



GOVERNMENT OF
WESTERN AUSTRALIA

**REPORT OF AN ANNOUNCED INSPECTION OF
BORONIA PRE-RELEASE CENTRE FOR WOMEN**

79

JULY 2012
REPORT

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OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

**Report of an Announced Inspection of
Boronia Pre-release Centre for Women**

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The Inspector's Overview

BORONIA PRE-RELEASE CENTRE FOR WOMEN: CERTAINLY UNIQUE, BUT DOES IT REACH KEY TARGET GROUPS AND IMPROVE CORRECTIONAL OUTCOMES?

This is the report of an announced inspection of Boronia Pre-release Centre for Women ('Boronia') which was conducted in late January 2012. Boronia has been operating since May 2004 and this is the third occasion on which this Office has reported to Parliament and the public on its performance.ⁱ

There is no doubt that Boronia is different from every other prison in the state, remaining something of a showpiece for an alternative approach to correctional services and attracting national and international interest. It has achieved a good deal and has been well resourced to do so. The political point scoring which once appeared to have the potential to derail the facilityⁱⁱ has all but disappeared.

Overall, Boronia provides a safe, secure, calm and positive environment for the women who are held there. There have been no major incidents since it opened and it has a positive community profile. This profile has been achieved through activities such as its catering training and services, the choir, the gala day and the Community Engagement and Advisory Group. None of these things happen by accident and they are a credit to the foresight and actions of management and staff.

In these senses, Boronia is undoubtedly 'working' and the general 'feeling' at the prison itself and on the part of head office management is certainly positive. But satisfaction must not be allowed to breed complacency. The bar was set deliberately high for Boronia and, throughout its existence, it has been in a privileged position relative to other prisons. Consequently, expectations should be high. However, despite a number of previous recommendations Boronia still does not reach a representative cross-section of female prisoners and the opportunities for community outreach activities have not yet been maximised.

Two other important points must also be made. Firstly, after eight years, Parliament and the public are entitled to know whether Boronia's approach has actually 'worked' in terms of reducing reoffending and other social indicators. Secondly, with the exception of Boronia and the new West Kimberley Prison in Derby (due to open in October 2012), Departmental planning and action for women prisoners has been reactive, belated and ad hoc. Now, with some developments on the horizon, the time is right for a reflective stocktake of where Boronia has come and development opportunities.

i OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 42, April 2007;
OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62, November 2009.

ii See <http://www.abc.net.au/7.30/content/2005/s1285330.htm>

BORONIA PRE-RELEASE CENTRE FOR WOMEN: CERTAINLY UNIQUE, BUT DOES IT REACH KEY TARGET GROUPS AND IMPROVE CORRECTIONAL OUTCOMES?

A UNIQUE PLACE

Boronia is unique in many ways. Indeed, it was described by the Department in 2009 as ‘one of a kind’ and as a ‘complete departure from standard prison design and services.’ⁱⁱⁱ Several features combine to provide this uniqueness:

- **Location:** Boronia is in a very convenient metropolitan location close to services for prisoners, to transport for visitors and to other housing.
- **Design and facilities:** Boronia is the state’s most modern operational prison. The ambience is pleasant and the accommodation consists of shared houses, not cells. High quality modern infrastructure adequately supports its functions.
- **Size:** Boronia is a small facility, with a design capacity of just 70. It was deliberately planned small to permit a more personal and individualised focus on the women’s needs. It currently houses around 80 women (18 per cent of all female prisoners), making it the state’s smallest prison.
- **Pivotal and unique role:** Boronia is the only dedicated minimum-security and re-entry facility for women in the state.
- **Philosophy:** Boronia has a philosophy^{iv} which emphasises four values: ‘personal responsibility and empowerment’, ‘family responsibilities’, ‘community responsibility’ and ‘respect and integrity’. In line with this, women held at Boronia are called ‘residents’ not prisoners, a title afforded to no other group in the system.
- **Projected outcomes** of the philosophy include ‘the reduced rate of reoffending and the improved education, training, work and health of the women’.
- **Staff selection and training:** staff who wish to work at Boronia are subject to particularly rigorous training and selection processes.
- **Prisoner selection:** prisoners are only placed at Boronia after a rigorous screening selection process which includes assessments regarding any risk to children, mental health status and general suitability. Prisoners must also formally sign up to the centre’s values.
- **Children:** Boronia allows up to six children under the age of four to reside with their mothers. Normally, there is an age limit of twelve months at other prisons.

iii OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62, November 2009 (iii).
iv Department of Corrective Services, *Boronia’s Guiding Philosophy* (http://www.correctiveservices.wa.gov.au/_files/prisons/prison-locations/boronia-philosophy.pdf)

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RELATIVE IMMUNITY FROM OVERCROWDING

Boronia has also been unique in terms of its prisoner numbers. It enjoyed a very gradual fill, only reaching 72 prisoners after almost five years of operation.^v Subsequently, it has been relatively immune from the pressures of overcrowding that beset so much of the prison system. As numbers have risen, extra beds have been installed so that it now generally houses around 80 women and can hold 82. Put another way, using nationally accepted benchmarks,^{vi} it is at 117 per cent of design capacity when full.

