



REPORT OF AN ANNOUNCED INSPECTION OF
BROOME REGIONAL PRISON

77

MARCH 2012
REPORT

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OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

Report of an Announced Inspection of Broome Regional Prison

Office of the Inspector of Custodial Services
Level 5, Albert Facey House,
469 Wellington Street,
Perth WA 6000

www.oics.wa.gov.au

March 2012

ISSN 1445-3134

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BROOME REGIONAL PRISON: PROGRESS HAMPERED BY AN UNCERTAIN FUTURE

Unfortunately, the new health centre and education centre have suffered from poor design and/or construction. Both have been affected by rain damage and the health centre has had to be closed on occasions due to mould. We also found that many of the bunk beds failed to meet the Department's own safety standards and posed a risk of injury from a fall and consider this to be something which can be remedied with minimal cost.ⁱⁱⁱ

CULTURE AND ACCOUNTABILITY

It was clear from previous inspections and regular visits that by 2010, the vast majority of staff were keen for change and that they welcomed the new superintendent's appointment. This report found improvements in management processes and in the general culture of the prison. Most notably, allegations of bullying and racism, previously made by both prisoners and staff, had reduced markedly since 2008.

By the time of the inspection, however, several staff complained that the new management practices had gone too far and constituted unnecessary 'micro-management'. We examined these claims and were satisfied that, for the most part, the changes represented good management and involved a genuine attempt to ensure that past mistakes were not repeated. Overall, clarity, consistency and accountability had undoubtedly improved.

PLANNING FOR BROOME PRISON AND KIMBERLEY CUSTODIAL SERVICES

Broome's future is inextricably tied up with the opening of the new prison at Derby and at the time of this inspection, Derby's scheduled opening was only nine months away. Broome's infrastructure issues, its location on valuable land in the centre of town, and its relatively high cost per prisoner raised obvious questions with respect to its future role and viability. Given these factors, it was reasonable to anticipate that we would find or be provided with evidence of the following:

- (i) An operating philosophy and operational plans for Derby, including a staffing model;
- (ii) A vibrant proactive engagement with Broome Prison so that Derby could draw on its experience of delivering services in the Kimberley to predominantly Kimberley prisoners, including the development of strong community links;
- (iii) A plan for the future of Broome or a set of options for consideration;
- (iv) Meaningful engagement with staff at Broome with respect to the future role of the two prisons and potential employment opportunities at both;
- (v) A 'custodial plan' for the Kimberley region, articulating the functions of Derby and Broome Prisons and the Wyndham Work Camp in delivering services to the region;
- (vi) Strong engagement with Kimberley Aboriginal organisations; and
- (vii) Detailed analysis of the 'knock on' effects of the new Derby Prison for the rest of the prison system (especially those prisons such as Greenough and Casuarina which have hitherto held significant numbers of Kimberley prisoners).

iii See Recommendation 7 and the Department's response to that recommendation.

BROOME REGIONAL PRISON: PROGRESS HAMPERED
BY AN UNCERTAIN FUTURE

The Department is currently undertaking a more rigorous analysis of the potential options and their costs. Although this is overdue, and an announcement does need to be made at the earliest opportunity with respect to Broome's future, it is also important not to rush a decision simply to compensate for belated planning.

WORK CAMPS

Work camps, not just prisons, play an important part in the management and reintegration of prisoners, especially in the regions. In March 2011, Bungurun Work Camp near Derby was closed. While Bungurun had undertaken some valuable community work the facilities themselves were poor and the opportunities for skill development were limited.

The only work camp in the Kimberley is now at Wyndham. The facilities at Wyndham are excellent – modern, purpose built and high quality. Wyndham has capacity for up to 40 prisoners but it has been operating well below capacity. From January to October 2011, numbers were generally between 14 and 19. From November 2011 to February 2012, there were 11 prisoners there. Currently, numbers have dropped to just 9.^{vii}

There are two main factors behind this under-use. The first is inadequate staffing and the second relates to the criteria and assessment processes for prisoners to be placed at a work camp. The Department has accepted our recommendations on both these matters and states that it is assessing the situation.^{viii} The issues have been known for some time: it is time for action, a better return on the investment of public funds, and more holistic planning for Kimberley prisoners.

Neil Morgan
16 March 2012

vii Similarly, Warburton Work Camp has a capacity of 30 but has held no more than seven prisoners since it opened in September 2011: see Department of Corrective Services, *Weekly Offender Reports* (<http://www.correctiveservices.wa.gov.au/about-us/statistics-publications/statistics>).

viii See Recommendations 11 and 12.

Chapter 1

SETTING THE SCENE

BROOME REGIONAL PRISON – INSPECTION HISTORY

- 1.1 Broome Regional Prison (Broome) is the oldest prison in the state and is located in the heart of the Broome township on the main road. Broome was originally one of two prisons in the Kimberley, the other being Wyndham Regional Prison which served the East Kimberley. In 1993 Wyndham Regional Prison was closed and Broome became the only prison in the Kimberley region. Broome is predominantly a minimum security facility which also caters for short term medium and maximum security prisoners, both male and female. Aboriginal prisoners represent 80 per cent of the Broome prisoner population.
- 1.2 Broome has had four previous inspections, the first of which was conducted in June 2001. Subsequent inspections occurred in May 2004, March 2007 and May 2008. In September 2011, the Office of the Inspector of Custodial Services (the Office) carried out the fifth announced inspection of Broome, which is the subject of this Report.
- 1.3 Between the first and second inspections of Broome, two work camps (operated by the prison) were established in the Kimberley. Bungarun Work Camp (located just outside Derby) and Wyndham Work Camp (located just outside Wyndham) opened in March 2001 and July 2002 respectively. The work camps increased the capacity of Broome, enabling it to retain more prisoners from the Kimberley.
- 1.4 The 2001 inspection found Broome to be an ageing facility which was grossly overcrowded with the basic accommodation at the prison well below acceptable national standards.¹ This inspection also found problems with the way the women prisoners were treated. On the other hand, the inspection noted that some good work was being conducted by the prison in the community.
- 1.5 On 7 July 2001, eight days after this first inspection, the then Justice Minister announced the construction of a new \$50 million prison for the Kimberley. The Office welcomed this announcement, particularly given the closure eight years previously of Wyndham Regional Prison which had left Broome as the only prison to service an area of over 421,000 square kilometres.
- 1.6 When the Office returned to Broome three years later to inspect the prison a second time, however, the new Kimberley prison project had not been progressed. The 2004 inspection report noted that little progress had been made to address the problems identified in the previous inspection report and that the prison remained severely overcrowded despite the opening of the work camps.
- 1.7 The Office actively advocated that any new facility in the Kimberley be shaped by a Kimberley-wide correctional strategy and therefore was involved in creating the Kimberley Aboriginal Reference Group to consult Kimberley communities to develop such a strategy. In 2005, the then Minister of Justice appointed nine members to the Kimberley Aboriginal Reference Group to consult with Aboriginal people throughout the Kimberley region of Western Australia to inform the development of the state government's Kimberley Custodial Plan.²

1 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 6 (June 2001).

2 Kimberley Aboriginal Reference Group – *Kimberley Aboriginal Reference Group's initial recommendations toward the Kimberley Custodial Plan* (October 2005) 1.

THE 2011 INSPECTION

- 1.14 The fifth and current inspection of Broome commenced on Sunday 18 September 2011 and concluded on Friday 23 September 2011. Commencing on a Sunday has become a regular part of the Office's inspection process because it enables the inspection team to interview staff who may otherwise not be available during the inspection. It also enables the inspection team to engage with the prisoners during a more relaxed time in their prison routine.
- 1.15 Whilst previous inspections of Broome were driven by concerns and issues surrounding the prison, this inspection was conducted knowing that there had been large expenditure on facilities and staffing; that there had been less complaints from both staff and prisoners; and that a new superintendent had been appointed.¹² The inspection team approached this inspection with the expectation of finding positive improvements throughout the prison.
- 1.16 Before the inspection commenced, it was clear that the decision about Broome's future in light of plans for a new prison in Derby would influence all areas of the inspection and could possibly impact on the capacity of the Department and the prison to act on any recommendations put forward by the inspection team. The recommendations in this Report reflect Broome as it was as at the time of the inspection. Some recommendations may therefore become redundant if the role of Broome in the prison system changes.

THE DERBY MIST

West Kimberley Regional Prison Project (Derby Prison)

- 1.17 The plan to build a new Kimberley prison was announced in July 2001 and, as noted above, very little progress was made for some years. In his briefing to the inspection team at the commencement of the second announced inspection of Broome in May 2004, the superintendent of Broome estimated that construction of the new prison would take six years. The Department's own estimation at the time was that the new regional prison would not be operational until 2009.¹³ At the time of writing this Report, the new Derby Prison was expected to be operational by July 2012.
- 1.18 The inspection found that Departmental communication with regard to the impact of the new prison on the future of Broome had been minimal. Neither staff nor management at Broome were aware of what would become of the prison or whether their jobs would remain once the new prison became operational. The Inspector, in his exit debrief following the completion of the on-site inspection, referred to this lack of clarity as the 'Derby mist'.¹⁴

12 The number of complaints received by this office through Independent Visitors reports, prisoner correspondence and the number of complaints made through DCS and Ombudsman's office were less than during the last inspection period.

13 Department of Justice, Prisons Division, *Building and Infrastructure Program 2004/05 to 2007/08* (2004) 9.

14 Neil Morgan, Inspector of Custodial Services, *Exit Debrief, Broome Regional Prison* (23 September 2011).

Chapter 2

BROOME TODAY

CAPITAL INVESTMENT

- 2.1 The \$11.2 million refurbishment project commenced in 2007 and was completed in 2010. This refurbishment included:
- Construction of a new perimeter fence;
 - Construction of new earned privilege cells;
 - Upgrade of and additions to the female precinct and attached new offices;
 - Construction of a new education centre and medical centre;
 - Upgrade of and additions to the male secure section; and
 - Construction of a new administration building.
- 2.2 These much needed upgrades have been recognised and valued by staff and prisoners with the administrative staff stating, for example, that their better working environment translated into them feeling more supported and happier in their employment.¹⁶
- 2.3 However, the very limited size of the prison site has restricted the refurbishment and, as a result, many of the rooms and workspaces, for example the education centre, is small and cramped.¹⁷ The site's limited size means there is no scope for industry or training facilities and recreation spaces are limited. A lack of soundproofing has also compromised the usefulness of rooms designed for program and counselling use. Whilst the refurbishment of the women's section and the minimum security section did improve the facilities, these units are still sub-standard when compared with their metropolitan counterparts.¹⁸
- 2.4 Though many of the changes to the facility were major and required rebuilding and relocation of facilities and services, none was more challenging than the construction of the new perimeter fence. Constrained by tight boundaries the new fence was constructed without encroaching on land outside of the boundary of the prison. Changes to the construction of the fence to achieve this have meant that it is in some cases closer to the new buildings than originally planned. The fence, although not aesthetically pleasant, has enabled improvements in the movement of maximum security prisoners within the prison.

