



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

# **Response to the Announced Inspection:**

## **Melaleuca Women's Prison 2020**

**June 2021**

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## Response overview

### Introduction

On 20 July 2020, the Office of the Inspector of Custodial Services (OICS) announced its inspection of the Melaleuca Women's Prison (Melaleuca) scheduled to occur from 15 to 19 November 2020. This was the first inspection since Melaleuca Remand and Reintegration Facility (MRRF) was returned to public sector management on 4 April 2020. The previous inspection was undertaken in 2017 when Sodexo managed the prison operations of MRRF

On 10 May 2021, the Department received a draft report from OICS for review and comment. The draft report has highlighted key findings and made 15 recommendations. The Department has reviewed the draft report and provides further context, comments and responses to the recommendations as below.

Appendix A contains additional comments and, in some instances, inaccuracies linked to specific sections in the report for consideration.

### Context

#### ❖ *Background*

In late 2019, Sodexo approached the Department of Justice (the Department) seeking to commence discussions to negotiate the cessation of the Agreement, which would see Sodexo cease operating the prison, and surrender control of the facility to the Department on behalf of the State Government.

On 23 December 2019, and after lengthy negotiations led by the State Solicitor's Office, the Department and Sodexo agreed to terms for the surrender of the then MRRF at 6.00pm on 4 April 2020.

The Agreement reached between the State Government and Sodexo included the transition of Sodexo staff into the State's public sector and prison officer workforce, as well as physical assets owned by Sodexo. Transfer of operations between parties would be uninterrupted, in that prison operations would be continuous throughout the transition.

#### ❖ *Transition overview*

The Department had 14 weeks in which to transition MRRF to public sector management. A Transition team was established and a project scope and schedule developed which included milestones, deadlines and critical paths. A Project Control Group was also established to provide high level leadership and direction to the planned process and overall delivery of the project.

Given the very short timeframe in which to achieve all of the handover activities, including the employment of Sodexo staff into the public sector and prison officer workforce, the Department faced a number of challenges along the way which included the impacts of a pandemic and disruption to services due to lockdowns.

Despite this, the project delivered the contractual requirements as defined in the Heads of Agreement executed on 23 December 2019 and Melaleuca Women's Prison commenced operations under the State at 6.00pm on 4 April 2020. Residual risks, issues and follow up activities at completion were transferred to the Senior Management Team at Melaleuca.

Lessons learned workshops were conducted and both, positive and negative experiences on the project were identified. These have provided the Department and other project teams a roadmap to success on similar projects in the future.

#### ❖ *Key Observations*

It became obvious that the public and private sectors have different structures, incentives and cultures that are not evident to people newly entering government. Expectations therefore can vary causing people to feel anxious and confused. While change may appear to have been implemented flawlessly, transition happens much slower. People undergo several phases as they transition, for example, letting go of the past ways, a neutral zone where everything seems uncertain, and a new beginning with new ways.

Communication was the key. Everything needed to be communicated and a communication plan that recognised the differences between the public and private sectors, and addresses the key transitional issues, to be developed early in the project to alleviate fears and reduce confusion.

Research indicates that transition from private to public sector can take six months to two years to learn the business and feel effective. Ongoing training, orientation and support is required, including strong stable leadership to lead the transition team and implement support services that help guide staff members through the transition process.

Preparation for a pandemic at any time is critical. COVID-19 presented major unforeseen challenges and has taken a significant toll on people across the globe, destroying lives and livelihoods, businesses, economies and societies as a whole. The learnings from COVID-19 will benefit the world and the Department to better prepare for such pandemics and major disruptions that may occur in the future.

#### **Review comments**

The Department thanks the Inspector of Custodial Services for his inspection report and for the opportunity to comment and respond to the key findings.

The Department acknowledges that the short timeframe for the transition from private to public management of Melaleuca, exacerbated by the onset of the global COVID-19 pandemic during the period, presented several challenges, most of which have subsequently been, or are being addressed.

With respect to the transition of staff from Sodexo to the public sector and the training provided, as referenced in the report, the Department offers the following clarification.

