



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

2020 INSPECTION OF
MELALEUCA WOMEN'S PRISON

136

JULY 2021

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that contributes to a more
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2020 Inspection of Melaleuca Women's Prison

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Inspector's Overview

THE TRANSITION OF MELALEUCA FROM PRIVATE TO PUBLIC OPERATION IS SLOWLY SHOWING SIGNS OF SUCCESS AS IT MOVES TO NORMAL OPERATIONS

The Melaleuca Remand and Reintegration Facility formally switched over to public operation on 4 April 2020 and was renamed Melaleuca Women's Prison (Melaleuca). The focus of the renamed Melaleuca was to be Western Australia's major remand and receiptal prison for women. The transition team faced many obstacles and challenges, including a very short time frame for completion and the outbreak of the COVID-19 pandemic.

This report highlights many of the difficulties faced by the Department and the transition team, it identifies the impacts on staff and prisoners, and shows that there are many lessons to be learned from the transition process. It would be easy to minimise the difficulty in merging two operational systems and processes, or to overlook the challenges in blending two staff cultures into one, and simply focus on what did not go well. Our focus in this report is to look at what worked well and what could have been better in the transition, but to do so with an eye to what Melaleuca needs looking ahead.

Overall, an objective assessment is that the initial transition, with a few exceptions, went well and without major incident, but progress towards normal effective and efficient operations has been slow and hampered by many of the limitations we have identified in this report.

Limitations of the existing physical infrastructure is one of the most significant challenges facing Melaleuca and negatively impacts almost every facet of the prison's operations. These legacy design issues are well known and were identified in our 2017 inspection report, long before transition to public operation was contemplated.

Office space is limited, there is no dedicated education centre, there are limited employment workshops beyond the kitchen, and there is a lack of private interview rooms where confidential conversations can take place. This last point impacts on the effectiveness of many of the key support services for the women, including the Aboriginal Visitor Scheme, Prisoner Support Officer, Chaplaincy, Transition Manager, Counsellors and Assessments.

There is no functioning cultural meeting place and no gym or other indoor recreation facilities. There are only four program rooms, two in each of the accommodation units. The schedule for these rooms shows that they are almost constantly booked out for many different activities including, therapeutic programs, art, education, library, counselling, meetings, peer support and chaplaincy. They are even used for staff training. The list is long, but these are all essential services and a well-functioning remand centre should have adequate infrastructure to ensure effective delivery of each one.

Remand prisoners often have significant health and mental health needs on entry into the prison system so this was an obvious area of focus for our inspection. We were also aware of past difficulties Melaleuca had experienced in these areas. We engaged the services of an experienced medical practitioner with forensic mental health expertise to assist us during the inspection. What we found was several areas around the provision of health and mental health support at Melaleuca that required immediate attention.

Many women had trouble accessing health services. The booking and appointment systems were inefficient and ineffective and led to many women missing their appointments

THE TRANSITION OF MELALEUCA FROM PRIVATE TO PUBLIC OPERATION IS SLOWLY SHOWING SIGNS OF SUCCESS AS IT MOVES TO NORMAL OPERATIONS

because they were simply not aware that an appointment had been scheduled or they did not hear their name being called to attend the health centre.

We met with a group of six pregnant women who all described being anxious and uncertain about their pregnancy care plan while at Melaleuca. They all said they wanted to transfer to Bandyup as they felt they would be safer there and their pregnancy better managed.

There had been no dental services at Melaleuca since the transition, but subsequent to our inspection we were informed that Bandyup would allow four appointments each week for women from Melaleuca. While this is better than nothing, we are very concerned that the absence of adequate dental care is putting the health of women at an unacceptable risk.

Mental health services at Melaleuca are provided by two psychologists from the Department's Psychological Health Service and clinicians from the Primary Mental Health team. We heard that these two teams work effectively together to ensure that women in need are appropriately triaged and referred for support. The biggest challenge for mental health at Melaleuca is the Crisis Care Unit which is still not fit for purpose, despite some recent cosmetic refurbishments. Staff do their best, but the layout and design of the Unit is still harsh and distressing and offers no therapeutic benefit except perhaps for the potential to prevent women from harming themselves. The soon to be opened mental health sub-acute unit in Bandyup potentially offers some relief.

We made seven recommendations relating to health and mental health services to address the identified areas of concern and all but one of these recommendations were supported or supported in principle. Given our concerns, the implementation of these recommendations will be a prime area of focus in our ongoing monitoring and liaison with Melaleuca in the months ahead.

The dividing fence between Melaleuca and Hakea Prison has been a point of interest and contention for as long as Melaleuca has existed. We have previously made recommendations to address identified deficiencies in the boundary fence following our inspections of Melaleuca (2017) and Hakea Prison (2018). Some work has been done in response to those recommendations but the problem of men being able to scale the fence continues with several recent incidents. In fact, during our inspection a man from Hakea was able to scale the fence and spend over 90 minutes walking up and down the cowling on the fence before agreeing to come down.

Considering this history, it was quite surprising that the Department did not support our recommendation for another upgrade to the perimeter fence between Hakea and Melaleuca. The response simply noted what had been done to date; but we were not sure if any of these things had been done subsequent to our site visit in November 2020.

It appears that the Department is confident that these steps are sufficient to mitigate the risk, but if nothing has changed since our inspection then we may not share that confidence.

THE TRANSITION OF MELALEUCA FROM PRIVATE TO PUBLIC OPERATION IS SLOWLY SHOWING SIGNS OF SUCCESS AS IT MOVES TO NORMAL OPERATIONS

ACKNOWLEDGMENTS

We have a very experienced Independent Prison Visitor who is a community volunteer appointed by the Minister for Corrective Services. She attends Melaleuca on a regular basis providing an opportunity for the women to raise issues and feedback that information to our office. I acknowledge the importance of her work and thank her for the contribution she has made to our ongoing monitoring of Melaleuca. The Minister has also recently appointed a new Independent Visitor for Melaleuca, and another is pending approval, and I welcome them 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 Melaleuca and from key personnel in the Department. The women who took the time to speak with us and share their perspective also deserve our acknowledgment and thanks.

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 Amanda Byers, for her hard work in planning this inspection and as principal drafter of this report, and Natalie Gibson, for her work on the final edition of this report.

Eamon Ryan
Inspector of Custodial Services

1 July 2021

EXECUTIVE SUMMARY

MELALEUCA HANDED OVER TO THE PUBLIC SECTOR

The Melaleuca Remand and Reintegration Facility ('Melaleuca') for women commenced operations in December 2016. It was established to house women on remand and women ready for release. Sodexo Australia Pty Ltd ('Sodexo') secured the \$82.8 million contract to provide operational services at Melaleuca for the first five years.

During Melaleuca's first inspection in 2017 we found several significant issues and made 25 recommendations for improvements. Then in December 2019, three years into the five-year contract, Sodexo and the government signed an agreement to end the prison management contract early. The prison transitioned back to public hands on 4 April 2020.

The time for transition from private back to public was only 75 working days. While an in-principle agreement was reached for most staff to be offered continued employment, there was a period of uncertainty for staff. Training for their new roles was also not complete before handover.

On 4 April 2020 the prison became Melaleuca Women's Prison and focused solely on housing women on remand. A temporary transitional Superintendent and management team were appointed for the first three months.

RESOURCES AND SYSTEMS

By the time of this inspection in November 2020 only the Superintendent and Business Manager positions were filled substantively. We found the lack of stable leadership was affecting staff performance, morale and services to prisoners.

Part of Sodexo's operation involved embedding its own operational philosophy and it had developed a unique culture. With the return to public operation, Sodexo employees had to adjust to new expectations and culture. With the gap in pre-transition training, most staff found the change challenging. Department staff transferred in also found the experience merging with an existing workforce difficult.

This was not helped by the fact new operating procedures had not been written and no training provided for staff prior to 4 April. This resulted in inconsistent processes. The unit plans and local orders had been finalised by the time we inspected in November 2020, however, tension and confusion amongst staff was still evident and there was also still no overarching philosophy.

In 2017 when we first inspected Melaleuca, we noted that the infrastructure was severely inadequate. It soon became clear during this inspection, that many of the infrastructure issues that we identified three years prior remained unchanged.

PRISONER SERVICES

Melaleuca is the main receiptal prison for remand and newly sentenced prisoners in the Perth metropolitan area. The reception process was undertaken respectfully and efficiently. However, we found some flaws with the layout of the reception centre that made it difficult to privately interview the women.

EXECUTIVE SUMMARY

At the time of the inspection, assessments at Melaleuca had fallen into disarray, despite the dedication of staff. Previously the prison undertook a unique suite of assessments that supported remand and newly sentenced women. The structure for IMP assessments across the women's metropolitan prisons was also unclear.

Far too many women were not engaged in work. During the inspection, 148 of the 214 women at Melaleuca were either unemployed or under-employed. Many VSO positions were unfilled substantively, and those VSOs in place were frequently redeployed to other roles.

The education staffing model still had not yet been finalised. Too many resources were shared with Hakea, including a Manager and Aboriginal Education Worker. A dedicated Campus Manager only commenced two weeks prior to our inspection. Considering the lack of infrastructure and staffing, the education team provided a good service.

Melaleuca's peer support team was functioning well. However, they were undertaking their duties without the necessary training to deal with women who have significant emotional issues. Pleasingly, the Aboriginal Visitor Scheme was reinstated at Melaleuca in March 2021, having been denied access by the Department when run privately.

Prisoners were positive about the Chaplaincy services offered. The absence of a dedicated spiritual space and accessible work location for chaplains was an obstacle to improving services further. Melaleuca also lacked a culturally appropriate meeting place for Aboriginal prisoners. Management plans to establish a new outdoor cultural area must be prioritised.

The Transitional Manager and contractor ReSet worked well together to try and meet the needs of remand women facing release. However, services were not meeting needs, especially in relation to accommodation and connecting with children.

PRISONER CARE AND WELLBEING

The Melaleuca kitchen was preparing 680 meals per day for prisoners and staff. They were freshly prepared and served pre-packed in individual containers. Meal planning and preparation was efficient. The women had a choice of meals for lunch and dinner. Despite this, both prisoners and staff had a low opinion of food services.

The purpose-built visits centre was spacious, colourful and family friendly, but parts of the visits centre had not been operational since April 2020 due to COVID-19 restrictions. E-visits had quickly been established when physical visits were restricted, with seven terminals provided.

Recreation activities were not well structured. Until recently, there had been only one recreation officer with a temporary second officer having recently started. They were passionate and enthusiastic but were restricted by having too many physical areas to supervise, including the yard, the oval, the library, the art room and the hair salon. Only one officer was rostered on each day, and each area could only open with active supervision.

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HEALTH CARE

When operations transitioned to the Department in April 2020, health subcontractor Aspen Medical remained at Melaleuca until their contract expired in June 2020. Aspen Medical staff were then offered fixed-term employment contracts, and Departmental staff from other prison health centres also transferred.

Access to health care was the most raised issue during this inspection. Two-thirds (66%) of respondents to our pre-inspection survey thought that health services were 'poor', with difficult access the most common complaint. Sodexo had an electronic system enabling women to book and manage their own appointments, but this was removed for a traditional paper-form system via staff. We found systems for communication about appointments to be poor, resulting in high numbers of cancellations and unused appointment times.

Staff that transitioned from Aspen did not receive a thorough orientation or training on department policies and procedures. The centre also had no stable leadership, with a fourth Clinical Nurse Manager starting during our inspection. Without a stable leader, nurse recruitment was not prioritised and the medical centre under-staffed. It had also created inefficient and ineffective management practices.

Since Melaleuca transitioned to the public sector, dental services had not been available. Consequently, health services were heavily prescribing medications for women experiencing dental pain. This was unacceptable. After our inspection, Bandyup Women's Prison agreed to allow four women per week to access its dental services. While this was a small step forward, a full dental service must be established urgently.

The two Psychological Health Services (PHS) psychologists were providing an efficient service. The clinicians were highly motivated and triaging patients accordingly. They also had a good working relationship with the prison's primary mental health team.

Women who were mentally unwell were kept in the Crisis Care Unit. We found the environment non-therapeutic. This problem is not limited to Melaleuca and is one we see in many prisons. Best practice in how to manage and treat people with mental health issues has progressed significantly in the years since much prison health infrastructure was designed and built. While it may be cost prohibitive to replace units, how they are presented and used can be, and refurbishments done.

Communication and information provided to pregnant women was poor, and they were frightened as a result. They received no written information about their pregnancy care, including the care that they might receive while delivering. The pregnant women were worried about their physical safety and wanted to be transferred to Bandyup Women's Prison where they can live separately.