Department and Prison Funded Projects

- 2.5 There have been further improvements to the prison which have been funded jointly by the prison and the Department. These include:
- Provision of a programs transportable;
 - Building a shower block for minimum security prisoners;
 - Covering of the outdoor visits area;
 - Refurbishment of minimum security cells;
 - Refurbishment of the reception area by provision of an additional toilet and enclosing the property storage area; and
 - Provision of a new transportable for the canteen.

16 Statements made during Administration staff meeting and individual meetings with administration staff during the 2011 inspection.

17 Broome Regional Prison's footprint is a total of 7,350 sqm.

18 See Chapter 4 for a more detailed explanation of the impact of the refurbishment of these units.

- 2.11 These upgrades are essential. The current situation compromises the safe operations of the prison and so the upgrade should be prioritised as soon as a decision is made as to the future of Broome.

Recommendation 2

Upgrade the gatehouse and lobby area to create a more functional entrance to the prison incorporating an upgrade of the key control system to an electronic key safe.

Cost of Service Provision

- 2.12 Determining the true operational costs of Broome is a difficult task. Whilst the Department publishes some budgetary figures these do not reflect the full cost of the service. The prison's 2011/12 budget is a little over \$12 million, excluding education, programs, medical, maintenance and capital costs.²⁰ The real annual operating cost is therefore likely to be around \$14-15 million. With a daily average population of 80 prisoners, the cost of accommodating prisoners at Broome is approximately \$510 per prisoner per day.
- 2.13 As shown in the table below, the staff to prisoner ratio, and corresponding daily cost, at Broome is much higher than comparable prisons.

Prison	DAP ²¹	Staff to prisoner ratio	Officer to prisoner ratio	Approximate per day cost
Broome	80	1.07	0.69	\$510
Roebourne	161	0.65	0.42	\$270
Eastern Goldfields	106	0.77	0.46	\$230
Bunbury	375	0.53	0.30	\$160

- 2.14 The cost of service provision is generally higher in the Kimberley because of its remote location. To its credit, management at Broome have consistently remained within or very close to the budget since the last inspection. This is a notable achievement given increasing contracting, staffing and accommodation costs, and a growing workers' compensation and long-term sick leave burden. Since 2003 there has been an increase in staffing of over 80 per cent.
- 2.15 The cost per prisoner per day for Broome will never be on par with that of other Western Australian prisons but even though the cost per prisoner per day for Broome is high the Department has a commitment to help keep prisoners as close to home as possible. This factor alone should help guide the Department in establishing the future role for Broome once the new Derby prison opens.

²⁰ Figures provided by the superintendent Broome Regional Prison.

²¹ Daily Average Population – figures supplied by DCS.

RELATIONSHIPS

With Head Office

- 2.23 During the inspection it was found that staff were concerned about the lack of communication from head office. Staff felt that there were very limited opportunities to raise issues with head office and that often when issues were raised they were not followed up. Staff attributed this lack of support to the prison's remote location and believed that they were not afforded the same consideration or support as staff of other prisons located nearer to Perth or in the metropolitan area.

Between Staff

- 2.24 There appeared to be good relationships between staff groups at Broome, although there were some concerns expressed about relations between the custodial staff and other staff. The issues raised in the 2007 inspection about bullying and racism amongst staff had reduced significantly.²³ Staff indicated that their work environment had improved as a result. Likewise, allegations of bullying by senior management that had been prevalent at previous inspections had dropped in this inspection.²⁴ This reflects a positive growth in the communication and relationships between staff.

Between Staff and Management

- 2.25 Some staff were of the view that the superintendent could be more visible around the prison. Some staff also expressed disappointment about the superintendent's decision to appoint external staff to act in management positions because this deprived Broome staff of these acting opportunities. Despite these issues, the inspection team found that the relationship between staff and management had improved since the last inspection.

Between Staff and Prisoners

- 2.26 The team understood that one of the intentions of the refurbishment was to improve the access of staff to prisoners and the services delivered. However, less interaction was seen between officers and prisoners than in previous inspections and this observation was confirmed by staff. It appears that the refurbishment has continued the trend toward increased segmentation of Broome by creating discrete work areas which require the constant presence of allocated officers.²⁵
- 2.27 The senior officer group and prison management need to do more to promote positive interaction between officers and prisoners. In doing so, the complex issue of the ever-growing compliance burden for prison staff may need to be addressed. Extensive compliance and reporting requirements draw staff away from interacting with prisoners and require officers in particular to make a concerted effort to make time for prisoner engagement. Whilst this is an issue for Broome it is also a significant issue for the Department as compliance loads affect other prisons as well.

23 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 10.

24 This was evidenced by the reduced number of reports of bullying from Independent Visitors since the previous inspection.

25 This is also one of the reasons behind the increased staffing needs of Broome Regional Prison.

Position	2003	2007	2011
Administration	5	5	12.6
Senior Officers	4	9	12
First Class	4	6	8
Prison Officers	17	22	33
Vocational	5	6	7
Work Camps	10	10	7
Subtotal	45	58	79.6
Programs	0	1	2
Education	1.5	3 (?)	4
Medical	3.4	3.4	4.2
PCS	0	1	1
PSO/WSO	1	1	2
Subtotal	5.9	9.4	13.2
Total	50.9	67.4	92.8

- 2.34 There has been a considerable but necessary increase in staffing, and one that reflects comments this Office made in 2007 around the allocation of staff to enable service delivery.²⁹ This was confirmed recently by the Department's staffing review which recommended a further (though marginal) increase in staffing.

SECURITY

Dynamic Security

- 2.35 The need for dynamic security in a minimum security prison is paramount and although the engagement of prisoners by staff appears to have reduced, the quality of this engagement has improved. Broome at the time of the inspection had a good flow of information from prisoner to officer and from officer to the security manager. This flow of information can only be achieved through concentrated efforts of the security team and of the staff, as well as the respect and trust of prisoners towards staff.
- 2.36 The high standard of dynamic security conducted by this prison was highlighted during, and shortly after, the inspection when information was provided to officers regarding two mobile phones located in different areas and being used by different sets of prisoners. A further mobile phone was handed to officers by prisoners after the inspection.
- 2.37 The security team have developed this relationship with staff and prisoners over time and although it is not perfect it is still developing well.

29 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 4.

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- 2.41 Due to the refurbishment of the secure section the prisoners in this area are now able to access the medical centre directly without being escorted through the main prison area. When the medium or maximum security prisoners attend the medical centre the centre is secured and an officer is present at all times. The general practice is for one prisoner at a time, however, if there is more than one prisoner a ratio of one officer per prisoner is maintained.
- 2.42 Prisoners from the secure section need to be escorted when they leave the secure section and attend other areas of the prison such as reception. When these escorts occurred in the past the prisoner was handcuffed and escorted by two to three officers at all times. However with the construction of the new fence the administration of Broome now individually risk assess each prisoner in the secure section. This allows Broome to individually vary the number of escorting officers and the use of restraints.³⁰ Not only is this a more appropriate way to manage these prisoners but it is also a more efficient use of resources.
- 2.43 The major issue with security around the maximum section is the location of the section itself, being located in the middle of the minimum security prison in a position that allows easy access by any prisoner in the minimum security yard. Security staff believe that prisoners transfer items to the prisoners in the maxi section by using palm fronds or something similar. By placing the items on the fronds and sliding them under the grill/mesh of the perimeter of the maxi section they can transfer items quickly and easily with minimal detection. The inspection team were told that staff are aware of this and guard against it occurring, however, it does create an additional risk when prisoners are temporarily transferred into this area from other prisons.

Temporary Transfers

- 2.44 During the inspection the inspection team was told that increases in the number of incidents relating to drug activity within the prison were directly related to the temporary transfers in to the prison for visits, funerals and court. Although security was of the opinion that this was the case it had not done an analysis of the issue at the time of the inspection.
- 2.45 Just prior to the commencement of the inspection, Broome security, found a 'stash' of drugs which appeared to have been prepared so it could be given to a prisoner in the secure section for transport internally back to another prison. The drugs were packaged in balloons, tightly bound with any protruding parts cut off to make the package as smooth as possible. While this could be an issue when any prisoners are temporarily transferred to any regional prison with mainly minimum security prisoners, it is more of an issue for Broome because of the ease of access to prisoners held in the secure section by minimum security prisoners.

Motion Sensors

- 2.46 Whilst the number of motion sensors around the prison appears to be adequate there is concern over the system breaking down regularly. Due to the amount of breakdowns and the time taken to attend the prison and rectify the faults by external contractors, staff have developed a check list which, when followed, allows them to reboot the system themselves.

30 See Chapter 4.

and numeracy, suggests that a greater proportion of prisoners should be engaged in education. However, Broome houses a significant proportion of short term prisoners – 32 per cent have an effective sentence of six months or less and 53 per cent have 12 months or less.³⁶ It is difficult to engage prisoners and deliver education in such short periods of time.

- 3.6 Positively, the prison had introduced a new process that facilitated delivery of short education courses to prisoners. Under this process, all new minimum security prisoners undertake a two-week orientation in the education centre. During this period they participate in four short courses:
- **Safety Signs and Information** – basic occupational safety and health which is a pre-requisite for employment at the prison;
 - **Deadly Tucker** – healthy eating and basic hygiene;
 - **Money Business** – budgeting and money management; and
 - **Apply First Aid** – basic first aid.
- 3.7 This is an excellent process that both ensures that all minimum security prisoners receive some basic education, and helps to identify those prisoners who may be interested in further education.
- 3.8 Another improvement has been in the area of vocational training. As previously noted, the 2007 inspection identified a lack of integration between education, training and employment at the prison. In 2011, it was pleasing to observe that the amount of training linked to prisoner employment had increased. This has included, but is not limited to, units from:
- Certificate II in Construction for prisoners involved in the Housing Refurbishment Project;
 - Certificate III in Painting and Decorating for prisoners involved in the Prison Refurbishment Project; and
 - Operate and Maintain Chainsaws certificate for prisoners working in the section 95 ‘truck gang’.
- 3.9 Kimberley TAFE also delivers a wide range of training to prisoners, with lecturers visiting the prison and a number of section 95 approved prisoners attending the TAFE campus regularly.³⁷
- 3.10 During 2010–11, Broome had four trainees: one in Laundry Operations and three in Asset Maintenance. Two of these traineeships were completed successfully in December 2010, one is ongoing and one was not completed because the prisoner was transferred to a metropolitan prison for medical reasons.

