 5 was an old unit that did not have a purpose-built supermarket like the newer PRU. Prisoners in Unit 5 though were lucky enough to be able to order their canteen 'spends' from a local supermarket in the community.

There was a dedicated VSO (a Life Skills Officer) who facilitated the food and shopping services for Unit 5 prisoners. The VSO provided the weekly supermarket catalogue to prisoners to order from, and he then placed these orders online. The supermarket delivered the orders to the unit once a week. Prisoners in Unit 5 appreciated the opportunity for a more flexible canteen system, and particularly the variety they had to choose from. The VSO worked hard to ensure that orders were correct, placed on time, and delivered when they should be. The system worked well.

# Chapter 5

## HEALTH AND WELLBEING

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### 5.1 HEALTH SERVICES

#### **An expanded health services' team**

The increase in the health services' team was most welcome. The motivation for the increase was the prison expansion and the consequent increase in prisoner numbers. But we had argued for more resources for health services back in 2017. Then we recommended that both nursing and doctor coverage be increased.

In 2020 the nursing team had gained one more registered nurse and one 0.8 full time equivalent clinical nurse. This provided for one nurse to be available to provide health services to prisoners in the external units (Units 4 and 5) full time, rather than only three half days each week which we found in 2017.

Negotiations to have a medication assistant included in the team have also been successful, and recruiting for this position was underway. This position would provide valuable assistance in collating and distributing medications, which will free nurses to focus on their core work.

We heard from the nursing team that the additional resources had made their workload more manageable and that the health centre was less frenetic and more settled and organised. The Clinical Nurse Manager (CNM) was also now able to focus on her managerial role rather than constantly having to fill clinical shifts.

The General Practitioner (GP) service had also increased from three days per fortnight (in 2017) to five days per fortnight. The GP attends two days one week and three days the next week. Coverage for the PRU has increased from one half day per week to two half days per week.

Prisoner satisfaction with health services had increased slightly. In 2017 34 per cent of prisoner survey respondents thought that health services were 'good'. This had risen to 42 per cent in 2020.

#### **But the team was still struggling to keep up**

Nurses were trying to juggle up to 20 appointments each day. With only two nurses on shift each day, this was a considerable load. And in amongst these appointments, they had to try and find time for their other essential responsibilities, including health promotion and keeping on top of chronic disease care plans. And despite the increased GP coverage, the waiting time for a doctor's appointment was still between four and six weeks. We heard from the nurses and the GP that even more resources are required for the health services team to be able to provide the level of service they aspire to.

#### **The dental service was inadequate**

There is a purpose-built dental suite in the health centre in the main prison. Dental treatment is provided by Dental Health Services, a state-government funded public dental service. The dentist and dental nurse were scheduled to attend the prison two mornings each week. This arrangement had shifted in recent months from one full day each week. Changes in the prison regime have included a lunchtime lockdown of more than an hour to enable officers



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in the units to have a break. During this time prisoners are locked in their cells and unable to attend appointments. Changing the dentist's schedule to two mornings each week actually increased the time available for appointments.



**Photo 16: The dental suite in the health centre**

Unfortunately, though, attendance by the dentist was erratic. There were various reasons for this, including illness as well as competing public dental services that were required in the local community. We observed the dental schedule for 2020 and noticed the number of times that the dental sessions had been cancelled. More than a third of the sessions that were scheduled had not eventuated.

Prisoners were very frustrated by the lack of dental service. Only 15 per cent of survey respondents said the dental service was 'good'. We thought the situation was bad in 2017 when 22 per cent of prisoners rated the dental service as good. Clearly this had slipped even further.

Prisoners' dental health was deteriorating and this impacted on health services generally with prisoners constantly seeking medical attention for pain relief. Long term prisoners were missing out on annual dental checks because the dental wait list was long, and only the most acute cases could be facilitated.

### **Recommendation 5**

Engage with Dental Health Services to improve consistency of dental coverage.

## HEALTH AND WELLBEING

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### **Mental health services were good and the team was expanding**

The Psychiatrist and Mental Health Nurse (MHN) continued to provide a good service to prisoners at Bunbury. The Psychiatrist has been attending Bunbury once a fortnight for many years, and has worked with the same MHN for most of these. They have good systems in place to monitor their mental health clients, from admission through to discharge.

There had been positive developments in the mental health team at Bunbury since 2017. Back then we commented that there were good systems in place to support the needs of mental health patients at Bunbury, but that the team could be bigger.

In 2020 the mental health team was stronger. The MHN, who had been in the position on a part-time basis for years, had had her hours increased to full time. She had requested full-time hours previously to no avail, and so this was a welcome decision, both for her and the mental health service.

The expansion in the prisoner population had also prompted a new Mental Health Nurse position to be allocated to Bunbury which was good news. The position had not yet been filled, but recruitment had been completed and it was expected to be filled within weeks of our inspection.

The addition of this position would mean seven-day coverage of mental health services at Bunbury. This was a really positive outcome. It also means a more equitable distribution of workload across two positions now instead of only one. This will increase the capacity for preventative interventions like alcohol and drug counselling, which until now has not been consistently available to those struggling with addiction.

## **5.2 SOCIAL WELLBEING**

### **Social visits were paused**

The Department took early proactive steps to avert the COVID-19 crisis that was unfolding in the community from entering the prison system. To this end, in-person social visits to all prisons were suspended from 23 March 2020. To compensate, the Department introduced increased access to telephone calls and the provision of more terminals to facilitate virtual visits using the online Skype platform. With regard to phones, prisoners could make phone calls using the prison telephone system and their own personal identification number as usual. But all telephone calls were free.

Prisoners appeared to accept the decision to suspend social visits. In fact, the decision was a relief for many of them who said that they were most concerned about external visitors coming into the prison and bringing the virus in with them.

The process of getting more terminals installed to increase capacity for prisoners to keep in touch with friends and family via Skype experienced many delays. We saw evidence of a rollout plan for laptops to be distributed across all sites to be used as Skype terminals. But the actual distribution of these did not match the original rollout plan.

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The rollout prioritised Banksia Hill Detention Centre, Bandyup Women's Prison, Casuarina Prison and Hakea Prison. The target date for the remainder of the sites was 30 May 2020. Bunbury was tipped to get four additional Skype kiosks taking their total to five. The PRU was to receive two kiosks. When we inspected Bunbury in July 2020 there were two Skype terminals working and available for use, one in the main prison and one in the PRU. The delay in getting the Skype terminals installed and working was very frustrating for staff and prisoners at Bunbury.