EXECUTIVE SUMMARY

SAFETY AND SECURITY

We have consistently raised concerns about the integrity of the perimeter fence that divides Melaleuca and Hakea. Two previous inspection reports (the 2017 Melaleuca inspection and the 2018 Hakea inspection) both recommended improvements to the security of the fence. Both times this was rejected. Since then, male prisoners from Hakea have twice breached the fence, once in 2019 and then again while we were onsite for this inspection. From a risk consequence perspective, our concern was further heightened by the events suffered by female prisoners during a riot at Greenough in 2018 when male prisoners broke into the women's section. The Department's action on the fence to date have been provably inadequate, and action should now be taken to secure the perimeter between Hakea and Melaleuca.

Melaleuca is the only maximum-security prison in the state without a management unit. Prisoners requiring separate management were being accommodated either in the Crisis Care Unit or in a few designated cells in a general accommodation wing. Both options were inappropriate. It is incumbent on the Department to provide specialised methods to effectively manage women on regimes.

It is important that prisoners whose needs cannot be met at Melaleuca can be transferred to another prison. In the metropolitan area, Bandyup is the other prison where remand women can be transferred. In 2017, when Melaleuca was operated by Sodexo, the arrangement of transfers between the two prisons was problematic. This inspection found the prison was still experiencing issues. A formal system-wide process, with escalation options, needs to be developed.

Melaleuca had a much smaller security team compared to other maximum, or medium, security prisons in the state. The lack of resources in the security team had created a safety and security risk for the prison and prisoners.

Melaleuca were running regular emergency management exercises. Joint exercises between Hakea and Melaleuca would be extremely valuable, particularly considering Melaleuca's proximity to Hakea, and the history of fence intrusions. The Department's own security review after the 2019 fence breach recommended that emergency management procedures and a Memorandum of Understanding (MOU) be developed between the two prisons. To date, no joint exercises had taken place between Melaleuca and Hakea, nor had an MOU been established.

LIST OF RECOMMENDATIONS

RECOMMENDATION 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.

RECOMMENDATION 2

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

RECOMMENDATION 3

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

RECOMMENDATION 4

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

RECOMMENDATION 5

Provide adequate and appropriate training for the peer support team.

RECOMMENDATION 6

Construct a specifically designed laundry workshop to service the Prison.

RECOMMENDATION 7

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

RECOMMENDATION 8

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

RECOMMENDATION 9

Review health services and implement measures to improve efficiencies and effectiveness of the health centre.

RECOMMENDATION 10

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

RECOMMENDATION 11

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

RECOMMENDATION 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.

LIST OF RECOMMENDATIONS

RECOMMENDATION 13

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

RECOMMENDATION 14

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

RECOMMENDATION 15

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

FACT PAGE

NAME OF FACILITY

Melaleuca Women's Prison

ROLE

A maximum-security remand and receiptal prison for women in the Perth metropolitan area.

LOCATION

Melaleuca is located on Noongar Whadjuk land in Canning Vale, Perth, Western Australia.

HISTORY

In 2016, units 11 and 12 of Hakea Prison (the state's main remand and receiptal prison for men) were converted into a stand-alone prison for women. The prison was known as Melaleuca Remand and Reintegration Facility and housed women on remand and those nearing the end of their sentence preparing for release. For the first few years of operations, the prison was managed by the private firm Sodexo. In April 2020, the government took over management of the facility and shifted its focus to managing remand women only. The prison is now known as Melaleuca Women's Prison.

CAPACITY

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Chapter 1

INTRODUCTION

1.1 MELALEUCA HANDED OVER TO THE PUBLIC SECTOR

Sodexo and the Government agreed to end the prison management contract early

The Melaleuca Remand and Reintegration Facility ('Melaleuca') for women commenced operations in December 2016. It was established to house women on remand and women ready for release. Sodexo Australia Pty Ltd ('Sodexo') secured the \$82.8 million contract to provide operational services at Melaleuca for the first five years. Given the risks involved with opening a new prison, when the prison first opened, we visited Melaleuca regularly to monitor the start-up and how the prison was operating. Based on our findings from these visits we had concerns about many aspects of the prison's performance. In November 2017 we decided to bring forward our inspection of the prison.

During the 2017 inspection we saw signs of improvement but also found several significant issues including a lack of suitable infrastructure to meet the needs of the women. Sodexo was also under pressure to meet agreed contractual expectations. We made 25 recommendations covering almost every aspect of the prison operations. After the inspection, we continued to visit Melaleuca regularly to monitor progress against our recommendations, however many of the issues identified remained unchanged.

In December 2019, only three years into the five-year contract, Sodexo and the Government signed an agreement to end the prison management contract early. Sodexo committed to working with the Department of Justice ('the Department') to transition the facility back to public hands on 4 April 2020.

The transition team had a very short timeframe to prepare for the handover

Sodexo staff were informed on 23 December 2019 that the contract would end early, which left many employees embarking on Christmas leave feeling anxious, confused and uncertain of their futures. It was not until February 2020 that the Department confirmed that most of the Sodexo operational staff would retain their employment at Melaleuca.

Although it was positive that Sodexo staff would be offered public sector employment, the Department's plan to roll-over jobs did not adequately recognise the experience of Sodexo staff. We were told that regardless of rank or seniority, all Sodexo custodial staff were only initially offered probationary prison officer positions. This meant that staff who had prior custodial experience or who had excelled and earned senior positions with Sodexo were treated as entry-level employees. Many said this was disappointing and somewhat demoralising, but 98 of the 112 Sodexo staff still accepted a position at Melaleuca. Staff were later able to apply for more senior positions. In our meetings with staff, many told us it was their commitment to the type of work that motivated them to stay.

The Department established a temporary team to manage the schedule, scope, communications and resources for the handover. While no formalised change management plans were developed, a comprehensive and thorough transition map was developed, which included milestones, deadlines and critical paths. However, keeping to these deadlines was always going to be a challenge, given that the transition team had only

INTRODUCTION

81 days to prepare for the handover. To put this into perspective, when the Department announced in 2017 that the Wandoo Reintegration Facility would be transferred from private to public operations, it was 11 months before the Government accepted its first prisoner.

In the first quarter of 2020, regular staff information sessions were held, and prisoners were kept informed of the transition via the Peer Support team. A custodial training plan was produced, however it focused more on ensuring the staff complied with human resource policies, rather than ensuring Sodexo staff were fully trained to undertake their new duties as a public prison officer.

The prison was insufficiently resourced when first opened

The prison transitioned from Sodexo management to public sector management on 4 April 2020. Subsequently the prison changed its name from Melaleuca Remand and Reintegration Facility to Melaleuca Women's Prison and focused solely on housing women on remand. By the first day of operations, most of the milestones and deadlines detailed in the transition map had not been met.

The ex-Sodexo staff had not received any bridging training. While a skills gap analysis had been done, and a bridging course developed, this was not delivered before handover. They felt underprepared and were not familiar with the new public sector policies and procedures that they suddenly had to work with. Only four of the 21 Senior Officer positions were substantively filled by experienced departmental staff, leaving the remaining Senior Officer positions substantively vacant or with someone acting in the role.

Another major hurdle for the transition was the removal of the Custodial Management System ('CMS'). The CMS electronic kiosks were introduced under Sodexo's management, and promoted independence by allowing prisoners to manage their own money, purchases and schedule. The Department declined the opportunity to purchase the CMS kiosks from Sodexo, or to introduce similar electronic systems at Melaleuca. Instead the prison reverted to its paper-based enquiry system. Unfortunately, this reverted the administrative burden on to custodial staff, most of whom were not experienced or trained to manage the high number of day-to-day enquiries they now had to deal with.

The non-custodial staff also struggled with the transition. The IT and telephone systems were not functional, meaning that staff could not access a shared computer network and could not take incoming telephone calls. While Covid impacted some of this, the networking systems did not become fully functional until October 2020.

A temporary transitional Superintendent and management team were appointed for the first three months to help ease the transition and to work through these issues.

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1.2 THE 2020 INSPECTION

The inspection occurred while the prison was still transitioning

The 2020 inspection of Melaleuca Women's Prison was scheduled for November 2020, three years after the 2017 inspection of the Melaleuca Remand and Reintegration Facility. By this stage, the transitional Superintendent had moved to another role and a permanent Superintendent had been appointed. We acknowledge that the permanent Superintendent had only been in the position for three months prior to the inspection and had very little time to implement significant change or improvement strategies before we arrived.

Covid restrictions had also been in place during the initial period of transition, which complicated some aspects of the change process.

The on-site inspection occurred over five days, during which we spoke with management, staff and prisoners. Prior to the inspection, we surveyed both prisoners and staff to provide us with some context and to indicate potential areas to focus on during the inspection. A total of 111 prisoners completed the survey, which was just over half of the prisoner population (57%). Sixty-six staff completed their survey, which was also around half of all staff (53%).

This inspection focused on public sector operations post-transition

Our intention was to inspect Melaleuca's operations since it had been taken over by the Government. We found no reason to assess Sodexo's performance given that the contract had ceased. We did however invite Sodexo management to provide a submission prior to the inspection if they so wished. Sodexo management declined this invitation.

Chapter 2

RESOURCES AND SYSTEMS

2.1 MANAGEMENT AND LEADERSHIP

The prison did not have a stable leadership team

By the time of our inspection in November 2020, the Department had known for over a year that it would be taking back control of Melaleuca. However, recruitment for substantive senior management positions had progressed slowly, with only the Superintendent and Business Manager positions filled substantively.

The positions of Assistant Superintendent Operations, Assistant Superintendent Women's Services, Security Manager, Clinical Nurse Manager and Education Campus Manager were all being filled temporarily. Many of the individuals had only been in these positions for less than a month, with one even starting on the first day of our inspection.

The people appointed to these temporary roles were experienced and competent. They kept things running at Melaleuca while permanent recruitment took place, but they had little time to implement significant changes. They were also unsure of how long they would remain in the role and were therefore reluctant to make any major decisions. The lack of stable leadership was affecting staff performance, morale and ultimately services to prisoners. Sensibly, when the new Superintendent commenced in August 2020, recruitment was one of his main priorities. During the inspection, we heard that the interviews for most senior management roles had been undertaken and permanent appointments were in the process of being made.

2.2 THE MERGING OF TWO CULTURES

Operational practices were being carried out inconsistently

On 4 April 2020, processes, job roles, structures, tools and technologies at Melaleuca changed overnight. A core group of ex-Sodexo staff remained on-site and became Departmental employees. However, most of them had little or no knowledge of how state prisons operated. To provide custodial leadership and to help align Melaleuca to public service operations, senior operational staff from other state-run prisons were embedded into the prison. This group of senior staff brought with them a wide breadth of experience, having worked with male and female offenders, across all security levels in both regional and metropolitan locations.

Despite having experienced senior custodial staff on the ground, in the early days it soon became clear that the prison lacked guidance. There was no plan, structured training schedule or operational orders in place to guide the staff. The prison's goals and strategies were unclear and there was no defined vision to describe what the prison was trying to achieve and the direction it was heading in. The senior custodial staff therefore took it upon themselves to run Melaleuca their own way. For example, there were no clear directions on how to lock up and unlock the prisoners each day. Each senior officer directed the unit staff to do the lock ups and unlocks differently, depending on their experience from other prisons and their preferred method.

RESOURCES AND SYSTEMS

It was good to have experienced senior staff available to keep the prison running smoothly particularly in the first few weeks. However, the lack of planning or guidance soon led to confusion, misunderstandings, friction and tension amongst the prisoners and staff.

According to the initial transition map, all operational orders should have been finalised by 1 May 2020. When we undertook a day visit to the prison in June 2020, there were still no local orders, unit plans or duty statements in place. The impact of this was clear with prisoners and staff across all levels expressing their frustration to us during this visit. After the Inspector raised concerns directly with the Commissioner, we were informed that two special project officers were assigned to produce Melaleuca's supporting documentation including unit plans, regimes, routines, emergency procedures, local orders and rosters.

The unit plans and local orders had been finalised by the time we inspected in November 2020, however, tension and confusion amongst staff was still evident. Some of the staff, particularly ex-Sodexo staff, found the unit plans and local orders confusing and claimed that they were difficult to interpret. They felt that the content was not explained to them properly and there was no single authority they could ask directly for advice. We also found that many of the new policies were not being enforced. Other senior staff, including those working in the prison temporarily on overtime shifts, were still running the units their own way, and disregarding the unit plans all together.

There was still no overarching philosophy to provide direction and focus for the staff. Some senior staff felt that Melaleuca should be run like a strict maximum-security prison with a clearly defined chain of command, while others felt that it would be more beneficial to take a more relaxed approach to running the prison. The units were therefore run differently each day, depending on which senior staff were rostered on.

With new permanent leadership coming on board in 2021, the Melaleuca management team should be in a strong position to develop an overarching vision for the prison. The prison will benefit from having a clear sense of direction and focus and a plan that outlines how to achieve this vision. The management team should also focus on embedding the new policies and procedures, providing training and clarification on the guidelines and ensuring all staff are aware of and following the rules.

Recommendation 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.