36 Department of Corrective Services, *Broome Regional Prison OICS Briefing*, (August 2011).

37 Section 95 is the section within the *Prisons Act 1981* under which prisoners may be approved to undertake external activities outside the prison.

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- 3.14 Education is also reliant on a prison officer (known as the duty officer) being present in the centre. If the duty officer is not available then prisoners are not permitted in the education centre and classes cannot run. In the months leading up to the inspection, it had become more common for the duty officer to be absent because of custodial staffing shortages and restrictions on overtime shifts. However, education staff still considered this to be an irregular occurrence and did not feel that it was a significant threat to the delivery of education in the prison.
- 3.15 The previous inspection raised concerns about the workload of education staff and the lack of spare time available to them. A recommendation was made that ‘the Department consider innovative staffing models that would enable the education centre to both run all year round and to enable staff sufficient preparation time and access to professional development.’³⁸ In 2011, although no ‘innovative staffing model’ had been introduced, an increase in staffing levels had eased workload pressures. Staff did not express concern about the time available to prepare and plan lessons, and were satisfied with their access to professional development. However, staff did advise that it was difficult for them to take leave because relief coverage was not readily available.

Career and Employment Services

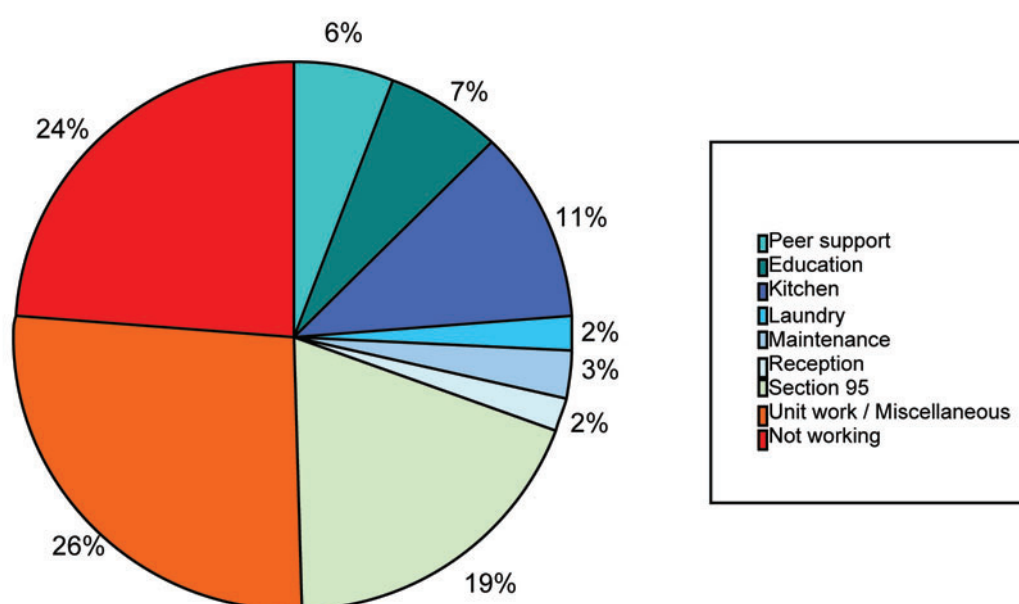
- 3.16 The Employment Coordinator position was introduced in prisons throughout the state in 2008 along with an initiative called the Prisoner Employment Program (PEP). The central feature of PEP was to allow prisoners to participate in paid employment outside the prison for three months prior to their release and continue in that employment following release. The program also facilitated other external activities such as job seeking, education and vocational training. While supportive of the concept, this Office has in the past questioned the strict eligibility criteria and lengthy approval process for both prisoners and employers, which have contributed to generally low levels of prisoner participation in PEP throughout the state.³⁹
- 3.17 The obstacles to PEP participation at Broome are significant with the short term nature of the population a huge barrier. The low literacy and numeracy levels and limited paid work history of the prisoner group also make it challenging to source employment. More fundamental, however, is the fact that most prisoners at Broome will be returning to a remote town or community where employment opportunities are extremely limited. PEP requires any employment undertaken prior to release to be sustainable after release. It is simply not possible for a prisoner to engage in paid work in the vicinity of Broome Regional Prison that can then be continued in a remote community.
- 3.18 As a result of these problems, only two prisoners at Broome have been approved for paid employment under PEP since the inception of the program. In Broome, there is clearly a need for more flexibility within the program. For example, the ability to place prisoners with an employer simply to gain work experience, without the requirement for sustainable employment, would be beneficial.

38 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 22, Recommendation 15.

39 OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011) 59; OICS, *Report of an Announced Inspection of Karnet Prison Farm*, Report No. 67 (July 2010) 38.

- 3.24 Although the numbers are low, and there is still room for improvement, having 50 per cent of the prisoner population engaged in some sort of meaningful employment is an achievement in itself. Particularly given the severe limitations of the infrastructure and the absence of any industrial workshops in the prison. There is a maintenance workshop but this employs no more than two or three prisoners. The laundry similarly employs no more than two or three prisoners. The main employer inside the prison is the kitchen which employs up to 12 prisoners.

3.25 *Broome Regional Prison Prisoner Employment.*⁴²



- 3.26 Because employment options inside the prison are limited, Broome has always relied heavily on its successful program of external work and training. Around 19 per cent of the population were engaged in some sort of external activity under section 95. For some this meant attending Kimberley TAFE to participate in training. Others were part of the community work party often referred to as the 'truck gang'. The truck gang conducts a wide range of work throughout the Broome area and delivers substantial benefit to the community.
- 3.27 One notable new initiative begun in September 2010 was the Housing Refurbishment Project. The Project, a collaboration between Men's Outreach, the Department of Housing and Works, Kimberley TAFE and the Department of Corrective Services, involved prisoners in the renovation of derelict Homeswest houses. Under the supervision of a TAFE lecturer, the prisoners complete various units towards a Certificate II in Construction. In addition, some of the prisoners involved have been able to complete a forklift course and a welding course. To date refurbishment of two houses has been completed and a third house was nearing completion during the inspection. This project was highly valued by the prisoners involved, and represents an excellent reparation initiative. The fact that it is also linked to training increases the value of this program.

42 Figures from the Department's Total Offender Management Solution (TOMS) system as at 21 September 2011.

OFFENDER PROGRAMS

Program Delivery

- 3.30 There are two program officers at Broome Prison (one is a shared position with Prison Counselling Services). Programs at Broome are delivered both by the prison's program staff and by an external provider. The programs on offer are:
- Indigenous Men Managing Anger and Substance Use (IMMASU) – delivered four times a year by Men's Outreach;
 - Indigenous Family Violence (IFV) – delivered once a year by Broome programs staff; and
 - Building on Aboriginal Skills (BOAS) – delivered four or five times a year by Broome programs staff.
- 3.31 Each program is limited to 10 participants. The Building on Aboriginal Skills program has been delivered to combined groups of prisoners and offenders subject to community justice orders.
- 3.32 Figures provided by the Department prior to the inspection indicate that in August 2011 there were 62 prisoners with unmet treatment needs in the prison.⁴⁴ Twenty one were disregarded for reasons including the prisoner being due for release, having refused the program, or having an ongoing appeal. Twelve were outstanding, but a further 29 required programs that are not currently offered by the Department. These figures do not reflect the number of Kimberley prisoners who are forced to transfer to different prisons hundreds of kilometres away in order to meet their program requirements.
- 3.33 Significant service gaps exist in the programs area at Broome. There is a need for more programs for women prisoners, sex offending programs and more intensive violent offending programs.
- 3.34 Given that a new prison in Derby is scheduled to open in July 2012, it was disappointing to find little evidence that the Department had been developing a full suite of programs for delivery in the Kimberley. The new Derby prison is intended to house prisoners of all security levels and avoid the need to send prisoners out-of-country to other prisons. However, if a full suite of programs addressing all types of offending behaviour is not available in the Kimberley, prisoners will still need to transfer to different prisons and the objectives of the new prison will be undermined.
- 3.35 It is positive that all of the programs offered at Broome have an Aboriginal focus. However, Aboriginal people are not homogenous and there remains a need for programs that are culturally specific to the Kimberley. The Indigenous Family Violence program, for example, was developed in the Northern Territory and programs staff have found that some adaptation is required to make it suitable for Kimberley prisoners. Again, in the context of the new Derby prison, the Department should be making efforts to develop Kimberley-specific programs and build the capacity of Kimberley Aboriginal service providers to deliver such programs.

44 Figures provided by the Department via document request from the Office of the Inspector of Custodial Services prior to the 2011 Inspection of Broome.

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- 3.40 Generally speaking, the various business areas within Broome prison appear to have a good commitment to the case management of prisoners. For example, the prison had introduced a weekly case management meeting between education staff, programs staff, unit managers and the assistant superintendent. The intention of this initiative is to map out the sentence of new minimum security prisoners and coordinate the various activities so that they do not clash. The prison had previously found that all the different business areas (education, programs, industries, section 95) were competing for the time of the same group of prisoners. The overall aim is to maximise prisoner access to structured activities and a wide range of personal development activities.