### **Social visits reinstated, but prisoners still unhappy**

In-person social visits were reinstated on 27 June 2020, about four weeks before the start of our on-site inspection. All prisoners received this information by letter from the Commissioner. The letter also included information about the health guidelines that would need to be followed during the social visits sessions. The free telephone calls privilege remained in place for two weeks following the resumption of social visits. And a cheaper call rate had been negotiated for telephone calls following the end of the free telephone calls period.

But prisoners remained very unhappy with how the social visits were operating and the restrictions imposed on them and their visitors. There were restrictions on the number of visitors allowed at a time – one adult and one child only. And the health guidelines in place prohibited any physical contact between prisoners and their visitors. So, no hugging and no kissing.

Some prisoners said that these restrictions were too severe, and that they would rather not have a visit than have to abide by these. It was particularly difficult to negotiate when young children visited, who did not understand why they could not hug and kiss their parent or relative. We heard many accounts from prisoners that the restrictions in place at Bunbury were more extreme than in other facilities. These rumours spread quickly around the prison making prisoners more and more anxious.

We raised the matter with prison management, in particular the concerns that Bunbury was making up its own rules about visits restrictions. Management was quick to confirm with other sites what restrictions were in place in other facilities. They quickly affirmed that these were in fact in place across all prisons.

### **A new process made it easier for visitors to deposit money**

The process for visitors to deposit money into prisoners' accounts had been overhauled. The cashier, previously located inside the prison with all the other administrative staff, had been re-located and now worked from a transportable building situated outside the main prison gate. In the past, visitors wanting to put money into a prisoner's account had to attend at the front gate and hand over cash to an officer working in the gatehouse. The cashier would collect the funds from the gatehouse the following working day and process these into the prisoners' accounts. With the cashier now situated outside the main gate, visitors could access her directly, without having to enter the prison. This made the process much easier for the visitors and the cashier.

## HEALTH AND WELLBEING

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Visitors wanting to attend Bunbury had to present in person once in order to officially register, verify their identity, and set up a password, which would be used to facilitate future bookings and transactions. Those wanting to book a visit could call the visits booking officer, cite the password, and a visit session could be booked.

This system also enabled the electronic transfer of money into prisoners' accounts. This could be done over the phone using the same password. This process made it easier for both the visitors and the cashier. The visitor need not have to travel to the prison with cash. And the cashier could verify then and there that the amount the visitor wanted to deposit did not exceed the limits, and the transaction could go through immediately.

This system was popular for its convenience and accountability. Electronic transfers of cash into prisoners' accounts had increased from 50 transactions per week in 2019 to 30 per day in 2020.

### 5.3 PHYSICAL AND SPIRITUAL WELLBEING

#### Satisfaction with recreation had improved

In their responses to our pre-inspection survey, prisoners' satisfaction levels with various aspects of recreation had improved. Whereas in 2017, 54 per cent had responded that the amount of organised sport was good, this was up at 66 per cent in 2020. Similarly, thoughts about the gym were more positive in 2020 with 46 per cent of respondents saying this was 'good', up from 38 per cent in 2017. And 51 per cent said access to other recreation was 'good', compared to 39 per cent three years ago.

The number of activities officers had doubled since 2017, from two to four. This was appropriate given the increase in prisoner population. There are at least two activities officers on duty every day with one based at the PRU. The PRU activities officer coordinates the external recreation program which allows eligible prisoners to leave the prison for recreation. External recreation activities include going to the beach, playing sports on the town oval, trips to the local dam, fishing, and the library.

There was a good mix of organised sport – AFL in the winter, cricket in the summer – with soccer, tennis, volleyball, basketball and rugby thrown in the mix.

#### Spiritual wellbeing was a priority

There is a committed group of chaplains providing spiritual services at Bunbury. Three chaplains alternatively attend the prison to provide pastoral care, which overall equates to one full-time position. One of these has been working in the role at Bunbury for over 20 years.

The chaplaincy team was integrated into various prison services which allowed the team to provide an important welfare and wellbeing perspective about prisoners and prison operations. So, a chaplain attended the weekly prisoner orientation sessions, and the operational debrief meetings with senior officers and managers. They also offered valuable contributions to the weekly Prisoner Risk Assessment Group (PRAG) meetings at which prisoners in crisis as well as those vulnerable prisoners are monitored.

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They also provide the more traditional spiritual services expected of Chaplaincy. A formal spiritual service is conducted weekly on Sundays in both the main prison and the PRU, and two different bible study sessions are also held each week. They will coordinate and preside over memorial services for those prisoners who cannot attend the funeral in person.

Chaplains are also trying to fill the gap prisoners face accessing treatment programs. With the backlog in assessments, many prisoners are experiencing significant delays in their treatment needs being assessed, and then met, within the timeframe of their sentences. Remand prisoners, sometimes held for many months or even years, also cannot access formal programs. The AA and NA programs coordinated by the Chaplain service is meeting a significant unmet treatment demand, with more than 60 prisoners regularly accessing the sessions each week. Demand is also supplemented by individual counselling provided by the team.

# Chapter 6

## REHABILITATION AND REPARATION

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### 6.1 ASSESSING AND ADDRESSING RISK

#### **A strong assessments' team**

The assessments' team was dedicated, well-staffed and functioning efficiently. They were led by a Case Management Coordinator who had recently become substantive, after some time acting in the role. He was supported by a Senior Officer Assessments and five report writers. Two of the five report writer positions were new, specifically recruited to manage the extra workload as a result of the increase in population. One report writer position is located in the PRU, to support the needs of the prisoners in Units 4 and 5.

Remand prisoners and those with sentences of less than six months complete a brief Management and Placement (MAP) assessment. Departmental guidelines require MAPs to be completed within five days of remand or sentencing. The team at Bunbury were achieving, and at times surpassing, this requirement.