Staffing models were yet to be finalised

At the time of our inspection the staffing models for many operational areas had still not been finalised. As a result, we observed that many areas were significantly short on resources and were struggling to provide adequate services. The Department threw out the old Sodexo operating models and created new ones based on its own perceived needs and tried to fit existing Sodexo staff into those roles. This results in some difficulties and

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confusion for transferred staff whose roles had in effect been abolished, gaps for prisoners who were used to having staff in certain roles for support that no longer existed and required tasks that were not properly resourced to be done.

Staffing issues for each area will be discussed throughout this report, however the resource shortage was evident across most areas of the prison. For example, the education team consisted of only 2.5 FTE and lacked administrative support. As a result, staff were working late most days, without any breaks, just to keep up. Likewise, the health centre staff were under-resourced, placing the health care needs of the prisoners at-risk. The staff running recreation were also extremely limited in the services they could provide, as there were only two of them on the roster at Melaleuca.

We found this to be the case across other custodial positions too. The staff in reception would often stay late to process new arrivals after hours. The security team lacked a position to gather and interpret intelligence. And the prison lacked a position to coordinate and drive prisoner orientation.

We commend the staff working in these areas for getting on and doing their jobs, however the pressure was beginning to show, and staff said they were feeling stressed. New staffing models need to be developed and implemented for each area of the prison, based on the needs and demands of the service.

Recommendation 2

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

The positive and respectful Melaleuca culture was at-risk of deteriorating

There was a clash of cultures at Melaleuca between ex-Sodexo staff and departmental staff. Both groups had different ways of working. The prison also lacked an overall vision or values statement to shape the new culture or to help the two groups to work together. Instead, the two distinctive groups of employees were expected to just make it work, with little support to successfully integrate the two cultures.

Many staff who transferred in from other facilities said that the culture at Melaleuca was positive, and that staff were welcoming. In 2017, we were also impressed with how Sodexo had developed a strong culture of respect for the women. We found that:

Interactions between staff and prisoners were positive and respectful, and rapport was clearly very strong. Staff used positive language when talking about prisoners, and demonstrated awareness of their individual circumstances and needs (OICS, 2018, p. 21).

This was a credit to Sodexo and Melaleuca management, and during this inspection, we mostly heard that the positive interactions between staff and prisoners had continued. We saw a fantastic example of a custodial officer skipping rope with the women during recreation time. The atmosphere was friendly, unthreatening and light. Developing these

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types of respectful relationships with prisoners can demonstrate to the women that staff are approachable. Treating the women with dignity and respect can greatly influence their behaviour and attitudes and can facilitate constructive relationships between staff and prisoners and enhance prison safety.

Unfortunately, not everyone understood or supported this way of managing offenders and we heard many stories of prisoners being spoken to disrespectfully. For example, we heard prisoners being referred to as “crims”, or “free-range chickens” or being sworn at. We also heard of staff being discouraged from positively interacting with the prisoners and of prisoner care being neglected. The ex-Sodexo staff were disappointed at this apparent disregard for their positive approach to managing the women in their care. Many told us that they were feeling demoralised and disheartened, and some of them were rethinking their careers as prison officers. This is unfortunate and the Melaleuca leadership team are encouraged to acknowledge, foster and continue to develop a respectful environment conducive to rehabilitation.

Employee support was lacking during the transition

The Sodexo staff transitioned before being given any training in how to run a public prison. Training at the academy could not be offered because the custodial staff were needed to keep the prison running. But this meant that instead of being provided with a formal, structured training program, the ex-Sodexo staff relied on the experienced departmental custodial staff for day-to-day guidance and leadership. While most staff were helpful and friendly, we were told about instances of senior staff treating people disrespectfully, criticising junior staff in front of other colleagues, using intimidating or aggressive language and unfairly blaming or punishing staff for honest mistakes.

As a result, many prison officers did not feel that they could openly and honestly discuss issues with senior custodial staff without fear of reprisal. Some said that they no longer trusted management, with a number of employees telling us that they felt anxious, depressed, fearful and constantly doubted themselves. The situation was affecting both their work performance and their personal lives, and their enthusiasm towards work was steeply declining. For many, Melaleuca was becoming an unhealthy and unproductive work environment.

With a new management team slowly coming on board, some of these issues were being addressed. Individuals were coming forward and letting Melaleuca management know about the issues they were experiencing. The staff members who spoke to us during the inspection told us that management listened to their concerns, treated them fairly and with respect, let them know of the help available to them and committed to addressing the issues. The Melaleuca management team were also focused on building a stronger employee support system, and had nominated a group of staff to participate in staff support training the week of the inspection. We commend Melaleuca management for acting on these concerns.

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Staff training was neglected

Melaleuca did not have a dedicated staff trainer appointed to the prison. Training was being rolled out on an ad hoc basis by casual trainers, and lacked planning and structure. As a result, some staff felt overtrained in some areas and undertrained in others. Some staff told us that they did not feel confidently trained to respond to an emergency, and this was supported by the staff survey results. Only 44 per cent of staff respondents felt adequately trained to respond to a natural disaster emergency, and 32 per cent felt comfortable responding to an emergency such as a loss of control. Statistics showed that training competence was slowly increasing, however there were still a significant number of officers who had not fulfilled their annual mandatory training requirements. After the inspection we were advised that a trainer had been appointed to Melaleuca. At the time of writing this report training statistics were still improving and the training backlog was decreasing.

2.3 INFRASTRUCTURE

Melaleuca lacked sufficient infrastructure to operate as a fully functional prison

Melaleuca was constructed in 2016 by repurposing two 128-bed units from Hakea Prison. A dividing wall was constructed, and some new supporting infrastructure introduced including a new gatehouse, kitchen, visits centre, medical centre, offices and workspaces.

Melaleuca was originally built because the women's prison estate in Western Australia was in crisis, and new accommodation was urgently needed to address the shortage for female prisoners. However, given the pressure to provide additional accommodation, the original plan did not include key supporting facilities. The lack of suitable infrastructure has affected Melaleuca's service delivery ever since.

In 2017 when we first inspected Melaleuca, we noted that the infrastructure was severely inadequate. There were only four cells dedicated to managing women in crisis, and no official managements cells. There was no gymnasium, library, chapel, classrooms or workshops, and only four program rooms available for prisoner services. The administrative buildings lacked private interview rooms and there was a lack of on-site storage. This led us to recommend that:

The Department and Sodexo should work together to address infrastructure shortfalls at Melaleuca (OICS, 2018, p. Rec. 3).

The Department supported this recommendation in principle, however instead of committing to investing in more supporting infrastructure, it established a maintenance committee to look at infrastructure and maintenance issues. In the lead up to this inspection we received a signed closure report plus supporting evidence from the Department claiming that it successfully achieved this recommendation. It soon became clear during this inspection, that many of the infrastructure issues that we identified three years prior remained unchanged.

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There were still only four program rooms available for prisoner services. Figure 2.1 below shows that these rooms were in high demand, and consistently booked out by various teams, including programs, case management, recreation, education, chaplaincy and peer support. The shortage of these types of rooms was completely inadequate for a fully functional prison and placed severe restrictions on the services that could be offered to prisoners.

		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
U1 A/B Library	0900-1000	Orientation	Library	Orientation	Library	STAFF TRAINING	Unit Activities	Library
	1000-1100	Yoga	Library	Wool Group	Library	STAFF TRAINING	Unit Activities	Library
	1300-1600	Theatre Group	Library	Active Parenting	Ukulele	Peer Support	Unit Activities	Library
U1 CD	0730-0830	-	Yoga and Wellness	-	Yoga and Wellness	-	-	-
	0830-1100	Education OSH	Education CGE	AOD/ Parenting	CBI	STAFF TRAINING	A A	Chaplain
	1300-1600	Education OSH	Education CGE	AOD/ Parenting	CBI	Health in Prisons	Unit Activities	Unit Activities
U2 A/B	0830-1100	Education Business	Healthy Eating	Education CGEA	Education CGEA	STAFF TRAINING	Chaplain	Unit Activities
	1300-1600	Education Business	Healthy Eating	Education CGEA	Education CGEA	Education SPL	Crochet	Unit Activities
U2 C/D Art Room	0830-1100	CBI	AOD/ Parenting	Education Art	Art	STAFF TRAINING	Unit Activities	Arts and Crafts
	1300-1600	CBI	AOD/ Parenting	Education Art	Pilates	Painting	Unit Activities	Arts and Crafts
Oval/ Yard	0830-1100	Bootcamp/ Sports	Bootcamp/ Sports	Bootcamp/ Sports	Bootcamp/ Sports	STAFF TRAINING	Park Run	General Fitness
	1300-1600	Zumba	General Fitness	General Fitness	General Fitness	General Fitness	General Fitness	General Fitness
Hair Salon	-	0830-1100 1330-1500	-	-	-	-	-	-

Figure 2-1: The Melaleuca activity schedule that demonstrates the lack of availability for program rooms

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One of the program rooms had been converted into a library. It was only accessible for women to borrow books or to review legislation on Tuesday, Thursday mornings and all day Sunday. At other times, the library was used for other activities including prisoner orientation, yoga, theatre group, wool group, active parenting classes and ukulele classes. This restricted access to the library was completely inadequate, particularly for remand prisoners who needed regular access to legal resources. Prisoners were also clearly unsatisfied with access to the library with 76 per cent of respondents rating access to the library as poor.



Photo 1: One of the program rooms that was converted into the library

Another program room was converted to an art room, although it was also used for the Cognitive Brief Intervention Program and other substance abuse programs. It was an entirely inappropriate setting to be running therapeutic programs, but also inappropriate for art as it was carpeted and art equipment was stored in the attached toilet.

There was no education infrastructure at Melaleuca. All other prisons in the state have a dedicated facility for education, including offices and amenities for staff and classrooms for the students. As a consequence, education services at Melaleuca were marginalised. The education team were required to conduct education five days per week, two to three classes per day. However, due to the lack of classroom space, they were restricted to only being able to provide one class per day.

All four of the program rooms were inadequate for discussing sensitive or confidential information and were not conducive to rehabilitation at all. They were positioned at the front of the residential units, with only a glass wall dividing them from the unit entrance.

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Prisoners came and went through these gates all day, slamming the heavy security doors and disrupting the participants in the course. The women could also see directly in to the units from the program rooms, making it difficult to remain focused on the course content.



Photo 2: One of the program rooms in the units

The administration buildings also lacked sufficient private space to undertake confidential interviews. Staff who had direct one-on-one contact with prisoners, such as the Transitional Manager, the Chaplain, Assessments, the Aboriginal Visitor Service or the Peer Support Officer, were conducting private meetings in communal areas often within earshot of other prisoners. Confidential one-on-one staff meetings regarding sensitive topics such as personal leave, workers compensation and occupational health and safety, were also conducted in open plan offices with other staff present. The inspection team also experienced the shortfall of private workspaces and ended up holding one-on-one confidential discussions with staff in the visitor search room at the gatehouse.

The lack of infrastructure was also one of the biggest barriers for the women participating in recreation. There was a range of external exercise equipment located in the yard adjoining the two units together. From our observations the equipment received little use. There was no dedicated gymnasium or undercover area to encourage further participation in recreation, and the surface of the oval was uneven and presented as a hazard for both staff and prisoners. There was limited shelter and no trees around the facility, making the recreation area unappealing to prisoners on hot days.



Photo 3: The exercise equipment between the two accommodation units

Every business unit that we met with during the inspection was impacted in some way due to the lack of infrastructure. In November 2020, the prison submitted a business case to head office for additional infrastructure funding. The business case proposed and quoted for the purchase and installation of two portable program buildings with additional office space. While this would help to reduce the pressure and to provide more services and activity for the women, it was only a short-term solution to Melaleuca's infrastructure crisis. The prison was not expecting a response to this business case until the Department determined funding for the 2021-22 financial year. The lack of infrastructure needs to be prioritised and funding allocated to Melaleuca as a matter of urgency.

Recommendation 3

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

Some minor maintenance and infrastructure projects had been undertaken

In the short few months since the substantive Superintendent was appointed, some minor infrastructure projects were completed. A new floor was installed in the kitchen, a new shade shelter was erected on the edge of the oval and a major project was underway to paint every cell in the prison.

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The cells had not been painted since the prison was converted from two units in a male prison to a stand-alone women's prison. The women's personal space was covered in graffiti, which was often offensive and repulsive to women. We could not confirm if the graffiti was done before or after the units converted to use by women, but it was quite extensive. The Superintendent agreed and prioritised the cosmetic refurbishment of the cells. He established a prisoners painting crew and appointed a staff member to oversee the works. The project was still in-progress during the inspection, but the cells that were refurbished were already looking much better.

Chapter 3

PRISONER SERVICES

3.1 RECEPTION

Women were received into custody efficiently and custodial staff treated them with respect

Melaleuca is the main receptional prison for remand and newly sentenced prisoners in the Perth metropolitan area. When the women first arrive at Melaleuca, it is often their first experience in custody. It was therefore pleasing to see that the reception process was undertaken respectfully and efficiently and did not contribute additional stress to the women's experience.