It was a unique situation navigated through extensive consultation and negotiations to offer employment to all Sodexo staff in line with the public sector standards and probationary requirements for custodial officers. Their length of service at Sodexo was taken into consideration and the vast majority of the ex-Sodexo custodial staff received a salary increase with the exception of the Principal Officer and eight Senior Officers who transitioned based on years of service at prison officer wage due to differences in job requirements of similar roles in the public system.

In recognition of the experience of the officers, all Sodexo staff were provided the opportunity to apply for employment opportunities, at level or higher, across the estate as they came up, on equal terms with every other prison officer in the State, where

their previous working experiences would be considered. As a result, a number of the Sodexo staff ended up working as Senior Officers at Melaleuca.

There were significant differences in culture, conditions of employment and pay scales between Sodexo and the Department which became evident during the transition project. The operational practices in the management of a prison were also vastly different and training was required to align practices for Sodexo staff to undertake their new duties as a public prison officer. This prompted a skills gap analysis and the development of a bridging course especially for the newly appointed ex-Sodexo staff.

As per the Agreement reached between the State Government and Sodexo, the transfer of operations between the parties had to be uninterrupted during the transition. This impacted on Sodexo staff being released to attend the training, which was further exacerbated due to COVID-19. As a result training was completed post hand-over. A dedicated Satellite Trainer was also sourced to assist with critical training requirements and training for staff has significantly increased with monthly reports showing increases across essential training modules.

The Department is concerned with some of the comments made in the report relating to hygiene standards not being met and has investigated some of the claims. One such example being the rat droppings found in cereal. The Department is unable to verify the claim and no official complaint has been received. The packing and storage process of cereals is tightly controlled under supervision and Melaleuca has pest control services undertaken regularly. The Department will however monitor the situation to ensure hygiene standards are maintained.

The Department also disagrees with the claim that there are no healthy food options for prisoners. Prisoners are provided meal options including low carb diets for the women, especially for those with weight or health issues. In addition, the Department has engaged a Dietitian to visit all prisons to provide food and nutrition advice. The Dietitian visited Melaleuca in March 2021

Finally, the Department would like to draw attention to the impact of COVID-19 and the resulting lockdowns in the community had on the transition. Service providers were not able to deliver the scheduled services or meet the timeframes for key milestones and deliverables of the transition project. This had a major impact on the transition project and disruption to service delivery at Melaleuca during and post the transition, causing frustration amongst staff, prisoners and their families.

With the appointment of a substantive Superintendent, Melaleuca is transitioning to some form of normalcy with the development of a philosophy and business plan that is based on a trauma informed model of care. This provides a sense of purpose and direction for Melaleuca with a clear pathway to achieving its vision through defined objectives and deliverables. Appropriate staffing levels are being negotiated and a number of improvement initiatives are in progress, including the reception and orientation processes to address the immediate needs of women remanded into custody at Melaleuca, improved mental health services and a committed focus on improving employment and services for the Aboriginal women in our care at Melaleuca.

The recommendations made by the Inspector have been carefully assessed and action plans developed for implementation as appropriate. Progress on these will be closely monitored to ensure improvements are made resulting in better outcomes for the women residing in our care at Melaleuca.

## Response to Recommendations

### **1 Develop a vision that provides a sense of purpose and direction for Melaleuca and implement a plan that outlines how to achieve this vision.**

<b>Level of Acceptance:</b>	Supported
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Women and Young People
<b>Proposed Completion Date:</b>	Completed

#### **Response:**

Since the transition of Melaleuca over to public sector management on 4 April 2020, a philosophy and business plan has been developed for Melaleuca based on a trauma informed model of care.

This provides a sense of purpose and direction for Melaleuca with a clear pathway to achieving its vision through defined objectives and deliverables.

### **2 Develop and implement appropriate staffing models for each area of the prison.**

<b>Level of Acceptance:</b>	Supported
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Women and Young People
<b>Proposed Completion Date:</b>	30 June 2022

#### **Response:**

Staffing requirements for Melaleuca have been identified and negotiations with staff and local union delegates have commenced. The Staffing Level Agreement is expected to be finalised and approved by the end of the financial year.