The Individual Management Plan (IMP) is the main sentence planning document that determines a prisoner's security classification, prison placement, education and training needs, and program requirements. Guidelines require the initial IMP to be completed within 28 days of a prisoner being sentenced. Assessment staff at Bunbury ensured that their responsibilities in relation to the IMPs were up to date within this timeframe. But each IMP requires a treatment assessment to be completed in order for the document to be finalised. Bunbury had been without appropriate treatment assessors to complete these for some time. And so, despite the best efforts of the assessments team, there were still some prisoners at Bunbury whose IMPs had not been completed.

#### **The delays in treatment assessments continue**

In June 2020, 52 Bunbury prisoners had an outstanding Initial IMP, with 42 of these due to outstanding treatment assessments. In order to assist with the state-wide assessments backlog, additional treatment assessors had been recruited by the Department in November 2019, but tasked to assist at specific metropolitan prisons. During this time, visiting assessors helped out at Bunbury from time to time, to help reduce their backlog. But this ceased in March 2020 when regional travel restrictions were put in place due to the coronavirus pandemic.

Without a treatment assessment, the IMP remains incomplete. And without an IMP indicating a pathway to address offending behaviour, a prisoner cannot access any treatment programs. This impacts negatively on a prisoner's parole prospects. Numerous prisoners told us that they had been 'knocked back' for parole due to 'unmet treatment needs'. Many of these prisoners' treatment needs had not even been identified, however, due to the delay in the treatment assessments. The Department is failing in its responsibility to provide opportunities for rehabilitation for prisoners because of this enduring backlog in assessing what interventions they need to ensure they do not reoffend. We acknowledge the efforts of the Department to address this system-wide backlog. But the backlog remains, and its impact prevails.



## REHABILITATION AND REPARATION

### **Recommendation 6**

Ensure sufficient resources are available to complete outstanding treatment assessments at Bunbury and to ensure these are kept up to date into the future.

#### **A decrease in offender treatment programs**

In 2017, we found that too many prisoners at Bunbury were missing out on programs, and further that there was a gap between the programs required and those available. We recommended that the Department ensure 'programs are sufficiently resourced to meet assessed need'. The Department supported this 'in principle', noting that a review was in place to ensure that the delivery of programs could be maximised with existing resources (OICS, 2018, p. 70).

Unfortunately, by 2020 the number of treatment programs being delivered at Bunbury had actually decreased. This was most disappointing, particularly given the significant increase in the prisoner population.

The decrease in programs was evident back in 2019. Then, there were 19 treatment programs scheduled at Bunbury. But only nine of these were actually delivered. Two were cancelled due to a facilitator resigning, and the remaining seven were cancelled due to schedule changes.

Seventeen programs were originally scheduled to run at Bunbury in 2020, as reflected in the table below.

**Table 4: Original schedule for programs delivery at Bunbury Regional Prison for 2020**

Offending type	Program name	Delivered by	Number of programs scheduled for 2020
Addictions offending	Pathways	Accordwest	6
General offending	Medium Intensity Program	Departmental programs staff	5
Sex offending	Intensive Program	Departmental programs staff	3
	Medium Program	Departmental programs staff	3

Unfortunately, only two of the scheduled programs (Pathways) were delivered in the first half of 2020. This was due to the restrictions on regional travel and on numbers allowed in group gatherings brought in by the State government to manage the coronavirus pandemic. A further 10 programs have been scheduled for the remainder of the year. These are:

- Quarter 2 – Medium Intensity (Sex Offending) course
- Quarter 3 – 2 Pathways and 2 Medium Intensity (Sex Offending) courses
- Quarter 4 – two Pathways, one Medium Intensity (General Offending) and one Intensive Sex Offending program

## REHABILITATION AND REPARATION

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### Recruitment delays and concerns about training

Whilst the coronavirus pandemic has impacted on program delivery at Bunbury, delays in recruiting sufficient staff to facilitate programs, as well as adequate training, has also had an impact. Documents provided to us indicated that, in 2020, at least six programs were cancelled or postponed due to delays in the recruitment process. These programs included sex offender treatment programs (both the intensive and medium programs) and the general offending medium intensity program.

During the inspection, we heard from recently recruited program staff that the recruitment process had been long and confusing. It seems unstable leadership in the programs area had led to inconsistent management, and this had, in turn, delayed recruitment processes.

Numerous staff, both new and existing, said that they had not received adequate or timely training in the complex treatment programs they were required to deliver. Somewhat alarmingly, they were not offered any specific training prior to working with sex offenders and/or family violence offenders, but were told they were expected to 'train on the job'. Given the significance of the work these staff perform, more should be done to support them, particularly in relation to their professional development and training. Providing the appropriate levels of support and resourcing for these key staff should go some way to seeing program delivery at prisons like Bunbury increase.

### **Recommendation 7**

Provide adequate training and support for all programs staff to ensure confidence in, and the integrity of, the programs being delivered.

## 6.2 EDUCATION AND TRAINING

### Staffing and infrastructure expansion in education

We are always concerned that prison expansion programs seldom include expansion of prisoner services, like education. At Bunbury, though, we were pleased to find that some investment in education services had occurred as part of the expansion.

With regards to infrastructure, two additional classrooms were built inside the education centre in the main prison, and staff working areas had been refurbished. With regards to staff, two additional Prison Education Coordinators (PECs) were recruited, increasing this group from three to five staff. And the Aboriginal Education Worker (AEW) position was increased from part-time to full-time hours.

This expansion in education services opens up opportunities for new and different courses and training modules. We heard about plans to introduce Indigenous specific courses (a Noongar language course) under the guidance of the AEW. And one of the new PECs had a hospitality background which they were hoping to draw on to introduce barista and hospitality courses.

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There had also been changes to the structured day in education. Whereas previously, prisoners had gone back to their units for lunch, now those engaged in education could stay in the education centre over the lunch and lockdown period. This provided prisoners with more time for their studies each day, and was less disruptive for the educators. Both staff and prisoners commented favourably on this new arrangement during the inspection.

### **Education services remained busy despite lots of interruptions**

The education centre remained open and busy all through the expansion project. This was a significant achievement given the disruption caused by the construction works occurring in and around the education centre.

Between March 2019 and February 2020 there were 556 prisoners enrolled in over 2,000 units offered through education. Of these, there were 1,721 unit completions. Education services also facilitated a 'Summer Refresh' program to keep prisoners engaged over the long summer break. More than 90 prisoners engaged in various courses offered during this program.