Just over three quarters (77%) of survey respondents were upset or very upset when they first arrived at Melaleuca. The staff in reception were very experienced in dealing with the women while they were in such a volatile or vulnerable state, with many of the reception staff continuing in the role from when the prison was run by Sodexo. The staff did their best to build good rapport with the women and tried to make the experience as positive as possible.

After a series of interviews and checks, the women are strip searched and showered. The search is conducted using the 'half and half' method to ensure that the women are never completely naked. This minimises the indignity of the process and is in line with a trauma-informed approach to women's imprisonment.

Unfortunately, there were some flaws with the layout of the reception centre that made it difficult to privately interview the women. The reception centre was purposely built when Melaleuca first became a stand-alone prison. For the most part, it was well designed, spacious and in good condition but lacked private interview space. Personal discussions about the individual's state of mind and self-harm history were being conducted at the open front counter, which was noisy, busy and within earshot of other prisoners and staff. The space offered no privacy and presented a risk that the women may not truthfully answer the questions. It also presented a security and safety risk insofar as other prisoners finding out personal details of new intakes and using this to their advantage. Steps need to be taken to ensure the interviews are conducted in a more confidential setting.

The reception area was not staffed sufficiently

While the reception centre ran well, we found some staffing issues that could risk the smooth running of processes. The roster was designed so custodial officers (other than Senior Officers) rotated through reception. While the staff working there during the inspection were experienced, they had swapped shifts with other staff who were not so comfortable working in the area. This was a good outcome, but unsustainable long-term.

The staff working in reception finished their shift at either 6.00 pm or 8.00 pm. At the time of our inspection most drop offs from court were occurring in the late afternoon or evening, the staff often found themselves rushing to complete the inductions. The staff would stay later when possible, however other commitments would not always permit this. Consideration should be given to adjusting the shift times in reception, to ensure late arrivals can be processed without rushing.

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The reception centre was not staffed at night, which was surprising for a remand centre. Women were frequently arriving after hours at Melaleuca, with five arriving the night before our inspection visit. When a prisoner is brought in after hours, custodial staff are called from other areas of the prison to process them. The officers make their way to reception leaving their rostered areas, which was sometimes the units, understaffed. This presents a risk leaving areas unattended, particularly in the event of a medical or security emergency. These officers are also often not experienced working in reception, and could potentially make errors when processing important paperwork such as warrants. The roster for the reception area needs to be amended to ensure suitably trained staff are available for when new intakes arrives.

The screening processes did not adequately screen for mental health diagnoses

On reception, the nursing staff screened all women using a suite of generic health screening tools. They collected basic health information and screened for chronic diseases, including mental health and addictions. The women were asked about self-harm, suicidal ideations, history of suicide attempts and current treatment for mental illness and substance withdrawal. However, there was no direct enquiry about psychotic symptoms. Our psychiatric expert assessed that this unfortunately meant Melaleuca could be underestimating the rates of mental illness among prisoners.

Some symptoms of mental disorders can be mistaken for difficult or uncooperative behaviours which can disrupt the prison routine. Mental illness may come to attention in this way, but not before the women are at risk of disciplinary processes and assaults from the other women. The suite of health screening tools used by Melaleuca was of limited value, particularly for those women who may be suffering a mental illness. The screening processes should be reviewed in the context of the importance of detecting psychosis, and the expected elevated rates of psychotic disorders.

3.2 PRISONER ORIENTATION

The orientation wing was not fit for purpose

Once a woman was processed through reception, they made to their way to the orientation wing. Ideally the area should be specifically designed to introduce the women to prison life and should protect the women from the confronting nature of the bigger and busier accommodation units. Unfortunately, due to infrastructure limitations, the orientation wing was the same hard, maximum-security, double-bunked cell accommodation as the rest of the prison. There was no dedicated soft accommodation block and as a result new arrivals told us that they felt frightened and intimidated when they first arrived.

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No individual staff member or group was solely responsible for orientation

There was no staff ownership for orientation at Melaleuca, with services undertaken by a mix of prisoners, officers and non-custodial staff. Peer support prisoners were responsible for contacting all new arrivals and providing them with an orientation to the unit and site. This was a crucial step to providing new prisoners a sense of security and safety while introducing them to fellow prisoners and where they would be living.

The unit staff then interviewed the women and completed a new arrival checklist. The rotating roster in the units meant that the interviews were being undertaken by whoever was on duty that day. There was no standardised procedure in place, and during the inspection staff in the orientation unit could only tell us how they ran the interviews. They did not know what other officers did.

Orientation presentations were held by the peer support team on Mondays, Wednesday and Saturdays. During these sessions the new arrivals received an orientation booklet detailing the basics of life at Melaleuca, including daily routines and services available. The booklet was lengthy, but short on detail, and contained some information that was outdated. It contained information about services such as enquiry time but did not state when enquiry time was. The booklet needs regular review and prisoner feedback should be incorporated into these.

We were disappointed that Sodexo's robust and thorough process for assisting new arrivals with their immediate needs was no longer occurring. Under Sodexo's management, all women were assessed by a specialised team within their first 24 hours, and any immediate, actionable needs of prisoners were acted upon straight away. When we inspected Melaleuca in 2017, we said that this was a good concept that filled a gap for remand prisoners (OICS, 2018, p. 35).

This tool was not continued after Sodexo relinquished management of Melaleuca, and the new process was not working as well. Instead, immediate support needs were being managed by the Transitional Manager (TM), in addition to the other duties performed by TMs at other prisons. While doing a good job within her means, the role was not resourced adequately to take on the usual TM duties plus the job done by the assessments team previously.

The women received an orientation pack containing a collection of leaflets detailing referral services available to them. Two prisoners employed as clerks assisted the women to apply for these services. A checklist was also included in the orientation package for women to complete if they were experiencing any immediate problems as a result of being in custody. Some of these issues may include child care arrangements, pet care, housing and court matters and to make sure their vehicle was secure. If a woman completed the checklist, it was passed on to the Transitional Manager who would assist the women with their issues.

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This part of orientation was problematic. Many of the women were overwhelmed in their first few days of being in custody and were not able to sit and read through the 50 pages of orientation documents. There were further additional barriers for women with low literacy levels, whose first language was not English, or those withdrawing from alcohol or drugs. As a result, many women who needed immediate assistance did not get adequate support.

Custodial officers had been encouraged to take more responsibility for assisting the women with their immediate welfare needs on arrival. But we understand also that officers' capacity to respond to and follow up on these enquiries is limited by the various competing demands of their role. Without anyone having ownership for orientation services, the process was disjointed, and it was difficult to determine whose responsibility these matters fell within.

Recommendation 4

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

3.3 ASSESSMENTS

The role of the assessments team has changed significantly

An initial Individual Management Plan (IMP) should be compiled for a prisoner within six weeks of them being sentenced. As part of the plan, a team of report writers and assessors evaluate the prisoner's rehabilitation and reintegration needs, security classification, treatment and education requirements and proposed prison placements.

When Sodexo ran Melaleuca, a team of civilian case managers completed initial IMPs and other assessments. They were a dedicated cohort of staff with training and experience in a range of relevant areas. The Sodexo case managers stayed on at Melaleuca after the transition, however the team lost its Education Assessor who was responsible for assessing the educational component of the IMP.

Without this crucial function, IMPs could no longer be completed at Melaleuca, but some workarounds were being implemented. Some women were transferred to Bandyup with an incomplete IMP, with the intention that someone at Bandyup would be able to complete it. Some women needed their IMP completed before they could transfer to other facilities such as Wandoo Women's Prison or Boronia Pre-release Centre. In these cases, the Melaleuca case managers completed as much of the IMP that they could. They would then try to get the missing components completed by an assessor from another facility. These work-around solutions are not sustainable long-term, and more permanent arrangements should be explored.

On top of the generic suite of assessments, Sodexo were contractually required to develop two additional assessments that were unique to Melaleuca. They were expected to complete an Abridged Individual Management Plan, also known as the one-day IMP, to assess the needs of remand women within 24 hours of arrival. They also had to complete an additional Individual Management Plan for all sentenced women within seven days of arriving at Melaleuca.

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When the prison transitioned to public management, these additional assessments became obsolete overnight and the workload of the team lessened substantially. Furthermore, two additional uniformed officers were employed as Assessment Writers, as part of the Department's agreement with the WA Prison Officers Union (WAPOU). Without adequate work for the now larger team, some of the trained and experienced case managers took up secondment positions at other prisons, while the remaining case managers trained up their new uniformed colleagues.

It appeared to us that following the transfer the assessments area at Melaleuca was in disarray, despite the dedication and enthusiasm of the staff working in the area. The structure for IMP assessments across the women's metropolitan prisons was also unclear. An overarching strategy for managing the assessment of women across the entire metropolitan area needs to be implemented as soon as possible.

3.4 PRISONER EMPLOYMENT

Prisoner employment was low

When prisoners are engaged in meaningful work, their days are busy and structured and they can learn new skills that may open up opportunities for employment on release. Unfortunately during this inspection we noticed far too many women not engaged in work, and instead were sitting around the units all day with nothing to do.

An analysis showed that during the inspection, 148 of the 214 women at Melaleuca were either unemployed or under-employed, only working in the units. When we spoke with some of the women working in the units, we discovered that their jobs took up very little time, sometimes only 20 minutes per day. Many were responsible for small cleaning jobs such as wiping down benchtops or emptying the bins. While it is important for units to be kept clean and hygienic, having more than 70 women to work in each of the units that are usually only occupied by around 200 prisoners appears to be clear evidence of under-employment.

Only 66 prisoners were employed in jobs external to the unit. These jobs included administration cleaner, canteen, education, grounds, kitchen, maintenance, painting, peer support, reception worker, recreation and stores. However, this number appears to be considerably overinflated as it did not accurately reflect actual daily attendance. Most prison workplaces are supervised by Vocational Support Officers (VSO). At the time of our inspection not all these positions were filled substantively, and of those VSOs who were employed, they were frequently redeployed to provide coverage in other areas of the prison. This left many of the workplaces closed. On top of this, prisoners could not work in the stores area on Wednesdays and Thursdays as the VSO was off site and many of the other workplaces did not require their full workforce each day.

Prisoner Employment Location - 16/11/20

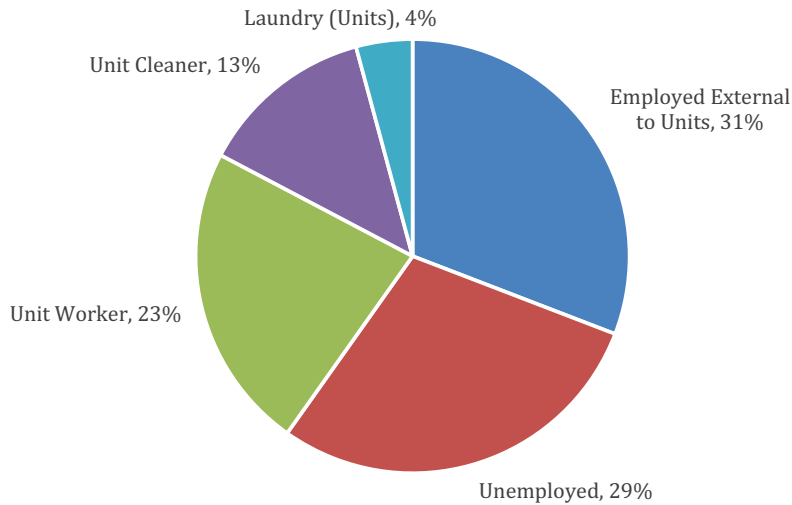


Figure 3.1: The breakdown of prisoner jobs, as at 16 November 2020

Understandably, not all women at Melaleuca can work, as the nature of their remand status means that some only stay at Melaleuca for a short period. The staff told us that it was difficult to employ the women because their average length of stay at Melaleuca was around three weeks. Our analysis showed that at the time of the inspection, almost half of the women (43%) had been at Melaleuca for more than 100 days. This was more than enough time to be engaged in meaningful work.

To the prison’s credit, more employment opportunities had become available since the transition. A painting party was established to address the damage and graffiti in the cells. It was an excellent initiative that also provided the opportunity for the women to learn painting skills. The market gardens were expanded, which provided additional employment and fresh produce for the prison. The hair salon was also operational, albeit only one day per week.

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Photo 4: The market gardens that provided produce and employment for the prisoners

We heard of other initiatives that the prison was planning to introduce to boost prisoner employment. A dog washing service was planned, with cages on order. A new greenhouse and hydroponic system was also being constructed at Hakea Prison. These two initiatives are positive and when implemented should boost meaningful employment opportunities for the women.

