



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

2021 INSPECTION OF
ALBANY REGIONAL PRISON

138

NOVEMBER 2021

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2021 Inspection of Albany Regional Prison

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Inspector's Overview

MANY IMPROVEMENTS SEEN IN ALBANY, BUT OPPORTUNITIES ARE BEING MISSED

We undertook this inspection of Albany Regional Prison (Albany) in February 2021 at a time when the overall prison population in Western Australia had declined from the previous highpoint reached in early 2020. This had a flow on effect for Albany with the population sitting at around 300 compared to 450 when we last inspected in 2018. This has eased pressures on already crowded accommodation units and demand for services across the prison.

The reduced population has allowed the prison to close Unit 1 A and B wings, something we welcome having been a strident critic in the past of the conditions in that Unit. Protection prisoners previously housed in A wing had all been transferred back to Hakea, despite the prison having made some improvements to conditions for them since our last inspection. Unit 1 also houses the medical centre, kitchen, education and programs.

The closure of the two wings in Unit 1 presents the perfect opportunity for the much-needed renewal, either by way of a complete rebuild or total refurbishment. Sadly, we were told that there were no concrete plans to make improvements to the conditions in Unit 1 or to any of the other facilities located within that building. Instead, we observed that the two wings were set up for immediate re-occupancy. This is a missed opportunity to address many of the agreed shortcomings of the facilities located in the Unit 1 complex.

Our report has identified many areas where past improvements have been either sustained or improved, including: reception, orientation, education and training. But despite the lower population, the number of men engaged in meaningful employment, education and programs is down, with 55 per cent of the population either unemployed or under-employed in unit work.

Many prisoners complained to us about the lack of organised sporting competitions; football in particular was sorely missed. Recreation activities were often restricted by staff absences and/or the availability of recreation officers to coordinate activities. Other activities for prisoners such as unit-based music and art, chaplaincy and spiritual support were either unavailable or regularly cancelled. While not dismissing the challenges faced, we think that these activities should be able to be facilitated without significant resources or effort.

In 2018 we identified that the peer support available for prisoners in Albany was lacking. But we saw improvements in the year or so before this inspection, with a large team of peer support prisoners offering effective support. By the time of our inspection conflict with prison management had become evident and was impacting the functioning of the peer support team and the vital services they offered to prisoners. Regardless of the merits of either side of the conflict, it ought to have been resolved and the peer support team returned to offering effective support. Disappointingly, we now understand that Albany does not have a current Prisoner Support Officer.

At the time of our inspection Aboriginal prisoners comprised 38 per cent of the Albany population but made up only 14 per cent of prisoners employed in industries or other service areas. It is not uncommon for us to see similar data sets in other areas that is not

MANY IMPROVEMENTS SEEN IN ALBANY, BUT OPPORTUNITIES ARE BEING MISSED

representative of the overall prisoner demographic. We were told that in Albany, Aboriginal prisoners were given the same opportunity for employment as other prisoners and could apply for employment opportunities. That may well be the case, but clearly it is not working. If the Department is to meet set targets to reduce the high rates of Aboriginal incarceration and recidivism rates, then it (and by application individual prisons) must do more. Simply making the opportunity to apply for a job the same for all prisoners is obviously not enough and greater focus and individual support is required. We were pleased to see the Department's support for Recommendation 15, but disappointed that it had closed the recommendation which suggests that the current status quo will remain. By making this recommendation we had hoped that it would lead to new initiatives to get more Aboriginal men into industries and employment within the prison.

The Department's response to seven of the 15 recommendations in this report was 'Noted'. This is a category normally used for recommendations that are noted by the Department but largely outside their control or primarily directed at another agency or organisation. I have raised this with the Acting Commissioner and written to the Department seeking clarification.

Regional prisons face many challenges that larger metropolitan facilities often do not. We see the limiting impacts of factors such as: the size of the facility; the location; limited available services; and a lack of local resources. But we also see many opportunities for regional prisons to engage with their local community and businesses in innovative partnerships for the provision of specific services. Many conversations we have had with regional prison leadership groups result in them lamenting the absence of enough autonomy to engage outside of defined Departmental requirements. This presents many possibilities around increasing empowerment of local superintendents, building capacity, setting frameworks and providing adequate budget flexibility. Albany, like most regional facilities, would benefit from this kind of initiative, but it would require careful thought, and system level design and planning.

ACKNOWLEDGMENTS

We have three Independent Prison Visitors who are community volunteers recently appointed by the Minister for Corrective Services. They attend Albany on a regular basis providing an opportunity for the men to raise issues and feedback that information to our office. I acknowledge the importance of this volunteer work, welcome them to our team of Independent Visitors, and thank them for the contribution they are already making to our oversight of Albany.

I would also like to acknowledge and thank our two recently retired Independent Visitors for their many years of service at Albany and for their contribution to our ongoing inspection work.

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

MANY IMPROVEMENTS SEEN IN ALBANY, BUT OPPORTUNITIES ARE BEING MISSED

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 Cliff Holdom for his hard work in planning this inspection and as principal drafter of this report.

Eamon Ryan
Inspector of Custodial Services

29 November 2021

EXECUTIVE SUMMARY

INTRODUCTION

We conducted our seventh inspection of Albany Regional Prison (Albany) in February 2021. This inspection was distinguished by our first use of our *Revised Code of Inspection Standards for Adult Custodial Services* published in December 2020 (OICS, 2020). This inspection we found a lower prisoner population (302) compared to three years ago (451). In December 2020, the Department closed Unit 1 A and B yards. This was a welcomed decision as we had been critical of the condition of the infrastructure in Unit 1 for many years.

We made several recommendations in our 2018 inspection report which were focussed on addressing infrastructure inadequacies in Albany. These inadequacies were acknowledged by the Department, but the Department's planning for the State's prison network is not yet concluded, so the future intentions for Albany's ailing infrastructure are yet to be determined.

GOVERNANCE

The Albany leadership team has maintained good practice in developing and implementing annual business plans. The plan continues to reference 'The Albany Way', which is a long-held operational philosophy encouraging positive and supportive relations between staff and prisoners.

Perceptions of local management by staff surveyed rated rather lower than the average of results from similar surveys across all WA prisons. Some praised strong leadership in the prison but others complained of unsupportive management which they described as bullying. Staff were especially concerned at the Department's reimposition of overtime caps and its reviewing availability to entitlements such as purchased leave. Vacancies in custodial ranks, Vocational Support Officers and civilian staff were also driving stress, frustration and low morale.

Essential staff training ran very well, but there was limited access to other training opportunities, including for specialist roles or promotion. The lack of up-to-date custodial technology places an added burden on staff and creates an impediment to effective services for prisoners.

EARLY DAYS AND DUTY OF CARE

We found significant improvement in the utilisation of space in the existing reception centre, in reception processes and in storage arrangements since the previous inspection. As part of the prison's first night strategy, male prisoners, especially those newly received from court, are usually placed in C Wing of Unit 1. We were also pleased to see that a more thorough orientation process was now in place with a new room created for this purpose.

The situation for remandees had improved since our last inspection with only 25 per cent now unemployed or under-employed compared to 50 per cent previously. But remandees are not managed separately from sentenced prisoners. And there was considerable frustration among longer term remandees at the lack of opportunities to address their offending behaviours, including addictions or other needs.

EXECUTIVE SUMMARY

The designated protection section in Albany was closed in late 2020. Prisoners identified as possibly needing protection status are placed in Unit 1 C Wing. If protection status is warranted, that person must be transferred to one of the metropolitan prisons which accommodates protection prisoners.

There has been a gradual growth in both the number of female prisoners held at Albany and the length of their stay. In response to our concerns expressed about the isolation and treatment of women in 2018, Albany has created a designated holding cell for women in reception, a female-specific orientation booklet, a new outdoor yard and a local direction not to forcibly conduct strip searches on arrival.

We found areas of good practice in the provision of services for foreign nationals in Albany and a new local order was developed. But access to foreign language materials was quite restricted and fewer Asian foods were available through the canteen. In addition, the local order fell short of the WA Language Services Policy.

DAILY LIFE

We found that around 45 per cent are engaged in meaningful work in industries or service provision or were attending education or offending programs. But around 55 per cent of prisoners were engaged in unit work or were unemployed. And the majority of those attending work or study outside the unit were only engaged in these activities for around 4.5 hours each day. Workshops were also often closed due to staffing shortages caused by vacancies or staff absences.

We were glad to see that A and B Wings of Unit 1 were closed. But we were concerned there was no clear plan for their future and that both wings had been made ready for re-occupation at short notice, with mattresses and linen on beds, and toiletry kits available in each cell. The other three units were all double bunked and remained quite crowded. Common areas in Units 2 and 3 are too small to seat prisoners for meals, which were mainly eaten in cells creating ongoing issues with hygiene and vermin control.

Satisfaction levels with food on the part of prisoners had increased since our last inspection and remained substantially higher than state averages. But some complained that food delivered in carts was not hot enough by the time it was served, it was repetitive or had a particular dislike such as the fish provided. The kangaroo meat and damper cook up was shortly due to recommence which was hotly anticipated. Only very limited self-catering was available for enhanced privilege prisoners in Unit 4.

Albany has used an e-visits platform for some years, and this was improved and expanded when visits were closed between March and July 2020 because of the COVID-19 pandemic. Prisoners were greatly frustrated at the continuing restrictions on social visits six months after they reopened. And they lost the opportunity for an e-visit in any week they got a social visit.

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Units had some good recreation assets, but prisoners greatly valued attending the oval and library. The prison tried to ensure fair and regular access to the oval but there were some weeks when access was poor due to staff shortages. Prisoners were also craving organised sporting competitions which were supposed to happen on weekends but ran only rarely.

The library was well run and had an especially popular DVD and CD collection but was too often closed due to short staffing. Unlike many other prisons, prisoners in Albany were not permitted to possess, or borrow, musical instruments in their units. Art and crafts were also restricted. Only watercolour painting on small boards were allowed, not acrylics.

Chaplains offer services on Tuesday, Wednesday and Thursday, but around the time of our inspection these were often displaced or unable to proceed due to the chapel being used for other purposes or due to staff absences. Such services are a source of hope for some prisoners and failure to facilitate them denies prisoners a fundamental human right.

The canteen generally provides an excellent service for prisoners residing at Albany. But due to a vacancy, town spends for personal purchases such as electrical items, DVD's, books and magazines were suspended.

HEALTH AND SUPPORT

We were pleased to find a much more harmonious working environment in the health centre. There was a sound system in place for prisoners to request access to the health centre. The GP assessment four to six weeks following admission had been restored. But despite some improvements in equipment, the centre lacked sufficient and appropriate consulting rooms and the current layout compromises patient confidentiality and privacy.

But prisoners were unhappy with the level of dental care available and the waiting list was growing, although extra clinics were planned in March. Services were also affected by short staffing in both Mental Health nursing and in Psychological Health Services. The Peer Support Team (PST) was becoming less effective as the relationship between the Prisoner Support Officer (PSO) and some staff and senior management had deteriorated. Albany had only one of its two Aboriginal Visitors Scheme staff positions filled.

While the At-Risk Management System (ARMS) operated well, Albany lacks a decent crisis care facility or infirmary for managing acutely at-risk prisoners. Observation cells in the management wing used currently are less than therapeutic and likely to exacerbate and extend their distress.

SECURITY

Albany had a strong and cohesive security team. This team was augmented by the Albany Security Unit (ASU) whose members are trained to the same standard as the Department's Special Operations Group (SOG) in Perth. Prison officers had a higher level of confidence in some key aspects of security compared to last inspection. Vigilance was needed in the gatehouse, which was cramped at busy times. Security and safety needed

EXECUTIVE SUMMARY

looking at in the main garden. Incidents were largely managed well with Use of Force reviews helping to drive improvement. Razor wire retrieval preparedness needed updating.

The Multi-purpose Unit (MPU) comprised that part of Unit 1 other than the main two yards which were closed. These facilities in Albany were old and past their effective use. D Wing had been set aside as a COVID-19 isolation wing.

The prison lacked an escort vehicle equipped with a toilet so prisoners were being inappropriately restrained on board to facilitate toilet access on the journey.

REHABILITATION AND REPARATION

Albany now had a full-time treatment assessor enabling the assessments team to start to catch up with outstanding initial Individual Management Plans (IMPs). But a new prison procedure exempted Albany from undertaking Management and Placement Plans (MAPs) for remandees which leaves significant potential risks and needs as unknowns.

We found that a 2017 prison order rendered early discharge per s.31 of the *Prisons Act 1981* entirely ineffective to reward good behaviour and reduce the high rate of imprisonment.

Case Management ran well but continued to offer little support or welfare to prisoners, or for their progression towards rehabilitation and reintegration on release. Offender programs provided were obsolete but running well. Access to voluntary programs remained inadequate. The only drug program available was NA, which was regularly stopped due to staff shortages.

Education offers a variety of good courses, but enrolments were down, as was the prison's training capacity. But there is a need to invest in appropriate digital equipment and networks to support learning, and impart essential skills for accessing government services, and participate in modern workplaces to transition successfully upon release.

Implementation of a two-way learning process which connects Aboriginal knowledge with western education would better encourage Aboriginal participation in education. Commendably, education staff have an annual meeting with Aboriginal prisoners to discuss their educational needs and aspirations.

Aboriginal prisoners were greatly under-represented in prisoner industry and service areas. Specific pathways are needed to better engage Aboriginal prisoners in employment and training that will enhance their prospects on release.

Transition Management continues to assist prisoners with specific needs and with referrals for case management support from the re-entry provider. Commendably, all eligible Aboriginal prisoners have also been referred to the Time to Work (TWES) program.

LIST OF RECOMMENDATIONS

RECOMMENDATION 1

That the Department continue to prioritise replacement of legacy infrastructure at Albany Regional Prison, including: prisoner reception and that contained in the original prison building known as Unit 1.

RECOMMENDATION 2

Evaluate the feasibility of increased use of mobile technology in prison units both to help staff better meet their work obligations and to improve access to information and services for prisoners.

RECOMMENDATION 3

Establish an Industries Coordinator position.

RECOMMENDATION 4

The Department should develop guidelines for the use of interpretation and translation services for all prisons that meet the standards set by the WA Language Services Policy 2020.

RECOMMENDATION 5

Until such time as Unit 1 is fully decommissioned for prisoner accommodation, any future use should be on the basis of single cell occupation.

RECOMMENDATION 6

Commit to regular organised sporting competitions.

RECOMMENDATION 7

Reduce existing restrictions on art and music equipment and materials available to prisoners in their units.

RECOMMENDATION 8

Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, with adequate room for any growth in services, and including provision for allied health care, medical observation and an infirmary.

RECOMMENDATION 9

Develop a Crisis Care facility that is appropriate for vulnerable prisoners in need of high-level support.

RECOMMENDATION 10

Albany prison should obtain a secure escort vehicle fitted with a toilet and the ability to apply secure restraints through a hatch for longer journeys.

LIST OF RECOMMENDATIONS

RECOMMENDATION 11

Amend COPP 2.3 to ensure that Albany Regional Prison completes a Remand MAP for all remandees received locally.

RECOMMENDATION 12

Amend procedures relating to Early Discharge to conform with the intent of the WA Parliament that Early Discharge acts as an incentive for good behaviour, a means of release for compassionate reasons, and as a meaningful contribution to reducing the high rate of imprisonment.

RECOMMENDATION 13

The Department should commit to development of a holistic case management system that supports prisoners to progress towards their rehabilitation and reintegration on release.

RECOMMENDATION 14

Provide opportunities to improve prisoners access to, and use of, digital literacy technology, including in-cell resources.

RECOMMENDATION 15

Albany should develop specific pathways to better engage Aboriginal prisoners in employment and training that will enhance their prospects on release. These initiatives should be tracked and monitored by the prison's Aboriginal Services Committee.

FACT PAGE

NAME OF FACILITY

Albany Regional Prison.

ROLE OF FACILITY

Albany Regional Prison is a receival prison for men and women from local courts, or police for the Great Southern Region. Men may continue to reside there on remand, or after sentence, but women are transferred to a prison in Perth. It is also Western Australia's third maximum-security prison and functions as an alternative placement option for maximum- and medium-security prisoners from Perth or other regions.

LOCATION

Albany Regional Prison is 9 km west of Albany, and 430 km from Perth by road.

BRIEF HISTORY

Albany Regional Prison was opened as a 72-bed minimum-security prison in September 1966.