The education centre was a construction site for some of this time with two new classrooms constructed within the education precinct. This work impacted on prisoners' capacity to access the education centre. Given these interruptions, the statistics provided above reflect good engagement between education services and prisoners at Bunbury.

The building works weren't the only challenge facing education services over the 12-month period. In January 2019 there was a minor incident in the education centre that necessitated a Worksafe investigation, and delivery of TAFE courses was suspended for six weeks in mid-2019. This impacted on course completions and overall scheduling of TAFE courses.

### **Student contact hours were under-utilised**

TAFE has been allocated 35,000 Student Contact Hours (SCH) to deliver education and training courses to prisoners at Bunbury. These are a crucial vehicle to provide prisoners opportunities to access fee-free training, traineeships and apprenticeships. Every effort must be made to maximise these opportunities, and ensure that the full quota of SCH is used every year. But this has not been the case, and we were told that, for 2020, up to 7,000 SCH will not be used.

The relationship between the prison and the local TAFE providers was strained. There were various factors contributing to this. Some tutors were reluctant to attend the prison to deliver courses, and it was difficult to recruit casual tutors to fill in. There were difficulties running some courses because of one TAFE provider 'owning' the student contact hours thus restricting other providers from delivering courses in the prison, and limiting the prison to receive only what one provider could offer.

We were convinced that all reasonable attempts at the local level had been made to resolve these difficulties. But the way through was not clear and the prison remained stuck with thousands of unused student contact hours. And prisoners were missing out.

## REHABILITATION AND REPARATION

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### **Recommendation 8**

Re-establish the good working relationship with TAFE providers at BRP with the aim of using all allocated SCH each year, and explore the possibility of using other training providers.

### **Prisoners were missing out on crucial digital literacy opportunities**

Knowledge and some level of proficiency in the use of computers and Information Technology (IT) is essential in today's society. Prisoners at Bunbury, and indeed across the prison estate, were not offered sufficient opportunities to ensure they have the necessary skills to thrive both personally and professionally in this digital world. Prisoners need to be taught how to navigate the basic IT systems if they are to obtain welfare support, find jobs, access their health care records, lodge tax information, manage bank accounts, and so on. Digital literacy is essential if prisoners are going to survive after release.

Computers were available for prisoner use in the education centre. But these were designated for specific courses or purposes, and had no internet connection, making them outdated and their use limited. There were 10 computers for use by prisoners doing certificate courses in Business. There were two computers in the maths classroom. And seven for use by prisoners engaged in self-paced and/or university study.

There were eight laptops available for students engaged in full-time study to use and which they could take back to their cells. At the time of the inspection only one was being used by a prisoner doing university study. These of course had no internet connection, so were really just word processing devices. There was one stand-alone computer in the main prison for prisoners' personal use, for example to type their parole plans, and this was located in the peer support room. But, being a shared machine, information saved onto this computer was not confidential.

A computer hub with three computers had recently been established in Unit 5 (37 prisoners), one of the minimum-security units outside the main prison. These would assist those prisoners engaged in self-paced learning. And the other minimum-security unit (Unit 4) had five computers located in a shared library space. There were up to 144 prisoners in Unit 4.

There was no dedicated IT support person on staff. Any support that prisoners needed that required access to the internet was an additional impost on teachers' workloads.

The current IT infrastructure and access is not sufficient for prisoners to develop the required digital skills. If the Department is truly going to support prisoners to develop digital literacy, then they will need to commit to providing more hardware and increased prisoner access to computers and online learning opportunities.

### **Recommendation 9**

Invest in more digital literacy opportunities for prisoners including internet access, email, and additional computers.

## REHABILITATION AND REPARATION

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### 6.3 EMPLOYMENT

#### **Busy industries and committed VSOs**

Industries at Bunbury have traditionally been very busy and productive. There is a diversity of workplaces there not replicated anywhere else in the prison estate. These range from growing vegetables to processing these for distribution to other prisons and community organisations. They included construction, maintenance, metal, paint, and carpentry shops, as well as a commercial-scale laundry and an in-house cleaning crew. The kitchen industry alone employed 30 prisoners, in shifts, seven days a week. These workers prepared 510 lunches (Monday to Fridays), and 380 dinners seven nights a week. These meals fed all the officers, as well as the prisoners in Units 1, 2, and 6.

The Vocational Support Officer (VSO) group was engaged and committed. More than two thirds (66%) of the prisoners who completed a pre-inspection survey said they get along well with the VSOs. The VSOs commented that they viewed their relationship with prisoners as pastoral – guiding them to make good choices in their workplaces and to carry these through on release.

The staffing level agreement that was negotiated to support the expansion and the increase in prisoner population had created 12 new VSO positions, taking the total to 47 VSOs. That had supported 45 new prisoner worker positions in the kitchen, laundry, metal shop, paint shop, recreation, and full-time education.

#### **But under-employment in other areas was high**

In our pre-inspection survey, 62 per cent of prisoners who responded said that they felt their time was spent doing useful activities. Of course, useful activities does not only refer to employment, but can include activities like programs, education and recreation. Regardless, this was a positive response.

The unemployment rate at Bunbury was low, at 4.8 per cent. This is the same percentage of prisoners not working as at the last inspection three years ago. Considering the increase in the number of prisoners at Bunbury, we thought these figures were good.

But we also noticed that there were more prisoners working in the units as ‘unit workers’. These prisoners are employed in the units to sweep and mop floors, pick up litter, empty bins and so on. These jobs typically required limited skills, do not teach new skills, only occupy a small part of the day, and do not provide meaningful employment opportunities.

In 2020 we found that a quarter of the prisoner population (26%) was listed as unit workers. This was a significant increase on three years ago, when we found the number of unit workers in place at Bunbury to be appropriate (OICS, 2018). Some of this increase is of course due to the expansion and the addition of Unit 6, the new accommodation unit. But not all. For example, in 2017 we reported that there were seven prisoners listed as unit workers in Unit 2, the capacity of which was 96. The capacity of this unit has not increased, it still stands at 96. But the number of unit workers listed in the unit has increased to 37. This is an increase of 30 prisoners working as unit workers in Unit 2. Similarly, the unit worker positions in Unit 3 have increased even though the capacity of the unit has not changed.