PREPARATION FOR RELEASE

Transitional Services in the Prison

- 3.41 As a minimum security prison and the primary releasing prison for the Kimberley region, in 2010–11 Broome released 356 prisoners to freedom or parole. This is a high throughput for a prison of its size and means that Broome has a strong focus on preparing prisoners for release.⁴⁵
- 3.42 Much of Broome's efforts in this regard are coordinated by the Transitional Manager, but it was also evident that other business areas within the prison (particularly the education centre) contributed to preparing prisoners for release.
- 3.43 The Transitional Manager at Broome assists prisoners with securing accommodation, opening bank accounts, acquiring birth certificates, drivers' licences and Medicare cards, and also links prisoners with external agencies.
- 3.44 The contracted re-entry service provider in Broome is Men's Outreach, and prisoners are able to access their services from six months prior to release until 12 months after release. All prisoners should be contacted by the Transitional Manager or the re-entry service provider prior to being released. Whilst it may be the case that all prisoners were contacted, records of contact with Men's Outreach were limited so it was difficult to determine exactly how comprehensive the service was. This had been recognised by the prison and a new service level agreement, under negotiation at the time of the inspection, would require more formal meetings and recording of contact with prisoners.
- 3.45 The re-entry program includes a number of life skills modules, although many of these are actually delivered in the education centre, including money management, and healthy eating and living. The Housing Refurbishment Project (discussed previously under Employment and Community Work) and the Life Cycle project are two recent additions that have been incorporated into the re-entry services contract.
- 3.46 The Life Cycle project is run by Men's Outreach and involves prisoners in repairing old bicycles donated mainly by the Broome police. Prisoners gain skills in repairing the bicycles which are then donated to communities. They are also made available to prisoners on release in the hope that this will provide an alternative to driving without a licence.

45 Figures taken from analysis of data extracted from the Department's TOMS system.

Chapter 4

LIFE IN BROOME REGIONAL PRISON

RECEPTION AND ORIENTATION

Reception

- 4.1 A prison's reception area is a new prisoner's first introduction to prison life. It is also the prison's opportunity to gather important information about the prisoner and assess if the prisoner is at risk to and/or from themselves or others. It is important for this area to be well resourced. Adequate staffing, training and good facilities are required to make this area efficient. The reception area of Broome has previously been criticised by this Office due to deficiencies in infrastructure, staffing, training and other resource issues.⁴⁷
- 4.2 Broome reception remains one of the busiest reception areas in the state with 9552 movements through reception in the past four years.⁴⁸ Other prisons such as Bunbury or Albany, which have half or less of the movements of Broome over the same period have three staff in reception during the week.⁴⁹ Broome reception has only two senior officers working on opposite rosters, which means that there is only one officer working in the reception area with coverage of seven days per week. This leaves the officer vulnerable. So vulnerable, that in June 2011 security expressed concern in writing to the prison management, highlighting concerns that there should be two officers in reception whenever processing of a prisoner was taking place.⁵⁰ This was rejected by the management unless a prisoner showed signs of threatening or non compliant behaviour.⁵¹ Should the prisoner demonstrate these signs it may be too late for the officer alone in reception. Some senior officers were known to place additional staff in reception at the time of intake of new prisoners but with the reduction of coverage of the positions around the prison this was not occurring at the time of the inspection. There should be another position allocated to the reception area, at least on weekdays.
- 4.3 At the time of the inspection there was only one substantive senior officer in position in reception. The other senior officer's position was being filled in an acting capacity until the position is filled on a permanent basis. The substantive senior officer has developed procedures for officers filling in, in this area. However this should not take the place of appropriate training to officers working in this area.
- 4.4 There are two prisoners working in reception both of whom are peer support prisoners providing coverage across the seven days.⁵² During the inspection the reception area was under refurbishment. The renovation was being undertaken by prisoners taking part in a construction course offered at the prison.

47 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 8; OICS, *Report of the Short Follow-up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) 17.

48 Figures obtained from TOMS- All Offenders Received-Facility 23-09-2007 to 23-09-2011.

49 Figures obtained from TOMS- All Offenders Received-Facility 23-09-2007 to 23-09-2011 show Albany as having 4194 and Bunbury as having 5505 movements through reception for this four year period.

50 Email correspondence obtained during the inspection.

51 Email correspondence obtained during the inspection.

52 See Chapter 5, paragraph 5.2.

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- 4.10 In the past the unit was often overcrowded, and the prisoners were constantly exposed to view from outside the unit. Prisoners in the unit now have an enhanced level of privacy due to the inward reorientation of cells and there is a greater range of spaces they can utilise within their unit.
- 4.11 During previous inspections the Office identified an issue where prisoners from the secure section of the prison (maximum and medium security) were being handcuffed and escorted by up to three officers when they were required to move around the prison outside of the secure section.⁵⁵ This impacted on other areas of the prison due to the staff required for this to occur.
- 4.12 Whilst the prisoners rarely move outside the unit, the new fence has meant that the prison now has a secure perimeter and as such, the prison conducts a risk assessment of each prisoner in the unit to determine if restraints are required and the number of officers that may be needed if there is a need for movement outside the secure section. Not only is this a more appropriate way to manage these prisoners but is also a more efficient use of resources.
- 4.13 For a time after the completion of the refurbishment the prisoners in the secure section were receiving educational services. However, the tutor assigned for the secure section left over 12 months ago and was not replaced. No education is therefore provided for these prisoners who also lack other constructive activities.

Recommendation 6

Re-introduce education services to the prisoners in the secure section.

MINIMUM SECTION

- 4.14 The minimum security section of Broome is the largest area of the prison even though its open area has been reduced due to the refurbishments. An earned privilege unit was installed behind units one and two between the old cells and the fence line. There are four cells in this block designed as single bed cells, each with a shower, toilet, and air-conditioning, but fitted with double bunks allowing eight prisoners to be accommodated in this area. This block has its own day room area with basic kitchen facilities enclosed by three walls with the side facing the older cells left open. Another addition has been a new ablution block which has been located in the corner of the accommodation area.

55 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 27 (March 2005) 37; OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007) 8; OICS, *Report of the Short Follow-up Inspection of Broome Regional Prison*, Report No. 56 (November 2008) 12.

- 4.18 It was also concerning to see most of these upper bunks lacking the roll protection, and in a couple of cases the ladder. We were told these had been removed and disposed of by prisoners – the roll protection in particular restricted entry and exit from the top bunk. The inspection team was also shown by prisoners that the slats had broken off their bed base and that this had occurred some weeks earlier. Prisoners had made make-shift adaptations to prevent their mattress from falling through the gaps created in the base of their beds. Prisoners stated that they had reported this to the unit staff at the time and several times since. All the beds with this issue were fixed during the inspection.
- 4.19 Both the secure section and the women's section retain the older style bunks. Although the cells have reduced ligature points, as bars had been covered to facilitate air-conditioning, these beds were not ligature-free. As both of these units would include at times prisoners new into custody, who are potentially more vulnerable than others, these cells in particular should have ligature-free fittings, including beds. The lack of ladders, rails and roll protection for the top bunk also pose unnecessary risks for prisoners and the prison.



Old style bunks – no rails or ladders.

Recommendation 7

All bunk beds be made compliant with the Department of Corrective Services' standards, with all ladders, rails and roll protection for the top bunks secured to the beds in a manner that prevents their removal by prisoners.

- 4.28 The women showed interest in cooking meals in their unit and informed the inspection team that not only would they like to cook meals they would also like to cook damper on a regular basis. The women were conscious that the food they were given in the prison was not what they would normally eat or cook at home. They informed the team that they would like to learn to cook and eat the same basic foods they use at home and learn to create meals that were practical, tasty and healthy for their families.

Women's Recreation and Activities

- 4.29 The only gym equipment for the women is a punching bag and a broken-down treadmill. Only a few women were minimum security and therefore eligible to participate in external activities such as fishing or swimming at the beach. When these options presented the women were keen to participate but often the external activities were governed by staffing and prisoner numbers. The women spoke of occasions where they felt these activities were also governed by the mood of the senior officer on the day.
- 4.30 Women have use of the basketball court two nights per week, but the inspection team could not confirm if this had ever occurred. The court is in the middle of the minimum security male yard and women were reluctant to use the court as many do not like the male prisoners watching them. Neither the recreation officer nor the WSO are present when this activity is scheduled and there is evidence that some custodial staff would not facilitate their presence outside their own unit. Similar barriers have hindered efforts to get eligible women out of the centre on excursions of their own, or to watch the men playing in the football or basketball competitions.
- 4.31 The WSO conducts craft and cooking classes during the day alongside education and health. After hours the women make do with bingo, film nights, TV and radio. The recreation officer attends the unit once a fortnight to help the women tend their vegetable garden. All in all, the women prisoners do not get many opportunities to participate in recreation activities outside their unit. A more thorough investigation of the recreational needs of women at Broome is needed, and a strategy developed and reliably implemented to improve women's involvement in recreational activities, if only to cover the period until their transfer to Derby prison.
- 4.32 Whilst there are risks for the prison allowing female prisoners to interact with the male prisoners these risks can be managed. Although there is a need to protect women from bullying and threats from the male prisoners there is also a need for the women to interact on a social level as would occur upon release. It is also important to note, however, that the women should not be forced to mingle with the male prisoners.

Women's Support Officer (WSO)

- 4.33 Broome like most other prisons has a WSO who is in place to support the women. This position in Broome is not a full-time position and only works three days per week. The days that the WSO is not on duty result in little being achieved for the women. More often than not the planned activities for the women are when the WSO is off duty and as such it is left to the officers to carry out.