CAPACITY INFORMATION

Table 1: Albany Regional Prison operational capacity

Unit	Opened	Standard cells	Standard capacity	Special cells	Special capacity	Total capacity
1	1966	64*	129	14	21	150
2	1988	56	112	-	-	112
3	1993	60	120	-	-	120
4	2012	64	128	-	-	128
Total		244	489	14	21	510

* Wings A and B comprising 48 cells (capacity 96) were closed at the time of inspection.

PRISON POPULATION

302 (at 5 February 2021).

LAST INSPECTION

2–9 February 2018.

Chapter 1

INTRODUCTION

1.1 INSPECTING AGAINST OUR REVISED STANDARDS

We conducted our seventh inspection of Albany Regional Prison (Albany) in February 2021. This inspection was distinguished by our first use of our *Revised Code of Inspection Standards for Adult Custodial Services* (OICS, 2020) published in December 2020. The standards help us in assessing the treatment of prisoners and the functioning of the facility. Both the scope of the standards and the elaboration of each standard through measures have been reworked. They also seek to address the needs of various groups including women, indigenous Australians, younger prisoners, older prisoners, foreign nationals, and transgender, gender diverse, and intersex prisoners.

Albany opened in 1966 as a minimum-security regional prison, receiving men and women from the region's courts and others returning to custody. However, women have only ever stayed until they could be transferred to Perth, coming back to attend court, have social visits, attend a funeral, or be released. It was transformed into the State's third maximum-security prison in the 1990s, and now acts as an overflow and dispersal option for maximum- and medium-security prisoners from Perth and other regions.

1.2 KEY CHANGES SINCE THE LAST INSPECTION

We found fewer prisoners, closed wings and no protection precinct

This inspection we found a lower prisoner population (302) compared to three years ago (451). The prison's single bed standard capacity is 245, but cells were fully double-bunked and in recent years it was holding up to 450-470 people. Albany's population began to ease in mid-2020 due to a decline in WA's prison population during the COVID-19 pandemic and because new accommodation became available at Bunbury and Casuarina Prisons.

In December 2020, the Department closed Unit 1 A and B yards. This was a welcomed decision as we had been critical of the condition of the infrastructure in Unit 1 for many years. In our 2018 inspection we noted that crowding and age were placing a significant stress on the physical infrastructure in Albany, with none of the four accommodation units meeting modern standards for dual occupation. The cells in Unit 1 were only 6.4 m² compared to the Australian standard guideline for a dual occupancy wet cell which is 12.75 m² (Corrective Services Victoria, 1990).

When Unit 1 A and B yards were closed, protection prisoners were all transferred to Hakea Prison, where a larger protection precinct was established. We hope the Department takes the opportunity to rebuild or make significant improvements to Unit 1 to address the considerable shortcomings we have identified in many of our previous inspection reports for Albany.

INTRODUCTION



Photo 1: One side of B Wing in Unit 1

Along with the drop in population, Albany now had a smaller proportion of remandees and a higher proportion of prisoners from the local region (see table below). Proportions of Aboriginal Australian prisoners and foreign national prisoners remained similar. While the proportion classed at maximum security had increased a little, there was quite an increase in the proportion of minimum-security prisoners at Albany, which is less than ideal for a maximum-security prison.

Table 2: Demography of prisoners at Albany at 05/02/2021

	2021	2018
Legal status		
Remandees	19.5%	25.5%
Sentenced	80.5%	74.5%
Demography		
Aboriginals	38.0%	41.7%
Other Australians	41.5%	38.1%
Foreign Nationals	20.5%	20.2%
Great Southerners	25.2%	17.5%
Security classification		
Maximum	22.9%	17.1%
Medium	67.6%	80%
Minimum	9.6%	2.9%

INTRODUCTION

1.3 INFRASTRUCTURE

Significant deficiencies in legacy infrastructure remain

We made several recommendations in our 2018 inspection report which were focussed on addressing infrastructure inadequacies in Albany. (OICS, 2018, pp. 70-71. Recommendations 15-18.) The Department responded by acknowledging these issues and stating that future requirements for Albany would be considered as part of the Department's Strategic Asset planning (OICS, 2018, pp. 81-83). Other than suspending use of Unit 1 A and B wings for the present, and some minor works to improve functioning of the reception centre, the infrastructure was essentially unchanged, and most of the issues identified in 2018 remained. For example, this inspection highlighted the poor design and condition of Albany's management unit, including the lack of an adequate crisis care unit or infirmary.

The Department's planning for the State's prison network is not yet concluded, so the future intentions for Albany's ailing infrastructure are yet to be determined. We have recently been informed by the Department that they have over recent years put forward business cases to government to address many infrastructure projects, but only a few have been successful. We acknowledge these efforts and understand that investment in major infrastructure upgrades require substantial resources that are subject to competing demands. Nevertheless, it is incumbent on this Office to continue to document where facilities are unfit for purpose, undignified, below modern operating standards, or compromising good and efficient custodial practices, as is certainly the case with Unit 1 at Albany. And this is a problem likely to get worse over time.

Recommendation 1

That the Department continue to prioritise replacement of legacy infrastructure at Albany Regional Prison, including: prisoner reception and that contained in the original prison building known as Unit 1.

Chapter 2

GOVERNANCE

2.1 BUSINESS MANAGEMENT

Albany has maintained its annual business planning cycle

The Albany leadership team has maintained good practice in developing and implementing annual business plans. The *Albany Regional Prison Business Plan: 2020-2021* (DoJ, 2020) identifies six key focus areas that align with the Department's published strategic framework. Each section contains concrete goals and action items to achieve in the current year. However, the plan could be more effective if it also detailed who was responsible for each action, timeframes for completion, and how progress was to be measured and reported.

The plan continues to reference 'The Albany Way', which is a long-held operational philosophy encouraging positive and supportive relations between staff and prisoners.

Staff perceptions of management have declined

Our pre-inspection staff survey completed by 58 staff showed that perceptions of local management support and leadership had declined. Survey responses showed that:

- 19 per cent of staff (11) rated local management support as 'good' compared to 37 per cent in 2018.
- 28 per cent (16) rated it as 'mixed' compared to 38 per cent in 2018.
- 43 per cent (25) as 'poor' compared to 19 per cent in 2018.
- 10 per cent (6) did not respond to this question.

These perceptions of local management rated rather lower than the average of results from similar surveys across all WA prisons.

The survey also provides staff the opportunity to provide written comments, with many comments suggesting polarised views. Some praised strong leadership in the prison and said that others simply did not accept direction and necessary correction. Others complained of aggressive and unsupportive management which they described as bullying. While operational staff have briefings at each level to convey information downwards, some front-line staff said they did not feel they had the opportunity to be heard by management.

The survey results were reaffirmed in our interaction with staff during the inspection, both in structured group meetings and individual conversations. Staff were especially concerned that the Department was reviewing access to the 49/52 week leave provision available under the prison officer's Industrial Agreement (IA). There was also discontent about the reduction of overtime through caps imposed by head office. The overtime cap at Albany had been reduced to just one, meaning only one 12-hour shift position could be covered through overtime in any one 24-hour period, but this is countered by the availability of staff who previously would have worked in Unit 1 A and B Wings.

Head office was seen by staff as having an overly persistent focus on compliance and reporting to the detriment of actual prisoner management. The recent development and implementation of new departmental rules for prison operations were also criticised as lacking consultation or communication with staff on the ground. In general, staff morale was lower than before, with some presenting as disengaged, disempowered and discontented.

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2.2 HUMAN RESOURCES AND FINANCE

Staff shortages in several areas caused negative impacts

We were told that a significant driver of stress, frustration and low morale for staff were vacancies across staffing groups. At the time of the inspection Albany had 10 Senior Officer (SO) vacancies. This meant 10 prison officers were acting up in those positions, reducing availability for the roster at prisoner officer level. A recruitment process to fill the SO vacancies had begun but there was uncertainty as to when that process would be completed and the new staff in place.

Albany also had four Vocational Support Officer (VSO) vacancies. These staff are essential to ensuring prisoners can access constructive purposeful activity throughout the day. More prisoners could be accessing work if these positions were filled. Additional pressure was placed on the VSOs when they were called away from their roles to act in unfilled uniformed officers' positions.

The concerns were not just applicable to uniformed staff. Many public servant and managerial staff at Albany told us they were also stretched. There was no relief component for administrative roles. If there were absences, work was either not done or backfilled by others in the team, leaving a backlog elsewhere. Staff said they felt under pressure not to take leave. There were also three vacancies in the administration team, which we were told added further pressure.

Albany's budget was under pressure by reliance on overtime

To the end of the 2019-2020 financial year, Albany Regional Prison had operated with an overspend variance of \$297,000. Most of this related to staffing costs. Prisons rely on staff to keep operating a full range of services to prisoners. This includes uniformed prison officers, vocational support officers, and public sector staff. When there are absences within any of these groups, either the person performing that task needs to be replaced, or the service cannot be safely or properly delivered.

Within a prison setting, through agreements with the WA Prison Officers' Union (WAPOU), minimum numbers of uniformed staff must be present in specific locations to enable the activities in those areas to operate. If this is not met, prison services such as recreation, industries, education, programs and health are modified, reduced or cancelled. Prisoners in selected wings may also be locked behind their grilles, or in cells.

We were told that funding for staffing costs in WA prisons does not cover various forms of personal leave. This includes, for example, travel entitlements for regional staff when going on or returning from annual leave, and additional purchased leave entitlements available to prison officers. Rosters may also be depleted through long term sick leave, worker's compensation, staff suspensions, vacancies and secondments to other positions. Gaps in rosters are traditionally covered through overtime.

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Overtime is inherently very expensive and has been a massive impost on Corrective Services which has come under pressure to reign in these expenditures. In 2020 we saw the progressive reimplementation of the overtime caps that were suspended following the riot at Greenough Regional Prison in 2018.

Albany lacked meaningful input in framing its own budget

In the past, prison leadership could make a submission to head office detailing its running costs, the cost of services to prisoners, its priorities, and any proposals for remediation or improvements. This allowed consideration of the particular needs of each facility such as regional costs, and of particular prisoner cohorts, such as women, Aboriginals, the elderly, protection and different security levels managed.

Albany, like other prisons, simply receives an annual operational budget from head office. It has no effective input on its service requirements and local cost structures. As the Department maps its prisons and looks at system-wide planning, it should also look towards allowing prisons to be more involved in its budget processes again. Each prison 'knows' its role, its prisoners and its environment and the impact that has on providing essential services.

2.3 STAFF TRAINING

Essential training was being maintained but not much else

The position of Satellite Trainer is based at Albany and coordinates training for staff at Pardelup Prison Farm, and Community Corrections as well as those at Albany Regional Prison. This continues despite the transfer of the position from the Corrective Services Academy to the prison and the loss of the prison's own SO Training position.

Despite this, documents showed that essential, security-focussed training requirements were being met. These include refresher training in use of restraints, chemical agents, breathing apparatus, first aid, and emergency management. As shown below, prison officers surveyed at Albany expressed significantly higher levels of satisfaction with their training than was average across WA prisons. That was especially so in the use of breathing apparatus and emergency management: loss of control.

Table 3: Adequacy of training expressed by prison officers in pre-inspection surveys

Training components	Albany	State
Use of restraints	74%	67%
Use of chemical agents	77%	66%
Use of breathing apparatus	61%	28%
CPR/first aid	74%	65%
Emergency response: fire, natural disaster	48%	38%
Emergency response: loss of control	48%	29%

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With only a single training officer, there was limited access for staff to other training opportunities. This included skills such as suicide prevention, case management, cultural awareness, drug and mental issues, working with female offenders and interpersonal skills. The Department now relies heavily on online training modules for some of these topics, but staff told us they had difficulty finding time or computer access to do such courses. They were also having to prioritise mandatory completion of online modules relating to new parts of the Commissioner's Operational Policies and Procedures (COPPs) as they are released.

Staff also said there was a gap in structured training for specialised roles or promotion within the Department. We were told that there is no training for Senior Officers or for uniformed staff wanting to progress to management roles. The only development option is for staff to apply to act in the role and learn as they go. If the Department wants good leaders and managers, it seems logical that they should invest in the development of their people. In fact, the Department runs an Assistant Senior Officer Program (ASOP), a two-year developmental program delivered through the Academy. But with only 30 positions offered every two years it includes few of those aspiring to or acting in Senior Officer ranks.

OICS also acknowledges that senior managers have access to opportunities through the WA Public Sector Commission such as Leadership Essentials and a special Graduate Certificate in Business at Murdoch University created for participants from Department of Fire and Emergency Services (DFES) and partner agencies such as Corrective Services.

Staff we spoke with were also very critical of the performance management and support system used by the Department. They described it as tokenistic and a waste of time. Some said that they were reviewed by managers that they did not regularly work with, and if gaps were identified in their performance or development needs, there were very limited training opportunities or support to address these.

2.4 INFORMATION TECHNOLOGY

Staff access to IT was outdated and inadequate

Up-to-date custodial technology is lagging in WA state prisons, and this places an added burden on staff and creates an impediment to effective services for prisoners. Officers having physical access to a computer is also seen as a barrier to effective services for prisoners.

For example, the process of undertaking a full count of prisoners, which occurs several times each day, involves each unit control printing lists of prisoners from the TOMS database via a desk-top computer. After manually checking off the list of names, the results are then entered back into the computer. Tablet style technology could simplify manual processes such as this saving time for staff to undertake other duties.

Likewise, many simple prisoner requests require unit staff to access a computer to look up the information being sought. This is often a source of great frustration for officers and prisoners alike. Technology exists, and is being used in WA's only private prison, that gives prisoners access to personal information via a kiosk style system. This allows them to access information for themselves, for example, their current canteen balance, to register requests

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for a medical appointment or a visit, or to add a new external phone number. Such systems can dramatically reduce the transaction burden on staff and increase the sense of agency for prisoners. Tablet style devices are also used in other facilities to provide benefits for prisoners, such as access to education, and video communication with authorised friends and family.

At Albany, we found staff in units were enormously frustrated with the limited access to deskbound IT systems. The prisoner data base is needed to answer most prisoner queries, check alerts between prisoners for placements and movements, enter all manner of operational details and data, and to enter mandatory witness reports for all incidents. Officers are also required to check and respond to departmental emails daily and undertake mandatory online training within certain timeframes.

Management shared concerns that providing more desktops might reduce the time staff had for daily interaction with prisoners. They said there was also access to desktops in staffing amenities, if someone could be spared from their unit.

But significant change is needed to help staff meet their work obligations in the short term, and to better leverage technology to improve outcomes for both staff and prisoners. Jurisdictions throughout the world have successfully addressed any security concerns that may arise in relation to better use of modern ICT for prisons.

Recommendation 2

Evaluate the feasibility of increased use of mobile technology in prison units both to help staff better meet their work obligations and to improve access to information and services for prisoners.

2.5 PRISON INDUSTRIES

The prison would benefit from a dedicated Industries Coordinator position

The Business Management portfolio at Albany includes human resources, finance, administration, prison facilities, OSH and industries. This includes the Business Manager being the line manager for all VSOs employed in multiple areas across the prison. There are dedicated coordinators for human resources, finance and administration, but not the other functions within the portfolio.

This arrangement has at times proven to be problematic with some VSOs complaining to us about ineffective communication and lack of responsiveness, even when urgent matters needed attention. The lack of an Industries Coordinator to support the Business Manager was seen as a major cause of delay.

We were told that OSH and facilities management were suffering from limited attention. Preventative maintenance schedules in workshops, as an example, have not been adhered to causing potential risks to health and safety. The scale of the problem is illustrated by the fact that in a 12-month period to 6 August 2020, the Business Manager logged 327

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breakdowns with Building Management and Works for infrastructure and equipment and had to coordinate 334 separate contractor visits into the facility.

We felt that industries had not progressed since 2018 and lacked any strategic plan. For example, the old textiles workshop remained closed and presented as a significant missed opportunity for prisoner employment. Nor had new training pathways been developed to engage prisoners without prior work experience, including many of the Aboriginal prisoners.

In August 2020, the prison tried to address these problems with a request to create a Level 5 Industries/Occupational Health & Safety Coordinator position, but this was not supported by the Department. We encourage the Department to reconsider as it would benefit the industries area, coordinate safety and welfare of staff and prisoners, and offer opportunities to progress industries and prisoner employment and training.