Aboriginal women were under-represented in higher paying jobs

Aboriginal women were disproportionately unemployed, or holding lower paid jobs at Melaleuca. Half of the women at Melaleuca during the inspection were Aboriginal, however of all the women who did not have a job, 77 per cent were Aboriginal. Likewise, Aboriginal representation in the higher paying jobs such as the kitchen and painting party was very low, with Aboriginal women more likely to be under-employed in the units.

In society, Aboriginal people tend to have lower employment rates than other Australians (Australian Institute of Health and Welfare : Australian Institute of Family Studies, 2012). Reasons cited for the lower employment rates include lower levels of education, training and skill levels, poorer health, living in areas with fewer labour market opportunities, higher levels of arrest and interactions with the criminal justice system, discrimination and lower levels of job retention.

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Melaleuca has recognised these disadvantages, and has made a commitment to providing opportunities for the Aboriginal women at Melaleuca to achieve positive outcomes. It has set up an Aboriginal Services Committee (ASC) to engage with and support the Aboriginal women, to promote personal responsibility and to promote services that actively address barriers to diversity and substantive equality. We were provided with the minutes from the ASC meetings which show that Aboriginal employment statistics and issues were discussed, however there was no indication of any real strategies that the prison was taking to address the employment inequality.

The hiring processes for the women to get a job also did not in any way target Aboriginal women. Instead, any woman could simply request a job, and it was up to the head of that area to choose if they wished to employ them. The process lacked transparency, and offered no genuine solutions to address Aboriginal inequality in the workplaces.

We have seen other prisons successfully implement targeted recruitment and retention strategies to engage Aboriginal prisoners in work. During our 2013 inspection of Acacia Prison, we found that 43 per cent of prisoners working in the kitchen were Aboriginal (OICS, 2014, p. 68). The prison kitchen had implemented recruitment strategies that targeted Aboriginal people and gave them the opportunity to win jobs. The kitchen also increased Aboriginal engagement and participation by employing an Aboriginal Elder in the kitchen to provide ongoing mentoring and support to the workers in a culturally appropriate way. Melaleuca should consider adopting similar employment strategies to increase Aboriginal employment and representation in higher paying jobs.

3.5 EDUCATION

The staffing model for education was inadequate

The education staffing model had not yet been finalised, seven months after its transition back to public management. Despite these uncertainties, the education team on site during the inspection were doing their best. The team was made up of a small but very competent group of staff with strong experience working in public prisons and with Aboriginal prisoners.

Before our inspection, the role of Campus Manager was shared between Melaleuca and Hakea Prison, on a temporary basis. But it was evident that this model was unsustainable and did not adequately provide for education services at Melaleuca. Our impending inspection seemed to be the catalyst for the temporary placement of a dedicated Campus Manager. She was brought on board two weeks prior to our inspection to lead the Melaleuca education team.

There were two Prison Education Coordinator positions, but one had been vacant for months, with no indication if or when it would be filled. The Aboriginal Education Worker was another position shared with Hakea Prison, providing only two days per week coverage at Melaleuca. While it was pleasing to see some commitment to supporting the needs of Aboriginal women, the part-time position meant that both the women at Melaleuca and the men at Hakea missed out on having an Aboriginal Education Worker to provide full-time support.

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The education team had no administrative support, and we heard that the education staff were working late most days, without any breaks, just to keep up. An appropriate education staffing model that services the needs of the women at Melaleuca needs to be implemented as soon as possible.

Despite these limitations, the education team provided a good service

Considering the lack of infrastructure and staffing barriers, the education team provided a good service. Courses included:

- business studies
- financial literacy
- creative writing
- Occupational Safety and Health
- white card
- barista training.

The Campus Manager was working on incorporating cleaning and horticulture traineeships, as well as introducing training in dog grooming in 2021.

3.6 PROGRAMS

Capacity to deliver programs was limited

Melaleuca offered a small variety of short programs designed to suit the needs of the remand population. The prison ran a voluntary Cognitive Brief Intervention program designed to help women gain a greater awareness of how they thought about themselves, others and the world, in the context of addressing offending behaviour. The Chaplain ran a weekly Alcoholics Anonymous program and Hepatitis WA ran its Health in Prisons program, which provided sexual health and blood borne virus prevention education for all the women at Melaleuca.

The contracted re-entry provider ReSet was also providing short programs, condensed to run over a couple of days to ensure the remand women could complete the courses before transferring out or leaving custody. ReSet were running Alcohol and Other Drug (AOD) brief intervention workshops to support anyone suffering from the negative effects of alcohol and other drugs. They were also running a number of parenting programs to help the women learn about mutual respect among family members, non-violent discipline, problem solving, community skills training and family enrichment and encouragement.

While the women appreciated these short-courses, many felt that the programs were not enough to help them address their issues. This was particularly evident amongst those women who had been at Melaleuca for a long time. Conversations with the women, as well as the survey responses, showed that they were desperate for longer-term, ongoing support and counselling to address their addiction problems. They felt that the only way they could get support was to wait until they were sentenced.

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The prison was well aware of the women wanting more programs, however the number and variety of programs on offer was severely restricted by both the lack of suitable rooms and the availability of existing rooms. The program schedule was already full and the rooms were consistently booked, with little space to add any further activities. More programs could not simply be added to the schedule until more space becomes available.

Scheduling issues stopped women from graduating from programs

The women were very keen to participate in programs, however not everyone who started a program was able to finish it. Staff could book a prisoner on a program using the Total Offender Management System (TOMS) database. If another area of the prison tried to make an appointment for the prisoner, and it conflicted with an already scheduled program, the system advised the staff member of the conflict. The process has been designed to stop scheduling clashes.

Unfortunately, we heard that the women were often called away mid-program to attend a medical or other appointment. If they missed part of the class, they were not entitled to graduate. When we explored this in more detail, we found that this was occurring because staff were simply dismissing or overriding the notification about the scheduling conflict and double-booking the women. Staff asked about these conflicts said they did so because they believed that the appointment they were trying to schedule was more important than the woman attending the program.

For court appointments, visits or urgent medical appointments, this may very well be the case. However, when these sorts of conflicts occur, staff from across the prison need to communicate between one another to negotiate appointment times. We heard of some very good examples of this happening, particularly when visitors were trying to book a visit on the same day that the woman was scheduled to attend a program. The Visit Booking Officers would advise the visitor of this conflict and try to negotiate an alternative day or time to visit. If the visitor could not change their visit day, the Visit Booking Officers would negotiate with the relevant staff to have the prisoner rebooked to participate in the program later. Every area of the prison that is involved in scheduling needs to take a similar approach to ensure the women do not miss out on their rehabilitation needs.

3.7 WELFARE SUPPORT

Peer Support were doing a great job with little to no training

Melaleuca's peer support team was functioning very well. An Aboriginal Peer Support Officer led a group of 10 peer supporters to help other prisoners who may be at risk of self-harm. While the team were doing their best, they were undertaking their duties without the necessary training to deal with women who have significant emotional issues. To work effectively, the peer support prisoners need training in suicide prevention, mental health first aid, listening skills, cross cultural communication and making referrals for those who need more support. Historically, this training was provided through the Gatekeeper course, but it had not been offered state-wide for at least two years. We have raised this issue with

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the Department as part of other inspections, and we have been advised that it is being addressed. It is urgent that it does so.

Recommendation 5

Provide adequate and appropriate training for the peer support team.

The peer support team were also heavily involved in prisoner orientation. They were held in high regard for this work.

The Aboriginal Visitor Scheme had been reinstated at Melaleuca

During our 2017 inspection of Melaleuca we were disappointed that the Department had withdrawn the Aboriginal Visitors Scheme (AVS). The AVS came about as a result of the recommendations of the Royal Commission into Aboriginal Deaths in Custody in 1996. It provides support and counselling for Aboriginal people in custody and has been recognised by the Department as contributing to the prevention of Aboriginal deaths in custody. We thought that it was quite surprising that they would remove AVS support from a women's remand centre, where around half of the prisoners were Aboriginal.

Pleasingly, the service was reinstated in March 2021. An AVS worker was on site four days per week, with the possibility of going full-time in the future. A second AVS position had been approved and a person was due to start in the role shortly.

3.8 RELIGIOUS AND SPIRITUAL NEEDS

The Chaplaincy service ran well considering the lack of infrastructure

The Chaplain was well-liked and respected by prisoners, with 84 per cent of prisoners who responded to our survey telling us that they would trust the Chaplain to help with any issues that they were experiencing. The Chaplain ran Sunday services as well as various workshops including Prisoner Journey, Prison Fellowship and Alcoholics Anonymous.

As with every other service area in Melaleuca, the Chaplain had to compete for space to run programs and services. She also did not have a private office or dedicated space to provide individualised pastoral support to prisoners.

Religious literature was available to prisoners in the program rooms. The Chaplain could also source prayer mats and literature for prisoners of the Muslim faith and Buddhist books and literature. Official religious visitors of other faiths could also be invited in to the prison if required.

3.9 ABORIGINAL CULTURE

Strategies to acknowledge Aboriginal culture were taking too long to implement

Only 25 per cent of prisoner survey respondents felt that the staff at Melaleuca respected their culture, down from 41 per cent in 2017. When we asked the women to elaborate, they told us that:

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- The prison lacked a cultural meeting place or place to establish a yarning circle.
- The staff made no attempt to learn or understand the cultural language.
- No Elders visited the prison to provide cultural and spiritual guidance.
- The staff did not understand or appreciate the make-up of Aboriginal families, particularly during times of grief or loss.

We recognise that the prison transitioned during the height of the COVID-19 pandemic, so some initiatives to acknowledge Aboriginal culture were delayed. For example, annual National Aborigines and Islanders Day Observance Committee (NAIDOC) activities that were originally scheduled for 2-12 July 2020 were postponed nationally until 8-15 November. In lieu of this, the prison put on a small BBQ for the women that involved serving some traditional meats. A plan for a visiting Elder's program had also been considered by the ASC, but was delayed due to COVID-19 visiting restrictions. With restrictions easing in Western Australia, consideration should be given to introducing the visiting Elder's program.

Melaleuca lacked a culturally appropriate meeting place for the Aboriginal prisoners. A cultural area for prisoners would provide a culturally safe place for the women to meet, yarn and engage in sorry time. It would also encourage environmental, spiritual and emotional healing. When we inspected in 2017, Sodexo had developed a cultural meeting place. However, during this inspection the cultural area was no longer functional, and instead was used to store equipment behind a locked fence.

Melaleuca management had planned to establish a new outdoor cultural area. The Assistant Superintendent Women's Services was in consultation with the ASC to design this space. Plans had been drafted and prisoners were also invited to contribute to the design.

3.10 PREPARATION FOR RELEASE

There were limited release services available for women on remand

ReSet are contracted to provide re-entry services at Melaleuca. Their objective is to help prisoners prepare to leave prison and continue to support them once they are back in the community. The contract provides for a ReSet case worker to provide re-entry support to 100 women at Melaleuca per year. Services may include emotional support, life skills, health and wellbeing, budgeting, parole support, drug and alcohol issues, housing, parenting, family and relationship supports, employment and training needs, and connecting to culture and community.

ReSet were not contracted to provide employment and accommodation services to remand women. This is despite it being a high need and priority for many. They did however engage with remand women out of goodwill, but support was generally limited to between one and three sessions with a case worker. It was up to the Transitional Manager to try and source housing and employment for women on remand who were preparing to re-enter the community.

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There was a good working relationship between ReSet and the Transitional Manager. The Transitional Manager assessed the transitional needs of the prisoner and determined if they needed a referral to ReSet. Referrals were then sent to ReSet via a central referral hub. ReSet would action the referrals within 24 hours, place the prisoner on a waitlist and assign them a case worker. The process seemed to work smoothly with no issues reported.

Chapter 4

PRISONER CARE AND WELLBEING

4.1 LIVING CONDITIONS

Basic hygiene standards were not being met

Prisons need to be clean and decent environments. They should comply with public health standards and best practice. Appropriate facilities and services must be available to maintain general hygiene. Unfortunately, during this inspection, we found some serious hygiene risks which were unacceptable and disrespectful. We heard about rat droppings in the breakfast cereal and observed opened sanitary products scattered on the floor in the communal toilets. And records showed haphazard hygiene checks and the hot water system breaking down often leaving the women without hot water for days. There were limited infection control measures in place and women were sharing cells with other prisoners carrying contagious infections, such as colds and flus.

There was litter scattered around the prison grounds that we observed for the entire inspection. We were surprised by this, particularly given the high prisoner unemployment rate and the number of women employed as cleaners.



Photo 5: Litter scattered around the grounds that remained there for the entire inspection



Photo 6: Sanitary products were being stored on the floor of the communal bathroom

It is the responsibility of all of those who live and work in this environment to ensure that basic levels of hygiene are achieved and maintained. Officers should monitor hygiene and intervene in respectful and helpful ways when standards start to slip.

