

## MEDIA RELEASE

### EMBARGOED UNTIL 2PM ON 28 NOVEMBER 2023 People in custody with a hearing impairment

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The Inspector of Custodial Services has today released a report that found the Department of Justice is making improvements, but can do better, in the way it identifies and supports people in custody with a hearing impairment.

The snapshot review found that the Department's introduction of a functional impairment screening tool has helped identify more people in custody with hearing difficulties. Despite this, between 2018 and June 2023, the Department only identified 160 people with some form of hearing impairment or disability – equating to less than 0.6 per cent of all people who entered custody in that time.

This pales in comparison with previous independent studies that estimated 46 per cent of Aboriginal women at Bandyup Women's Prison and 69 per cent of Aboriginal prisoners at Roebourne Regional Prison had a hearing impairment.

The Inspector, Eamon Ryan, welcomed the Department's progress in improving identification processes but noted that further work was required:

We undertook this review noting the research that shows First Nations people are more susceptible to developing hearing impairments and are overrepresented in Western Australian custodial facilities. While we recognise the Department is improving its identification processes, we feel there are many people in custody who are yet to be identified and provided with the necessary supports.

The report also found that the Department had made limited adjustments to support the hearing-impaired. Behaviour management policies often failed to consider known or suspected impairments or disabilities; there was little evidence that hearing impairments were considered when determining cell placements; no adjustments had been made to delivery of announcements, instructions or emergency warnings; and we could not identify evidence to show interpreters were being used during interviews or assessments.

Failure to make such reasonable adjustments echoes the findings of the Disability Royal Commission. Mr Ryan noted:

Custodial facilities are sensory environments. Those with a hearing impairment may struggle to hear what is happening around them, verbal instructions, loudspeaker announcements, or audible alarms. This can reduce their awareness, increase their vulnerability and isolation, and impact their rehabilitation. The Department has a responsibility to reduce these vulnerabilities and allow effective participation in daily prison life.

The report recognised some positive practices observed, including supports offered to hearing-impaired people by classroom teachers and program facilitators, and Serco's provision of hearing aids to those with an identified need at Acacia Prison.

The report adds to previous work conducted by the Inspector on the experiences and challenges faced by people in custody with a disability, including:

- Challenges faced by prisoners with mental illness or psychosocial disabilities
- Disadvantages faced by older prisoners with disability
- The use of force against vulnerable people including those with cognitive impairments
- The impact of disability for prisoners requiring protection
- How the use of confinement and management regimes impacts people with a disability.

A review into the identification and management of people with an intellectual disability is also expected to be released in 2024.

Eamon Ryan  
**Inspector**

For further media information:

The Inspector, Mr Ryan, will be available for comment from 2pm on 28 November 2023 and can be contacted on 0421 480 925.

The full report will be available on the Inspector's website ([www.oics.wa.gov.au](http://www.oics.wa.gov.au)).