Recommendation 3

Establish an Industries Coordinator position.

Chapter 3

EARLY DAYS AND DUTY OF CARE

3.1 RECEPTION

The reception space and processes were much improved

We found significant improvement in the utilisation of space in the existing reception centre, in reception processes and in storage arrangements since the previous inspection.

In our 2018 inspection we found a number of shortcomings in the reception centre and recommended that the Department should ensure privacy of reception interviews, and significantly expand or replace the reception centre (OICS, 2018, Recommendations 1 and 16).



Photo 2: Transfers to and from Perth are by coach



Photo 3: Coach interior

EARLY DAYS AND DUTY OF CARE

The Department accepted our recommendations in principle but said that Albany's infrastructure requirements would be considered as part of its long-term infrastructure planning. The improvements we noted have been implemented locally to reduce cluttering and to improve confidentiality for reception interviews. This was done by installing a new long counter in the reception hall with separators to create three interview stations and completing some additional minor works and reforms shortly before our current inspection. These included:

1. Installation of a direct access door into reception from the external fenced compound able to accommodate all prisoner transport vehicles including the inter-prison coach.
2. Creation of three non-adjacent holding cells able to accommodate different prison cohorts potentially including women, and protection prisoners.
3. Installation of a sea container outside the reception centre to increase storage space.
4. Outplacement of certain staff into an adjacent transportable building allowing creation of an interview room to further improve confidentiality of reception interviews.

The new design creates more space and enables a better flow of prisoners through the various reception processes. We found that property was also better organised and documented, resulting in fewer complaints by prisoners. A hatch had also been installed which will allow prisoner property requests to be attended to without the need for prisoners to enter the reception centre.

3.2 FIRST NIGHT PLACEMENT

First night accommodation for prisoners was less than ideal

There is only one dedicated cell for women which is located in E Wing of Unit 1, so newcomers are placed there. This accommodation is discussed further in section 3.6 below.

As part of the prison's first night strategy, male prisoners, especially those newly received from court, are usually placed in C Wing of Unit 1. If there is not enough room, prisoners who have previously been in Albany may be placed directly into other units. Those placed in C Wing will stay until their orientation is completed. Placement outside mainstream accommodation for the first night or so makes sense for someone new to prison, so their needs can be ascertained, their safety can be assured, and they have time to settle in.

But C Wing is not a pleasant environment for a newcomer. The cells are well below standard size for single occupation, yet they are often doubled up. The exercise yard is highly confined without external views. And with people also placed there with protection issues or undertaking other punishment or management regimes, there can be considerable periods when staff are unable to let them out of their cell for recreation or socialisation.

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In the event that a newly received prisoner is found to be vulnerable to self-harm, undergoing detoxification, refusing a strip search, or otherwise in need of monitoring, they are placed in an observation cell in E Wing. This is not an ideal placement for a distressed person, but it seeks to ensure their safety.

3.3 ORIENTATION

Newcomers were getting a better orientation to prison life at Albany

We were also pleased to see that a more thorough orientation process was now in place. The prison had responded positively to our recommendation to provide a thorough orientation to prisoners, including contact with peer support and provision of an orientation booklet. The following orientation activities may begin on the day someone is received at Albany, but typically commence on the following day:

1. An initial health assessment.
2. The standard orientation checklist with an officer in reception.
3. A site tour with a peer supporter.
4. Provision of an Orientation Booklet that the prisoner can keep. There are different English versions for men and women, and a translation in Vietnamese is also available.
5. Attending a PowerPoint presentation about life at Albany in the presence of the peer supporter and an officer.

All new arrivals to Albany must undertake this orientation process, the only exception is those who have returned to Albany within three months following release or transfer. In addition, all new prisoners are seen by nursing staff on the day of their arrival or the following day for a baseline medical examination, with a follow-up four to six weeks later by the GP. Education runs its own orientation session each Wednesday during term time which includes a simple literacy and numeracy test. Those found to be at high risk are prioritised for early participation in general education courses.

While the new orientation process had been promised in response to our 2018 recommendation, it was only implemented in December 2020. Our prisoner survey was conducted in the same month, and we saw no improvement in the proportion of prisoners who said they got enough information about how the prison works when coming into the prison. However, the changes described above should help new arrivals feel more confident and familiar with their environment. We also had good feedback from prisoners we spoke to about the orientation process.

3.4 REMAND PRISONERS

Remand prisoners were almost invisible

Albany now had fewer remand prisoners (59) compared to 2018 (115). In our 2018 inspection we noted problems with services for remand prisoners at Albany. They were less likely to be employed and more likely to be displaced from their home region. They were missing out on their entitlements to daily visits and had limited access to legal materials, education and programs.

EARLY DAYS AND DUTY OF CARE

The situation for remandees had improved since our last inspection with only 25 per cent now unemployed or under-employed compared to 50 per cent previously. Weekday visits for remandees were being run in late afternoons, so they were not an impediment for remandees who are able to work or study. In addition, numbers from the Great Southern (25) almost matched those displaced from Perth (26) and only a small number were from the Northern or Eastern regions of WA. Only 37 per cent of remandees were now foreign nationals compared to 53 per cent in 2018.

We were assured that previous problems with prisoners' access to read and print legal information from the legal database in the library had been resolved, although printing was still controlled by staff. While there remains a limited but useful legal collection in the library, it was used infrequently.

Human rights principles, as reflected in Australia's Guidelines for Corrections in Australia, have long held that remandees be kept apart from sentenced prisoners. This is based on the notion that unconvicted persons shouldn't be forced to mix with and be influenced by convicted prisoners. But there is no attempt to separate remand and sentenced prisoners by unit, wing or even cell at Albany. We found that 62.5 per cent of remandees in Units 2 to 4 (33 of 52) shared a cell with a sentenced prisoner. Eleven had single cells and eight shared with another remandee.

The reasons why remandees and sentenced prisoners may be mixed together vary. Historically, it has been impacted by rises in prison population and bed availability, but other reasons also have an impact. New prisoners often feel safest with people they know. Many remandees are former prisoners and accustomed to prison life. Some must be segregated from enemies or because of the nature of their alleged offences.

Nevertheless, some remandees are genuinely new to the system and are highly vulnerable to influence, if not physically at risk from others. Ideally, such remandees should not be required to share cells or wings with mainstream prisoners.

Remand periods vary greatly. We spoke with prisoners who had been on remand for shorter periods, and some who had been on remand for 12 months and more.

Table 4: Time spent in custody of remandees in Albany as at 05/02/2021

Time on remand so far	No.
0 to 6 months	25
>6 to 12 months	20
>1 year to 2 years	11
Over 2 years	3
TOTAL	59

Prisoners who spend long periods on remand often have few opportunities for personal development and/or to address their offending behaviour or other needs. Education options at Albany had not expanded for remandees at all, nor had programs they could do, other perhaps than a parenting skills course offered by Pivot Support Services.

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Remandees expressed considerable frustration that the time wasted could have been usefully spent addressing behaviours such as addictions, personal relationships, or other factors associated with their offending; or in gaining work experience and qualifications.

In the past, remandees could participate in the Cognitive Brief Intervention thinking skills and relapse prevention program. This was run by prison officers but for some years, like other prisons, Albany has been unable to dedicate staff to facilitate such programs. Only at Hakea Prison has the programs branch provided civilian facilitators for this program. As discussed below, Narcotics Anonymous (NA) was the only voluntary addictions program that remandees at Albany could access.

3.5 PROTECTION

Protection prisoners were no longer held at Albany

Prisoners who are at risk from others are usually managed by placing the parties in different facilities, or different parts of the same facility. In Albany, unit populations are kept strictly separate, with access to outdoor recreation, canteen and library scheduled at different times. This requires constant monitoring by officers to ensure placements in education, work and other activities do not allow known threats to mix together.

There are efforts to resolve conflicts, such as bullying, through informal mediation, but for some prisoners the risk is such that additional measures are required. Such prisoners can request, or the prison may assess them as requiring, protection status.

The designated protection section in Albany was closed in late 2020. Prisoners identified as possibly needing protection are placed in Unit 1 C Wing. If protection status is warranted, that person must be transferred to one of the metropolitan prisons which accommodates protection prisoners. This obviously means that some prisoners from the Great Southern would be displaced if they require protection.



Photo 4: Exercise equipment beside oval with new outdoor yard for protection at left

EARLY DAYS AND DUTY OF CARE

In our 2018 inspection report we made a recommendation around improving conditions for protection prisoners. During this inspection, we noted that Albany did respond positively to our recommendation and made several improvements, some were only completed just before the protection unit was closed and the prisoners with protection status were transferred to Perth.

3.6 WOMEN

Provision for women had improved but their situation is still less than ideal

There has been a gradual growth in both the number of female prisoners held at Albany and the length of their stay. In the 12 months prior to our inspection, Albany received 30 female prisoners. Twenty were received directly from courts or the police, so they may not have spent time in custody previously or recently. Eight prisoners stayed for one week or longer. By comparison, in 2008 Albany had only received seven women in the previous 12 months and the maximum length of stay was three nights (OICS, 2009).

There were three women at Albany during our inspection. Two had never been in custody before. We observed that staff treated them with dignity and respect and were sensitive to the distinct needs of female prisoners, including one who was at risk. Staff also facilitated access to health, counselling services, and to social visits.

Our last inspection found that female prisoners held at Albany on a short-term basis were acutely isolated and could spend up to a week alone before being transported to Perth. We recommended that women be transferred out of Albany in a timelier manner. The Department acknowledged that leaving women at Albany was 'not ideal' but it did not support the recommendation. It said the normal length of stay was generally less than one week, and special escorts were not readily available or cost effective (OICS, 2018).

In response to our recommendation, Albany improved some of its facilities and services for female prisoners, including creating a designated holding cell for women in reception, a female-specific orientation booklet, a new outdoor yard and a local direction not to forcibly conduct strip searches on arrival. There is a single cell available in Unit 1 E wing which is of an adequate size to accommodate up to three women. The cell is not unpleasant, and has amenities such as an ensuite, a kitchenette, books, DVDs, TV, and necessary supplies. But it lacks an external view with only a high window admitting any natural light.

In the event of a conflict between the women, or a fourth woman is received, or someone is at risk of self-harm or in need of medical observation, that woman must be accommodated in another cell in E Wing which would otherwise be used for punishment and observation. These cells are neither gender-specific nor therapeutic.

Female prisoners at Albany will always be isolated. Strictly speaking, in one regard they should be more isolated than they are; their cell is located in E Wing which is part of the MPU which accommodates the most difficult men. This is inconsistent with section 44 of the *Prisons Act 1981 (WA)* which requires that separate cells and sleeping quarters in different

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parts of the prison be allocated to male and female prisoners. The multiple regimes and prisoner needs in the MPU can affect the capacity of staff to work with the women and get them outside for fresh air and exercise.

The new outdoor area which has been developed has a small garden, with a shelter, seat, water fountain and exercise bike. It is a significant improvement on the previous arrangement in which women spent out of cell time on the tarmac outside industries during the lunch time lock-up. But it is nevertheless an open cage adjacent to education, and supervision is required. MPU staff typically managed to provide only an hour out of cell for women per day.

Albany has significantly improved its management of women but is hamstrung by its limited dedicated infrastructure. Nevertheless, the needs of women at Albany should be a significant consideration in the Department's deliberations on infrastructure at that facility. And we still believe women should be transported more often than weekly between there and Perth. We would also like to see more time out of cell guaranteed for women who want it, and we believe that staff working in the MPU should be strongly encouraged to undertake training on working with female prisoners, which is readily available as an online course.

3.7 FOREIGN NATIONALS AND CALD PRISONERS

Positive guidance in new Local Order for Foreign Nationals, but little change

We found areas of good practice in the provision of services for foreign nationals in Albany. For example, accommodating cultural or language groups together; and the production of the orientation package in Vietnamese, which is considered to be the most prevalent foreign language.

Collectively, various Chinese dialects from China and other Asian and South East Asian countries were also strongly represented. New opportunities may exist for translation of key information documents into these other language groups.

Table 5: Foreign nationals at Albany Regional Prison on 5/02/2021

Foreign Nationals	No.
China, Hong Kong SAR & Taiwan	13
Vietnam	9
Other SE Asian nations	13
South & Central Asian	3
African	1
English speaking nations	20
Other European	3
TOTAL	62

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Our 2018 inspection report raised several concerns regarding services for foreign national and/or culturally and linguistically diverse (CALD) prisoners. These included, limited use of professional interpreter services; and better access to foreign language media, including television, movies, music, books and magazines. We recommended that the prison develop a local order specifying the circumstances under which interpreters must be used, communication provisions, and access to foreign language resources (OICS, 2018, pp. 32-33).

This recommendation was supported, and Local Order 53: Foreign Nationals was approved in 2018. It contains some useful guidance for officers, including:

- Placement of foreign nationals with someone of the same cultural/linguistic group wherever possible.
- The importance of orientation and the need for diligence to ensure comprehension.
- An allowance to send two international/airmail letters per week free of charge.
- A need to take a sensitive approach to religious matters.

We found a significant collection of foreign language materials in the library, mainly in Vietnamese with a smaller Chinese collection and a smattering in other languages. Nevertheless, these were quickly exhausted by longer term prisoners and they strongly desired more. Unfortunately, the new Local Order 53 provided that foreign language materials may only be sourced from Consulates. Friends, family members and other community organisations are not permitted to donate books, DVDs, CDs or magazines. Nor can these be purchased through the canteen via town spends. According to the prisoners we spoke with, this was a harsher restriction than any they had encountered in other WA prisons.



Photo 5: Part of the foreign language collection in the library

EARLY DAYS AND DUTY OF CARE

SBS language news broadcasts were valued but there were few other programs available in language. A number of free-to-air satellite broadcasts from various countries are available and it may be quite inexpensive to install a satellite receiver able to pick up these.

In 2018 we found that the canteen was providing a variety of goods from a local Asian grocer for earned supervision prisoners to purchase. By the time of our current inspection, this arrangement had ceased and only a small number of less-authentic condiments and spices were now available.

Local Order fell short of the WA Language Services Policy

During a meeting with some foreign national and CALD prisoners, we heard that telephone interpreter services were used in the health centre and by lawyers. But peer interpreters were used for almost all other official interactions, including orientation, assessments and daily interactions in the units. Albany's Local Order 53 sets out the requirements regarding use of interpreters. It states that during the admission and reception process, the use of Translating and Interpreting Services (TIS) is 'encouraged'.

In the case of the extremely sensitive ARMS or SAMS risk assessments, where a prisoner's risk of vulnerability or self-harm is assessed, the Order notes that it is important that assessments are completed thoroughly and in private. However, it only goes as far as to state that the use of TIS in such interviews is 'recommended'. These requirements do not go far enough to ensure that prisoners are getting fair, equitable, and unfiltered access to information, and that privacy is adequately protected.

The *Western Australian Language Services Policy 2020* (OMI, 2020) sets out the requirements of public sector agencies to ensure that language is not a barrier to fair and equal access to services and information (OMI, 2020). It states that state government agencies must:

- Provide free and targeted language services that address client's rights, and risks to their health and safety.
- Incorporate arrangements for funded non-governmental services organisations to engage interpreters through a designated Common Use Agreement (CUA).
- Ensure that interpreters and translators engaged are tertiary qualified or credentialed by the recognised accreditation authority (OMI, 2020, p. iii).

We have previously encouraged the Department to develop and implement clear policies regarding the management of foreign nationals in the WA prison system. It is disappointing that it does not appear that this will be addressed as part of the COPPS project, which has been working to standardise minimum service requirements across all prisons in Western Australia. This leaves the management of foreign nationals and CALD prisoners up to the discretion of each facility, meaning that treatment and services will continue to vary significantly from site to site.

EARLY DAYS AND DUTY OF CARE

Recommendation 4

The Department should develop guidelines for the use of interpretation and translation services for all prisons that meet the standards set by the WA Language Services Policy 2020.

Chapter 4

DAILY LIFE

4.1 PRISON ROUTINE

Few have a busy and productive day

Stable and effective prisons offer a busy and productive daily schedule. This may involve activities such as meaningful work, education and training, programs to address offending behaviour, development of life skills, personal development, recreation and rehabilitation.