WORK CAMPS

- 4.37 Until recently Broome had control of two work camps. However with the closure of Bungarun Work Camp in March 2011 only Wyndham Work Camp remains. At the time of the inspection Wyndham Work Camp had just been relocated to new facilities which were purpose built to meet the needs of the work camp. The facilities are much like the new facilities at Warburton Work Camp and are far superior to those in place at other, older work camps in the state.
- 4.38 Although there were plans to increase staffing levels at the camp to allow for an increase in the numbers to 40 prisoners (double of that previously held at Wyndham) there appears to be a delay in providing the staff and thus the prisoners to bring this camp to its working capacity.
- 4.39 With the intention of providing an additional position of life skills officer based at the work camp, the work camp kitchen had been fitted out with contemporary commercial kitchen appliances. The role of the life skills officer was to provide expertise, support and training to prisoners in using these appliances. In addition to this there was to be training for the prisoners in budgeting, food preparation and diet. This position was also going to have responsibility for the cleaning, laundry and the vegetable gardens. Although the Department supports the inclusion of this position, it has stalled due to budgetary constraints.
- 4.40 Other positions are also affected by these constraints and for this reason, whilst these positions are on hold, the Department will not increase the number of prisoners at Wyndham Work Camp above 20. As there is no qualified person to operate the kitchen equipment, the prison provided a kitchen specialist, who attended the work camp and trained the senior officers and officers of the camp in the operation of the equipment. The manager for food production for the Department also attended the work camp for a four week period with the senior officers and showed them the process involved in managing and ordering food supplies for the camp. They were also trained in Food Stars which is a nationally accredited course.⁶⁰
- 4.41 This training and coaching has given the senior officers and officers of the work camp the ability to supervise the use of the kitchen. All prisoners receive the Food Stars training before they leave Broome Regional Prison to attend the work camp.
- 4.42 During the inspection prisoners raised the issue of being returned from the work camp to the prison due to the type of offence they committed. These prisoners have been risk assessed by the prison and in some cases had been working in the community not only at the work camp but previously under section 95. These prisoners felt that their return was an inappropriate response by the Department to a media article in the Kimberley Echo about one particular prisoner based at Wyndham Work Camp.⁶¹

60 Food Stars is a training course in food preparation and the safe handling of food.

61 Kimberley Echo – 18 July 2011 – Sex pests may work in regions. Article can also be viewed on the internet: <http://au.news.yahoo.com/thewest/a/-/news/9868429/sex-pests-may-work-in-regions/>

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- 4.47 In preparation for the inspection this Office arranged a meeting with the Indonesian prisoners approximately one month prior to the inspection with an interpreter present. The prison also took this opportunity to engage with the Indonesian prisoners. Using the interpreter all areas of the prison took turns in meeting with the Indonesian prisoners and clarifying any areas of misunderstanding. Another meeting with this group of prisoners was arranged during the inspection, which also included an interpreter. These meetings were well received by the Indonesian prisoners.
- 4.48 Half of the Indonesians shared a single cell in the minimum yard, the others resided in three of the double cells in the enhanced privilege block. They welcomed the climate in Broome, were happy to work hard, thought they were well treated by prison management and had no complaints about their food or ability to observe their religion. However, there was frustration over restrictions in what they could do with their earned gratuities. They were also unhappy that they could not get any real education or trade qualifications as the education facilities such as TAFE see them as foreign students and therefore they would need to pay their own way. The prison has, however, managed to arrange one session a week for six of them to learn English.
- 4.49 During the inspection some Indonesian prisoners raised an issue about being bullied into buying tobacco for other prisoners. Others spoke of verbal abuse from other prisoners that they thought was directed against their mothers or families. These matters were raised with the prison during the inspection and were investigated immediately.⁶³
- 4.50 Five of the Indonesian prisoners said that they wanted to move to another prison in the south of the state, where there were more of their countrymen and where they thought they would be better understood. One Indonesian prisoner stated that he had a close relative there though he was unsure which prison he was in.⁶⁴
- 4.51 The Indonesians say they are from poor village backgrounds and their wives, children and other family members are struggling without their main breadwinner. They are desperate to be permitted to transfer even their limited gratuities back home to help pay for basic food, medical, education and bureaucratic expenses. They are happy to work hard, but have been told the government will not allow them to send money home. They were also told in June 2011 that they could not make any purchases in the canteen other than for consumables. In late August 2011, in a meeting with the superintendent through an interpreter they were told they could buy joggers or cheap watches. Yet they remain confused and frustrated that their canteen orders for these items have since been repeatedly rejected.

63 At the completion of the inspection the inspection team were told by the prison that the issue of bullying the Indonesian prisoners had been addressed and the offending prisoner dealt with.

64 The inspection team was told by the prison that all transfer applications by the Indonesian prisoners would be considered sympathetically.

Chapter 5

BROOME BASICS

PEER SUPPORT

- 5.1 Broome had a well-functioning peer support program facilitated by the acting Prison Support Officer (PSO). The inspection team met with peer support prisoners who were highly visible in their yellow t-shirts and quite enthusiastic about their role supporting other prisoners. As with other prisons, peer supporters often find themselves assisting other prisoners with letters home, parole applications and other official correspondence. While none were from the security section, they were freely allowed to visit there to provide support and assistance. The PSO also had a key role in addressing support and welfare needs of prisoners.
- 5.2 In the last full inspection in 2007, it was recommended that peer support prisoners be given additional roles and responsibilities, including a formalised presence during the reception process and a role during prisoner orientation'.⁶⁸ A peer supporter is employed in reception and welcome kits are assembled for new prisoners by peer supporters which is an advance, but unfortunately they have no direct role in meeting new prisoners on arrival or assisting with their orientation as they do at some other prisons. Peer supporters also help organise a monthly morning tea for elderly people in the town.
- 5.3 Peer support meetings are held monthly with minutes kept. Members received Mental Health First Aid training in March 2011 and Gatekeeper training in July 2011 which participants found very helpful; unfortunately a number had since left and newer ones missed this training. The superintendent had occasional barbeques with peer supporters which was both an encouragement and an opportunity to exchange ideas. All were paid at level one gratuities, a minor source of complaint for those already earning level one in their job role.
- 5.4 At the time of the inspection no woman prisoner was willing to participate in the peer support team. This is regrettable as peer supporters can be a valuable source of support and information for fellow prisoners. There was, however, a lot of encouragement for female prisoners to join the peer support team.

ABORIGINAL VISITORS SCHEME (AVS)

- 5.5 Recommendation 12 of Report 46 called for the Department to 'comprehensively review the services of the AVS at Broome Regional Prison', and for the prison to ensure it had in place 'practices and procedures that will enable prisoner issues to be identified and addressed in a timely fashion'.⁶⁹ At this inspection it appears that locally, management had worked to improve the communication between the AVS representative and management and had tightened up on the follow-through on issues raised by the AVS. The AVS representative was active in the prison and felt both respected and supported by staff there. An issue remains about access by the AVS representative to prisoners in the women's unit and by prisoners in the secure unit to the AVS representative. Currently it appears that the AVS will only attend those units on the specific request of a prisoner. While it is understandable to prioritise attendance to areas where most prisoners are, as most of the interaction between the AVS representative and prisoners appear informal, restricting access to only those in these areas who have booked a visit appears unnecessarily restrictive.

68 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007), Recommendation 6.

69 Ibid, Recommendation 12.



Storage cupboard showing limited space for bulk storage. Limited storage options.

Library

- 5.12 Despite the refurbishment of the education centre, Broome has no dedicated library. The prison's collection of books is stored in limited shelf space in one classroom. This means books are not particularly accessible for prisoners, and also means that the prison cannot accept donations of books because there is simply no space to keep them.
- 5.13 Visits to Roebourne Regional Prison (which has a similar demography of prisoners) have shown just how valuable a prison library can be as a place where prisoners can pursue their own interests and it was disappointing to see a lack of such a facility at Broome.⁷¹ It is hoped that the prison may identify another area of suitable size to re-establish a library for the prisoners in an area that is easily accessible.

Recommendation 13

Re-establish a library in an area which is easily accessible and of a suitable size.

RECREATION

- 5.14 Recreation was found to be a significant deficiency in the last full inspection in 2007.⁷² However, it was noted that the Department was creating a permanent recreation position which it did. At the time of the inspection, an acting recreation officer had been in the position for about 12 months and applications for permanent filling of the position had recently closed.
- 5.15 The recreation officer had made a good effort to overcome the physical limitations of the centre through facilitating regular participation by minimum security males in football and basketball competitions off-site and occasional fishing excursions. An internal basketball competition involving four teams over eight weeks had just concluded at the time of the inspection and a football game against the previous year's premiership team was also conducted off-site on the first day of the inspection. The recreation officer had also identified a number of prisoners willing to take on leadership roles in organising

71 OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011), 25.

72 OICS, *Report into the Announced Inspection of Broome Regional Prison*, Report No. 46 (October 2007), 14.

VISITS

Minimum Security Visits

- 5.19 Broome Regional Prison continues to have a flexible approach to visits that serves prisoners and visitors well; after all some families and friends have travelled long distances to get there. Visitors are not booked in and can arrive at the gate knowing that if they are eligible for a visit they will get it. The visits area is very casual and is located at the front of the prison outside the secure fenced area. The main visits area is grassed and has a paved covered area with plenty of seating. Adjacent to this is another area which again is paved but has a fish pond and is shaded by trees giving a more relaxed type environment for the visits. The children are catered for with a large sandpit with a few playground items, this area has no shade. The visits area lends itself to a relaxed atmosphere in which the prison conducts these visits.



Minimum security visits area – covered seating area.



Minimum security visits area – children's play area.



Minimum security visits area – shaded, relaxing and informal.

FUNERALS

- 5.24 The superintendent acknowledged at the start of the inspection that the inspection team would likely be approached by prisoners unhappy that their applications to attend a funeral had been declined with cost given as the reason for that decision. He also informed the team that the prison itself had facilitated attendance by five prisoners to a funeral in Derby two weeks before the inspection using a prison vehicle and a taxi. The prison understood that it would have cost the Department \$6,740 for their contracted service provider to undertake this escort. For this price only three of those recommended to attend could go. It cost only half that for the prison to undertake the escort including overtime and vehicle costs. The Department should review the costing of the contracted service provider and fully explore all other avenues of decreasing the cost of funeral escorts.
- 5.25 The inspection team certainly did encounter a number of prisoners whose applications to attend a funeral had recently been declined, including two for whom cost was given as the sole reason for the decision. They, and their friends, expressed outrage that they were unable to grieve with their families and meet their cultural obligation to show respect to the deceased. Inspection team members examined records relating to eight applications from Broome prisoners to six different funerals held in the month of the inspection.
- 5.26 Unit staff were particularly vigilant in relation to funeral applications and maintained a folder under the office desk to progress outstanding applications as new information became available. This meant applications were not left or ignored when that position was unattended.
- 5.27 After receiving an application from a prisoner, faxed information about the funeral and the nature of the relationship between the applicant and deceased is sought from family members organising the funeral and through their community's administrative centre. Only after this is returned, is an application formally entered on the TOMS system. The unit officer has the opportunity to comment in this application, and it was clear that an effort was made to understand the nature of the relationship of the prisoner to the deceased, including when a tribal relationship was considered in their culture, equivalent to a direct blood relationship. In almost every case, unit officers supported the prisoner's application.
- 5.28 However, it appeared that officers often had very limited information on which to make judgements concerning the prisoner's relationship to the deceased. While prisoners present as sincere in their expressions of grief for a deceased person, they are not always capable of expressing the nature of that relationship to an official. There was also little room for information on the form sent to families, or to communities requesting information on behalf of families, and questions were typically answered using just a word or three.
- 5.29 The assistant superintendent, who may seek advice from an Aboriginal officer or community member, completes the application and makes a recommendation on behalf of their facility, before forwarding the report electronically within the Funeral Registry system to Sentence Management in head office.