## REHABILITATION AND REPARATION

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### Not enough meaningful jobs to go around

Whilst the expansion had seen some increase in employment positions – 45 extra positions as mentioned above – this was a way off the overall population increase in the main prison of 160. The increase in the number of unit worker positions does try to fill this gap. But it's a poor solution that does not contribute to a meaningful structured day for these prisoners.

We heard from the Superintendent that the 2020/2021 budget bid includes \$500,000 for new industrial workshops. We also heard about other plans to increase employment by establishing new industries, in particular a recycling industry that could employ between 10 and 15 prisoners and one VSO. But neither of these options had yet been approved or funded to go ahead.

We have always found industries at Bunbury to be busy and productive. And this is still the case. But there are now just not enough jobs to go around because of the population increase. This, combined with the number of prisoners under-employed in unskilled jobs in the units, compromises the usually settled nature of the Bunbury prison environment.

### **Recommendation 10**

**Resource initiatives to increase the scope and capacity of industries at Bunbury to provide more opportunities for meaningful employment for prisoners.**

### Aboriginal men were receiving lower gratuity levels

Aboriginal prisoners were under-represented at the higher gratuity levels (levels 1 and 2), and over-represented at the lower levels (4, 5 and 6). Aboriginal prisoners made up 26 per cent of unit workers, and 19 per cent of those unemployed. And, as mentioned previously, Aboriginal prisoners made up 20 per cent of the prisoner population.

The highest gratuity level (level 23) pays \$90 per week. Only those prisoners who are approved to leave the prison for work (under section 95 of the *Prisons Act 1981*) are eligible for this level. There were no Aboriginal prisoners on level 23 gratuities. Only 10 per cent of employed prisoners receiving the next highest level (level 1) were Aboriginal, against 20 per cent of non-Aboriginal employed prisoners on a level 1 gratuity. Similarly, 17 per cent of Aboriginal prisoners were on level 2 while 25 per cent of non-Aboriginal prisoners were paid a level 2. And at the lower end of the gratuity levels (level 4, which paid \$30 per week), Aboriginal prisoners made up 41 per cent of the group receiving this pay level, as opposed to non-Aboriginal prisoners who made up just 17 per cent of this cohort.

We have included a recommendation (in Chapter 4) about reinvigorating the Aboriginal Services' Committee (ASC) to improve confidence in its processes and outcomes. This recommendation is relevant here. The ASC is the appropriate forum to address inequities in the distribution of gratuity levels among Aboriginal prisoners. Improving the effectiveness of this group should improve outcomes generally for the Aboriginal men at Bunbury.



# Chapter 7

## PRE-RELEASE AND REINTEGRATION SERVICES

### 7.1 THE PRE-RELEASE UNIT (PRU) – UNIT 4

#### A purpose-built pre-release unit

Unit 4 opened as a pre-release unit (PRU) in November 2008. It is a minimum-security facility external to the main prison, with its own administration building, canteen, laundry, visits centre, gym, medical and education facilities. It was modelled on Boronia Pre-release Centre for Women in Perth. Prisoners live in communal houses and share cooking and cleaning chores. The pre-release model mimics life in the community. Prisoners have the same responsibilities to manage themselves and their time as they would on the outside. The original capacity was 72, but this had increased through double bunking and currently sits at 144.



**Photo 17: Artwork at the entrance to the PRU**

We have long argued for increased investment in Bunbury's PRU. Given the philosophical alignment with Boronia Pre-release Centre, we have previously compared the two facilities to support these arguments. Boronia's current capacity is 93, so it is less than the PRU. But it has its own senior management team and administrative resources appropriate for managing a pre-release environment. The PRU on the other hand has one Assistant Superintendent in charge of managing all day-to-day PRU services and operations, with overall oversight of the unit being the responsibility of the Bunbury Superintendent.

In 2017 we said that this task is too big for just one Assistant Superintendent position. There are significant risks associated with not investing more resources – both human and financial – into the PRU. In 2017 we identified these risks as security-related as well as around providing sufficient support for reintegration services. We also noted that this

## PRE-RELEASE AND REINTEGRATION SERVICES

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position has no control or input into the budget or staffing for the unit. These risks remain in 2020, and in fact are even greater given the Assistant Superintendent PRU now also has responsibility for managing the services and operations of the other minimum-security unit, Unit 5.

### The focus of the PRU had shifted

In the three years between inspections the focus of the Pre-release Unit (PRU) had shifted. The catalyst was the re-opening of Unit 5, the other externally located minimum-security unit that had been mothballed for some time. All prisoners engaged in the section 95 work program, as well as those participating in the prisoner employment, resocialisation and reintegration leave programs were moved from the PRU to Unit 5. The focus for Unit 5 was on those prisoners nearing release and providing appropriate reintegration services for them. And the role of Unit 4 was still evolving, but it seems with more of a focus on life skills than pre-release opportunities.

## 7.2 UNIT 5

### An old unit, re-purposed

Unit 5 was one of the older units, added as a minimum-security unit in 1982. Its original capacity was 26, but another wing was added in the mid-1990s increasing the capacity to 37. The unit's design is basic, with cells bordering an outside courtyard in one wing and cells surrounding an internal day room in another wing. The unit was old and dated and, despite extensive remediation works, including a new roof over the entire unit, was still an old unit based on an outdated design.



**Photo 18: Unit 5 external visits area**

## PRE-RELEASE AND REINTEGRATION SERVICES

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It has had an interesting history of being open then closed then open then closed then open again (see Chapter 1 for more about this). The unit has been open since June 2019 with a capacity of 37 and it appears that prisoners are slowly getting used to the limitations of the unit despite its privileged regime.

The planning to re-open Unit 5 required work around what the purpose of the unit would be. In the tussle for minimum-security beds, the PRU was the winner because it provided more of these. This raised the question of what other roles (besides solely minimum security) Unit 5 could fill given its more limited capacity. The outcome was to use the unit as a placement option for the much smaller pool of minimum-security prisoners who also passed the various risk assessments to determine them as minimum risk. And the lower the risk the greater the trust in these prisoners. And so Unit 5's new purpose was designated: the unit for the most trusted, minimum-security prisoners.