The daily routine at Albany has potential to encompass such expectations for some but not all prisoners. On weekdays, prisoners are unlocked shortly after a 7.00am population count. They have an hour or so for morning routine, including showers, breakfast, cleaning their cells, and delivery of their prescribed medications. Following a cell inspection at 8:20am, those engaged in work or education leave their units around 8:30am. Those with unit work generally commence when others leave.

The following is a simplified list of activities in which prisoners at Albany may be engaged. It shows that around 45 per cent are engaged in meaningful work in industries or service provision, or were attending education or offending programs. But around 55 per cent of prisoners were engaged in unit work or were unemployed. We often refer to unit work as under-employment as it traditionally involved relatively low skilled tasks taking no more than an hour or so each day. This may include activities within their unit such as cleaning, food serving, recreation support or other sundry roles. The unemployed category includes those prisoners categorised as 'miscellaneous workers' or as 'not working', and they are grouped together because they are paid the lowest gratuity level in recognition that they do little, if any, productive work.

Table 6: Prisoner work assignments as at 05/02/2021

Workplace	No.	Per cent (%)
Industry and service work	103	34.11
Education and programs	31	10.26
Unit work	120	39.74
Unemployed	48	15.89
TOTAL	302	-

A few kitchen workers had long shifts, starting at 6:45am and working to 5:45pm seven days a week, but most workers and students had very short days. The majority of those attending work or study were only engaged in these activities for around 4.5 hours each day. There are a variety of reasons for such a short day, including:

- Tardy attendance for start times.
- Stoppages for a morning tea break.
- Return to their units for population count, lunch and lockdown between 11.15am and 1.00pm (to facilitate staff lunch breaks).
- Afternoon work only runs between 1.10pm and 3.15pm, before prisoners return to units.

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The exceptions to this are kitchen and laundry workers who stay in their workplaces over lunch. The productive work day for most others could be even shorter if you factored in the time required to set up and pack down a workplace for each shift.

On top of these limitations, prisoners are locked down every Friday afternoon to facilitate staff training and for one afternoon per week each unit is allowed to attend the canteen, library and oval, so workers and students from that unit have to be made available.

Further restrictions arise when workshops are closed for extended periods due to either a lack of VSOs who supervise the workplaces, or general staffing absences which require redeployments and/or reductions in the number of places within the prison at which prisoners can be effectively supervised.

There may be opportunities for the daily schedule to be reviewed and modified to increase the amount of productive time prisoners get to spend in work, education and programs.

4.2 PRISONER ACCOMMODATION

Mainstream accommodation was crowded with inadequate common areas

There are four accommodation blocks in Albany, the oldest of which is Unit 1 (which is discussed in more detail below). All but a few cells are double bunked, despite their original design being for single occupancy. The table below shows the actual cell sizes compared to the national standard guidelines (Corrective Services Victoria, 1990).

Table 7: Cell areas in square metres by units against national standard guidelines

Unit	Cell area	Single standard	Double standard
1	6.43	8.75	12.75
2	8.49	8.75	12.75
3	8.08	8.75	12.75
4	9.12	8.75	12.75

None of the cells meet the agreed national guidelines for double occupancy. Sadly, this appears to have become the norm across the system due to the policy of double bunking in response to the rapid rise in prison population over the past decade.

Units 2 and 3 have similar designs with two double story accommodation wings at either end joined by a mezzanine level central area which includes the staff control and two large common areas. Both units have been refurbished in the last decade, but Unit 3's was more substantial, expanding space for staff, and enclosing ablutions within the area making them accessible when grilles are locked.

Access to phones was a constant source of complaint previously. But as part of the refurbishments phones in both units were removed from the common rooms and put into the wing landings to make them more accessible.

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The shared common areas cannot reasonably accommodate the 28 to 30 prisoners from the two wings for meals. There were only a few small tables in each and up to a dozen plastic chairs. That meant that most prisoners were forced to consume meals in their cells, something that everyone had to do at lunch, and during periods of lockdown caused by staff absences. This created ongoing issues with hygiene and vermin control, notwithstanding regular attendance by pest control services.

Unit 4 is a more modern version of the design in Units 2 and 3, with much better staff amenities, wider wings with better lines of sight, and common areas capable of seating more people. While cells met the standard for single occupation, they were all built with double bunks. Not all were double occupied at the time of the inspection, but for those that were crowding was still a reality. Stoves and cooking equipment were available for those allowed to buy extra food. Some cells had small fridges, which were cleverly installed at height between the bed end and the wall.

Parts of Unit 1 were closed but no plans evident for the future

We have long been critical of the state of Unit 1 in Albany and following our 2018 inspection recommended its replacement. The basis for our recommendation was acknowledged and accepted-in-principle by the Department, which noted that it would be considered as part of the Department's Strategic Asset Plan.



Photo 6: Cell in A Wing in Unit 1 ready for use

During this inspection we were pleased to see that A and B Wings of Unit 1 had been closed. But we were concerned that there appeared to be no clear plan for their future and that both wings had been made ready for re-occupation at short notice, with mattresses and linen on beds, and toiletry kits available in each cell.

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We were told that the prison had received no clear direction from head office, but it seemed likely that limited funds would be made available to refurbish these wings to return them to service as standard accommodation. This would, in our view, be a significant missed opportunity to decommission old inadequate infrastructure.

Although we would advocate strongly for decommissioning, in the event that there was no alternative other to reopen them, then we recommend that the cells be remodelled for single occupancy with self-care privileges.

Part of C Wing in Unit 1 is currently used for orientation, with 12 double-bunked cells down one wall. There is a moveable barrier that separates the front and back ends of the wing where three cells are designated as punishment cells, another four are designated as multipurpose cells, and five classed as standard capacity. The conditions in C Wing are like those in A and B Wings with identical cells and ablutions only with a much smaller common area and a greater sense of confinement due to the moveable barrier.

D Wing in Unit 1 was previously used for protection prisoners, but since 2020 has been set aside as a quarantine yard for potential COVID-19 prisoners, or those with other infectious disease such as the flu. Cooking facilities have been restored, but like the rest of Unit 1 there was no certainty how the wing will be used in future. It remains highly confined with small cells that are not suitable for double occupation.

E Wing in Unit 1 is the traditional management wing with seven cells used for temporary confinement, punishment, observation of at-risk prisoners and medical observation and a small enclosed yard for recreation. An eighth cell in the same wing is dedicated to women. As noted above, part of C Wing is used to extend accommodation for management purposes.

Recommendation 5

Until such time as Unit 1 is fully decommissioned for prisoner accommodation, any future use should be on the basis of single cell occupation.

4.3 FOOD AND NUTRITION

Satisfaction with food remains high

Satisfaction levels with food on the part of prisoners had increased since our last inspection and remained substantially higher than state averages.

Table 8: Proportion of prisoners surveyed rating food as 'good'

Item	2021	2018	State average
Food quality	69%	68%	45%
Food quantity	71%	64%	49%

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Food was prepared in the main kitchen and sent to each unit in insulated carts. We observed an evening meal of braised steak and onions, beans and mashed potato being dished up from trays placed on a servery. The helpings of the main meat dish were generous, and the food was evenly distributed, with leftovers available after both wings were served. A number of men received second serves in plastic containers to take to their rooms. A tub of salad was placed on a separate table, but despite a few prisoners taking quite large quantities half of it was left. Up to three slices of bread were available for each person together with two milk bladders for the following day.



Photo 7: Braised steak with onion and vegetables



Photo 8: Green salad for dinner

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Photo 9: 'Red dogs' are commonplace for lunch

Documents received prior to the inspection indicate that the kitchen was compliant with all food safety audits. Special diets were available for a variety of reasons, including medical, religious and lifestyle choices. However, verification was required from the medical centre for most special diets. Non-pork options were provided rather than Halal meals, and a Muslim kitchen worker oversaw the preparation and storage of certain foods to ensure appropriate steps were taken. This provided reassurance to other Muslim prisoners.

Rotating menus were based on what was available seasonally and made good use of produce grown onsite at Albany and at other prisons. The kitchen did not have a regular system of gathering menu suggestions or receiving feedback from the prisoners, as is found at some other prisons. Rather, suggestions and feedback came back to the kitchen via its prisoner employees. There may be scope for the development of a more formal feedback process from prisoners.

Not everyone was happy with the food. Some prisoners complained that food delivered in carts was not hot enough by the time it was served. Others had particular dislikes such as the fish provided. While the menu was cyclic over a number of weeks, prisoners said it seemed much the same from one week to the next. While a range of choices were provided for prison officer meals, Chef Instructors told us that it would not be possible to offer meal choices to prisoners given the small size of the kitchen and available storage space for produce.

We had a number of Aboriginal prisoners complain about the lack of kangaroo meat and damper, something that had been facilitated over the years by Aboriginal Visitors and Prisoner Support Officers. It was pleasing to hear that the new Aboriginal Visitor Scheme (AVS) worker had planned to recommence this in March 2021 and continue it on a fortnightly basis.

There was limited self-catering available for a few prisoners on enhanced privileges in Unit 4. They could supplement food from the kitchen with food purchased from the canteen.

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4.4 MAINTAINING CONTACT WITH FAMILY AND FRIENDS

Prisoners were generally happy with e-visits and phone arrangements

In-person social visits were suspended at Albany between March and July 2020 because of COVID-19, as they were in other prisons throughout WA. During that time an increased allowance of phone calls was provided at no cost to prisoners. The Department also implemented a fixed price phone system which significantly reduced the cost of regional, national and international calls and calls to mobile phones.

Albany has used an e-visits platform for some years and were also able to offer e-visits as a substitute for physical visits. Bandwidth was limited and quality poor, but it was a valued communications tool, especially for those with supports in other regions of WA, interstate or overseas. Albany had two e-visit terminals in use and when the Department expedited the rollout of e-visit facilities across all WA prisons, an additional 10 were installed in the main visits hall. However, only every second terminal could be used due to social distancing requirements. In effect, five terminals could be used for social visits, and a sixth in a private area was used for prisoner interviews with lawyers, counsellors or with agencies relevant to release planning.

Twenty-minute e-visit sessions could be booked between 8:00–11:00am and 1:00–3:00pm on weekdays, and up to 30 visits were processed per day. This was very successful, well received, and continuing at the time of our inspection.

But e-visits were restricted to one per week regardless of a prisoner's remand or sentence status. We had complaints from prisoners who had weekly e-visit appointments scheduled, for example with a parent who was interstate or overseas, who lost their weekly e-visit if they had an in-person visit. This seemed like an unnecessary or arbitrary restriction.

Continuing visits restrictions caused resentment by prisoners

When social visits resumed, they were reduced from 15 to just five per session due to social distancing requirements. Prisoners were no longer able to offer snacks to their visitors, particularly children, and tea and coffee making facilities were removed. Large perspex screens were added to visits tables to reduce droplet transmission and physical contact. The play corner for children had been removed. These restrictions remained six months later, with prisoners and visitors allowed only a brief hug and kiss at the beginning and end of each visit.

For those prisoners with young children this was particularly difficult. We saw one toddler trying to stand up on the table and reach her father over the screen. And many prisoners complained that families had difficulty getting a visit due to reduced numbers.

Staff we spoke to noted that all of these measures made for much quieter visit sessions that were easier to monitor, and with less risk of trafficking. These views suggested a motivation for continuing the restrictions based on factors other than the restrictions imposed for COVID-19.

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Photo 10: New e-visit booths behind social visit tables, now with high screens

There ought to be a return to normal prison visit arrangements in Western Australia as soon as practicable, having regards to the risks presented by COVID-19.

Prior to entering the prison, visitors report to a small external visits centre run by Pivot Support Services. The centre provides locker and toilet facilities, and Pivot staff provide advice and support for families. The prison has also implemented a process to accept funds for prisoner accounts through EFTPOS over the phone and via direct debits from their bank.

The infrastructure of the visits area is in good condition. Visits staff supervised social visits from a desk in the visits hall and using CCTV systems from the control area. E-visits were monitored live. The prisoner waiting room was also monitored, but there were a number of doors between that and control if there was an urgent need to respond to a situation.

The visits hall has a semi-circular yard attached that the prison was planning to convert into a children's play area. Kidsafe WA had been consulted about the design and it was envisaged that prisoners would be involved in setting this up.

4.5 RECREATION

A good program of recreation was too often restricted

Some units have adequate recreation assets, including darts, outdoor basketball courts, table tennis, and isometric gym equipment, which are well used. The gym and recreation space generally available in Unit 4 is much better than what is available in Units 2 and 3. Units also have recreation workers who are meant to encourage activities within the unit,

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helping people develop their own training routines, caring for and making sporting equipment and board games available and arranging in-unit activities. It was not clear during the inspection how effective these workers were.

We also noted that each unit has one afternoon per week when they may attend the canteen, library and oval. Since a decision some years ago to restrict oval access to a single unit at a time, Albany has always aspired to provide at least two further occasions, once during the week and again on the weekend, when each unit can access the oval. The closure of A and B Wings in Unit 1 recently made it possible for each unit to have daily oval access, but this excluded those prisoners with work or study commitments during the week. This was the timetable provided at the time of the inspection.

Table 9: Oval recreation schedule

Session	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
9.00 am – 10.00 am	Unit 4	Unit 3	Unit 2	Unit 3	Unit 2	Unit 4	Unit 4
10.15 am – 11.15 am	Unit 2	Unit 4	Unit 4	Unit 2	Unit 3	Organised Sport	Organised Sport
1.00 pm – 2.00 pm	Unit 3	Unit 2 Spends	Unit 3 Spends	Unit 4 Spends	Staff	Unit 2	Unit 3
2.15 pm – 3.15 pm	Mowing or Unit 4 Library	Unit 2 Library and Oval	Unit 3 Library and Oval	Unit 4 Library and Oval	Staff	Unit 3	Unit 2

But we found that the timetable was aspirational because regular staff absences caused some of these sessions to be cancelled. The prison tried to ensure fair and regular access to the oval but there were some weeks when access was poor. While mainly due to staff absences, there was also an unfilled vacancy among the four VSO positions jointly responsible for recreation, canteen and library. This meant that little structured recreation was available at times units did access the oval.

Prisoners were craving organised sporting competitions

Prisoners at Albany were craving organised sport. During our pre-inspection survey only 21 per cent of prisoners surveyed rated the amount of organised sport as good. Sport was scheduled on weekend mornings, but we were told that staff absences were often worse on those days and none had occurred since NAIDOC was celebrated in early November 2020. One factor in this was that AFL, the most popular sport, tended to generate injuries, so when staffing was already short, the prison had to be locked down to facilitate a hospital escort. COVID-19 restrictions also impacted the ability to run contact sport for much of 2020, but the lack of organised sport has been a long-standing issue.

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There were no sporting events scheduled during our inspection, and we had many complaints from prisoners about the absence of structured sport. Structured sport can provide incentive for prisoners to stay out of trouble and avoid substance misuse. It channels aggression positively and promotes team relationships over other differences. It works best when participants can train as well as compete. Fit players are also less likely to be injured. But it has been many years since afternoon or evening training sessions were allowed.

Management had a plan to set up the outdoor yard created for Unit 1 A and B wings for organised sport such as indoor style cricket, soccer, hockey and volleyball. That would be a good venue for such activities, and some of these would be popular. Foreign nationals for example tend to prefer soccer over AFL. But it was not at all clear how this arrangement could be more effectively or consistently staffed.

On 26 February, the day we reported our preliminary findings back to the prison, a brief series of AFL games commenced. We saw the first of two matches run that morning, as part of a series planned over four consecutive days. The matches comprised of two halves of 15 minutes and were played with real vigour and surprising skill given the lack of formal training. However, predictably, there was an injury requiring an external hospital escort.

Recommendation 6

Commit to regular organised sporting competitions.

A good library was missed when not accessible

The library is meant to be accessible to prisoners on a weekly basis during each unit's dedicated session. But it did not open during our main inspection week, although we did see it running on a return visit two weeks later. On that occasion it was well attended by prisoners from Unit 3. The library had an extensive DVD collection, CDs and books. Prisoners could borrow two DVDs and up to five books at a time. Because of the pandemic, only 12 prisoners were permitted into the library at any one time and all the seating had been removed in order to keep the flow of prisoners moving in and out.

One prisoner said he would like to be able to borrow Xbox games and another wanted to borrow guitars. There was a reasonable fiction collection, but one long term prisoner complained it was rarely refreshed. The library also has a significant foreign language collection but a limited legal section.

The non-fiction section was limited and there was no integration with education which had its own small collection. One prisoner was keen to find a quality maths text that would help his Cert IV studies, but there was nothing available.