- 5.35 The change to the system had only recently been implemented and there was still uncertainty at the time of the inspection as to whether escort costs applied for a radial or a return distance, whether the Department were charged according to the table for each prisoner attending, and whether road or air distances were applicable. There was also uncertainty as to whether some kind of quota system was in place and whether the costs cited in the grid applied only after the quota was full. During the inspection it became apparent that the two men's community had rescheduled the funeral a week later in the expectation they would attend, prompting a reconsideration of their application. New information of the cultural status of one these men also emerged. As a result of reconsidering the applications they were flown to attend the funeral.
- 5.36 After the inspection, it emerged that under the new Contract with Serco, there is indeed a quota system in place under which the following number of escorts for funerals, medicals and other ad hoc requirements are funded each month:

Distance	No. of included escorts
0-50km	121-140
51-200km	2
200-500km	5
500-1,000km	2
1,000km +	2

- 5.37 This means the first two escorts involving a return journey of over 1,000km, recommended for approval each month are covered. Up to three prisoners can be included in each of these escorts, effectively making three the new limit on numbers of prisoners attending a funeral. Any further escorts in any one category that month are costed according to the table reproduced above. If the Assistant Commissioner OMPD determines that an application outside the quota should be approved, it is up to the contract manager to incur the expense and engage the contractor, or negotiate with Adult Custodial for the facility to undertake the escort. In either case, supplementary funding has to be requested in retrospect from Treasury.
- 5.38 In his reply to the Inspector's Exit Debrief at the conclusion of the Broome inspection, the Corrective Services Commissioner noted that WA spent far more than other states in getting prisoners to funerals and indicated this was a matter that he and his executive team had under consideration. We were subsequently advised that Sentence Management have been asked to review decision-making in relation to funerals with a view to reducing such expenditures. This is most concerning, as any reduction in the ability of Aboriginal prisoners to meet their cultural obligations and grieve for family at funerals will be felt by the individuals concerned, their families and by those managing and supporting these prisoners in custodial facilities.

Chapter 6

HEALTH

THE PRISON POPULATION

- 6.1 The majority of prisoners (96%) in Broome are from rural communities of which approximately 10 per cent are on remand at any given time.⁷⁷ This is significant because remand prisoners have greater mental health and health needs than sentenced prisoners.⁷⁸ However, it is not just the number of prisoners accommodated that have an impact on health services, but also prisoner turnover. Broome has a large proportion of short term prisoners, with sentences and remand periods in the general prison population varying from one day to many years.⁷⁹ This variance creates a multitude of different health needs.
- 6.2 The small numbers of female prisoners (up to 12 but six at the time of the inspection) has caused difficulty in the past for the prison to provide appropriate accommodation.⁸⁰ Although there has been a refurbishment of the women's section the healthcare needs of female prisoners are still not being fully met, an issue that is explored later in this Chapter.

BACKGROUND

Standards of Healthcare

- 6.3 There is international agreement relating to the principle of equivalence. The World Health Organisation (WHO) strongly advocates for healthcare delivery to be based on the principle of equivalence, where the nature and quality of services are the same as provided in the community.⁸¹ The Committee of Ministers for the Council of Europe (1998) stated that respect for fundamental rights of prisoners entails the provision to prisoners of preventative treatment and healthcare equivalent to those provided to the community in general.⁸² United Nations Standard Minimum Rules go further stating 'So far as possible, the personnel shall include a sufficient number of specialists...'⁸³
- 6.4 Although the health service provided at Broome exceeds community standards in some areas, for example in the availability of nursing staff to undertake rapid assessments, overall it is still not yet at a stage where it could be considered to be equivalent to community standards for reasons that are discussed later in this Chapter.

77 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

78 Butler T, Allnutt S, Cain, D *et al* (2005) Mental disorder in the New South Wales prisoner population. *Australian and New Zealand Journal of Psychiatry* 39, 407-413

79 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

80 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 27 (March 2005) 20.

81 World Health Organisation (WHO) Europe (2007) Promoting health in prisons: a WHO guide to the essentials in prison health http://www.euro.who.int/__data/assets/pdf_file/0009/99018/E90174.pdf

82 Committee of Ministers of the Council of Europe (1998). Recommendation No. R (98) 7 of the Committee of Ministers to Member States concerning the ethical and organisational aspects of health care in prison (adopted by the Committee of Ministers on 8 April 1998). Strasbourg, Council of Europe.

83 Office of the United Nations High Commissioner for Human Rights (1957) *Standard Minimum Rules for the Treatment of Prisoners. Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolution 663C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977*. Geneva, Office of the United Nations High Commissioner for Human Rights (http://www.unhcrch/html/menu3/b/h_comp34.htm).

- 6.10 In general, the mentally ill revolve through prisons which often act as little more than temporary accommodation. They are likely to remain undetected in prison and may return to the community without adequate treatment or aftercare.⁹⁰ When psychiatric services cannot respond to the seriously mentally ill in the community, those with difficult behaviour are dealt with by default within the criminal justice system. If left untreated in prison, when released they are unattractive patients to general psychiatric services, often suffering from co-morbid diagnoses such as substance misuse and or personality disorders, and they are often resistant to interventions or can be poorly compliant with treatment plans.⁹¹ This group often loses contact with services, and it is a short step to reoffending.

Substance Misuse

- 6.11 The rate of substance misuse in Broome is high and at the time of the inspection the Office was told that 90 per cent of prisoners abuse drugs and alcohol.⁹² Cannabis and solvents are misused and amphetamine use is increasing.⁹³
- 6.12 Internationally, it is recognised that the management of addiction and mental illness within health rather than criminal justice agencies offers the greatest hope for reducing the number of the mentally disordered in prison.⁹⁴ In general, provision of limited treatment services for prisoners and ex-prisoners is not a sound policy, as provision of comprehensive services can prevent or delay recidivism in mentally disordered offenders.⁹⁵

General Health

- 6.13 The rate of prison morbidity was found to be high. The health profile of prisoners was recognised by a recent review of clinical service provision within WA Corrective Services.⁹⁶ The health of prisoners in general is not as good as those in the community.⁹⁷ Prisoners have a high prevalence of risk factors for cardiovascular disease and diabetes, such as high blood pressure, elevated blood glucose and cholesterol levels.⁹⁸ Smoking occurs at very high rates. In addition to high rates of mental disorder and substance misuse, the rates of blood borne virus infection, sexually transmitted infections, dental decay and gum disease is high. Prisoners consult doctors in prison more regularly in prison than in the community and these consultations were mostly in relation to disorders that existed pre-imprisonment.⁹⁹

90 Birmingham, L (1999) Between prison and the community: the revolving door psychiatric patient of the nineties. *British Journal of Psychiatry* 174, 378-379.

91 Butler, T., Allnutt, S., Cain, D., Owens D., Muller, C. (2005) mental Disorder in the New South Wales Prisoner Population. *Australian and New Zealand Journal of Psychiatry* 39, 407-13.

92 Interview with PAST nurse during inspection.

93 Ibid.

94 Levy M (2011) Health services for prisoners. *British Medical Journal*, 342-3.

95 Whiteford H & White A (2008) Prisons: mental health intuitions of the 21st century. *Medical Journal of Australia* 185, 302-303.

96 Stevens, M (2011) *Assessment of clinical service provision of health services of the Western Australian Department of Corrective Services*, Department of Corrective Services.

97 Martin, E., Colebrook, M. & Gray, A. (1984) Health of prisoners admitted to and discharged from Bedford Prison. *British Medical Journal*, 289, 965-7.

98 D'Souza, R. M., Butler, T, Petrovesky, N (2005) Assessment of cardiovascular disease risk factors and diabetes mellitus in Australian prisons: is the prisoner population unhealthier than the rest of the Australian Population? *Australian and New Zealand Journal of Public Health*, 29, 318-323.

99 Feron, J.M., Paulus, D., Tonglet, R., Lorant, V. & Pestiaux (2005) Substantial use of primary healthcare by prisoners: Epidemiological description and possible explanations. *Journal of Epidemiology and Community Health*, 59, 651-5., Marshall T, Simpson S, Stevens A. Use of health services by prison inmates: comparisons with the community. *J Epidemiol Community Health*. 2001 May;55(5):364-365.

- 6.17 The dispensary appears poorly designed and cramped. The inspection team confirmed the view of staff that the sink's location and size further reduced the work area available as did the orientation of the medication dispensing window. The space for physical examinations was small but satisfactory. The layout of the centre did not allow staff to have dedicated work spaces so all staff share, which had affected efficiency and morale. Unlike the education centre, which had attempted to accommodate cultural artefacts and a more relaxed atmosphere, the health centre was not designed or decorated in a way which was either culturally appropriate or encouraged patients to attend.

Recommendation 16

Undertake remedial work to prevent mould growth in the health centre.

Observation Cell

- 6.18 The observation cell, situated near the main gate is sometimes used to accommodate patients with a psychiatric disturbance. However, it had not been designed for this but rather for containment and control. Many of its features do not permit sufficient observation, particularly of medication administration and it is difficult to maintain appropriate levels of supervision. Compliance with any treatment in such circumstances can be difficult to encourage or monitor. Many staff have not received adequate mental health training to manage psychiatrically disturbed people in this environment.
- 6.19 The prison staff appeared to recognise the inadequacy of this facility, and we were told that despite objections made by the prison, the Department insisted it be used to house a disturbed patient awaiting transfer south prior to admission to hospital. On that occasion the prison placed a relative of the disturbed man in the cell with him to assist in reducing his risk, but this highlights the inappropriate nature of the facility being used for this purpose.

Health Centre Staffing

- 6.20 Health centre staffing is made up of; one full-time nurse manager; one full-time co-morbidity nurse (Prison Addiction Services Team (PAST)) Monday to Friday; one full-time medical records administration officer; and a nurse presence for 10 hours per day seven days per week with a primary care nursing clinic every day, a total of 4.5 FTE.¹⁰⁰ There is no coverage of staff when they go on leave as the staffing numbers do not allow for this, so sickness can result in a reduction of service provided. The fact that there is a nursing presence every day for 10 hours with so few staffing positions is impressive. During the inspection the team found that staff demonstrated a holistic, patient focus to their task.
- 6.21 Although many health centre staff had begun to feel more supported and valued by the Department there were issues. The co-morbidity team is managed at a distance, and day to day issues are not always easy to manage remotely. There is no clinical supervision for nursing or medical staff, and there are too few continuous professional development or medical education opportunities for staff.