### **3 Significantly invest in infrastructure so that Melaleuca can operate as a fully functional prison.**

<b>Level of Acceptance:</b>	Supported subject to funding and prioritisation of capital expenditure
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Women and Young People
<b>Proposed Completion Date:</b>	30 June 2022

#### **Response:**

Corrective Services acknowledges the need for investment in Infrastructure at Melaleuca and will continue to submit business cases for additional infrastructure. Approval and implementation however is subject to funding and prioritisation of capital works expenditure in the context of system-wide issues and priorities.

**4 Reinstatement of a robust system to address the immediate needs of women who have been remanded into custody at Melaleuca.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Women and Young People  
**Proposed Completion Date:** Completed

**Response:**

The Department has recently implemented a suite of policies relating to Admissions and Placement. This includes COPP 2.1 Reception and COPP 2.2 Prisoner Orientation which introduces improved reception and orientation processes that better addresses the needs of remand prisoners.

Melaleuca has operationalised these policies through the development of Standing Orders. Standing Order 2.2 Prisoner Orientation also includes a section on "What happens on your first day in Prison" (Appendix 1). All staff at Melaleuca are required to complete training in the COPPs.

The orientation booklet for Melaleuca has been reviewed and condensed with feedback from the peer support team, focusing on the immediate needs of the women, and making it simpler for the women to understand as they first come into custody. Custodial staff and the peer support team are also available to support the women, including those withdrawing from alcohol and/or drug use. Peer support workers provide additional assistance to women with low literacy or whose first language is not English.

**5 Provide adequate and appropriate training for the peer support team.**

**Level of Acceptance:** Supported  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** 30 June 2022

**Response:**

Corrective Services' Offender Services Directorate work closely with peer support teams across the custodial estate and concur with OICS that these teams work tirelessly to help prisoners, including those at risk of self-harm. At Melaleuca, the Prisoner Support Officer assists with the training and development of peer support workers. Additional training however will further assist them in dealing with women with significant emotional issues.

Gatekeeper training is very specialised and designed for professionals and para-professionals. There has been challenges securing facilitators through the Mental Health Commission (MHC) to deliver the Gatekeeper training. Whilst there are members of the MHAOD branch and custodial officers qualified as Train the Trainers, a clinical trainer is required to co-facilitate and the MHC has not been able to secure a provider for this.

The MHC also advised that Gatekeeper training is not the best fit for Peer Support Workers as it is too structured and have advised that Applied Suicide Intervention Skills Training (ASIST) would be better suited for the Peer Support Workers and for

the needs of the prisoner cohort. ASIST is a two-day (15 hour) program that can be presented by two trainers who have completed the Train the Trainer Course.

Prison Support Services staff are in the process of completing the Train the Trainer Course. The MHAOD Branch are working with the MHC to also provide additional training to custodial staff. Once this has been endorsed, training for peer support workers will be prioritised.

## **6 Construct a specifically designed laundry workshop to service the Prison.**

<b>Level of Acceptance:</b>	Supported subject to funding and prioritisation of capital expenditure
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Women and Young People
<b>Proposed Completion Date:</b>	30 June 2022

### **Response:**

The original brief for the prison did not include a laundry facility. There is currently insufficient utility supply to support a laundry at the site. Small laundry areas are provided in each wing of the living accommodation to facilitate washing of personal items, however all major laundry items are sent external to the prison.

The Long Term Custodial Infrastructure Plan Stage 2 includes a requirement to expand Melaleuca (during the period 2021-2031) and the expansion of support infrastructure (including provision of prison industries) will be considered at this time.

Melaleuca however will develop a business case for a specifically designed laundry workshop to be build sooner. The business case will be subject to funding approval and prioritisation of capital works.

COPP 6.5 Prisoner Hygiene and Laundry has been developed and awaiting implementation, which covers prison issued clothing, bedding, personal hygiene and laundry system. The COPP and Melaleuca's Standing Order 6.5 signed by the Superintendent on 6 April 2021, will drive good laundry hygiene practices. Washing machines have also been changed from top loaders to front loaders to prevent sitting on the machines causing them to malfunction.

