



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

Response to OICS Draft Report:

**2022 Inspection of Broome Regional
Prison**

May 2023

Version 1.0

Response Overview

Introduction

On 11 January 2022, the Office of the Inspector of Custodial Services (OICS) announced the 2022 Inspection of Broome Regional Prison (Broome).

To assist with the inspection, the Department of Justice (the Department) facilitated the provision of a wide range of documentation, including policies and procedures, as well as access to systems, facilities, staff, prisoners, and contractors.

On 21 April 2023, the Department received the draft inspection report from OICS for review and provided further context, comments, and responses to the 12 recommendations.

Appendix A contains comments linked to sections in the report for the Inspector's consideration when finalising the report.

Department Comments

Broome plays an essential role as the primary prisoner receipt and disbursement prison. The Department has undertaken major infrastructure upgrades to improve the physical infrastructure and living conditions at the aging facility, including a maintenance program.

Broome is currently in a transitional phase in the lead-up to the construction of the planned new prison. The Department acknowledges the current structural limitations and the impact on prison support services due to a tight labour market and modest spending ahead of the larger capital investment. Funding has been allocated to address immediate and critical works including fixing roof leaks and mould issues, a security system upgrade and other structural issues.

Despite Broome's staffing, infrastructure and services limitations, the Department is pleased to note positive observations by OICS in relation to the management of the facility.

OICS found the pandemic response was well managed by Broome and the Department's COVID-19 Taskforce. Isolation and testing requirements stretched prison management and staff; however, Broome operations were successfully maintained.

The identification and management of prisoners at risk of self-harm by the Prisoner Risk Assessment Group (PRAG) was well managed. Chaired by the Assistant Superintendent Offender Services (ASOS) and attended by staff, unit managers, the Psychological Health Services (PHS) counsellor, and a nurse, the PRAG met as often as was required to ensure safe and appropriate placement and management of prisoners at risk.

Prisoners now have better access to a General Practitioner. A doctor contracted to Broome Aboriginal Medical Service visits the prison four times a week and the Department will continue to work with medical practitioners to further improve this service.

The new, better equipped kitchen is operating well and provides prisoners with employment opportunities. The dining room area is spacious and can seat all the male minimum-security population. Men in the maximum-security section (MSS) are given portion-controlled dinner packs which they eat in the dayroom or in cells. During

COVID-19, meals were delivered through hatches and eaten in cell. An independent food safety assessment conducted in October 2021 found Broome to be compliant across 33 of 35 categories.

Prisoners and staff have been positive about the canteen, which is well stocked with food items, toiletries, stationery and art materials. Orders are packed and distributed to units by the Canteen Vocational Support Officer (VSO).

OICS identified elements of assessments and case management that worked well. According to the Department's Assessment Monitoring Report (AMR) for April 2022, Broome had no outstanding Individual Management Plans (IMPs) to be developed and no outstanding treatment assessments. Broome maintained prisoner IMPs with only one prisoner identified as having an overdue IMP. OICS commended Broome for this, given the difficulties faced during the pandemic.

The Department acknowledges the issues in relation to staffing at Broome and its impact on services, noting that recruitment is a national issue, particularly in the regions. As identified in the OICS report, there is a significant number of staff on the transfer list waiting to transfer to Broome. The ability to secure accommodation for staff through the Government Regional Officers' Housing (GROH) Scheme or private rentals is increasingly difficult. Competition for rental accommodation with the local population, wider public sector agencies and larger private organisations continues to restrict the ability for the Department to transfer staff.

Notwithstanding the difficulties, the Department continues its efforts to obtain housing and recruit to the regions. In addition to the current GROH housing, the Department has committed funding for four additional long-term-lease housing through the Department of Communities, which are currently under construction and scheduled for completion in 2023-24. Ongoing recruitment activities are underway, including regional campaigns targeting existing residents.

The recruitment of specialist mental health staff is a significant recurring issue affecting not only the Department, but the health system in general. The Department continues to exhaust all avenues possible to attract candidates to such roles.

The Department notes the findings in the 2022 Inspection of Broome and has supported 11 of the 12 recommendations, four of which are supported in principle due to potential practical impediments and four are part of current practice and/or projects currently underway.

The Department can confirm that planning for the development of the new prison through extensive community consultation is underway.

Response to Recommendations

1 Explore solutions to the causes of current under-staffing at Broome and plan for the staff needs of the new prison.

Level of Acceptance: Noted
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

The availability of housing both through Government Regional Officers' Housing (GROH) and the private rental market is currently the primary issue affecting the Department's ability to fill vacant positions at Broome.

In addition to the current GROH housing, the Department has committed funding for four long-term-lease housing through the Department of Communities, which are currently under construction and scheduled for completion in 2023-24.

Notwithstanding the accommodation issues at Broome, the Department continues to undertake significant recruitment activities to fill vacant prison officer positions, including local campaigns targeting existing residents.

2 Implement a thorough orientation process for new prisoners.

Level of Acceptance: Supported
Responsible Division: Corrective Service
Responsible Directorate: Adult Male Prisons

Response:

Standing Order 2.1 – Reception and Release will be reviewed to ensure Broome's orientation processes are adequate and provide structure and consistent guidance to officers who may be unfamiliar with processes.