In general, the library was well organised and run by the prisoner workers and the VSOs. But with only limited access times, particularly for prisoners in full-time work or study, it was concerning that access was unavailable some weeks due to staffing availability.

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Photo 11: DVDs were especially popular in the library, when accessible

Prison life lacks colour and music

Albany has a rather restrictive policy position in relation to prisoners' access to art, craft and music in their units.

Unlike many other prisons, prisoners in Albany were not permitted to possess, or borrow, musical instruments in their units. We had several prisoner complaints about the lack of access to guitars, especially from regional men. Many said they wanted to write their own songs and sing along together.

Recreational music is available in Education on just one morning each week for a small group of prisoners who are not otherwise occupied. Band equipment is available at those times and participants can enrol in a short course as part of Early General Education. But this falls well short of meeting the level of demand. Most prisons have reasonably accessible musical equipment available, and some now have recording studios which generate output for local radio stations.

We have commented in previous inspections about the ban on prisoners having acrylic or oil painting in their cells. The ban was imposed years ago after light fittings, viewing hatches and windows were painted and graffiti added. Our 2018 recommendation to lift the restriction was agreed to 'in principle', but it was clear from the text of the response that the restriction would remain.

Prisoners were still allowed to use water-colours on A4 art boards. The popularity of this policy is evidenced by canteen sales data for 2020, that showed just 16 art boards and nine

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water colour sets were purchased. Genuine participation in art is therefore only available for those able to join an art course in education, and only if that course is running and the prisoner can attend.

The Guiding Principles for Corrections in Australia to which the WA Government has subscribed include a principle that: '21.8 Restrictions placed on prisoners/offenders are no more than necessary to maintain safety and security and are based on individual assessment of risk' (Corrective Services Administrators' Council, 2018, p. 11). It also affirms that: '21.6 Prisoners are provided the opportunity to practice the religion, cultural or spiritual expression of their choice safely, unless that practice is contrary to the good order and management of the prison' (p. 11).

Our own Revised Code of Inspection Standards for Adult Custodial Services sets an expectation that: 'Passive recreation options are available, well stocked, and in good repair, particularly art materials and musical equipment' (OICS, 2020, p. 24. Standard 54). Current restrictions appear to be a form of collective punishment stemming from incidents that may have occurred many years ago. We have seen in many other prisons the positive, and often therapeutic, impact that art and music can have for individual prisoners and more generally on the mood and outlook of the unit. It seems like an opportune time for this policy to be reconsidered.

Recommendation 7

Reduce existing restrictions on art and music equipment and materials available to prisoners in their units.

4.6 RELIGIOUS AND SPIRITUAL SUPPORT

Chaplaincy services were too often disrupted by cancellations

The chaplaincy service comprises an Anglican priest as coordinating chaplain, who attends four days per week and a Catholic priest who attends one day per week. They offer services on Tuesdays, Wednesdays and Thursdays, but around the time of our inspection these were often displaced or unable to proceed due to the chapel being used for other purposes or unavailable due to staff absences. For example, on occasions chaplains were told the Chapel was in use as a waiting room for prisoners attending video-court, or for a police interview. Rule 65, from the Mandela Rules (also known as the *United Nations Standard Minimum Rules for the Treatment of Prisoners* first adopted in 1958) provides for prison chaplains to hold services and pay pastoral visits in private to prisoners. And Rule 66 states that 'So far as practicable, every prisoner shall **be allowed to satisfy the needs of his or her religious life by attending the services provided in the prison** [our emphasis] and having in his or her possession the books of religious observance and instruction of his or her denomination' (UN, 1958). Such services are a source of hope for some prisoners and failure to facilitate them denies prisoners a fundamental human right. The roster for visits staffing created inconsistency and both the three services and an NA meeting, also run by

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the coordinating chaplain, went ahead during the inspection week. But few prisoners attended, they believed due to cancellations in previous weeks.

Prison Fellowship and other religious visitors stopped coming in when COVID-19 restrictions began. But the Fellowship began to return on Saturdays in January. Unfortunately, we understand that on all but one occasion, they were turned away at the gate due to staff absences. We also heard that security clearances from Head Office for such visitors typically took many months, which seems like an unreasonable time.

The chaplains accepted their responsibility to provide for people of various faiths, and made a good effort to meet needs, for example, by providing prayer mats and Korans for Muslim prisoners, and reaching out to other faith representatives to visit, including a local Buddhist monk. Funerals were increasingly being webcast, and chaplains would like to be able to show these, but appropriate equipment was not yet available.

4.7 CANTEEN

The canteen functions well, but town spends are missed

As reported in previous inspections, the canteen provides an excellent service for prisoners residing at Albany. The canteen is managed by the Activities/Canteen VSOs, with the assistance of a small team of canteen workers who assist with stock and packing. The canteen has recently received upgraded shelving, which has provided a valuable increase in storage capacity.

The canteen provides prisoners with an extensive list of available items, their cost and clear ordering instructions. The list includes some Asian food items and condiments and some healthy food options. Earned supervision prisoners residing in Unit 4 can order additional items including a variety of meat, dairy and frozen vegetables, but eggs are not available for purchase.

In our pre-inspection survey, 56 per cent of prisoners surveyed stated they were happy with the canteen. This percentage is above the state average (51%) but has declined from our last inspection (66%). Due to a vacancy in the Activities/Canteen VSO team, they are no longer able to exit the prison to accommodate town spends for personal purchases such as electrical items, DVD's, books and magazines.

The prison, like all other prisons, no longer supplies XBoxes for purchase, as the older Xbox 360 machines can no longer be sourced and newer models are considered a security risk due to their web connectivity capability.

Further to this, the prison is phasing out all ring-pull lid items due to security and/or self-harm concerns. A number of these items were healthy eating options or cultural condiments to eat with noodles, and included beans, mussels and sardines. Only some items have been able to be sourced in different packaging.

Chapter 5

HEALTH AND SUPPORT

5.1 PRIMARY HEALTH CARE

The health centre was better staffed and far more harmonious

We were pleased to find a much more harmonious working environment in the health centre under the leadership of a new substantive Clinical Nurse Manager (CNM). We found that the health centre was mostly fully staffed with limited use of casuals. The new CNM had made a positive impact and had a good understanding of the context and history from having been a nurse there for many years.

A comprehensive health service was available

There was a sound system in place for prisoners to request access to the health centre. They completed a form which they could hand to unit staff or directly to nurses during the three daily medication rounds in the units. We were told that the waiting time to see a nurse following such a request was between 24 and 36 hours.

Two nurses, from a team of six, are scheduled most days on 12-hour shifts. An additional nurse is scheduled on the day the coach with new prisoners comes from Perth and on the following day when medical screening of new arrivals is undertaken. Each nurse managed a specific care portfolio including chronic diseases, blood borne viruses and infection control. One nurse was assigned to manage the on-site pharmacy and another was responsible for managing the stock inventory.



Photo 12: A new patient bed and the telehealth system in the cluttered health centre

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A local General Practitioner (GP) attends two days per week, and a Department of Justice GP in Perth provides telehealth on another two days per week. The nurses attend these telehealth consultations so they can provide any follow-up care to the prisoner, which seems to work well.

Newcomers in prison have a health screen either on the day of admission or the following day which includes taking baseline assessment of their medical history, substance use history, blood pressure, weight, electro-cardiogram and taking blood for pathology testing. We were concerned in 2018 that the requirement to see a GP had been dropped by prison health services but were pleased to see that this has since been restored. This was done within four to six weeks of admission.

Despite the positive state of the health service, our pre-inspection survey showed a slight decline in prisoner satisfaction with the primary health services at Albany, although two of the four ratings were still better than the average in WA prisons (see table below).

Table 10: Proportion of prisoners surveyed rating health services as 'good'

Service type	2021	2018	WA average
General health services	51%	55%	38%
Medical specialists	35%	48%	31%
Dental care	17%	21%	18%
Psychiatric care	15%	28%	17%

The reasons for the decline were not clear. We had few complaints of slow or inadequate access to treatment. Nor was it clear why satisfaction with specialist services had dropped. It could reflect a reduction in attendance of allied services rather than quality of care from specialists seen externally. The service has reduced access to methadone and several prisoners felt there was little help available to deal with their substance use issues.

Dental services were not being consistently provided

Prisoners were clearly unhappy with the level of dental care available. While 17 per cent of the prisoners who completed our pre-inspection survey rated dental services as 'good', 63 per cent said that dental services at Albany were 'poor', an increase from 46 per cent three years ago.

Dental services were provided by the public dental health services in a consulting room in the health centre. A dentist and dental nurse were scheduled to attend weekly for prisoner dental appointments, but attendance had been impacted over recent months by that service's own staffing issues. The waiting time for dental appointments was getting longer and longer and we were told there were 100 prisoners on the waiting list. The service was planning additional clinics in March which did go ahead and cleared the waiting list for acute care, but not for those requesting fillings or other restorative care.

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None of this is intended as criticism of individuals involved in providing this much needed service, only at the level of service available. Apart from obvious problems with eating and dental pain, limited access to dental care also had impacts on primary health care, with nurses constantly having to treat prisoners with pain relief and antibiotics. The issues of dental care in prisons is subject to a separate review currently being undertaken by this Office.

Health centre infrastructure is inadequate

The health centre at Albany lacks sufficient and appropriate consulting rooms and the current layout compromises patient confidentiality and privacy. It would be very difficult for a prisoner with a mobility issue or disability to move freely. The main consulting room was also a thoroughfare to access the staff amenities' room and the GP's office. The centre lacks an infirmary and prisoners requiring medical observation are held in an observation cell in the Management Unit corridor, which is in the opposite corner of the building from the health centre.

There is also insufficient office space within the health centre. An externally located demountable building has one room for the medical receptionists, but whenever they needed to consult with health staff or use the bathroom in the health centre, they had to negotiate several doors.

Following our 2018 inspection, we recommended that the medical centre be replaced with a facility meeting modern standards in health delivery, with adequate room for growth (OICS, 2018, p. 82. Recommendation 17). This was 'supported in principle' and we understand that the Department has tried several times to have the centre replaced. Obviously, any consideration of Unit 1 redevelopment should also include the health centre as they are in the same building complex and this will no doubt be further considered only as part of the Department's long-term infrastructure planning. Nevertheless, the recommendation from 2018 needs restating.

Recommendation 8

Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, with adequate room for any growth in services, and including provision for allied health care, medical observation and an infirmary.

5.2 MENTAL HEALTH CARE AND SUPPORT

Mental health and counselling were still understaffed

At the time of our inspection the Mental Health Nurse (MHN) had recently returned to work after several months of leave. The period without an MHN had been difficult, but other health staff had managed mental health clients and preparation for the weekly psychiatric tele-health clinic. The workload was significant with 19 prisoners on the psychiatry register at the time of the inspection, including one at priority two and 18 at priority three.

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The MHN reports to a manager at Casuarina Prison but she is located within the health centre where good support and cooperation has been developed with primary health staff. The Department has been unable to fill a second part-time Mental Health position, and the CNM continues to look after the methadone program. Since the last inspection, the number of prisoners on methadone has significantly reduced. Only those already on methadone in the community are now allowed to join the program in prison.

Should the second part-time position be filled, there may be an opportunity to engage in more preventative work building mental health resilience or educating prisoners about substance misuse.



Photo 13: A blue tree for suicide awareness being painted in the health centre waiting room

The Psychological Health Service (PHS) was previously known as the Prison Counselling Service. There is a single PHS officer who provides a solid service, but the role was not backfilled to cover periods of leave or other unavailability. The Department was unsuccessful in attracting a second PHS officer to a vacant position at Albany.

In the absence of sufficient PHS staff, assessments of prisoners in crisis and participation in the Prisoner Risk Assessment Group (PRAG) is done by PHS staff from other prisons over the phone. It is very hard for a counsellor to build rapport with, or accurately read, a client without visual cues, especially where there are cultural barriers. This is less than ideal, and a video-link system should be implemented for these assessments.

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A second PHS officer, would increase the range of counselling services that could be offered, in some cases helping prisoners deal with considerable personal challenges. There would also be an opportunity to engage in more preventative work possibly through group education sessions.

Albany lacks a decent crisis care facility for managing acutely at-risk prisoners

The At-Risk Management System (ARMS) operates at Albany much as it does in other WA prisons. This includes collaborative PRAG meetings that bring together custodial, professional and other inputs to determine how to manage prisoners identified as at-risk of self-harm.

This operates effectively, but some participants expressed concerns that prisoners assessed at high-risk must be placed in a safe cell, which is an unpleasant observation cell, in ripstop clothing without any natural light or socialisation. Like most regional prisons, Albany lacks a properly designed crisis care, medical observation facility or infirmary. Observation cells are part of a multi-purpose management wing, shared with prisoners who may be on punishment, or been confined following an incident. While such an arrangement may prevent a prisoner from self-harming, staff felt there is nothing decent or therapeutic about such an environment which is likely to exacerbate and extend their distress.

Recommendation 9

Develop a Crisis Care facility that is appropriate for vulnerable prisoners in need of high-level support.

The Peer Support Team was becoming less effective

Prisoner Support Officers (PSOs) have a range of responsibilities, including maintaining the peer support program, providing direct support and welfare to prisoners, providing advice to custodial staff in managing Aboriginal prisoners, and contributing to Aboriginal cultural activities in the prison. In each prison the work of the PSO is supported by a team of peer support prisoners who act as a connection between the PSO and prisoners. They assist in supporting prisoners, particularly those who are struggling or in need of assistance with problems or issues they may be having. An effective PSO relies on these connections and good relationships with management and staff in the prison.

In the year or so prior to our inspection the Peer Support Team had been functioning quite well. There was a large team of peer support prisoners who were doing good work for and on behalf of the prisoner group. But in the months leading up to our inspection, relationships between the PSO and some staff and senior management deteriorated and the effectiveness of the Peer Support Team started to decline.

The PSO in each prison reports to a manager based in Perth within the MHAOD Directorate. There did not appear to be a concerted effort between all of the parties to resolve whatever

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issue or conflict existed. We were concerned because this conflict ultimately had a negative impact of the effectiveness of the Peer Support Team and the services provided to prisoners.

It was also unfortunate that Peer Support Team members lacked training to effectively identify and support fellow prisoners. For years, Gatekeeper training for suicide prevention was provided for this purpose, but that ceased two years ago as it was now deemed unsuitable for prisoners. While Applied Suicide Intervention Skills Training (ASIST) was chosen as the appropriate alternative, no plans were yet in place to deliver this essential training to prisoner peer supporters.

The Aboriginal Visitor Scheme (AVS) has two positions at Albany which were filled at the time of the previous inspection. One left soon after, and the other left when COVID-19 restrictions commenced. However, just prior to our current inspection a former PSO had commenced in one of the positions and was providing good support to prisoners. He had also arranged for monthly kangaroo and damper cook ups to start again, which has since been well received by Aboriginal prisoners.

Chapter 6

SECURITY

6.1 SECURITY STAFFING AND INFRASTRUCTURE

Albany had a strong and cohesive security complement

At the time of our inspection there was a strong and cohesive security team at Albany. This team was augmented by the Albany Security Unit (ASU) whose members are trained to the same standard as the Department's Special Operations Group (SOG) in Perth. Collectively the security team comprised:

- 1 x Level 6 Security manager.
- 2 x Senior Officers (Custodial).
- 1 x Security Intelligence Officer.
- 1 x Drug Detection Unit (DDU) officer plus drug detection dog.
- 2 x Senior Officers (ASU).
- 20 ASU Officers.

The core security team at Albany is accommodated in a section of administration which can be configured into the prison's incident control centre.



Photo 14: Some of the security equipment used by the Albany Security Unit

The ASU conducts armed patrols of the perimeter and external escorts of high-risk prisoners. They may also be required to provide security within the prison or to respond to critical incidents. The ASU roster includes officers working standard shifts in units, which helps them work with other custodial staff and build knowledge and understanding of the prisoner group, prison routines and layout.

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In our pre-inspection staff survey, we found that prison officers had a higher level of confidence in some key aspects of security compared to last inspection. Officers expressed more confidence that the prison:

- could prevent entry of contraband (29% in 2021 compared to 22% in 2018);
- had good clear security procedures (48% compared to 43%); and
- could maintain perimeter security, gates, grilles and cameras (71% compared to 60%).