## **7 Implement an efficient and effective health booking system, including a process for providing women with an appointment day and time.**

<b>Level of Acceptance:</b>	Supported
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Offender Services
<b>Proposed Completion Date:</b>	30 June 2022

### **Response:**

All electronic systems at Melaleuca were discontinued by Sodexo when they ceased operations on 4 April 2020. As a result, 'white forms' were introduced by Aspen Health Services, the then provider of health service delivery until the transition of health services over to the Department from 1 July 2020.



At the time of the transition, the structure for managing appointments was limited. Appointments were largely ad-hoc, had significant non-attendance and no documentation to denote outcomes.

Following the transition of health services over to the Department, a new 'Nurse Interview Request Form' has been implemented as well as a structured health booking appointment timetable. Work has commenced on the development of a process in consultation with custodial staff to enable communication back to the patients through distribution of appointment slips via the unit officers.

**8 Ensure that the Health Centre has stable leadership to provide consistency in work practices, clear direction and ongoing supervision.**

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

**Response:**

The Department believes in stable leadership and takes steps to achieve this as far as possible. A substantive Superintendent has been appointed and other roles starting to be permanently filled.

Melaleuca has a substantive Clinical Nurse Manager (CNM) who is currently on leave. Coverage of the role has been facilitated through internal backfilling of the role. The position cannot be advertised for permanent appointment as it is not vacant and still occupied by the substantive CNM. The CNM role since October 2020 however has been consistently covered by two CNMs from other sites (apart from four weeks of intermittent leave coverage by one of the local nurses).

**9 Review health services and implement measures to improve efficiencies and effectiveness of the health center.**

<b>Level of Acceptance:</b>	Supported
<b>Responsible Division:</b>	Corrective Service
<b>Responsible Directorate:</b>	Offender Services
<b>Proposed Completion Date:</b>	30 June 2022

**Response:**

Patients received into custody at Melaleuca are frequently complex with multiple social issues impacting on their health. A holistic view of the patient's health therefore is required. This may result in some level of duplication, however the Department will look at ways to improve the health services at Melaleuca by identifying pathways of care that will reduce the duplication and provide the level of support the patients need for their holistic health and well-being.

**10 Establish a full dental service at Melaleuca that meets the needs of the Melaleuca women.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services  
**Proposed Completion Date:** 31 December 2022

**Response:**

The provision of dental care to prisoners across the custodial estate is facilitated by Dental Health Services (DHS) under a Memorandum of Understanding.

At the time Melaleuca was transitioned to the public sector, the Department's Health Services negotiated with DHS to provide a service for the Melaleuca women. The women travelled to Bandyup Women's Prison (BWP) for dental services - one full day per week. This was funded as an additional service by the Department's Health Services as it was not included in the current MOU.

It should be noted that Melaleuca is a remand facility and the average length of stay for the majority of prisoners is 8.8 days.

As part of a longer term plan, consideration will be given to accommodating Melaleuca patients at the planned dental suite at Wandoo Rehabilitation Prison which will be closer and more local. This will be subject to a security risk assessment and DHS being able to provide the required personnel for the provision of dental care services commensurate with the community public dental system.

The Department will however continue to request for additional services from DHS through formal requests through the Department of Health.

**11 Provide health staff with culturally appropriate training to better understand and meet the health needs of Aboriginal women.**

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

**Response:**

Promoting Aboriginal culture and Aboriginal welfare amongst staff and prisoners is very important to the Department and a number of strategies have been, or are in the process of being implemented. These include: cultural awareness training, Aboriginal language programs, working with Aboriginal leaders and Aboriginal communities e.g. the 'Martu Visitors Program', establishment of the Aboriginal Services Committees and employing Aboriginal people who understand and can better connect with Aboriginal prisoners.

Online cultural awareness training is available to all staff when employment commences with the Department of Justice.