3 Ensure adequate presence of Prison Support Services at Broome.

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

Response:

The provision of Prison Support Services at Broome is impacted by the resourcing and infrastructure limitations. The service is provided by custodial staff.

A recent AVS recruitment process (finalised in April 2023) did not identify any suitable applicants and further recruitment attempts will be made.

Work continues on a revised service delivery model for the AVS which is expected to address the current staffing issues and improve conditions and outcomes for Aboriginal people in custody. This includes exploring the possibility of contracting Elders from the regions to undertake support work.

4 Implement all Coroner's Court suicide-related recommendations in full.

Level of Acceptance: Supported – Current Practice / Project
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

Recommendations made by the Coroner are individually assessed and recorded in the Department's recommendations management system 'RiskShare'. The implementation and closure of these recommendations is monitored and tracked through the governance and assurance processes under the Department's risk and audit committees.

5 Ensure staff compliance with Broome Standing Order 10.6.

Level of Acceptance: Supported – Current Practice / Project
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

Commissioner's Operating Policy and Procedure 10.6 Anti-Bullying (COPP 10.6) sets out operational requirements for the management of bullying behaviours to provide a prison environment that is safe, secure and free from intimidation.

Pursuant to section 6, Superintendents are required to make and issue a Standing Order localising the anti-bullying procedures for their prison. Broome Regional Prison's Standing Order 10.6 Anti-bullying (Standing Order) contains the strategies and action plan for staff to implement where there is a suspected or actual bullying incident. This requirement will be reinforced with staff.

All bullying incidents are investigated to identify the perpetrator(s), the issues and a resolution which accommodates the victim's wishes.

Further, the Department's People Culture and Standards Division provides integrity and ethical awareness training on expected standards of behaviour and the types of conduct that are reportable under the code of conduct, which includes bullying.

6 Establish a Kimberley Aboriginal Elder working group to drive cultural in-reach at Broome.

Level of Acceptance: Supported – Current Practice / Project
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

The Department is in the process of developing a Memorandum of Understanding (MoU) with the Yawuru traditional owners of the Broome area, represented by the Nyamba Buru Yawuru (NBY) company.

The MoU is being developed to ensure a mutually respectful and collaborative relationship between the Department and NBY, and to ensure appropriate community consultation and engagement in the design of the new Broome Regional Prison. The

MOU will ensure associated programs and services have a strong focus on cultural support, education and rehabilitative opportunities.

7 All staff should comply with local policy regulating access to the Medical Centre.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

The Superintendent issued a reminder to Broome staff in May 2023 requesting staff to familiarise themselves on the medical centre security requirements, including Standing Order 6.1 Access to Health Care and Medication which sets out the procedures for the provision of health care services to prisoners.

The Instruction relates to medical centre opening hours, restriction of prisoner movement through the medical centre, and reinforces that up to two prisoners may be permitted in the centre at any one time.

8 Resource Broome adequately to better manage prisoners with mental health needs.

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

Response:

The recruitment of specialist mental health resources is a significant recurring issue affecting the Department and the health system statewide.

A rolling statewide recruitment process has recently been initiated and has been ongoing since April 2023.

A mental health nurse based at West Kimberly Regional Prison provides a telehealth in-reach service as required. In addition, a Mental Health Alcohol and Other Drugs (MHAOD) psychiatrist visits the facility every eight weeks.

9 Resource Broome adequately to offer effective alcohol and other drug treatments.

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

Response:

A MHAOD clinical nurse position that provides a co-morbidity service at Broome is currently vacant due to recruitment challenges.

A mental health nurse based at West Kimberly Regional Prison provides a telehealth in-reach service to prisoners requiring alcohol and other drug treatments upon request. In addition, a MHAOD psychiatrist visits the facility every eight weeks.

10 The Department should give prisoners the opportunity to address their offending behaviour while in custody at Broome.

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

Response:

At this stage Broome does not have the physical capacity to facilitate the delivery of Offender Programs services to offenders. There are no group program rooms suitable for offender program delivery.

When prisoners are sentenced and have their treatment needs identified, they may be eligible to transfer to a more suitable prison with appropriate facilities to deliver the required program.

11 Provide basic adult education services at Broome.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Offender Services

Response:

Education services at Broome are limited due to resourcing and infrastructure limitations. There are no physical rooms to facilitate the delivery of adult education services to prisoners.

In-reach educational services are available from contract in-service providers locally and from West Kimberley Regional Prison on a need's basis.

Planning for the new Broome facility includes discussion around design options for an education centre and classrooms that will enable the Department to provide prisoners with education services.

12 Reinvigorate the section 95 program and build strong connections with the wider community.

Level of Acceptance: Supported – Current Practice / Project
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

The Department is supportive of greater prisoner participation and the expansion of the section 95 community work in Broome. Minimum-security prisoners at Broome are continually assessed for section 95 eligibility and approved prisoners are prioritised for placement at Wyndham Work Camp given the greater rehabilitative and work opportunities available at the camp.