4.2 FOOD AND NUTRITION

The kitchen facility was excellent and good processes were in place

The Melaleuca kitchen was preparing 680 meals per day for prisoners and staff. They were freshly prepared and served pre-packed in individual containers. While the prisoners enjoyed their meals being served in individual proportions, this practice was not environmentally friendly. Melaleuca needs to prepare for the inevitable extension on the ban of single-use plastic, and consider switching to recyclable or biodegradable food storage containers.

Up to 25 women were employed in the kitchen, with a core group of 14 on shift at any one time. The kitchen was the most productive industry at Melaleuca. The facility was in good condition. The floors had recently been resurfaced, and the equipment was mostly in good working order. There was adequate storage capacity for perishable and dry goods.



Photo 7: The Melaleuca kitchen

Meal planning and preparation was efficient. The women had a choice of meals for both lunch and dinner, with one choice being a vegetarian option. Individual meals were prepared for prisoners on special diets or who suffered from food allergies. These meals were prepared in a separate area of the kitchen to avoid cross contamination.

Satisfaction with the food was low

Low opinions of the food were shared by both prisoners and staff with only 30 per cent of the prisoner respondents believing that the food quality was good. The women felt that the food was carbohydrate heavy and was causing weight gain. There were no lighter options, such as salads, for hot summer days. Pregnant women were only offered one extra piece of fruit per day and a lot of food was being wasted and thrown away.

Satisfaction with the food was also low when we inspected the facility three years ago. Then we suggested that Melaleuca should consider the introduction of a structured feedback system that included regularly surveying prisoners for menu suggestions (OICS, 2018). This inspection, we found that the system for providing feedback on the food remained ad hoc. Prisoners could note their comments on a form that was available in the units and which may or may not make their way to the chefs in the kitchen. It may be worthwhile considering a more structured system for food suggestions, reviews and complaints should be implemented.

4.3 CLOTHING AND BEDDING

Laundry practices were unstructured and unsupervised

The women expressed general satisfaction with their clothing and bedding supply at Melaleuca, however there were some issues raised about the laundry processes. Melaleuca does not have a prison laundry. Instead, each unit has a small laundry located at the end of each wing, equipped with two washing machines and two dryers. These laundries are used to wash prisoner clothing, while bedding was sent off-site to an external contractor.



Photo 8: One of the laundries in the unit wings

Prisoners were employed to work in the unit laundries. They were largely unsupervised by unit staff and there was no formal process for the laundering of prisoner clothing. Each prisoner laundry worker appeared to undertake their duties differently. There was no training for the workers and they were not provided with the appropriate supplies to clean the washing machines. A number of prisoners told us that their skin conditions were exacerbated because of poor laundry hygiene practices. We were also told that women were purchasing softener or body wash from the canteen and requesting the laundry workers use these products instead of laundry detergent.

The equipment in the laundry also malfunctioned frequently, particularly the washing machine doors. This was slowing down laundry processes and costing the prison significant amounts of money. The prison would benefit from a purpose-built industrial laundry. It would provide a more appropriate facility for laundering clothing and bedding, allow for tighter control over hygiene measures, reduce the expense of constantly replacing equipment and provide employment for the women.

Recommendation 6

Construct a specifically designed laundry workshop to service the Prison.

4.4 PRISONER PURCHASES

Canteen practices worked well but there was not enough storage space

The canteen experienced a few teething issues when the transition first occurred. There was a shortage of healthy options available for the women to purchase, but this was soon rectified by the allowing the canteen officer to order goods from other suppliers. By the time we inspected, the canteen was well stocked. There was a good variety of cultural foods and also women’s personal care products.

The canteen was somewhat restricted by a lack of storage space. The canteen’s storage area was also used to store prison supplies, such as cleaning chemicals, food stocks and stationary. Into the future the canteen will not be able to expand its variety or holdings without significant investment in additional storage and infrastructure.



Photo 9: The small canteen

The process for bringing products in and out of the prison was also problematic. As delivery vehicles were not routinely permitted to enter Melaleuca, deliveries were dropped off at the Hakea Prison storage facility. The stores officer then had to repack the products into a small truck for transfer to Melaleuca. The process was inefficient, labour intensive and had too many variables which may impact on proper accountability for receipt and storage of supplies. It was also highly dependent on the goodwill of the stores staff at Hakea.

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When planning for any infrastructure expansion at Melaleuca, the Department should explore ways to improve the delivery and storage of products and supplies.

4.5 MAINTAINING CONTACT WITH FRIENDS AND FAMILY

The visits centre was not fully functional due to COVID-19

The visits centre was purpose built for Melaleuca. It is spacious, colourful and family friendly, but unfortunately parts of the visits centre were not operational due to COVID-19 restrictions. There was a play area in the corner to keep children entertained during visits sessions, however it had not been used since April 2020. The prison gave handheld game consoles to the older children to keep them occupied during visits, but offered nothing to younger children and toddlers. This was particularly frustrating for the women as many had young children who struggled to sit still for the entire visit. Some women told us that they were forced to end visits after 15 minutes, because the child became too restless and unsettled. The prison should explore a safe and hygienic way to offer younger children and toddlers something to occupy them during visit sessions, so the visit does not need to be terminated early. This could be something as simple as crayons or toys and books that could be cleaned between visits.



Photo 10: The spacious visits centre

There was a café in the visits centre designed to provide visitors the option of purchasing food and drinks. It offered both prisoners and visitors a pleasant visits experience, while also providing valuable training and experience for the women employed there. As with the children's play area, the café had been closed since April 2020, with no plans to recommence the service. We were told that the café was initially closed due to COVID-19, but it then

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became a staffing and resource issue. Unlike other prisons, women were not permitted to bring food and drinks for their visitors to share. This created an additional challenge, particularly if children who visited were hungry. Melaleuca should prioritise the reopening of the café as soon as possible.

E-visits were a highly valued service

Prison visits around the state ceased in April 2020 when COVID-19 restrictions were introduced. The Department was quick to introduce e-visits as a safe alternative. Melaleuca had seven e-visit terminals that provided an important link for women to stay in contact with their family and friends during the pandemic. The terminals also provided an opportunity for prisoners who would not normally receive visits to access this service.



Photo 11: The new E-Visit terminals that were set up as a response to COVID-19 visit restrictions

E-visits were popular among prisoners, however some of the foreign national women, who would benefit enormously from the service, were struggling to book a visit with their families overseas. The process was unclear to them and they did not know how to inform their families back home how to arrange the visit. More education and assistance should be provided to the foreign national women to help them set up an online visit.

Along with e-visits, the women could also contact their friends and family via the prisoner telephone system. The prisoners were reasonably satisfied with this service but we did hear some complaints regarding the time taken to place new telephone numbers onto a prisoner's phone account. These processes should be reviewed to ensure numbers are added to accounts as soon as possible.

The external visits centre was not designed to support visitors

When a visitor initially arrives at the prison, they must register their attendance at the visits centre located at the front of the prison. They can leave their belongings in a locker, use the bathroom and wait at the centre until they are called for their visit. When Melaleuca changed hands, the management of the visits centre was transferred to the service provider ReSet. ReSet also run the visits centres at Bandyup, Casuarina, Hakea and Wooroloo prisons. Their model is to ensure families feel connected, have a good visits experience and are made to feel welcome and listened to. Staff are made available to talk to visitors, answer questions, provide emotional support and offer other support that may be needed.

Unfortunately, the design of the centre at Melaleuca limits the provision of these valuable service to families. The physical size of the centre was very small, the interior fit out did not encourage visitors to enter and liaise with the staff while they waited for their visit. The centre was quite bare, with no soft furnishings, radio, television, tea or coffee facilities, reading material or dedicated children's play area. The exterior waiting area of the building exposed visitors to inclement weather, something we experienced during a rain shower early one morning of the inspection. The ReSet staff told us that most visitors prefer to wait for their visit in their cars rather than wait at the visits centre.

4.6 RECREATION

The daily schedule did not support active involvement in recreation

Structured recreation provides prisoners with an avenue to switch off from the daily grind of prison life. It supports health and wellbeing and provides constructive activity for prisoners to expend energy. Unfortunately, the recreation activities at Melaleuca were not well structured. No specific times were allocated to recreation activities on the daily schedule and there were no means for prisoners to register for an activity. Throughout the inspection we would often see sporting equipment set up on the oval with no participants. Despite the lack of participation in organised activities, the women told us that they would like a better recreation structure and greater access to organised sport and fitness activities.

The prison had been operating with only one recreation officer for some time before the inspection. The second position had only recently been filled temporarily by a custodial officer via an expression of interest. Both recreation officers presented as passionate and enthusiastic, but they were restricted by having too many areas to supervise, including the yard, the oval, the library, the art room and the hair salon. Only one recreation officer was rostered on duty each day, except Wednesdays, providing a further barrier to structured activity.

Chapter 5

HEALTH CARE

5.1 HEALTH CARE

Health services are pivotal in all prisons. Many prisoners have experienced poor health throughout their lives and have faced challenges accessing health services. A proportion may have faced disruptive childhoods, sexual and/or physical abuse, or have formed drug and alcohol dependencies. Time in prison provides opportunities for prisoners to access stable, consistent, high quality medical services and advice to address some of these issues.

These factors are amplified in the remand environment, such as Melaleuca. To reflect the importance of these services, we engaged the expert skills of a highly qualified and experienced medical practitioner. The analysis of, and commentary around, these services has therefore been conducted through the lens of a professional with health experience in a similar prison environment.

The transition of health services occurred later than the rest of the prison

When Melaleuca first opened, Sodexo sub-contracted Aspen Medical to provide health services for the women at Melaleuca. When Sodexo handed operations over to the Department in April 2020, Aspen Medical remained at Melaleuca until their contract expired in June 2020. In July 2020 Aspen Medical staff were offered fixed-term employment contracts at Melaleuca. Some Departmental staff from other prison health centres also transferred into Melaleuca to help with the transition.

Women who are received into custody have complex healthcare needs

Women in prison have experienced higher rates of homelessness and unemployment and as well as socio-economic deprivation and childhood trauma compared with community populations. They also tend to have higher rates of mental health conditions, chronic physical disease, communicable disease, tobacco smoking, high-risk alcohol consumption and illicit drug use (AIHW, 2018).

When women first enter Melaleuca they are usually experiencing crisis in their lives. They no longer have the option of obtaining health care through community-based providers. At the same time, they are potentially highly distressed from being separated from their children and families, while facing other challenges such as substance discontinuation. They are also likely to have had little contact with community health services prior to their incarceration.

Health care was difficult for prisoners to access

The most frequently reported concern we came across during this inspection was that the women were not able to access health care at Melaleuca. Two-thirds of women (66%) who completed our inspection survey thought that health services were 'poor', with many women commenting that they could not get an appointment and were not able to access any help for their medical issues. Reasonable access to health care is a fundamental human right, and every person has the right to the highest attainable standard of physical and mental health (OHCHR, 2000, p. 1). The government, and therefore the Department, is obliged to respect women's rights to health care, without denying or limiting them access

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because they are incarcerated (OHCHR, 2000, p. 12). Melaleuca, at a minimum, should be providing prisoners with care at least equivalent to what is offered in the community. It should also be born in mind that women in a remand prison are likely to be a higher needs group compared to a similar sized group in a community setting.

The process of seeking health care substantially changed after the prison changed hands. When Sodexo managed the prison, the women could book and manage their own appointments via the electronic kiosks, similar to booking an online medical appointment in the community. Under the new Departmental processes, women had to request a medical appointment by submitting a paper form. These forms required the women to document the reasons that they were requesting to see a doctor. The nurses would use this information to triage the patient and the medical receptionist would then book the appointment. However, there was no process of communicating to the women when their appointment would be, or even if they have had an appointment booked.

On the day of their appointment, the unit officers called for the women over the unit loud-speaker. If the prisoner was at work, in a program, at recreation, attending a visit or doing anything else outside of the unit and they did not hear the announcement, their appointment was cancelled. There were little or no attempts made to locate the prisoner in other parts of the prison and the women were not subsequently informed of this cancellation. Appointments were cancelled every day, often because the women were not aware that they were being called to medical. Clearly the antiquated paper-based appointment system and the process for communicating with the women about their appointment needs reviewing.

Recommendation 7

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

The work flow processes in the health centre were poorly understood and inefficient

The health services team at Melaleuca had a near complete turnover of staff in the two years leading up to the inspection. Several of the nursing staff had only a few years nursing experience, or no previous experience within a custodial setting. For some health care staff, the only prison experience they had was under Sodexo management. After the transition the staff did not receive a thorough orientation on departmental policies and procedures, and just like custodial staff, they received no structured training to equip them for their new roles. The nursing staff described a sense of uncertainty about what processes and procedures they were expected to follow.