Confidence declined in other areas compared to last time, including:

- intelligence gathering (16% compared to 67%);
- implementing discipline charges and prosecutions process (36% compared to 55%); and
- being aware of what is happening in the prisoner group (19% compared to 38%).

The intelligence collator position in Albany had been vacant for a long time. We were told that once it was filled, the position was taken over by Intelligence Services at head office and the position title changed to Security Intelligence Officer (SIO). The current SIO was temporarily seconded to head office for about four months from late October 2020 to late February 2021 so was away before and during the inspection. There was a decrease in the submission of security reports whilst the SIO was absent and staff reported that much less information was distributed back to staff, which may explain these survey results. The Department informs that the volume of reporting increased once the SIO returned to the position.

The gatehouse was cramped but security was satisfactory

The gatehouse was cramped creating limitations and security risks during busy times. The reception area just inside the front door is quite small and can only accommodate a limited number of people at the same time. Staff have to be vigilant when large numbers of people are in this area. The space just beyond the initial security screen is also small and easily crowded, making individual searches difficult. A larger gatehouse, with separate channels for staff and visitors would be ideal, but in the interim the Department could explore opportunities for a more favourable refit within the existing footprint.

The use of drug detection dogs and other forms of technology work as a deterrent for those that may wish to bring drugs into the prison. Albany uses a range of physical and technological tools to support the prevention of contraband entry into the prison.

There were concerns about security and safety in the market garden

The market garden is a sprawling area behind Unit 3. It appears well maintained and very productive but the VSO lacks additional prisoner supervision or a proper base to work from. There is a small shed for storing tools, chemicals and seeds but no phone, computer or toilet.

SECURITY

6.2 MANAGING INCIDENTS AND EMERGENCIES

Incidents were largely managed well with reviews driving improvement

Staff we spoke to during the inspection said that use of force should be a last resort in resolving an incident. This approach was reflected in the experience of prisoners as shown in the survey taken prior to the inspection. Sixty-six percent of prisoners surveyed did not think that officers used too much force (see table below), which was a more positive view than recorded three years before. Similar improvements were recorded around their view about staff fairness.

Table 11: Prisoner views on prison officers from pre-inspection surveys

Do you think officers at this prison:	Latest survey		Three years ago		State average	
	Yes	No	Yes	No	Yes	No
Apply the rules fairly?	54%	41%	47%	48%	42%	48%
Are respectful during cell searches?	55%	37%	56%	37%	47%	44%
Use too much force?	26%	66%	33%	56%	35%	55%
Treat prisoners with dignity?	49%	40%	47%	42%	40%	47%

There were, however, a number of serious incidents at Albany over the last three years, especially in 2019 and early 2020. These appear to have been instigated by young prisoners displaced from Perth who assaulted staff or ascended roofs to leverage a transfer back to other maximum facilities in the city. This outcome was resisted by prison management and roof ascenders were effectively contained in Unit 1 A or B wings.

On a number of occasions, a small number of prisoners in Unit 1 A or B wings caused damage, set fires, and threatened staff. These were safely resolved following activation of the Incident Control Facility and intervention from the ASU. Support was also provided by WA Police and the Department of Fire and Emergency Services. Prison management had made considerable headway in developing inter-service relations with these agencies, including through joint participation in exercises, both in the prison and the community.

These incidents were reviewed by both the local and head office Use of Force Committees. This office tracked incident reports, observed one of these reviews at the prison, and obtained copies of relevant review reports, including video evidence in one case. This was done both as part of our regular liaison activities and as part of our review into the use of force against prisoners (OICS, 2021).

While generally satisfied with the way in which these incidents were managed and reviewed, we pursued several issues as part of our own reviews, including the carriage and use of firearms with non-lethal ordinance in prisons and the strip searching techniques used in one incident.

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Effective incident recording is a valuable tool for safety and accountability

Footage of these incidents obtained by CCTV in those yards, and by hand-held camera was invaluable in reviewing the management of these incidents. But CCTV coverage is not always comprehensive or clear, and the use of hand-held camera was only available when the ASU became involved. Many other incidents in the prison, and staff responses to those are not well captured, including some that precipitate such major incidents.

Body-worn cameras and high-quality CCTV have proven themselves to be effective response and deterrent mechanisms in corrections and policing settings across the world. Current technology provides excellent sound quality and excellent picture quality and cameras are robust and tamper proof. If worn continuously and activated when an incident occurs, it is possible to capture footage of an incident and part of the escalation beforehand. As well as providing evidence of prisoner misconduct and incident review, use of body-cameras can help deter escalation, promote better incident management, thereby improving safety for prisoners and staff alike.

We understand that the Department is currently considering opportunities around the use of this type of technology, including issues around how to store and securely manage digital footage obtained, the cost of such technology and the value in increased safety of staff and prisoners.

Razor wire retrieval preparedness needed updating

Razor wire is used extensively at Albany, like many facilities, to defend its perimeter and deter roof ascents. But entanglement in razor wire can be life threatening to the entangled individual and to those undertaking the retrieval process. We have persistently questioned the Department's widespread dependence on razor wire and its lack of preparedness for incidents involving entanglement.

Albany however, did attend to this issue by training all new custodial staff in fence retrieval at ground level. An external provider was engaged in 2017 to provide a platform for retrieval at height, and at least one exercise was conducted for this scenario. The prison also acquired some specialist equipment for razor wire retrieval. But there has been no refresher training in fence retrieval for staff, the MoU with the platform provider expired in 2019, and the prison lacks a full procedure for fence retrieval. Renewed attention to this issue is needed.

6.3 MANAGING REGIMES

The management unit was struggling to manage multiple regimes

The multi-purpose unit (MPU) at Albany comprises the C, D and E Wings of Unit 1. D Wing had been utilised for nine months or so as an isolation wing for any suspected COVID-19 cases due to its proximity to reception. E Wing was the original management wing and had the old observation and punishment cells and a small yard. It has eight cells including the larger and better-appointed women's cell. A very small fully enclosed yard is available for requisite recreation time out of cell. There is also a hearing room for prison charges in that wing.

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C Wing had three ligature-minimised cells which are gazetted as multipurpose cells which can be used for punishment or other forms of confinement, including for close supervision. Additional cages have been created for recreation. These cells were separated from the other nine in C Wing by a barrier which can be moved to enclose additional cells in the back section, for example, for additional prisoners on close supervision, or needing protection. Standard cells in C Wing were used variously for prisoners on basic supervision regimes, prisoners being assessed for protection, those due for transfer, and newly received prisoners. Senior custodial managers visited prisoners in separate confinement daily, as required by Policy Directive 1. We observed them interacting with prisoners and clearly explaining to them the duration and reason for their confinement and what they needed to do to progress to a less restrictive regime. Staff reported that pressure on the MPU had decreased due to the reduced prison population which led to a reduction in behavioural incidents. But there were still reports that staff had difficulty getting everyone the required time out of cell to which they were entitled, including access to the telephone, showers and for some, the smoking area.

Pressure on MPU staff was increased in late 2019 and the first half of 2020 when Albany hosted a succession of prisoners on Disruptive Prisoner orders Level 2 and 3. Those on Level 2 were managed in ongoing strict confinement. Those on Level 3 were also transferred to a different maximum-security prison every 28 days. This policy has since been reviewed and modified as a result of a civil case brought by three prisoners.



Photo 15: Cages in C Wing provide recreation for prisoners in confinement

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A and B Wings of Unit 1 were fully enclosed and were used to confine roof ascenders for a special management plan for six months. Staff informed us that there were just four roof incidents in the 12 months prior to the inspection, of which only two were serious. We witnessed another one during the inspection which was quickly resolved. Since these yards were closed in late 2020, such prisoners have been managed in C Wing on close or basic regimes.

MPU facilities in Albany were old and past their effective use. We have discussed above the inappropriate nature of the observation cells for prisoners at risk of self-harm or in need of medical observation. The recreation yards available would only add to their distress. Ideally, all such MPU yards should be large enough for physical exercise, to run short laps, have one or two forms of exercise equipment including a basketball hoop, and provide access to natural light and fresh air. There should be access to seating, water fountains, and wherever possible external views and some kind of garden.

Conditions of confinement in both E and C Wings were generally quite poor. The lack of showers in MPU cells increased prisoner movements and this posed an increased risk for staff having to escort potentially violent prisoners. There was no outdoor yard adjacent to C Wing and access for standard prisoners to outdoor recreation was subject to the discretion of busy MPU staff, and we were told often not facilitated.

6.4 CUSTODIAL TRANSPORT

The vehicle fleet was not ideally suited to the needs of a regional prison

Most transport to and from Albany was by coach undertaken by the Court Security and Custodial Services contractor now known as Ventia. The contractor also transports prisoners in a secure vehicle between the prison and the court and to some scheduled medical appointments and funerals. But the prison has to undertake a number of its own escorts.

These include emergency medical escorts to the local health campus, urgent transfers from Pardelup Prison and funeral escorts or other escorts unable to be facilitated by Ventia. High security escorts or transfers for certain identified prisoners are also undertaken by the ASU.

The prison has one secure escort vehicle and two response vehicles both of which are designed for perimeter patrols but also have secure pods in which prisoners could be transported. These vehicles were in good condition and routine checks were conducted thoroughly. However, none of the vehicles were fitted with a toilet, which necessitated regular rest stops when used for long journeys, such as funerals in towns in the Great Southern, or when an urgent transfer was required to a Perth prison.

The security risk relating to such stops has been addressed by the Superintendent approving the use of ankle restraints which must be applied for the whole journey. Other than for a high risk escort, this would appear an unreasonable practice. This could be

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alleviated if escort vehicles undertaking longer escorts had an internal toilet and the ability to secure prisoners through a hatch from the outside.

Recommendation 10

Albany prison should obtain a secure escort vehicle fitted with a toilet and the ability to apply secure restraints through a hatch for longer journeys.

Chapter 7

REHABILITATION AND REPARATION

7.1 ASSESSMENTS AND CASE MANAGEMENT

Treatment assessments and Initial IMPs were largely back on track

People coming into prison are subject to various forms of assessment on entry, and at other points in their custodial journey. Beyond the admission checklists, new remandees traditionally have a Remand Management and Placement plan (Remand MAP), newly sentenced prisoners have a Sentence MAP if they have a short term sentence, or an Initial Individual Management Plan (IMP) for longer sentences. There are regular reviews for longer term prisoners, parole reports for those applying for parole, and another review if parole is denied. Prisoner requests, for example for a transfer or to attend a funeral, also have to be assessed. A further report is required for every prisoner due to be transferred.

Assessments staff under the Case Management Coordinator, together with education and treatment assessors are responsible for undertaking this work. However, uniformed assessments staff are often re-deployed to cover custodial staff absences in the prison. The team lost 200 hours in January 2021, putting pressure on their ability to complete work on time or to the highest standards. Civilianisation of all assessment staff is a solution being actively explored for assessment teams in Perth prisons, but not at this stage for regional facilities like Albany.

Nevertheless, most assessments were up to date, with only 16 Initial IMPs outside the period allowed for their completion. Until last year, Initial IMPs were required to be completed within four weeks of sentencing, but under the Department's new COPPs this has been extended to six weeks (DoJ, 2020, COPP: 2.3 s.5.4.1). The establishment of a full-time treatment assessment position at Albany has also been an important factor in this improved performance.

Remand MAPS are no longer routine creating a potential risk

Previously all receipt prisons were required to undertake a Remand MAP shortly after a prisoner's reception. This included determination of their initial security classification in the absence of which a remandee is deemed to be a maximum prisoner. It was also an opportunity to canvass any other issues affecting their management and placement in custody. While welfare and support issues are not specifically included in the Remand MAP, assessment staff often identified issues needing attention or assistance from other prison staff.

But as remand numbers increased over the last decade or so, Hakea, the male receipt prison in Perth was unable to keep up with Remand MAPs. Many of these remandees were transferred to Casuarina or Albany prisons without a Remand MAP being completed. Hakea was exempted from undertaking Remand MAPs unless there was a specific reason that they were needed, for example to transfer someone to a lower security regional prison. Remandees without a Remand MAP could languish for months without meaningful discussion with anyone about their situation.

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Under the new COPP, the exemption from undertaking Remand MAPs was extended from Hakea to all maximum-security prisons, including Albany (DoJ, 2020, COPP: 2.3 s.3.3). This means that beyond the admission checklists, there is no broad consideration of those prisoners, their situation, family relations, or other needs. As such, there are various risks and opportunities that may be missed, potentially impacting on both the individual concerned and on prison security and safety. As a regional prison, Albany should be undertaking Remand MAPs on anyone it receives. Ideally, such MAPs should explicitly document the remandee's family and welfare situation, release plans, legal representation status, outstanding fines, support needs, and readiness to engage in voluntary programs.

Recommendation 11

Amend COPP 2.3 to ensure that Albany Regional Prison completes a Remand MAP for all remandees received locally.

Early discharge was rendered useless as a means of reducing prison numbers

As prison populations escalated in recent years and especially as concerns were raised at the threat to crowded prisoner populations from the COVID-19 pandemic, early discharge was touted as a means to reduce prisoner populations. In early 2020, the Department started producing a monthly report identifying everyone in the TOMS database who were coming into scope. Assessment managers were required to notify these prisoners and invite them to apply for early discharge. But the algorithm used for the TOMS report was loosely based on *Prisons Order No. 05/2017* which greatly limits eligibility for early discharge and only about four or five per month were identified at Albany as potentially qualifying. Examination by assessment staff found that most of these were ineligible so very few got those invitations. In the end, not one prisoner from Albany was given an early discharge in 2020.

Yet the *Prisons Amendment Act 2002*, which amended s.31 of the *Prisons Act 1981* increased the opportunity for early discharge from three to 10 days on the Superintendent's authority, and from 10 to 30 days if ordered by the Chief Executive Officer (CEO). The second reading speech made it clear that the intention of the amendment was to go 'some way towards reducing the high rate of imprisonment in this State, by vesting increased early discharge discretion in the director general and prison superintendents.' It was intended as a means of providing 'an incentive and a reward for good behaviour and work in prison'. It was also intended to be available 'to facilitate transport to the prisoner's home, seeking employment and on special welfare and compassionate grounds'.

Of course, decisions about early discharge require close consideration of any risk to the community posed through such a release. Not everyone would be suitable. But unfortunately, the wording of *Prisons Order No. 05/2017* undermines the intent of the WA Parliament in this amendment by drastically restricting eligibility. In the first instance, the Superintendent's discretion was overruled. Under 10.4 of the order: 'The ACACO will authorise or deny all

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early discharge applications.' The ACACO was the Assistant Commissioner Adult Custodial Operations, now known as the Assistant Commissioner Custodial Operations. Secondly, an expansive list of crimes in Appendix 1 of the order precludes eligibility for early discharge.

And while the second reading speech indicated that early discharge can be accessed by prisoners 'who are to be released to freedom', the Order excludes 'any prisoner who has been denied or refused their parole'. That leaves only the very few prisoners serving a finite sentence. The Order does preserve the possibility of release on compassionate grounds for those excluded due to offences or parole status but only for the shorter period. Our experience in other facilities is that early discharge has only ever been used in regional prisons to allow prisoners to access transport home one or two nights before their sentence expiry.

Recommendation 12

Amend procedures relating to Early Discharge to conform with the intent of the WA Parliament that Early Discharge act as an incentive for good behaviour, a means of release for compassionate reasons, and as a meaningful contribution to reducing the high rate of imprisonment.

Case Management runs well but continues to offer little of value

The Guiding Principles for Corrections in Australia describes prisoner case management as 'holistic', 'structured', 'integrated', 'end to end', 'utilises a multi-disciplinary approach', whereby prisoners are 'supported and encouraged by staff to address their criminogenic needs' through programs and services (Corrective Services Administrators' Council, 2018, part 5).

The Department aspired to and worked for many years to establish an Integrated Individualised Offender Management system to implement this kind of case management model. But this was never implemented and the new COPP has simply reiterated the existing case management system (DoJ, 2020, COPPS: 10.3). OICS has been critical of the Department's case management system for prisoners over many years.

In this system, only sentenced prisoners with an IMP, those with over six months to serve, are subject to case management. An allocated officer should have initial contact soon after their Initial IMP, and effectively only every six months for those with under three years to serve, and every 12 months for those on longer sentences. The sole aim of the case contact is to monitor the prisoner's IMP progress and encourage their involvement in its elements, for example, in any required treatment program. Staff may inquire after the prisoner's wellbeing, but that is not required, nor is any discussion about plans for returning to community life. In reality, the regular contact report at no point explicitly requires input from the prisoner and it is not uncommon, at Albany or elsewhere for these to be done without any discussion with the prisoner at all.