### **Unit 5 became the section 95 and reintegration unit**

Section 95 is the provision in the *Prisons Act 1981* that gives prisoners their trusted status. This provision allows prisoners to leave the prison and work and/or participate in activities in their local communities. The section 95 program at Bunbury was an important reintegration tool. Prisoners used this provision to leave the prison for various purposes, including:

- To participate in the Prisoner Employment Program (PEP) either in paid employment or seeking work;
- As part of one of the section 95 work crews (more on this below);
- As part of a resocialisation program for long term prisoners starting their reintegration journey; and
- To access Reintegration Leave (RIL), which involves leaving the prison to spend time with family, also a reintegration initiative.

The prison had a spread of prisoners approved under both supervised and unsupervised section 95 provisions. Those with supervised status could leave the prison but had to be supervised when doing so, those on unsupervised could leave the prison and participate in their designated activity alone.

So the connection between section 95 and reintegration preparedness was strong. Despite Unit 5 not being an ideal reintegration unit, the section 95 program at Bunbury was doing very well.

### **Unit 5 was not a fit for purpose reintegration unit**

A reintegration philosophy and Unit 5 were not a natural fit, because of the age and the design of the unit, which bore no resemblance to community standards of living. Prisoners in Unit 5 missed out on some aspects of a normal lifestyle that should be core to a reintegration process.



## PRE-RELEASE AND REINTEGRATION SERVICES

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**Photo 19: Communal day room In Unit 5**



**Photo 20: External courtyard in Unit 5**

Unit 5 does not offer the self care privileges that Unit 3 in the main prison, or the other minimum-security unit (the PRU), provides. Rather their meals are prepared for them by other prisoners employed in these roles. The unit also does not provide the self-determination opportunities that the PRU provides, like choice of meals, budgeting for household groceries or simple things like baking a cake for afternoon tea. The PRU is a purpose-built reintegration facility and these opportunities are important for reintegration but were not accessible to Unit 5 prisoners.

## PRE-RELEASE AND REINTEGRATION SERVICES

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### **But the section 95 program was busy and productive**

The re-opening of Unit 5 and re-purposing of it as a section 95/reintegration unit had been supported by some investment in resources. Another section 95 VSO had been recruited, and the prison could now accommodate three section 95 teams, an increase from two. The number of prisoners approved for section 95 activities increased from 44 to 61, the number of community hours increased with the extra team on board, and more prisoners had been approved to leave the prison on section 95 unsupervised.

The work that the section 95 community work crews did in the local communities was meaningful and a valuable contribution. They worked with local councils maintaining public spaces like gardens, parks and boardwalks. They travelled further afield to clear and maintain bush trails including sections of the Munda Bididi and Bibbulman walking tracks. The work they did was valuable and much appreciated by the local communities.

### **And there were some incentives to living in Unit 5**

Much work had been done to incentivise Unit 5 to make it more suitable to a privileged regime. As stated above, Unit 5 is one of the original accommodation units. It is old and dated and not a fit for purpose reintegration unit. Prisoners transferring to Unit 5 came from the PRU, which is a purpose built reintegration unit. So Unit 5 had a lot to live up to.

Possibly the biggest drawcard for Unit 5 is that all the cells are single cells. Most, if not all, of the cells in all the other accommodation units are doubled up. So the single cell arrangement in Unit 5 made it most desirable. The cells were refurbished prior to prisoners moving back in. Each cell also had a small fridge for prisoners to store perishable food they bought through the canteen, or to keep water bottles cool, and so on. This was an incentive not available in any of the other units.



**Photo 21: Single cell in Unit 5**

## PRE-RELEASE AND REINTEGRATION SERVICES

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The refurbishment of Unit 5 included a complete renovation of the kitchen to commercial food preparation standards, and it was sufficiently equipped with all the necessary equipment for the prisoner cooks to prepare decent meals for the Unit 5 residents. This went some way to compensating for not being able to self cater. The food prepared was good, and leftovers were clearly labelled, with the preparation and best before dates, and placed in large fridges in the communal areas for Unit 5 prisoners to consume. There was some basic equipment available for prisoners to use to prepare snacks for themselves, like an electric frying pan and sandwich press. Unit 5 prisoners also all enjoyed a cooked breakfast prepared for them on Saturdays.

Unit 5 prisoners were on the highest gratuity levels, either level 1 or level 23. Level 23 was awarded to those most trusted prisoners who left the unit to work either supervised or unsupervised, or who worked in the unit and had prisoners reporting to them in a supervisory role, like the main cook. All the other prisoners in the unit received a level 1 gratuity, which is the highest gratuity level available to prisoners in the rest of the prison.

### 7.3 REINTEGRATION SERVICES

#### **A small team providing a big service**

The small team dedicated to coordinating the transitional and reintegration services for Bunbury prisoners remained committed and motivated. The team comprised the Transitional Manager (TM), the Employment Coordinator (EC), and a Reintegration Project Officer. This was the same team that was in place three years' ago. Then we found that the team worked hard to provide appropriate services to assist prisoners reintegrate into their communities on release. Prisoners were aware of these services and thought the team was 'approachable and helpful' (OICS, 2018, p. 56).

But we were concerned that the team was stretched and not adequately resourced to meet demand. We found that, despite the increase in the prisoner population most in need of these services (from 72 to 144 in the PRU), there had not been an increase in the team dedicated to providing these.

We were told, during pre-inspection briefings, that the reintegration services' team had increased by one FTE. But in reality the same three people were in the team as in 2017, the only change was one contract position, now called the Reintegration Project Officer, had been made permanent.

The Transitional Manager and the Reintegration Project Officer were responsible for assisting prisoners with things like:

- Driving licences
- ID/birth certificates
- Medicare
- Fines
- Accommodation
- Referrals to voluntary programs



## PRE-RELEASE AND REINTEGRATION SERVICES

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This was their core business, and the increase in prisoner numbers had them re-focussing specifically on delivering these services to prisoners. Indeed, we heard that, in the first three months of 2020, the team had provided services to 900 prisoners, both remand and sentenced. They were assisted by two prisoner workers – one in the main prison and one in the PRU – who provided valuable logistical and administrative support.

The Employment Coordinator worked with prisoners to improve their reintegration employment prospects. She had been in this position for a long time and remained committed and motivated. Prisoners valued the support she provided, and she was proactive in sourcing diverse services and opportunities for prisoners to facilitate their employment goals. But she was the only staffing resource in place to assist prisoners with their reintegration employment needs.