The health centre staff spoke about their concerns regarding the lack of consistent leadership in the health care centre. Three different clinicians had occupied the Clinical Nurse Manager position over the five months since the medical centre transitioned. A fourth Clinical Nurse Manager began in the role on the first day of the inspection. Without a stable leader,

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recruitment for nursing staff was not prioritised and consequently the medical centre was operating with reduced staffing. Staff felt overworked, stressed and burnt out, and there was a notable rise in the levels of sick leave in the weeks leading up to the inspection. This situation is unsustainable and ongoing recruitment should be addressed as a matter of priority.

On a positive note, the new acting Clinical Health Manager had extensive experience working within custodial health services and she had a robust plan to address these issues. While this is a significant step forward for Melaleuca health services, unfortunately, the manager was not permanently appointed to role. She could be moved or transferred out at any time. The Department needs to prioritise a permanent appointment to this position to ensure that the focus remains on improving the workflow within the Melaleuca health centre.

Recommendation 8

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

We heard of staff duplicating the work of their colleagues, or of doctors completing tasks that could be done by administration or nursing staff. For example, we heard of doctors spending their time following up test results. Ideally, the nursing or administration staff could follow up these results, freeing up time for the doctors to see patients. We also heard that women were frequently being double-booked for appointments, so staff spent a significant amount of time re-organising schedules.

As a result of these inefficiencies, there was very little time left to see patients. Doctors were sometimes only seeing two out of a list of eight prisoners for the day. Additionally, the diaries we sighted documented long consultation times for each patient with a two-hour lunchtime lockdown period every day where patients were not seen. Consequently, there were often delays reviewing even urgent patients, and prisoners were often being transferred to other facilities without ever seeing a doctor while at Melaleuca.

Recommendation 9

Review health services and implement measures to improve efficiencies and effectiveness of the health centre.

There was no dental care available for the women at Melaleuca

Since Melaleuca transitioned to the public sector, dental services were not offered. This seemed extraordinary, particularly as dental disease is much more prevalent within prisoner populations than the broader community. Poverty, substance use and a history of trauma all convey an increased risk of dental disease, with Aboriginal people often disproportionately affected.

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Women struggling with dental issues experience ongoing pain, oral disfigurement and difficulties managing their diet. They may also experience additional complications such as infections and abscesses. The progression of dental disease may spread to the bloodstream and result in septicaemia. Gingivitis, or gum disease, in pregnant women, if untreated, is also associated with preterm birth and low birth weight babies.

Melaleuca was heavily prescribing pain medications such as paracetamol or ibuprofen for women experiencing dental pain. These medications are typically safe when used short term and when prescribed to otherwise healthy individuals. However, the risks of using these medications is much higher when prescribed to women with liver disease, kidney disease, previous stomach ulcers, asthma or previous excessive use of alcohol. The long-term use of such pain medication is also associated with risks such as kidney and liver damage and bleeding in the stomach.

The health care staff at Melaleuca told us of prisoners being transferred to hospital for treatment of sepsis and dental infections involving the sinuses.

After our inspection, Bandyup Women's Prison agreed to allow four women per week from Melaleuca to access its dental services. While this was a small step forward, it only allows for the most urgent cases to be seen. A full dental service must be established at Melaleuca as soon as possible.

Recommendation 10

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

Health care was not culturally safe for Aboriginal women

Aboriginal women in custody are vulnerable to highly complex physical and mental health needs. Many Aboriginal women are isolated from family and community, suffering from intergenerational trauma and dealing with unresolved grief and loss. This can result in high rates of mental illness and other chronic health conditions such as diabetes, heart and respiratory disease, cancers and substance misuse disorders (Wardliparingga Aboriginal Health Research Unit, 2017).

Melaleuca had no model of care specially designed to manage the health needs of Aboriginal women. Some health centre staff told us Aboriginal women could be aggressive and described them as not having any additional health care needs when compared to non-Aboriginal women. Other clinicians noted the difficulties facing Aboriginal women in terms of the complexity of their healthcare needs and suggested that these needs were beyond the services available at Melaleuca.

There seemed to be little understanding of the challenges faced by Aboriginal women who transferred from remote areas and whose first language was not English. The use of translators for Aboriginal women was not standard practice, and while they were available some staff indicated that they had never "needed" to use them.

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It would be difficult to imagine the distress that these women might experience being dislocated from country, and not having their healthcare needs addressed. There is an immediate need for the health centre staff to undergo training in Aboriginal health care needs and cultural differences.

Recommendation 11

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

5.2 MENTAL HEALTH CARE

Psychological Health Services were providing an efficient service

The Psychological Health Services (PHS) team was made up of two psychologists. They specialised in treating disorders such as depression, anxiety, trauma, grief and loss and they managed most of the mental health patients at Melaleuca. The clinicians were highly motivated and were appropriately triaging patients. The wait time to see a PHS counsellor was relatively short, only around two weeks. While they provided a very efficient service, the team often struggled to find interview rooms. They also experienced delays locating the women for their appointments, which limited the amount of clinical work that they could do.

Patients with other psychotic disorders were managed by the primary mental health team. The PHS team described a positive relationship with the mental health team. They felt able to seek opinions and make referrals to mental health programs when required.

The Crisis Care Unit was unsuitable for mentally ill women

Many women who come into custody struggle with mental illness, including depression, schizophrenia, psychosis, and bipolar disorder. Such women need to be housed in a safe place that has a restorative, not detrimental, impact on their mental wellbeing. At Melaleuca, women who were mentally unwell were kept in the Crisis Care Unit. When the Department initially took over Melaleuca, some minor cosmetic upgrades were made to the unit, including painting, new chairs and the addition of some synthetic plants. Yet the environment was still harsh and distressing.

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Photo 12: A bare Crisis Care cell



Photo 13: The facilities in one of the Crisis Care cells

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There appeared to be no therapeutic benefit in keeping women in the Crisis Care Unit, other than to prevent women from harming themselves. Women who were being placed in the unit were isolated from the rest of the population and any support or sense of community that they would experience in the units. Their possessions were taken away from them and they lost a sense of dignity by being placed in a cell with no privacy to shower or use the toilet.

The women in the Crisis Care Unit could not access assistance simply by asking for it. They had to use an intercom system to contact officers who were located outside their door, down a corridor, and on the other side of another door, another corridor, and another door. The use of the intercom system raised challenges for two groups of women, both of whom were disproportionately likely to require the safety of the Crisis Care Unit. Firstly, women who are psychotic may experience paranoia about technology, or even experience auditory hallucinations through the intercom. They may be fearful of the intercom and be subsequently less likely to use it to seek assistance.

Secondly, women with a cognitive impairment may struggle to recall the function of the intercom or be too disorganised to make use of it. The sense of not being able to call out for help may be frightening and may heighten the loneliness that isolation offers. Ideally, staff should be positioned in an area where women can see them so they could verbally ask for assistance.

This problem is certainly not limited to Melaleuca. We see the inadequacies of crisis care units in almost all our prison inspections. Best practice in how to manage and treat people with mental health issues has progressed and changed significantly in the years since much of the prison health infrastructure was designed and built. While it may be cost prohibitive to entirely replace the units, how they are presented and used certainly can be, and some refurbishments could be done. This is especially critical when very ill patients cannot access services at the state's forensic mental health facility as there are not enough beds.

Recommendation 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.

5.3 PREGNANT WOMEN

There was a severe lack of antenatal care for pregnant women

There were six pregnant women at Melaleuca at the time of our inspection. They uniformly described a very poor experience of their pregnancy care and had a range of concerns.

Overwhelmingly, the women were unaware of what they could expect in terms of care while at Melaleuca, and they were frightened as a result. They had received no written information about their pregnancy care while in custody, including the care that they might receive while delivering. They did not know if, or when, they would see healthcare staff, and they were not sure when they should be having scans recommended for their gestational stage.

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Some of the women felt that they should have had more ultrasounds, with some missing pre-booked appointments in the community because they were in custody. The women were not in possession of their own pregnancy health record, and they were not aware of being assigned a case manager.

The pregnant women were worried about their physical safety at Melaleuca. They all wished to be transferred to Bandyup Women's Prison where they could live separately from the rest of the prison population. They believed that it would be safer for them and their babies and that it would be easier to see a doctor there. They told us that they were hungry everyday despite the kitchen providing them with a "pregnancy pack". This pack contained a banana or a sandwich and a carton of milk, which was meant to sustain them from 5:00 pm to breakfast at 7.20 am the next morning.

The women who smoked explained that the costs of purchasing nicotine replacement patches was too high, therefore making it difficult to quit smoking while pregnant. They felt that the prison was not supportive of pregnant women holding employment, so they could not self-fund nicotine replacement patches.

Overall, antenatal care for pregnant women and their unborn babies was inadequate. There was no ongoing communication with the women and no consistent standard of antenatal health or mental health screening. The prison also lacked standards regarding how often the women should be seen by health care staff and how often they should receive scans. The complexity of the antenatal histories of the women that we spoke to meant that they were all experiencing high risk pregnancies, and their care should be prioritised.

Recommendation 13

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

Chapter 6

SAFETY AND SECURITY

6.1 CUSTODIAL INFRASTRUCTURE

First time visitors were confused about the location of the prison

To get to Melaleuca, visitors need to pass Hakea Prison, the staff car park, the officer's social club, the drug detection unit kennel area and the headquarters for the Special Operations Group. It can be confusing for a first-time visitor, particularly as Hakea has a very large and welcoming visits centre out the front which could be confused for the entrance to Melaleuca.

In 2017, we noticed that the signage directing visitors past Hakea was confusing (OICS, 2018). Many visitors ended up at the wrong facility and were late for their visit. This sometimes resulted in visitors losing contact visits, which was standard practice for any visitor who arrived late for their visit.

While we noticed some new signage during this inspection, some visitors were still confused about the location of Melaleuca. We observed two sets of visitors on two different days arriving at Melaleuca after having gone to the wrong prison. One of these had to revert to a non-contact visit session.

When visitors ended up at the wrong prison, the walk to Melaleuca was long, especially for the elderly and families with small children. It was worse in inclement weather. In the 2016 Hakea inspection report, we recommended a separate entrance for Melaleuca to allow for clearer public access, however this was not supported by the Department. Other strategies to clearly direct visitors to Melaleuca should be considered.

The dividing fence between Hakea and Melaleuca posed a safety and security risk

We have consistently raised concerns about the integrity of the perimeter fence that divides Melaleuca and Hakea. The fence is a single line made of cyclone wire, with a drum cowling on top and two rolls of razor wire at the base. During the 2017 Melaleuca inspection, we found that there were vulnerabilities in the fence that presented an unacceptable risk of male prisoners being able to climb over the fence and access the female prison (OICS, 2018, p. 23). To mitigate this risk, we recommended that the fence be upgraded. Our recommendation was not supported by the Department, with its official response stating that the areas were 'adequately screened' and that 'potential access points...have been mitigated with the installation of razor wire coils' (OICS, 2018).

In the 2018 inspection of Hakea Prison, despite the access points being somewhat mitigated with razor wire, we identified at least two weaknesses along the fence line where male prisoners could access Melaleuca from Hakea. We were particularly concerned, as the Department had just experienced a similar breach at Greenough Regional Prison. In July 2018, Greenough Regional Prison experienced a loss of control. Male prisoners scaled the dividing fence and broke into the female unit. The women trapped in the unit were frightened. They made multiple telephone calls throughout the incident asking for help, while banging, screaming and other destruction could be heard in the background. The women prisoners and staff experienced significant trauma and distress as a result of this incident. It was fortunate no one was killed and there were no serious injuries to staff, prisoners or members of the public (Shuard, 2018).

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This fence breach should never have happened, and we were concerned about something similar occurring between the male and female prisoners at Hakea and Melaleuca. So once again, in our 2018 Hakea inspection report we recommended that the Department reduce the risk of the male Hakea prisoners gaining access to Melaleuca. Again the Department did not support this recommendation. The response stating that 'there is currently no known basis to upgrade the fence' (OICS, 2018, p. 71).

One year later, in 2019, two male Hakea prisoners breached the perimeter fence and entered Melaleuca. Thankfully, no one was hurt during this incident. After this incident, the Department conducted its own security review and recommended installing anti-climb cowling to prevent prisoners from being able to climb over the fence. But instead of following through with this recommendation, more razor wire was installed along the fence line. This was not a good enough solution to mitigate the risk.

While we were onsite for this inspection of Melaleuca, another security breach occurred on the fence line. A male prisoner from Hakea climbed the fence and over the razor wire. He spent around 90 minutes pacing along the cowling, explaining his intention to enter Melaleuca. He eventually volunteered to come down and did not make it into Melaleuca, but it still proves that there are vulnerabilities along the fence line. As already experienced in Greenough, the risks and consequences of male prisoners entering a female prison are entirely unacceptable. The Department's actions to date have been inadequate and urgent appropriate action must now be taken to secure the perimeter between Hakea and Melaleuca.