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Albany runs this limited case management quite well. Case managers had been allocated to almost all eligible sentenced prisoners, and only a few contacts were overdue, as can be expected given staff shift patterns and leave arrangements.

Recommendation 13

The Department should commit to development of a holistic case management system that supports prisoners to progress towards their rehabilitation and reintegration on release.

7.2 REHABILITATION, PERSONAL DEVELOPMENT AND LIFESKILLS PROGRAMS

Offender programs offered were obsolete but running well

At the time of the inspection there was an enthusiastic team of four programs officers delivering programs in Albany. This was an improvement following conflicts and structural changes over recent years. They were running the intensive Violent Offender Treatment Program (VOTP) in Unit 4, which is being run as a residential program. Although this works better, it excludes anyone on methadone as they are not allowed to live outside of Unit 2. They have also been running the Stopping Family Violence Program. The VOTP is a program which was supposed to have been replaced in 2018 by the Violence Prevention Program. Program staff told us that they had not had training in this but they were hopeful it would go ahead this year.



Photo 16: The donga used for offender programs

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Palmerston have the contract to run the Pathways program, which appeared to be running effectively, but only a limited number of prisoners had access to the program. Pathways was developed in the US in the 1970s requiring significant adaptations on the part of facilitators, and high levels of participant literacy for written self-reflections.

Access to voluntary programs remained inadequate

PIVOT Community Services, the re-entry contractor has been providing a parenting group program and had recently started to run a lifeskills program. NA was the only voluntary addictions program available at Albany, and there was no access to individual counselling to address addictions issues. This contrasts with metropolitan male prisons which offer the Allied Drug and Alcohol Treatment throughcare counselling program, the psycho-educational drug and alcohol program known as PAST, even though the acronym is no longer applicable, and an Alcohol and Other Drug program run by Wungening.

NA at Albany was started by a group of prisoners in early 2019 with the support of the Chaplain. But because meetings in the chapel were often displaced by operational requirements, participants were having trouble progressing through the 12 steps in a reasonable time. It was encouraging to be told a week or so after our onsite inspection, that NA would instead run in the library.

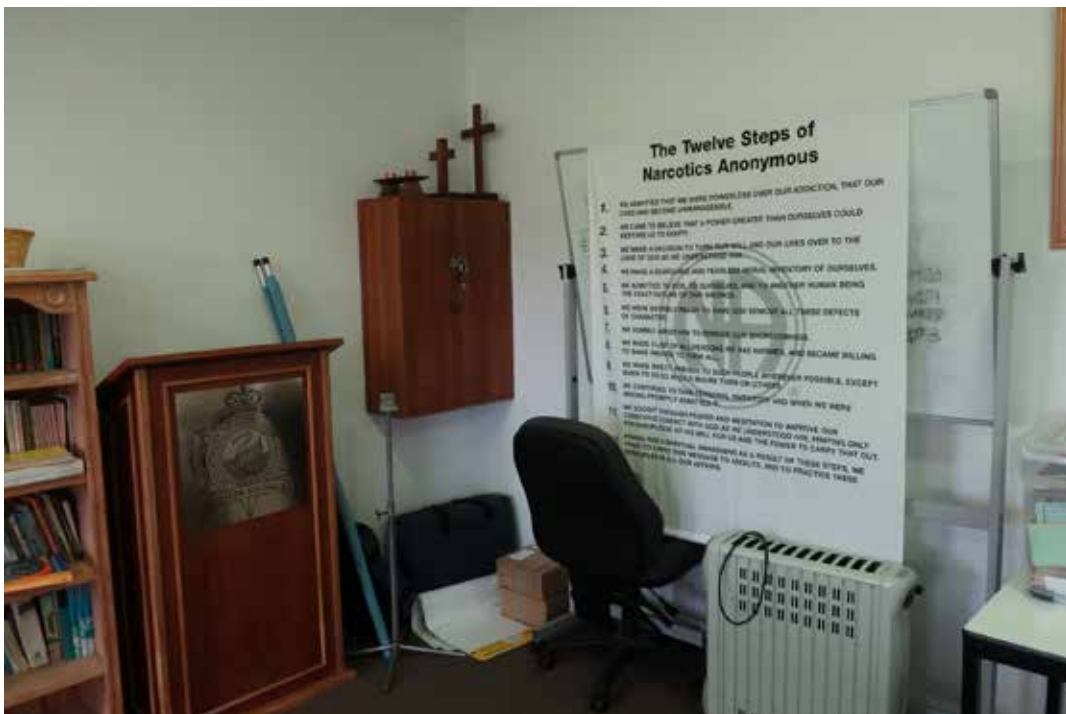


Photo 17: NA in the chapel ran only sometimes

In October 2020 the Department opened the *Mallee Rehabilitation Centre – Solid Steps AOD Recovery Program* at Casuarina Prison. This worthwhile initiative offers a structured rehabilitation program in Perth for suitable male prisoners, but more opportunities and resources are needed in regional prisons to help prisoners with addictions.

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For many years, specially trained prison officers ran cognitive skills courses, which addressed participants' thoughts, attitudes, behaviours and built self-awareness and better communication. These were offered to both sentenced and remand prisoners. These were greatly valued by participants and highly commended by prison officers. But they have stopped because the allocated prison officers were too often redeployed to cover staff absences.

One positive voluntary program offered at Albany is the *Financial Wellbeing Project* for Aboriginal prisoners funded by the Australian Securities and Investments Commission (ASIC). Albany has pioneered development of CGEA courses based on materials from that project and made a significant contribution to its overall development. An additional benefit is that the course is delivered by peer tutors.

7.3 EDUCATION AND TRAINING

Education offers a variety of good courses, but enrolments were down

Education in Albany has been a positive for many years. Staff and prisoners reported good relationships and the centre had a positive and productive feel to it. The staff were positive about the education programs offered, but many expressed ongoing concerns about the source of asbestos dust in the ceiling space and whether it had been successfully remediated. We were assured by prison management that all the necessary steps had been taken, but nevertheless the staff remained unconvinced.

The centre had a Campus Manager, three Prison Education Coordinators, an Education Clerical Officer and an allocation of 65 hrs/week for casual tutors, but it was unfortunate that there was no Aboriginal Education Worker (AEW). The centre had capacity for 80 students, with another 10 in the vocational skills training area.



Photo 18: Inspiring figures – a mural in education

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Education assessments of new prisoners usually occurred within two weeks of their arrival at Albany. Remand prisoners were encouraged to engage in education, but their participation in vocational training and traineeships was limited.

The education and training program had a focus on foundational adult literacy and numeracy, and offered *Soundway*, *Standing on Solid Ground* and some units in art and music. It also provided opportunities for tertiary study including the JETA art course, self-funded business courses and certain degree programs.

The Certificate of General Education was delivered using a project-based learning approach, although we did not see integrated projects across industries and education. The room in the centre for independent learners was popular and students were assisted by peer tutors and staff.

There were 29 full-time and eight part-time students for whom education was listed as their workplace at the time of the inspection. Records indicated that between 25 and 33 students attended at any one time and there were vacancies recorded in most education programs. This was well short of the 90 students we reported as attending education daily in 2018.

The reduced numbers could be linked to the decrease in population at Albany, but we were told that there were other factors including:

- The lack of the Summer Refresh Program during the summer break. In the previous two years the program had attracted prisoners to education over summer and many continued with education courses once the new semester started.
- There was a long closure in 2020 to remove and contain Asbestos dust in the centre's ceiling space.
- There had been a limited availability of lecturers and tutors in 2020 due to the pandemic.

Good training options were available, but needed further growth and development

The loss of the Summer Refresh Program was felt this year because of a reduction in the number of special short courses that benefited prisoners and kept them occupied.

Various other short courses were provided each term in the skills workshop facilitated by the Skills VSO and trainers from Great Southern TAFE and Aspire to Succeed. These included: workplace health and safety, construction white card, working in confined spaces, working at height, welding, infectious control (cleaning), fire suppression and a barista course.

Traineeships combine on-the-job training with structured learning and provide prisoners with the most effective pathways for employment upon release. But like education, similar factors affected training capacity in 2020. At the time of the inspection, trainee numbers were less than half of those reported in 2018. In addition to fewer participants, prisoners missed classes on the afternoon their unit was scheduled to access the canteen, library and oval. The centre was also closed on Friday afternoons when prisoners were locked down for custodial staff training.

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Traineeships were available in engineering, cabinet shop, cleaning and laundry with strong support from the relevant VSOs. An effort had been made to engage kitchen workers in hospitality training but this was considered impractical there. There had previously been a few trainees in the gardens area, but following their annual consultation with Aboriginal prisoners, it had been decided to replace it with a skillset from the Conservation and Land Management certificate as part of an ongoing Aboriginal Gardens Project. Sport and recreation traineeships was another course that had not continued in 2021 following the loss of a TAFE lecturer.

We were told by VSOs that the activities they were able to offer in their workshops were not always sufficient to enable prisoners to demonstrate the full spectrum of skills required to complete a traineeship. They also said that careful planning in consultation with the external providers, adjustments to some of the tasks offered in workshops and some specific additional resourcing may overcome these deficiencies and even enable additional training opportunities.

Library resources are provided by the Casuarina library. We were told there was no ability for Albany to request specific resources which aligns with the education programs or training being offered. Although the education centre has a small collection of materials available for prisoner use, it does not cover all of the areas of need.

Education in prisons is funded on the number of units of competency (units) within the VET framework that are completed by prisoners. Therefore, all education services are designed around units and qualifications. A different funding model may provide scope to develop individualised, needs based education programs for individuals or small groups of prisoners. Education staff expressed a desire for greater flexibility to delivery literacy and numeracy education outside of the VET framework.

7.4 DIGITAL LITERACY

Outdated digital resourcing impeded skilling for education, life and work

Digital literacy is integral to all modern workplaces and an essential skill for prisoners to transition successfully upon release. Prisoners unable to access appropriate hardware and software will be ill prepared for contemporary workplaces. Prisoners may also need familiarisation with various government internet sites and web services, such as the Australian Government myGov portal. They will need digital skills to access and navigate support including Job Search, Medicare, Centrelink, Jobs and Skills Centres and the NDIS portal. The trend towards online services, exacerbated by COVID-19, highlights the need for prisoners to have more than basic digital skills.

While education staff are making good use of the available resources, it is imperative they are provided the resources required to prepare prisoners for the new future of work.

Prisoners at Albany Regional Prison have no direct access to the internet or email. Where required, education staff access the internet on behalf of prisoners, however, this process is inefficient and limits the development of digital skills. A simulated online environment,

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or access to a limited suite of websites for educational purposes, provided on secured equipment designed for use in prisons would enable the development of digital skills and has the potential to increase prisoner access to education.

Prisoners in several other Australian jurisdictions are able to access specific whitelisted websites, including those for education and training or government services. Access to a range of whitelisted websites would support participation in education and enable prisoners to engage in a wider range of educational opportunities provided by universities and registered training organisations. Young adults, those with learning difficulties and those for whom English is a second language may be more likely to engage with online learning of their choice.

Nineteen outdated computers were available in the education centre with staff reporting that prisoners do not always have access to devices when required. There was no planned replacement schedule for ICT equipment. Prisoners expressed a desire to be able to engage with education away from the education centre and to have limited access to email. Access to digital devices in units and/or cells would reduce competition with other activities during the day, such as work and recreation, and also enable more prisoners to access education programs during periods they are locked in their units or cells.

One of the basic conditions that enables contemporary teaching practices to flourish is the availability of appropriate digital equipment and networks, including digital teaching and learning infrastructure such as smartboards and tablets. Any proposed upgrading of the digital learning infrastructure should be done in consultation with prison education staff.

Recommendation 14

Provide opportunities to improve prisoners access to, and use of, digital literacy technology, including in-cell resources.

7.5 CULTURALLY RESPONSIVE TEACHING AND LEARNING

More culturally responsive teaching would better engage Aboriginal prisoners

As noted previously, there is no AEW position at Albany Regional Prison. Despite this, Aboriginal prisoners are well engaged in the Art programs and are represented in the general education programs and some industries. But there was no evidence of two-way teaching and learning occurring in the education centre. Two-way learning is a way of learning that connects Aboriginal knowledge to western education. This connection is used to inform the boarder learning program and includes opportunities to integrate learning. A two-way program involves Aboriginal people making decisions about the direction and content of the learning program. It is informed by Aboriginal Culture and is part of an equal and genuine cultural exchange. In a prison environment it would be a valuable strategy to encourage greater participation of Aboriginal prisoners in education.

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Albany has skilled educators, including some with Teaching English as a Foreign Language (TEFL) experience, who are capable of differentiating teaching for English as an additional language or dialect (EALD) learners, but additional two-way training may be of value. Education staff endeavour to seek Aboriginal language speakers for the provision of peer tutoring in language. Aboriginal language programs have only been provided when peer tutors have been available to deliver, the last being in 2019.

Commendably, education staff have an annual meeting with Aboriginal prisoners to discuss their educational needs and aspirations. The Conservation and Land Management program as part of the Aboriginal Gardens Project was introduced as a result of these meetings.

At the time of writing, we have heard that funds have been obtained to engage a part-time AEW which is a positive development for Albany.

7.6 EMPLOYMENT

Prisoners missed work outside units due to regular closures

Prisoners motivated to work in industries and service areas outside their units often do so to pass their time constructively, learn or maintain skills and increase their employability upon release. Unfortunately, they were often not called to attend work. During our inspection, we observed many workshop closures or periods of time where a VSO was in a workshop with a few, or sometimes no, prisoner workers in attendance.

The reasons we heard for this was due to vacancies in VSO positions, periods of staff leave and often because staff absences left the prison short staffed. This meant prison officers could not be sent to help supervise workshops, or VSOs were redeployed to other parts of the prison to fill in for absent prison officers.

In January 2021, there were 364 half-days of work available in the main industry workshops, but in that period, there were 201 half-day closures of these workshops. When workshops were closed, employed prisoners continued to be paid, but remained idle in their unit. We were advised that consistent workshop closures also affected the prison's ability to gain and maintain external production contracts.

Pathways are needed to build Aboriginal participation into meaningful work

In February 2021, Aboriginal prisoners comprised 38 per cent (115) of the total population (302) but they made up just over 14 per cent (15) of the 103 prisoners employed in industries and service areas like the canteen, reception and cleaning in sensitive areas. In contrast, 47 per cent of non-Aboriginal prisoners had work in industry or service areas. When this was discussed at a meeting of the Senior Management Team to prepare for the quarterly Aboriginal Services Committee, the prevalent view appeared to be that Aboriginal prisoners are given every opportunity to engage in industry work. The above data does not appear to support that view.

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We were told that any prisoner could put in a form requesting a job in a particular workplace. But we were also told that VSOs often employed prisoners known to them from previous imprisonment, with particular trade skills, or through word of mouth from existing workers. This seems somewhat arbitrary and may not offer an equal opportunity to all prisoners to secure a job.

Aboriginal people are over-represented in prison at least in some part because they are also under-represented in community employment as shown in work done towards the National Agreement on Closing the Gap (AIHW, 2021a) (AIHW, 2021b). Prisons need specific pathways to ensure that more Aboriginal people gain meaningful work experience and gain appropriate skills and training. The Aboriginal Gardens initiative is a good start but more is needed in Albany. There is a role for the Aboriginal Services Committee to track and monitor these initiatives.



Photo 19: The beginning of the Aboriginal gardens training program

Recommendation 15

Albany should develop specific pathways to better engage Aboriginal prisoners in employment and training that will enhance their prospects on release. These initiatives should be tracked and monitored by the prison's Aboriginal Services Committee.

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7.7 RELEASE PREPARATION AND SUPPORT

Transition management doing more with less

The Transition Manager (TM) works alone supported only by a prisoner worker. This impacts on the level of services that can be offered. Previously the TM had a half-time transition assistant, but this resource was no longer available. Every sentenced prisoner coming into their last six months before their potential release date is interviewed by the TM's prisoner worker to help identify their needs.