When she commenced in the role the PRU was recently opened and there were 72 prisoners there. This was the cohort she had been engaged to work with. Doubling of the prisoner population in the PRU and the re-opening of Unit 5 has increased this number to 180. And these are only the minimum-security numbers. Her responsibilities also extend to the medium-security prisoners in the main prison. We find the lack of investment of additional resources for employment services, and indeed for the whole reintegration team, unacceptable. It compromises the prison's reintegration philosophy and prisoners' reintegration prospects.

### **Recommendation 11**

**Provide additional resources to support the reintegration team.**

#### **Contracted services provided good reintegration support**

Accordwest is the local provider contracted to provide reintegration services to prisoners six months prior to their release and 12 months post-release. The agency has been the contracted re-entry provider for Bunbury Regional Prison for at least a decade, and provides individual re-entry support to prisoners, as well as a group-based life skills program.

Accordwest had a busy and active client list in the prison and they were integrated into prison operations. They were involved in the weekly prisoner orientation sessions to advertise their services. And officers knew who they were and what they did which allowed them to get through the prison and access their clients without unnecessary resistance. There were four support workers each with a case load of 25 prisoners.

We heard positive feedback from prisoners and reintegration staff about the services they provided. Similarly, we heard from Accordwest staff that the reintegration team at the prison were engaged and most helpful in connecting the right prisoners with their services.

## PRE-RELEASE AND REINTEGRATION SERVICES

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### **The parenting program provided valuable opportunities for dads to reconnect with their children**

Accordwest also facilitated the Parenting Advice Support Service (PASS) program. We reported positively on this program in 2017. In 2020 we were pleased to see it still operating at Bunbury, and with another FTE attached to the program to accommodate the prisoner population increase.

The focus of PASS is to enable fathers to reconnect with their children while they are in prison. Broken family relationships can be a significant barrier to successful reintegration, and so the PASS program presented valuable opportunities for fathers. Prisoners could engage with PASS one-on-one or through a six-week group program. These are weekly sessions and were so popular that prisoners wanting to engage had to go on a waitlist.

PASS staff were committed and motivated and would do whatever was necessary to assist fathers to re-engage with their children and families. They negotiated on behalf of the fathers and were a useful information link between prisoners and any community agencies that may be involved. And we heard from all parties that the working relationship between PASS staff and the prison reintegration team was positive.

# Appendix 1

## BIBLIOGRAPHY

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OICS. (2018). *2017 Inspection of Bunbury Regional Prison, Report No. 115*. Perth: Office of the Inspector of Custodial Services.

OICS. (2019). *2019 Inspection of Casuarina Prison, Report No. 129*. Perth: Office of the Inspector of Custodial Services.

## Appendix 2

### ABBREVIATIONS

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AEW	Aboriginal Education Worker
ARMS	At Risk Management System
ASC	Aboriginal Services Committee
ASSIEM	Assistant Superintendent Security, Infrastructure & Emergency Management
ASO	Assistant Superintendent Operations
ASOS	Assistant Superintendent Offender Services
AVS	Aboriginal Visitor's Service
CMC	Case Management Coordinator
CNM	Clinical Nurse Manager
Covid-19	Coronavirus disease
EC	Employment Coordinator
FTE	Full-time Equivalent
IMP	Individual Management Plan
MAP	Management and Placement
MHN	Mental Health Nurse
OICS	Office of the Inspector of Custodial Services
PASS	Parenting Advice and Support Service
PEC	Prison Education Coordinators
PEP	Prison Employment Program
PRAG	Prisoner Risk Assessment Group
PRU	Pre-release Unit
PSO	Prison Support Officer
SCH	Student Contact Hours
SO	Senior Officer
SAMS	Support and Monitoring System
TAFE	Technical and Further Education
TM	Transitional Manager
TOMS	Total Offender Management Solution
VSO	Vocational Support Officer

# Appendix 3

DEPARTMENT OF JUSTICE RESPONSE

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Government of **Western Australia**  
Department of **Justice**  
Corrective **Services**

## **Response to the Announced Inspection: Bunbury Regional Prison 2020**

**December 2020**

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## DEPARTMENT OF JUSTICE RESPONSE

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Response to the Announced Inspection:  
**Bunbury Regional Prison 2020**

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The Department of Justice welcomes the draft report of the inspection of Bunbury Regional Prison (Bunbury).

The Department has reviewed the report and noted a level of acceptance against the 11 recommendations.

Attachment A contains comments for your attention and consideration.



## DEPARTMENT OF JUSTICE RESPONSE

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Response to the Announced Inspection:  
Bunbury Regional Prison 2020

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### Response to Recommendations

**1 The Department must provide support for local management in their efforts to have the identified Unit 6 defects addressed and fixed.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corporate Services  
**Responsible Directorate:** Procurement, Infrastructure and Contracts  
**Proposed Completion Date:** Completed

**Response:**

The outstanding defects have been addressed and rectified, namely issues relating to water ingress through windows, grilles, and ventilation assembly affecting the cell call units. The contract on these identified defect items have separate Defects Liability Period extended to a further six months.

**2 Reinvigorate the Aboriginal Services Committee to increase accountability and confidence in its processes.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** 31 December 2021

**Response:**

The Department is currently undertaking state-wide Quality Improvement (QI) works for all ASCs. The QI works commenced in late July 2020.

In line with the QI works plan, a revised ASC reporting framework and Terms of Reference have been developed. The focus of the revised ASC documentation is to deliver better outcomes for Aboriginal people in custody. The revised reporting framework includes Service Plans that will require critical items discussed in ASC meetings to be actioned accordingly.

An ASC Pilot program has been established and approved to test the revised ASC documentation across three sites: Banksia Hill Detention Centre, Eastern Goldfields Regional Prison and Wooroloo Prison Farm. Pilot program activities are currently in progress. At the completion of the Pilot, a review and program evaluation will be completed.

Subject to approval, the revised ASC documentation will be implemented across all custodial estates in early 2021.

## DEPARTMENT OF JUSTICE RESPONSE

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Response to the Announced Inspection:  
Bunbury Regional Prison 2020

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### **3 Provide more opportunities and support for foreign national prisoners.**

**Level of Acceptance:** Not Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** N/A

**Response:**

The Department is not able to provide legal or immigration advice to prisoners. Prisoners are contacted by the appropriate federal agency when their case is being considered and when decisions are made. Prisoners' communications with federal agencies and consular support are facilitated by the Department.