¹⁰⁰ Meeting with Nurse Manager during the inspection.

- 6.29 These documents are relevant because, as with Bandyup Women's Prison, from discussions with external service providers and staff it is possible to conclude that despite the laudable aims of the strategic plan for women, progress in many areas relating to health have yet to be achieved at Broome. For example the inspection found that: relationships with medical services and other external service providers could be improved; the facilities for women are confined and restrictive; women have restricted access to appropriate education programmes; there is an under-development of re-entry services with insufficient liaison with community agencies after release; few women have health action plans; and there is insufficient individual psychological support and therapy to meet their highly complex and individual needs.
- 6.30 It is possible to conclude that neither of the Departmental strategic documents relating to women appears to have informed the delivery of the health service at Broome nor has had a significant impact upon it and further progress towards implementation of the documents is needed.

Training in Mental Health

- 6.31 In general the attitudes of custodial and health centre staff towards prisoners with mental health issues appeared to be largely caring and supportive. However, some operational staff did not see any need to undertake any training in mental health, either reflecting a need for attitudinal development or a lack of confidence in the value of the training program.
- 6.32 The training of staff in the identification and management of mental health issues is inadequate. Very few custodial staff had received even basic mental health first aid training. At the time of the inspection this had been identified by the superintendent as an issue which he was planning to address. Only a third of Broome staff surveyed thought that they had received adequate training.¹⁰² Very few staff members have received training in dealing with drug and alcohol issues, despite the very high rate of users in the prison. The deficit in mental health training extends right the way through the prison. The assistant superintendent with overall responsibility for the management of risk of suicide or harm to others, and chair of the Prisoner Risk Assessment group (PRAG), had received no training in mental health. Even some nursing staff and other health centre staff had received no specific mental health training, but had only picked up 'expertise' from experience in post.
- 6.33 One possible consequence of this is that mental health issues may not be coming to the attention of staff. Behavioural abnormalities (if they occur) may be misinterpreted and the responses to prisoners may therefore not always be therapeutic. This is a waste of a valuable opportunity to intervene in stabilising prisoners conditions before they return to the community.

Recommendation 17

*Provide training in mental health first aid and drug and alcohol issues to all custodial staff.
Ensure that all health centre staff receive training in mental health.*

102 2011 OICS Broome Regional Prison pre-inspection staff survey report.

- 6.40 Discussions with health centre staff and officers during the inspection highlighted that officers on duty also differed in the number of patients they would permit in the centre at any one time, and applied the security procedures relating to this in an inconsistent manner. This made it difficult for the health centre to plan when patients could be seen and reduced efficiency. Nursing clinics sometimes had to be cancelled. The impact not just on the work of the health centre was significant. It should be possible to ensure that during the working day the health centre remains open for business, to improve access to patients. There should also be consistency amongst the officers as to procedures whilst working in this area.
- 6.41 Most prisoners expressed satisfaction with access to general health services and medication, half with access to medical specialists, and fewer to dental or psychiatric care.¹⁰⁴ There has been deterioration in respect of access to psychiatric care since 2008. The rate of dissatisfaction of prisoners did not appear to be appreciated by staff, 59 per cent of whom thought that access to mental health care services was adequate.¹⁰⁵

Recommendation 18

Increase the number of General Practice sessions and spread more evenly throughout the month.

Recommendation 19

Review procedures to ensure that the health centre is open each day.

Screening

- 6.42 Screening of reception prisoners is problematic, with prisoners often arriving late in the working day. These prisoners require processing rapidly. Two thirds are distressed, especially if coming into prison for the first time, or from court.¹⁰⁶ Screening has to be undertaken rapidly, yet still has to capture all forms of pathology. However, there are few questions relating to health asked at the initial reception, and anecdotally it is easy for prisoners to deny the presence of mental disorder, in order to avoid the prescription of unwanted medication or the attached stigma and discrimination.
- 6.43 Notwithstanding this, all patients are seen by a nurse within 48 hours of arrival where a basic physical examination and a standard health screen (AMR1012) are undertaken. General health questions are asked and 14 mental health and substance misuse questions. It is not known how discriminating these questions are. All patients are then assessed by a GP within 28 days of arrival. This assessment is much less structured, and it was not clear how this second evaluation differed from the initial screening undertaken by the nurse.

104 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

105 2011 OICS Broome Regional Prison pre-inspection staff survey report.

106 2011 OICS Broome Regional Prison pre-inspection prisoner survey report.

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- 6.51 In general there are poor levels of basic health awareness among prisoners. There is an eight week course in healthy living, but it is not relevant to most prisoners and does not address their needs. There is little group health education offered in diet, weight, nutrition, effect of drugs and alcohol, benefits of hygiene or contraception. All of these, if delivered correctly, have the potential to reduce the degree of pathology in the population and enhance wellbeing through the promotion of health awareness and health education.
- 6.52 There is no nicotine replacement available so prisoners find it very difficult to stop smoking if they want to.

Medication

Webster Packs

- 6.53 Medications for prisoners are prepared in blister packs by a centralised pharmacy, once a prescription is received. These packs contain all the medication for that individual, with separate blisters for different times of the day containing the necessary medication for that period. This process has been adopted because it is deemed to be efficient and cost effective. Orders for Webster Packs for Broome have to be made by noon on Wednesdays, and arrive at the prison on Fridays. Therefore, if the GP sees a patient on a Wednesday afternoon clinic, prescribed medication takes nine days to arrive in a Webster pack as the order can only go in the following Wednesday. In the meantime, the health centre can acquire the medication from stock or from the local pharmacy.
- 6.54 The use of a centralised pharmacy many thousands of kilometres away does not appear to be patient-centred or sufficiently flexible as it cannot accommodate titration or changes of dose quickly, and can create delays (sometimes many days) in patients receiving treatment after initial prescription, changes in dose, or reception into the prison. These issues are relevant to the treatment of mental illness, which often requires rapid changes of medication regime in response to tolerance, side effects, changes in symptomatology and efficiency. The doses therefore cannot be titrated or altered according to clinical need. The use of Webster packs also precludes the use of liquid formulations.
- 6.55 The delay in dispensing medication after reception can cause significant risk to the patient, as withdrawal from some medication, for example some anti-depressants, can lead to withdrawal syndromes and elevation of risk. The prison has responded to some of these difficulties by entering into a relationship with a local pharmacy. The pharmacy now supplies interim medication supplies when medication that is prescribed is not stocked.
- 6.56 Webster packs do give some advantage by allowing prisoners access to self administration of medication: the packs are kept in cells and patients help themselves as prescribed or as required. Compliance is difficult to check, but the range of medication used in this way is restricted to those medications which are not thought to be subject to abuse or likely to induce non compliance. Each prisoner enters into a contract with health centre and the procedures and rules regarding self administration are explained.

Psychiatric Service

- 6.62 The Broome Mental Health Service provides one session per month to the prison but can visit when asked to do so between these times. In addition to psychiatric sessions, mental health nursing sessions are also offered once per fortnight on an ad hoc basis. For the degree of severe psychopathology identified in the prison the psychiatric input is probably sufficient. However, it is likely that it is insufficient to meet the real demand if all cases had been appropriately identified. If more input was provided it is probable that more serious psychiatric disorders would be identified. It is recognised that the service is extremely pressured as it provides services across the Kimberley.
- 6.63 In addition, other mental disorders, such as depression, anxiety and post traumatic stress disorder are not brought to psychiatric attention. Sometimes these cases are seen and managed in primary care by the general practitioners but this is probably not always the case.
- 6.64 It is noted that at the time of the inspection no discussions had taken place with mental health services relating to the psychiatric/mental health input that will be required into the new Derby prison, due to be commissioned in July 2012.

Psychological Services

- 6.65 The Prison Counselling Service (PCS) at Broome does not offer individual assessment and management for psychological problems, but runs a limited number of prison group programs. There is insufficient access to individualised treatment. As it is currently functioning, the prison counselling service is not based on prisoner need.
- 6.66 The programs which are provided do not cater for the needs of short term prisoners, and have not always been culturally validated (for example for the Indonesian cohort).

Substance Misuse Treatment

- 6.67 Drug and alcohol problems are endemic in prison. The health centre manages prisoners with drug and alcohol problems of which some are identified as requiring detoxification on admission, but many prisoners prefer to go into withdrawal. This may not always be safe. One PAST nurse working within the health centre provides the prison response to the 90 per cent of prisoners with acute and chronic substance misuse issues. However, PAST staff do not receive specific mental health training
- 6.68 In the past the prison had a good relationship with community Non Government Organisations who visited the prison to offer drug and alcohol related rehabilitation. This culturally specific programme was suspended due to cuts in funding. The service Milliya Rumurra does continue to provide, is a day service for those minimum security prisoners who can attend its facility just outside Broome, but no in-reach services are currently provided. An opportunity exists for reintegration with Milliya Rumurra or other providers, so that in-reach rehabilitation programmes can be initiated pre-release and continued post-release in the community. This would offer those with substance misuse problems an opportunity to address them and may reduce reoffending rates.

Chapter 7

IMPROVING PRISON – FUTURE UNKNOWN

OVERALL INSPECTION FINDINGS AND CONCLUSIONS

- 7.1 This report documents the inspection findings of the fifth inspection of Broome Regional Prison.
- 7.2 Whilst Broome has had a chequered history of results from previous inspections it was hoped that this inspection could result in a more positive report. These assumptions were based on the following events: large expenditure on the sites facilities; extra staffing; reduced receipt of complaints from prisoners and staff; positive reporting from liaison visits and Independent Visitors' reports; and the recent appointment of a new superintendent. These areas and more have been covered throughout this report.
- 7.3 Chapter one of this report highlights the fact that this inspection was somewhat overshadowed by the 'Derby Mist'. Specifically the lack of clarity on what the impact of the Derby prison would have on Broome. Although the temptation was to direct the inspection toward specifically addressing this issue and modifying the inspection methodology to reflect its impact in all areas of the inspection, it was decided that the inspection would proceed as per arranged. That is, this issue would be addressed as part of the inspection and not the whole inspection.
- 7.4 Chapter one outlines the inspection history of Broome but it also reflects some of the issues surrounding the uncertainty of the future and the role Broome will play in the prison system once the new Derby prison opens. It also reflects the concerns raised by staff as to the uncertainty of their futures and the stress that it has put them under. This Office found that the process of investigating/determining the future of Broome was overdue and that a well researched decision needed to be made as soon as possible.
- 7.5 An outline of the investment by the Department into Broome through recent refurbishments to the site has been raised in Chapter two. This Chapter also looks at the economics of Broome's operation on a cost per prisoner per day basis. This Office acknowledges that Broome's future could hinge on reducing this cost but emphasises the importance of this prison to the Kimberley area. Whilst not recommending any direct solutions to the problem there is a need for acknowledgement that any prison in the far north of this state will cost more to run than that of its counterparts in the metropolitan area. This Office also acknowledges that this cost needs to be reduced.
- 7.6 Chapter two also outlines the change of superintendent, the commitment by the prison to improve the facilities for staff and prisoners, the increase in staffing, improved relationships throughout the prison and the good work being done in the area of dynamic security. There are concerns over the reduced time administration interact with staff and staff interact with prisoners. This appears to be due to several reasons however one of these is the increasing burden of compliance on both administration and staff. This Chapter also outlines the need for further expenditure on refurbishment and recommends that the minimum security cells be upgraded and include air temperature control, the gatehouse area be upgraded and an electronic key control be installed.