Recommendation 14

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

6.2 PRISONER MANAGEMENT

Melaleuca could not effectively manage prisoners on security regimes

Melaleuca is the only maximum-security prison in the state without a management unit. Since the prison first opened under Sodexo management, finding placement options for women on punishment, management and separation regimes has been problematic. A Visiting Justice may confine a prisoner to a designated management cell as a form of punishment or for lesser offences, prisoners may be placed on a restricted regime and be confined to their cell. Some prisoners who may be at-risk due to the nature of their crimes may also need to be managed away from the rest of the population under a protection regime.

In 2017, Melaleuca was managing the prisoners on regimes by placing them in the Crisis Care Unit or transferring them to Bandyup. The Crisis Care Unit was an entirely inappropriate place to manage women. It was too restrictive, services could not be delivered, privacy issues were a concern and it was disruptive for other prisoners in the Crisis Care Unit who were there for therapeutic reasons. We also found that the strategy of transferring

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women to Bandyup was not working well, as it relied heavily on negotiation, and there was no formal agreement in place for Bandyup to accept these prisoners.

This inspection we found that prisoners on regimes were still being kept in the Crisis Care Unit or they were being kept in cells in the general population unit. The cells in the units were general bunked cells and not specifically designed as management cells. They were fitted out with glass and ceramic fittings. If a woman was placed in one of these cells in a highly agitated or hostile state, these fittings could easily be damaged or used as weapons. The unit staff also had to ensure that the prisoners on regimes were segregated and that their regime rules were being followed, while managing the demands of the general population at the same time. It was highly demanding and risky.

With only two main accommodation units at Melaleuca, the prison does not have the ability to properly separate prisoners who may pose a risk to the safety and security of the prison. It is incumbent on the Department to provide other methods to effectively manage women on regimes.

There were no formal arrangements to transfer women who could not stay at Melaleuca

The Department has a duty of care to ensure the safe accommodation of prisoners in custody. It is important that prisoners who are at-risk, or whose needs cannot be met at Melaleuca, can be transferred to another prison. In the metropolitan area, Bandyup is the other main prison where remand women can be transferred.

In 2017, when Melaleuca was operated by Sodexo, the arrangement of transfers between the two prisons was problematic. At that time Melaleuca reported constant pushback when requesting transfers for safety, security or welfare reasons, with the final say coming from Bandyup management. Bandyup did not seem to be putting the interests of the prisoner first, and rather focussed on the 'difficulty' of the transfers.

We noted a case example in our 2017 inspection report involving a high-profile offender who had spent more than 11 weeks in the Crisis Care Unit under protection. Melaleuca had requested a transfer to Bandyup, a prison with far greater accommodation options and managerial experience with prisoners of her profile. However, Bandyup had refused on the grounds that she had not yet been sentenced.

This inspection, despite being managed publicly, Melaleuca staff told us that they were still experiencing problems negotiating transfers for women to Bandyup. Each case was still being negotiated on a case-by-case basis and Bandyup could refuse to accept prisoners who could not be adequately managed at Melaleuca.

A similar situation arose just after our onsite inspection of Melaleuca, but there were other factors in that case that may have been relevant. The relevant point being that there was some dispute between the facilities, certainly in the initial stages. And Bandyup maintained the final say in refusing to accept the transfer.

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It is imperative that decisions regarding the transfer of prisoners must be based on the welfare and safety of the prisoner, and not on any other grounds. Leaving this decision up to individual prisons to negotiate amongst themselves is not appropriate and poses risks to the health, safety, and welfare of the prisoners. A formal system-wide process, with escalation options, needs to be developed to avoid situations such as these from occurring in the future.

Recommendation 15

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

6.3 SECURITY AND INTELLIGENCE

The security team was under resourced and lacked a clear security strategy

As a remand facility, Melaleuca's prisoner population will always be highly challenging, less stable and likely to experience more incidents due to the unsettled and unknown nature of its population. Yet Melaleuca had a much smaller security team compared to other maximum, or medium, security prisons in the state. The team comprised of only a Security Manager, a Senior Officer and a Prosecutor. Each of the positions were filled by staff acting in the positions. In comparison, Bandyup has a Security Manager, two Senior Officers, an Intelligence Collator and a Prosecutor.

The lack of resources in the security team has created a safety and security risk for the prison and prisoners. The team simply did not have the capacity to develop and implement a proactive, intelligence-based security strategy. Their focus was primarily on processing and maintaining compliance with policies and procedures. Compliance reporting was taking up a large amount of their time, with the Prosecutor regularly stepping away from their duties and helping to ensure that reporting was up-to-date.

There was very little focus on using intelligence as a security tool. As already discussed earlier, the relationships between staff and prisoners had deteriorated since the prison changed hands. Some staff told us that they were not encouraged to mix with prisoners, to observe and listen to what was going on and to obtain information that could be passed on to security. In fact, staff told us that the security team had actively discouraged them from sitting and having a cup of coffee with prisoners or from joining in with prisoner sports. Although some staff had built strong relationships with prisoners, and were aware of some of the issues amongst the prisoner group, the process for reporting this information to security was unclear.

Even if there was a wealth of information being collected and reported by staff, the security team did not have the resources to collate it and analyse it. The prison did not have a dedicated Intelligence Collator position. Without someone available to process security information and turn it into actionable intelligence, the team was in a poor position to identify security threats before they escalate.

6.4 DISCIPLINE AND PUNISHMENT

Charges cannot be processed efficiently without dedicated management cells

When a prisoner misbehaves, they may be charged with a disciplinary offence under the *Prisons Act 1981*. After an incident occurs, the prison Prosecutor determines if there is enough evidence to charge a prisoner, and if so, the charge proceeds. Prisoners may be charged under Section 69 of the *Prisons Act 1981*, if they commit a minor offence. This may include disobeying the rules, behaving in a disorderly manner, using indecent language, and damaging property. The Superintendent, with some exceptions, hears matters involving prisoners charged with Section 69 offences.

A prisoner may be charged with a more aggravated offence under Section 70 of the *Prisons Act 1981*. These offences may include returning a positive urine result, assault, behaving in a riotous manner, escape, being in the possession of a weapon or failing to submit for a drug test. Section 70 charges are referred to a Visiting Justice who will hear their case.

At the time of the inspection there was a significant backlog of Section 70 aggravated charges that were yet to be heard. Prisoners were left waiting for their outcome, with many released before their charges were heard. Staff may feel unsupported due to matters not being progressed in a timely manner. The backlog also sent a message to prisoners that the disciplinary process was not working efficiently and effectively and there were limited consequences for more serious misbehaviour. This created unnecessary risks to the safety and good order of the prison.

The main reason for the backlog was because the prison lacked the appropriate dedicated cells to carry out punishments following a guilty finding. The multipurpose cells used for safety and security regimes were sometimes full, meaning women could not serve their mandated punishments. Prior to the weekly Visiting Justice's parade, the prosecutor checked the cells and if they were full already, the hearing would be cancelled. Or the number of cases heard would be limited to the number of cells available. The Visiting Justice also stopped coming into the prison during the COVID-19 pandemic, which compounded the backlog even further.

The Prosecutor noted that the lack of management cells was particularly challenging when the prison was required to do prevalence drug testing. If multiple prisoners return positive results, they can each attract punishment requiring the use of several punishment cells.

In the past there had been discussions about the possibility of Melaleuca being able to transfer prisoners to Bandyup to undertake periods of punishment in the dedicated management cells there. This has always been problematic and resisted by Bandyup. Without new, dedicated infrastructure, it is unclear how the prison can successfully and efficiently operate its prosecutions and punishment functions.

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The Prosecution positions is only a temporary role

Staff must attend the Corrective Services Academy and participate in substantial training before they can work in the Prosecutor role. The role of Prosecutor at Melaleuca was designed to allow staff to rotate through via expression of interest, this allowed several staff to be trained and gain experience in the role. However, it also meant that once the staff member had finished their training, and took the time to settle in, they were being moved on. For a Prosecutor to be thoroughly trained into the position, the role needs to be advertised and filled on a substantive basis or for an extended period.

6.5 EMERGENCY MANAGEMENT

The prison was compliant with Emergency Management training

Melaleuca were running regularly emergency management exercises. The purpose was to ensure the right policies and procedures were in place to deal with serious incidents that may threaten the security and safety of the facility. The exercises were also designed to ensure staff felt confident in the role that they must play when these emergency situations occur.

The Department expected Melaleuca to undertake at least one live exercise per year, which could involve scenarios dealing with fire, death in custody, hostage, major disturbance or medical emergency. The prison also had to complete one other desktop exercise every two calendar months. Melaleuca was keeping up with the schedule, however quite a few staff still lacked the confidence to respond appropriately to an emergency. Only 44 per cent of staff in the survey felt adequately trained for fire/natural disasters, and only 32 per cent felt that they would know what to do during a loss of control situation. More exercises and training should be run to ensure that staff have confidence that they are equipped to respond to an emergency when required.

There had been no joint exercises between Hakea and Melaleuca

Joint exercises between Hakea and Melaleuca would be extremely valuable, particularly considering Melaleuca's proximity to Hakea, and the history of fence intrusions. The Department's own security review after the 2019 fence breach recommended that emergency management procedures and a Memorandum of Understanding (MOU) be developed between the two prisons. To date, no joint exercises had taken place between Melaleuca and Hakea, nor had an MOU been established.

Melaleuca's Emergency Management Plan includes a reference to Hakea in its procedures for managing an intruder. However, it is unclear from the plan how the two sites would coordinate, control and react together to such an incident.

Active joint exercises and agreements are a vital tool for managing the risks associated with the two prisons being positioned so close together and must be prioritised.

Appendix 1

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Appendix 2

ABBREVIATIONS

AA	Alcoholics Anonymous
AIHW	Australian Institute of Health and Welfare
AOD	Alcohol and Other Drugs
ASC	Aboriginal Services Committee
AVS	Aboriginal Visitors Scheme
CBI	Cognitive Brief Intervention
CGE	Certificate of General Education
CCTV	Closed Circuit Television
CMS	Custodial Management System
IMP	Individual Management Plan
MOU	Memorandum of Understanding
NAIDOC	National Aborigines and Islanders Day Observance Committee
OICS	Office of the Inspector of Custodial Services
OSH	Occupational Safety and Health
PHS	Psychological Health Services
TOMS	Total Offender Management System
VSO	Vocational Support Officer
WAPOU	Western Australian Prison Officers' Union

Appendix 3

DEPARTMENT OF JUSTICE RESPONSE



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

Response to the Announced Inspection: Melaleuca Women's Prison 2020

June 2021

Response to the Announced Inspection:
Melaleuca Women's Prison 2020

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Melaleuca Women's Prison 2020

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.

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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

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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.

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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.

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

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

Level of Acceptance: Supported subject to funding and prioritisation of capital expenditure
Responsible Division: Corrective Services
Responsible Directorate: Women and Young People
Proposed Completion Date: 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.

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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

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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.

Level of Acceptance: Supported subject to funding and prioritisation of capital expenditure
Responsible Division: Corrective Services
Responsible Directorate: Women and Young People
Proposed Completion Date: 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.

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

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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.

Level of Acceptance:	Supported in principle
Responsible Division:	Corrective Services
Responsible Directorate:	Offender Services
Proposed Completion Date:	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.

Level of Acceptance:	Supported
Responsible Division:	Corrective Service
Responsible Directorate:	Offender Services
Proposed Completion Date:	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.

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Response to the Announced Inspection:
Melaleuca Women's Prison 2020

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

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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.

Level of Acceptance:	Not Supported
Responsible Division:	Corporate Services
Responsible Directorate:	Procurement, Infrastructure and Contracts
Proposed Completion Date:	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.

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

DEPARTMENT OF JUSTICE RESPONSE

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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.

Level of Acceptance: Not Supported
Responsible Division: Corporate Services
Responsible Directorate: Procurement, Infrastructure and Contracts
Proposed Completion Date: 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.

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

Appendix 4

INSPECTION DETAILS

PREVIOUS INSPECTION

15 – 22 November 2017

ACTIVITY SINCE PREVIOUS INSPECTION

Liaison Visits to Melaleuca 14

Independent Visitor Reports 21

SURVEYS

Prisoner survey 9 September 2020 111 responses (57%)

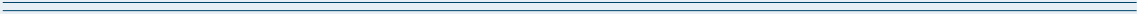
Staff Survey (online) 31 August – 11 September 2020 66 responses (53%)

INSPECTION TEAM

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Natalie Gibson	Director Operations
Lauren Netto	Principal Inspections and Research Officer
Stephanie McFarlane	Principal Inspections and Research Officer
Amanda Byers	Inspections and Research Officer
Aaron Hardwick	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Julie Nightingale	Support Research Officer
Dr Katinka Morton	Health Consultant

KEY DATES

Inspection Announced	20 July 2020
Start of on-site inspection	15 November 2020
Completion of on-site inspection	19 November 2020
Presentation of preliminary findings	4 December 2020
Draft report sent to Department of Justice	10 May 2021
Declaration of prepared report	1 July 2021



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



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