### **4 Develop and implement a specific strategy to improve the quality of life for long term prisoners.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Adult Male Prisons  
**Proposed Completion Date:** 31 December 2021

**Response:**

The Department supports that its strategies should consider the needs of each cohort, and will include an assessment of long term prisoner needs on the policy development schedule of each relevant policy. This will allow wider discussion with a consultation group, and an assessment of needs, issues and implementation requirements if required.

With regard to health assessments, an annual health assessment is performed on prisoners who do not have any chronic conditions. Prisoners with any chronic health conditions are seen as by health staff as required or they can request an appointment as required commensurate with community standards.

### **5 Engage with Dental Health Services to improve consistency of dental coverage.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** Completed

**Response:**

The Department of Health's Dental Health Services is responsible for providing dental care to prisoners. The Department works with the Dental Health Services to ensure that dental care, at a minimum, is commensurate to that provided to the general community and there is no charge for routine treatment. The service includes routine dental care focused on relief of pain and to alleviate infection; such as: dental examinations, oral health advice, extractions, fillings, x-rays, root canal treatments and in some cases dentures.

## DEPARTMENT OF JUSTICE RESPONSE

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Response to the Announced Inspection:  
Bunbury Regional Prison 2020

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The Department will continue to work with Dental Health Services to improve dental care for prisoners.

**6 Ensure sufficient resources are available to complete outstanding treatment assessments at Bunbury and to ensure these are kept up to date into the future.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** 31 December 2021

**Response:**

The Department has already put in place additional temporary assessment resources to address the number of overdue initial IMPs. This has resulted in a reduction of the overall number of overdue IMPs by 60%.

The IMP Project Steering Committee (PSC) has finalised its recommendations. To ensure a long term sustainable solution to prisoner assessments the PSC proposed structural changes, improving professional governance and training and establishing appropriate staffing resources.

The proposed structural, governance and resource change recommendations made by the PSC are subject to executive approval and funding allocation.

The Department however will continue to monitor the number of outstanding treatment assessments at Bunbury.

**7 Provide adequate training and support for all programs staff to ensure confidence in, and the integrity of, the programs being delivered.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** Completed

**Response:**

The Department programs staff are provided with adequate training. During 2019-20, training in group work, case formulation, Medium Intensive Program (MIP) and Pathways has been delivered.

MIP training now includes Family and Domestic Violence (FDV) training, which enables facilitators to deliver the Stopping Domestic Violence Program.

During 2019-20, staff have also been provided with training opportunities in risk tools for assessing general offending (LSRNR), violence (VRS), domestic violence (DVSIR) and sex offending (DSP).

## DEPARTMENT OF JUSTICE RESPONSE

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Response to the Announced Inspection:  
Bunbury Regional Prison 2020

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Specific sex offender program training has not been delivered to staff in 2019-20 as the current suite of programs are outdated and currently subject to review through the Offender Programs Review.

**8 Re-consider the good working relationship with TAFE providers at BRP with the aim of using all allocated SCH each year, and explore the possibility of using other training providers.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** 31 December 2021

**Response:**

The Department and South West Regional TAFE have negotiated a yearly training plan for Bunbury, which will lock in service delivery dates each term. Service delivery under the yearly training plan will be monitored by both the Department and TAFE.

**9 Invest in more digital literacy opportunities for prisoners including internet access, email, and additional computers.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corporate Services  
**Responsible Directorate:** Knowledge, Information and Technology  
**Proposed Completion Date:** 30 June 2021

**Response:**

The Department is currently developing the Long Term Custodial Technology Strategy that will set the direction for technology to support prison operations for the next 5 to 10 years.

The items identified in this recommendation are being considered in this strategy for implementation for the short to medium term.

This strategy is scheduled for completion in December 2020, and implementation will be subject to funding.

## DEPARTMENT OF JUSTICE RESPONSE

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Response to the Announced Inspection:  
Bunbury Regional Prison 2020

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### **10 Resource initiatives to increase the scope and capacity of industries at Bunbury to provide more opportunities for meaningful employment for prisoners.**

<b>Level of Acceptance:</b>	Supported in Principle
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Adult Male Prisons
<b>Proposed Completion Date:</b>	Completed

**Response:**

The Department acknowledges the benefit in providing meaningful employment for prisoners and continues to consider all opportunities to increase prisoner employment across the estate.

Any expansion plans for Bunbury's industries will be subject to the outcomes of the Department's current projects, including the Long Term Prison Industries Plan (LTPIP) under the Prison Services Evaluation (PSE) Project.

The purpose of the LTPIP is to establish the long-term strategic planning direction for the expansion and commercialisation of Western Australia's (WA's) Prison Industries. Stage one of the LTPIP proposes a 10-year end state model for WA's Prison Industries.

Funding to implement the PSE Project is subject to budgetary consideration and endorsement by Treasury.

### **11 Provide additional resources to support the reintegration team.**

<b>Level of Acceptance:</b>	Supported
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Offender Services
<b>Proposed Completion Date:</b>	Completed

**Response:**

A full-time Reintegration Project Officer position has been created and filled as a result of the Bunbury expansion.

Casual part-time assistance to drive prisoners to PEP activities off-site and undertake other administrative duties has been established to support the Employment Coordinator.

Contract variations have been put in place to increase the re-entry and accommodation and parenting advice and support services in alignment with the prison expansion.

# Appendix 4

## INSPECTION DETAILS

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### INSPECTION TEAM

Eamon Ryan	Inspector of Custodial Services
Darian Ferguson	Deputy Inspector
Natalie Gibson	Director Operations
Lauren Netto	Principal Inspections and Research Officer
Stephanie McFarlane	Principal Inspections and Research Officer
Charles Staples	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Janet Connor	Principal Consultant, Curriculum Support, Department of Education

### KEY DATES

Formal announcement of inspection	23 March 2020
Start of on-site phase	22 July 2020
Completion of on-site phase	30 July 2020
Presentation of preliminary findings	14 August 2020
Draft report sent to the Department of Justice	12 November 2020
Draft report returned by the Department of Justice	15 December 2020
Declaration of prepared report	3 February 2021

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



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