PIVOT accepts referrals for all eligible prisoners due for release and a detailed case summary referral form has been created for this purpose. PIVOT also interviews all referred prisoners prior to release and refers prisoners from other regions to their local re-entry service provider. PIVOT offers a comprehensive range of services to released prisoners along similar lines to those offered to many in the community experiencing disadvantage.

In addition to referrals to PIVOT, the TM also provides services such as fine conversions, help with obtaining copies of driver's license or other form of identification, and facilitating contact with external agencies providing housing and welfare support, such as the Department of Communities (Housing) and Centrelink. Only a smaller subset of these services was available to remandees. The TM did not have the time or resources to take on detailed case management of prisoners with more complex needs.

The TM has also ensured that all eligible Aboriginal prisoners are referred to PIVOT's federally funded Time to Work (TWES) program. These prisoners are assessed by PIVOT prior to release to access the correct level of support to obtain work. The new part-time Employment Coordinator is also assisting with this work.

The TM has also been involved with education in promoting a Financial Wellbeing Project, which is a financial literacy program for Aboriginal people sponsored by ASIC. Education has also mapped this course to CGEA courses run by peer tutors.

The TM and Finance Officer have also worked together to implement the Housing Debt Discount Scheme for prisoners. The scheme offers a 50 per cent debt reduction for former state housing tenants provided they enter, and maintain, a repayment schedule. When completed, it restores eligibility for state housing which may be a significant success factor for the rehabilitation of released prisoners.

Appendix 1

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Appendix 2

ABBREVIATIONS

AEW	Aboriginal Education Worker
ARMS	At-Risk Management System
ASIC	Australian Securities and Investments Commission
ASO	Assistant Superintendent Operations
ASOP	Assistant Senior Officer Program
ASOS	Assistant Superintendent Offender Services
ASU	Albany Security Unit (local equivalent to SOG in Perth)
AVS	Aboriginal Visitors Scheme
CALD	Culturally and linguistically diverse
CCTV	Closed circuit television monitoring system
CGEA	Certificate of General Education for Adults
CNM	Clinical Nurse Manager
COPPs	Commissioner's Operating Policies and Procedures
CUA	Common Use Agreement – government approved suppliers
DFES	Department of Fire and Emergency Services
DDU	Drug Detection Unit (drug detection dog teams)
DoJ	Department of Justice
EALD	English as an additional language or dialect studies
GP	General Practitioner
ICT	Information and Communications Technology
IMP	Individual Management Plan
MAP	Management and Placement assessment
MHAOD	Mental Health Alcohol and Other Drugs
OICS	Office of the Inspector of Custodial Services
PEC	Prisoner Education Coordinator
PHS	Psychological Health Service
PRAG	Prisoner Risk Assessment Group
PSO	Prison Support Officer
SAMS	Support and Monitoring System
SCH	Student Contact Hours

ABBREVIATIONS

SOG	Security Operations Group
TAFE	Technical and Further Education
TEFL	Teaching English as a Foreign Language
TIS	Telephone Interpreter Service
TM	Transitional Manager
TOMS	Total Offender Management Solution database
TWES	Time to Work Employment Service
VOTP	Violent Offender Treatment Program
VSO	Vocational and Support Officer
WAPOU	WA Prison Officers' Union

Appendix 3

DEPARTMENT OF JUSTICE RESPONSE



Response to OICS Draft Report:

2021 Inspection of Albany Regional Prison

October 2021

Version 1.1

DEPARTMENT OF JUSTICE RESPONSE

Response to OICS Draft Report:
2021 Inspection of Albany Regional Prison

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DEPARTMENT OF JUSTICE RESPONSE

Response to OICS Draft Report:
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Response Overview

Introduction

On 16 October 2020, the Office of the Inspector of Custodial Services (OICS) announced its inspection of Albany Regional Prison (Albany) scheduled to occur from 7 to 12 February 2021. This was the seventh inspection of Albany with inspections occurring every three years since 2002.

As per usual process, the Department of Justice (the Department) facilitated OICS' access to a wide range of documentation, systems, policies, processes, including access to Albany prison along with staff, prisoners and contractors as requested by OICS for the purposes of the inspection.

On 16 September 2021, the Department received a draft report of the inspection 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 responses to the recommendations and further context and comments below for the Inspector's attention and consideration when finalising the report.

Appendix A draws the Inspector's attention to comments and/or inaccuracies linked to specific sections within the report.

Review Comments

The Department appreciates the opportunity to respond to key findings highlighted in the 2021 Inspection Report of Albany and initiate further improvements as required. This is the seventh inspection of Albany since 2003.

The onset of COVID-19 and a reduction in prisoner population, presented an opportunity to make significant changes to Unit 1 at Albany, including shutting down Unit 1A and B wings to allow for refurbishments, and transferring the protection prisoners from this unit to Hakea.

The Department acknowledges only 58 staff (24%) elected to complete the staff survey, of which 25 staff (10%) provided their perception of the senior management team. From previous experiences with perception surveys, the Department is mindful that conclusions drawn may not be objectively accurate and can be influenced by a range of factors at an individual level.

Whilst the management team at Albany is not aware of any complaints of aggressive and unsupportive management or any discontent amongst staff, further discussions will be held to understand any concerns / issues staff may be experiencing.

Albany has been one of the Department's best performing prisons. Its capacity and capability to respond to an emergency is of a high standard. This is particularly valuable given Albany's geographical location and distance from the metropolitan areas where access to emergency services from Albany can be challenging.

Since the onsite inspection in February 2021, the Department has successfully recruited seven additional Senior Officers to Albany which is positive given its geographical location and associated recruiting challenges.

Albany, together with every other prison in the state, is part of the discussions regarding the future planning of WA prisons, via the Prison Services Evaluation and Prison Network Design initiatives. Each prison will be assigned a specific role within the network and prisoners will progress in a structured way through the network to

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ensure equitable access to services across the State. Prisons will be resourced based on their role and services to be provided,

The Department has made significant inroads into modern Information and Communications Technology in the custodial estate by providing increased access to digital services for prisoners and capability for mobile technology access. The Department's Long-Term Custodial Technology Strategy will provide further opportunity to improve digital services and mobile technologies that will assist staff in their day to day duties and improve access to information and services for prisoners.

Albany has maintained a detailed Local Order for supporting its foreign national and CALD prisoners, in addition to implementing other measures beyond the requirements of the Local Order, such as the provision of reading material in foreign languages, and the ability to source authentic food products from local Asian grocers.

The Department is appreciative of the Inspector's positive acknowledgements of operational improvements made within the inspection report which will undoubtedly drive further improvements at Albany.

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Response to Recommendations

- 1 That the Department continue to prioritise replacement of legacy infrastructure at Albany Regional Prison, including: prisoner reception and that contained in the original prison building known as Unit 1.**

Level of Acceptance: Noted
Responsible Division: Corporate Services
Proposed Completion Date: N/A

Response:

Replacement of legacy infrastructure at Albany Regional Prison will be the subject of ongoing planning and funding under the Long-Term Custodial Infrastructure Plan. Previous attempts to secure funding for this purpose have been unsuccessful.

- 2 Evaluate the feasibility of increased use of mobile technology in prison units both to help staff better meet their work obligations and to improve access to information and services for prisoners.**

Level of Acceptance: Noted
Responsible Division: Corporate Services
Responsible Directorate: Knowledge, Information and Technology
Proposed Completion Date: N/A

Response:

The Department has developed a Long-Term Custodial Technology Strategy (LTCTS) to assess the benefits and efficiencies of modern Information and Communications Technology (ICT) in the custodial estate, including mobile technologies and increased access to digital services for prisoners.

Submissions have been made to the State's established Digital Capability Fund to procure funding to deliver foundational ICT infrastructure upgrades at custodial facilities, particularly those in the regions. This will provide the base ICT infrastructure to unlock future benefits, such as increased mobility and services to prisoners.

Submissions for seed funding have also been made to enable the implementation of the next components of the LTCTS.

- 3 Establish an Industries Coordinator position.**

Level of Acceptance: Noted
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons
Proposed Completion Date: N/A

Response:

Industries staffing at Albany was reviewed at the end of 2020 and it was determined that no further resources would be allocated at this stage.

The Department is committed to the development of the state-wide Long-Term Prison Industries Plan (LTPIP). The LTPIP will work to establish the long-term strategic planning and direction for the expansion and commercialisation of WA Prison Industries. This will include an assessment of staffing needs to support the plan. The LTPIP is being tracked as part of the Prison Services Evaluation Project.

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4 The Department should develop guidelines for the use of interpretation and translation services for all prisons that meet the standards set by the WA Language Services Policy 2020.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Operational Support
Proposed Completion Date: 31 December 2022

Response:

COPP 2.1 – Reception is scheduled for review in March 2022. As part of this review Corrective Services will consider making changes to the COPP to incorporate guidelines on how prisoners can access interpretation and translation services.

5 Until such time as Unit 1 is fully decommissioned for prisoner accommodation, any future use should be on the basis of single cell occupation.

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

Response:

Albany Unit 1, yards A and B are currently not in use. There are no plans to utilise Unit 1 any further than its current use, e.g. yard C is being used in a limited capacity, primarily for management purposes, and yard D is quarantined for COVID-19 isolation as required.

Planning and assessments of the future of all WA prisons is part of the Prison Services Evaluation and Prison Network Design initiatives. This will determine future infrastructure requirements across the custodial estate, including a decision in relation of the occupancy of Unit 1 at Albany.

6 Commit to regular organised sporting competitions.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons
Proposed Completion Date: 31 December 2022

Response:

The Department acknowledges the benefits that sporting activities have on the wellbeing of prisoners. Albany is currently developing its activities calendar which will be submitted for executive review and oversight.

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7 Reduce existing restrictions on art and music equipment and materials available to prisoners in their units.

Level of Acceptance: Supported in Principle
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons
Proposed Completion Date: 31 July 2022

Response:

Prisoners at Albany are provided with art and music equipment for use in cells and in units as appropriate. Restrictions are on enamel and acrylic paint for use in cells or unit areas for safety and security reasons. These however are made available in the art classes. Controls around quantities and storage in cells are enforced to ensure issues such as defacement of prison property, trafficking and storage issues are managed.

Albany's current local policies on accessibility to practice music and arts will be submitted for executive review.

8 Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, with adequate room for any growth in services, and including provision for allied health care, medical observation and an infirmary.

Level of Acceptance: Noted
Responsible Division: Corporate Services
Responsible Directorate: Procurement, Infrastructure and Contracted Services
Proposed Completion Date: N/A

Response:

Replacement of legacy infrastructure at Albany Regional Prison will be the subject of ongoing planning and funding under the Long-Term Custodial Infrastructure Plan. Previous attempts to secure funding for this purpose have been unsuccessful.

9 Develop a Crisis Care facility that is appropriate for vulnerable prisoners in need of high-level support.

Level of Acceptance: Noted
Responsible Division: Corporate Services
Responsible Directorate: Procurement, Infrastructure and Contracted Services
Proposed Completion Date: N/A

Response:

Replacement of legacy infrastructure at Albany Regional Prison will be the subject of ongoing planning and funding under the Long-Term Custodial Infrastructure Plan. Previous attempts to secure funding for this purpose have been unsuccessful.

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10 Albany prison should obtain a secure escort vehicle fitted with a toilet and the ability to apply secure restraints through a hatch for longer journeys.

Level of Acceptance: Not Supported
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons
Proposed Completion Date: N/A

Response:

Long-distance prisoner escorts to and from Albany are conducted primarily by the Contractor, Ventia, who has a toilet fitted within the transport vehicle, i.e. coach/bus.

In the event the prison is required to undertake escorts, regular stops are made as needed, and escort / restraint procedures are determined in accordance with Departmental policies: COPP 12.1: Escort Vehicles, COPP 12.2: Coordination of Escorts, and COPP 12.3: Conducting Escorts.

11 Amend COPP 2.3 to ensure that Albany Regional Prison completes a Remand MAP for all remandees received locally.

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

Response:

As defined in COPP2.3 - Assessment and Sentence Management, the Management and Placement - Remand (MAP-R) is the checklist completed to determine initial security rating and placement for a remand prisoner.

Albany Regional Prison is a maximum-security prison and remand prisoners are always held in standard supervision cells which are maximum security cells. There is no requirement to complete a MAP-R as the remand prisoners at Albany Regional Prison will always be classed a maximum-security.

Details that cover the prisoner's family and welfare situation, release plans, legal representation status, outstanding fines, support needs, and readiness to engage in voluntary programs are captured within the reception and orientation process, including the 'At Risk Management System – Reception Intake Assessment' checklist within TOMS.

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12 Amend procedures relating to Early Discharge to conform with the intent of the WA Parliament that Early Discharge act as an incentive for good behaviour, a means of release for compassionate reasons, and as a meaningful contribution to reducing the high rate of imprisonment.

Level of Acceptance: Noted
Responsible Division: Corrective Services
Responsible Directorate: Operational Support
Proposed Completion Date: N/A

Response:

The Department's current provisions regarding Early Release have been developed and amended several times since the Prisons Amendments Act 2002 and are based on providing early release in line with security considerations.

As per Department's policy review processes and review schedule, this policy is subject to ongoing review. Further considerations and amendments will be made in consultation with key business areas within Corrective Services at the time of review.

13 The Department should commit to development of a holistic case management system that supports prisoners to progress towards their rehabilitation and reintegration on release.

Level of Acceptance: Noted
Responsible Division: Corrective Services
Responsible Directorate: Offender Services
Proposed Completion Date: N/A

Response:

The Department's case management processes provide the linkages to the various service provisions offered to prisoners during their journey commencing prior to an offender's sentencing through to sentencing/parole completion and re-entry into the community.

Each relevant business area provides prisoners with appropriate assessments relevant to their situation and status, e.g. remand/sentenced, which also includes health assessments. For prisoners with effective sentences greater than 6 months, Individual Management Plans involving a multidisciplinary approach are developed and incorporates treatment, education and security assessments whilst at the same time providing the wrap around services such as health, mental health, counselling and supports as required.

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14 Provide opportunities to improve prisoners access to, and use of, digital literacy technology, including in-cell resources.

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

Response:

The Department is currently trialing the use of the National Centre for Vocational Education Research's (NCVER) Digital Literacy Assessment Tool at Wooroloo Prison Farm.

The tool will assess prisoners' capability and familiarity with:

- Digital devices and technologies;
- Use of common software applications;
- Use of the internet to search and find relevant information, apply for services, or purchase goods etc.; and
- Knowledge and awareness of personal and private security, and privacy issues relating to living and working in the digital world.

Completion of the trial will assist the Department in determining the digital literacy training needs across the prison estate to develop appropriate training solutions.

15 Albany should develop specific pathways to better engage Aboriginal prisoners in employment and training that will enhance their prospects on release. These initiatives should be tracked and monitored by the prison's Aboriginal Services Committee.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons
Proposed Completion Date: Completed

Response:

Albany's participation rate in the Time to Work Employment Service program (TWES) is one of the highest in the state. This program provides Aboriginal prisoners with a range of tools to assist in job readiness.

The Department is committed to monitoring employment pathways for Aboriginal prisoners, and ensuring Aboriginal prisoners have equal and fair access to prison jobs via its Aboriginal Services Committee.

The process of tracking and monitoring prisoner employment vacancies and recruitment to ensure regard is given to engagement of Aboriginal prisoners within industry and service areas is being tracked via Albany's Aboriginal Services Committee (ASC). This will include strategies implemented at other prisons for consideration of inclusion within the ASC local service plan.

Appendix 4

INSPECTION DETAILS

INSPECTION TEAM

Eamon Ryan	Inspector
Natalie Gibson	Director Operations
Lauren Netto	Principal Inspections and Research Officer
Stephanie McFarlane	Principal Inspections and Research Officer
Kieran Artelaris	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Jim Bryden	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Aaron Hardwick	Inspections and Research Officer (Justice Secondee)
Catie Parsons	Inspections and Research Officer (Parliament Secondee)
Sandra Halley	Manager, Vocational Education and Training, Department of Education

KEY DATES

Announcement letter	16 October 2020
Staff surveys	9–21 December 2020
Community consultation	16 December 2020
Prisoner surveys	17 December 2020
Meetings with Albany staff	29 January 2021
Start of on-site inspection	7 February 2021
Completion of on-site inspection	11 February 2021
Follow-up visit	24–25 February 2021
Presentation of preliminary findings	26 February 2021
Draft report sent to Department	16 September 2021
Response received from Department	10 November 2021
Declaration of prepared report	29 November 2021

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



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