- 7.12 This Office also had an issue with the blanket decision to withdraw all sex offenders from the camp and recommended that individual risk assessments be conducted on all prisoners as to their suitability rather than this blanket ban.
- 7.13 An interpreter service was utilised prior to and during the inspection to speak with the Indonesian prisoners. Whilst it appeared that there were few issues, the issues raised by these prisoners were of great concern to them and this Office. Whilst some of the issues were rectified on-site by the prison there remained issues relating to the management of all foreign nationals in prisons throughout the state. These issues have been raised during inspections of other prisons and a recommendation was made from the Hakea inspection in 2009 that the Department develop and implement clear standards for the management of foreign nationals in WA prisons.¹¹⁴
- 7.14 Chapter five looks at the basic operations within the prison that assist with the running of a prison. Broome had a well-functioning peer support program facilitated by the acting Prison Support Officer (PSO) and the Aboriginal Visitors Scheme remains operational although there were some restrictions for those prisoners located in the secure section and the women's unit. This Chapter also highlighted that the operation of the canteen had deteriorated since the last inspection but in the area of recreation the Office welcomed the addition of a permanent officer.
- 7.15 Visits were found to be operating well. As was found in previous inspections the location of the visits' officer and his ability to supervise visits remains the main issue. The new visits area for the prisoners in the secure section was found to be an improvement on the old.
- 7.16 Funerals in prisons have always been the source of many complaints raised by prisoners during an inspection. The issues being the process and judgement that determines if a prisoner is permitted to attend the funeral or not. Whilst these issues in the past have restricted a number of prisoners from attending funerals it appears that the process, procedures and determination factors in place at the time of the inspection were not only further restrictive to prisoners attending but were not understood by staff or administration.
- 7.17 With the possibility of more restrictions to funerals, other alternatives should a prisoner not be able to attend, should also be explored. There were two recommendations in this area. The first being that the Department fully explore all avenues of decreasing the cost of funeral escorts and the second being that the Department explore the use of Skype as an additional service to those prisoners not able to attend the funeral.
- 7.18 Chapter six looks at health services in Broome which, although exceeding community standards in some areas, was not yet at a stage where it was equivalent to community standards overall. Although the health centre facilities were new, the conditions were cramped and restricted good practice. There were also issues with the building causing recurring mould growth.

114 OICS, *Report of an Announced Inspection of Hakea Prison*, Report No. 63 (June 2010) xii, Recommendation 15.

Appendix 1

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
1. Reconfigure the minimum security cells to ensure each cell is provided with adequate temperature control.	Not Supported At this point there is no intention to make significant changes to these cells.
2. Upgrade the gatehouse and lobby area to create a more functional entrance to the prison incorporating an upgrade of the key control system to an electronic key safe.	Not Supported The West Kimberley regional Prison (Derby) is soon to commence operations and will be accommodating prisoners from the Kimberley region. Therefore current expenditure and resource allocation to the Broome prison is presently being evaluated to ensure future operations at the prison are commensurate with the expected role and responsibilities of the prison. There is no intention to upgrade the gatehouse and lobby at this point in time. The move to an electronic type key issue system is not supported as this is in accordance with the current direction of key management.
3. Clarify the relationship and boundaries between PEP and section 95 of the <i>Prisons Act 1981</i> and ensure that Policy Directive 68 does not operate in a manner that restricts external activities by prisoners.	Supported The Department will clarify the relationship and boundaries between PEP and Section 95 of the <i>Prisons Act 1981</i> and ensure that Policy Directive 68 does not operate in a manner that restricts external activities.
4. Develop a range of Kimberley-specific offender programs in anticipation of the opening of the new Derby prison.	Supported in Principle The program schedule for the Kimberley region (Broome Regional Prison and West Kimberley Regional Prison (WKRP)) is established according to the expected demand for programs. The schedule reflects the demographic/offending patterns in the region. As the WKRP develops opportunities to enhance program delivery will be explored. ¹¹⁵

115 This response is very disappointing. Two of the avowed objectives of the new West Kimberley Regional Prison were innovation and the development of culturally specific initiatives in conjunction with Kimberley Aboriginal people. These objectives are not met by this response.

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
10. Improve recreation opportunities for the women prisoners at Broome.	<p>Supported</p> <p>In line with the Department's decision to transfer all female prisoners from Broome Regional Prison to West Kimberley Regional Prison (WKRP) as soon as practicable after the commissioning of the new facility this recommendation is considered obsolete. A female Recreation Officer has been appointed and tasked with addressing recreational deficiencies with a renewed focus. Improvements to scheduling and increased recreation opportunities have already been implemented. These will remain in place until the female prisoners are transferred to WKRP in the second half of 2012.</p>
11. Adequately staff Wyndham Work Camp to maximise prisoner numbers.	<p>Supported</p> <p>The staffing at Wyndham Work Camp reflects current prisoner placements. The Department is assessing the criteria for placement at work camps with the view to maximise numbers and staffing levels will be commensurately amended.</p>
12. Clarify the criteria for prisoners to be placed in a work camp. Placement decisions should be based on individual risk assessments, not on general policies with respect to specific groups of prisoners.	<p>Supported – existing Departmental initiative</p> <p>Generally, placement decisions are based on an individual risk assessment. The Department is assessing the criteria for placement at work camps.</p>
13. Re-establish a library in an area which is easily accessible and of a suitable size.	<p>Supported in Principle</p> <p>The West Kimberley Regional Prison (Derby) is soon to commence operations and will be accommodating prisoners from the Kimberley region. Therefore current expenditure and resource allocation to the Broome prison is presently being evaluated to ensure future operations at the prison a commensurate with the expected role and responsibilities of the prison.</p>

THE DEPARTMENT'S RESPONSE TO THE 2011 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
18. Increase the number of General Practice sessions and spread more evenly throughout the month.	<p>Supported in Part</p> <p>Whilst the Department supports this recommendation the current level of GP sessions provided to prisoners at Broome is sufficient to meet the muster and acuity of prisoners. The Department will endeavour to spread the sessions more evenly throughout the month subject to local GP availability.</p>
19. Review procedures to ensure that the health centre is open each day.	<p>Supported</p> <p>The Health Centre is open each day however staff may not be deployed to the area for periods where prisoners are not required to be in attendance. A review of operations has been completed and a process of notification has been implemented to enable the deployment of staff to meet operational needs.</p>
20. Negotiate with Broome Regional Mental Health Service for access to the new secure psychiatric beds.	<p>Supported</p> <p>Historically the prisoner demographic at Broome Regional Prison has demonstrated limited need for specialist psychiatric care. However, the Department will negotiate for increased access should the need arise.</p>
21. Source and engage external agencies to provide in-reach drug and alcohol rehabilitation for prisoners.	<p>Not Supported</p> <p>The Department currently employs a co-morbidity nurse at Broome Regional Prison who is working towards a degree in Addiction Studies. The nurse undertakes both group and individual counselling for the prisoners at Broome, which provides prisoners with the opportunity to address their addiction issues prior to release. Community referrals are made for those prisoners requiring further treatment post release in the community as and when required. The Department continues to utilise the current services provided by Milliya Rumurra.</p>

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE
2007 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 46, <i>Report into the Announced Inspection of Broome Regional Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
7.	The Department needs to ensure that interpreter services are available and utilised by prison staff in appropriate situations. In circumstances where prisoner interpreters are utilised, the Department should ensure that they are appropriately remunerated, and if ongoing, examine the feasibility of obtaining accreditation.		•			
8.	The Department should put into place rigorous and comprehensive efforts to ensure that bullying behaviour by staff at all levels towards other staff members is not tolerated.			•		
9.	That the Department ensure that all staff in Broome Regional Prison have regular access to personal and professional development activities that challenge intolerant or prejudicial views of Aboriginal prisoners.			•		
10.	That the Department form a working group with representatives from its predominantly Aboriginal prisons, with Aboriginal community representatives and with the Department of Health, to establish culturally appropriate meal options for Aboriginal prisoners and the process by which such meals could be delivered to prisoners on a routine basis.		•			
11.	That the Department develop a complaints process suited to the cultural needs of Aboriginal prisoners. Prison staff should also be consulted about their views on what would be an effective process. The process should be capable of operating at work camps as well as prisons and be available to non- Aboriginal prisoners should they elect to utilise it.		•			

Appendix 3

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2008 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration Report No. 56, <i>Report of the Short Follow-up Inspection of Broome Regional Prison.</i>	Assessment of the Department's Implementations				
		Poor	Less than acceptable	Acceptable	More than acceptable	Excellent
1.	That a reinvigorated management group be appointed to the prison with a clear brief from the Department of the priorities to take the prison forward.			•		
2.	That the Department take the necessary steps to ensure that the prison is adequately staffed without being reliant on high levels of overtime.			•		

Appendix 5

KEY DATES

Formal notification of announced inspection	23 May 2011
Pre-inspection community consultation	26 July 2011
Start of on-site phase	18 September 2011
Completion of on-site phase	23 September 2011
Inspection exit debrief	23 September 2011
Draft Report sent to the Department of Corrective Services	17 January 2012
Draft report returned by the Department of Corrective Services	22 February 2012
Declaration of Prepared Report	16 March 2012



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

www.oics.wa.gov.au

Level 5, Albert Facey House, 469 Wellington Street, Perth, Western Australia, Australia 6000
Telephone: +61 8 6551 4200 Facsimile: +61 8 6551 4216