Specific to health and mental health staff, training modules have been developed by the Mental Health Commission for the Department and includes a module on 'Aboriginal Peoples' which outlines cultural considerations and practical advice when

supporting an Aboriginal person managing mental illness, and a module on 'Women' which covers special issues that relate to women in our care. These training modules are made available to all health and mental health staff via the Department's online training system JEMS.

Melaleuca currently has three 50d positions who work in the Mental Health Alcohol and Other Drugs (MHAOD) team to address the needs of Aboriginal women and enhance their accessibility to mental health services. One of the role specific responsibilities of these 50d positions is to provide cultural awareness training to the mental health team and to provide advice on local family issues.

**12 The Department should undertake a review of crisis care facilities across the state and develop an action plan to ensure they are suitable to provide both safety from self-harm and a therapeutic environment for patients.**

<b>Level of Acceptance:</b>	Not Supported
<b>Responsible Division:</b>	Corporate Services
<b>Responsible Directorate:</b>	Procurement, Infrastructure and Contracts
<b>Proposed Completion Date:</b>	NA

**Response:**

The Department is not aware of any concerns from prisoners relating to crisis care facilities across the state. Custodial Officers regularly interact with the prisoners within the unit. Generally prisoners in crisis care are on some form of At-Risk monitoring which requires increased close monitoring and interaction with the prisoners based on their level of risk to ensure the prisoners are safe from self-harm.

The Department recognises the importance of direct interaction with prisoners and will consider ways to improve this.

Cell Call is a standard fire and life safety requirement in all cells. The crisis care area in Melaleuca is also equipped with closed circuit television to enable staff to monitor the area remotely in addition to face to face interaction.

Prisoners with diagnosed mental illness at Melaleuca will be managed in the newly established sub-acute mental health unit at Bandyup from mid-2021.

**13 Ensure that antenatal care in custody at Melaleuca be at least equivalent to the standard of care in the community.**

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

**Response:**

Following the transition of the delivery of health services over to the Department, a structured approach was introduced using the shared care model with King Edward Memorial Hospital (KEMH) and the Prison Medical Officer (PMO) on site to provide

antenatal care. This required introduction of a Pregnancy Register and scheduled appointments at milestones during the gestation period with either KEMH or the PMO.

Pregnant women are no longer transferred to Bandyup Women's Prison for their pregnancy to be managed. Women are now safely accommodated at Melaleuca and their pregnancy managed with access to the same services as the Bandyup cohort through the shared care model with KEMH (Women and Newborn Drug and Alcohol Services - WANDAS).

**14 Upgrade the perimeter fence between Hakea and Melaleuca and ensure that all weakness along the fence line are rectified.**

<b>Level of Acceptance:</b>	Not Supported
<b>Responsible Division:</b>	Corporate Services
<b>Responsible Directorate:</b>	Procurement, Infrastructure and Contracts
<b>Proposed Completion Date:</b>	NA

**Response:**

Improvements have been made to the fencing between Hakea and Melaleuca which is deemed suitable and meets the operational needs of the site. The products and installation also meet Australian Standards.

In addition, a number of procedural controls around perimeter security have been implemented including additional patrols and strategies to mitigate roof ascending behaviours.

The design of the facility provides a non-prisoner area and support buildings as a buffer between the male and female facilities. Visibility from Hakea across into Melaleuca is into non-prisoner areas and has no visibility onto any Melaleuca prisoner facilities.

There are detection systems in place to alert both facilities of any attempts to breach the fence. The Special Operations Group based on site is also available to respond to any alarms or breach attempts on the fence.

**15 Develop formal system-wide arrangements, including escalation options, for the transfer of prisoners whose needs cannot be met at an individual prison.**

<b>Level of Acceptance:</b>	Supported
<b>Responsible Division:</b>	Corrective Services
<b>Responsible Directorate:</b>	Women and Young People
<b>Proposed Completion Date:</b>	Completed

**Response:**

The Department has an established formal process for the transfer of prisoners. Decisions relating to the transfer of prisoners are made for various reasons including the welfare of the individual prisoner and other prisoners within a facility.

Transfers are negotiated between Superintendents and where required escalated for decision to the relevant Assistant Commissioner Custodial Operations.



