To have up to 24 women sharing bedrooms certainly goes against the centre's original intent and presents challenges to implementing its philosophy. However, the centre has managed the extra numbers well, and it must be said that it has not been affected by increased numbers to anything like the same extent as other relevant facilities. Its closest male counterpart, the Bunbury Prison Pre-release Unit ('PRU') has a similar design to Boronia and the same design capacity. It opened in October 2008 and was soon holding 100 prisoners. The PRU is also attached to an existing facility and has not been afforded the dedicated management and staff resources that Boronia has enjoyed.

In terms of comparisons with the rest of the women's estate, Boronia stands in depressingly sharp contrast to Bandyup Women's Prison ('Bandyup'). Bandyup is currently operating at 155 per cent of design capacity, and even after an extensive program to install double bunks in small, single cells, more than twenty women have been sleeping on mattresses on the floor. And Bandyup's ageing infrastructure is wholly inadequate for its design capacity of 183, let alone for 280 women.^{vii} The state's remaining 70 female prisoners are housed in claustrophobic compounds in the predominantly male prisons at Kalgoorlie, Greenough, Roebourne and Broome. The regional prisons generally do what they can to assist their female prisoners and are often quite innovative, but the numbers of women are small and the opportunities for structured re-entry initiatives very limited.^{viii}

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- v OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62, November 2009 Chapter One.
- vi The Australian Government *Report on Government Services 2009-2010* (<http://www.pc.gov.au/gsp/reports/rogs/2011>) measures 'prison utilisation rates' in all jurisdictions. The formula is the average daily population of prisons as a percentage of prison design capacity. It is generally accepted that the best utilisation rate is between 85 and 95 per cent in order to allow for movements between prisons, for segregating different people for risk management, and to allow for sudden upward fluctuations in prisoner numbers. Nationally, the prison utilisation rate was 105 per cent in 2009-2010. In Western Australia as a whole it was over 130 per cent, the highest by far in the country.
- vii OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73, August 2011.
- viii OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70, February 2011, Chapter Five; OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 72, June 2011, Chapter Three.

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REACHING PRIMARY TARGET GROUPS: ABORIGINAL WOMEN AND WOMEN WITH MENTAL HEALTH ISSUES

General Trends

Over the past decade, in line with national and international trends, the number of female prisoners in Western Australia has been rising proportionately faster than the number of males. It is also universally recognised that women prisoners have different needs, and often higher needs, than male prisoners. For example, rates of mental illness and victimisation tend to be higher amongst women, and they tend to have more child-rearing and family responsibilities. These factors are especially pronounced amongst Aboriginal women, who constitute 48 per cent of all female prisoners in the state^{ix} and many of whom have a depressing pattern of returning to prison.

Boronia is based on the philosophy that providing prisoners with better re-entry programs, including the opportunity to ease back into the community through a more normalised regime than a mainstream prison, will reduce reoffending and improve other social indicators. It must be remembered, too, that Boronia is the only minimum-security pre-release facility for women and the only alternative to Bandyup for women in the south west. Thus, whilst it is important to cater for the re-entry needs of all female prisoners, it is obvious that there must be a strong proactive focus on Aboriginal women, especially from the south west.

Aboriginal Women

Our 2009 Boronia report pointed out that Aboriginal women were under-represented at Boronia and over-represented in the more disadvantaged parts of the prison system. At that time there were 22 Aboriginal women at Boronia, the vast majority of whom were from the metropolitan area. We made a recommendation for proactive initiatives across the system, including the setting of measurable outcomes, targets and timeframes. The Department not only supported this recommendation but claimed it was 'already a key focus ... and therefore implementation is ongoing and part of our continuous improvement philosophy.' Relevant Departmental documents also emphasise the importance of a strong focus on Aboriginal women at Boronia.^x

In fact, there has been a continuous decline in the number of Aboriginal women at Boronia. At the time of the inspection in January, and despite the fact that Boronia's numbers had increased from 72 to 80, there were only nine Aboriginal women there. This was well under half the 2009 number. And throughout 2011 the average was less than 14 and at times there were only five.^{xi}

ix On 21 June 2012, there were 206 Aboriginal women and 225 non-Aboriginal women in prison: see http://www.correctiveservices.wa.gov.au/_files/about-us/statistics-publications/statistics/2012/cnt120621.pdf

x For example, the Job Description Form for the position of Boronia Superintendent (<http://dcs-internet.wagov.bigredsky.com/files/vacancies/260713/3062294.pdf>)

xi See Chapter Two.

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These were very marked and very obvious changes. Given that the position of Aboriginal women was ‘a key focus’ of continuous improvement, one would reasonably expect the Department to have actively tracked numbers, analysed reasons for the decline, and examined potential strategies to rebuild and enhance access. To the contrary, the numbers appeared to come as a surprise to senior Departmental representatives and there was no evidence of such work having been undertaken.

Our concerns were raised prior to the inspection week. In response, we were provided with figures which indicated that the proportion of female Aboriginal residents at Boronia is similar to the proportion of male Aboriginal prisoners at Wooroloo prison, and somewhat higher than the proportion at Karnet and Pardelup prisons. However, these figures cannot justify or explain the low numbers at Boronia:

- Aboriginal women constitute a significantly higher percentage of prisoners (48 per cent of female prisoners) than Aboriginal men (38 per cent of male prisoners).
- It beggars belief that the objective characteristics and ‘qualifications’ of Aboriginal women to be at Boronia could somehow plummet in eighteen months.
- Many Aboriginal men are able to acquire minimum-security status and to access work camps and other positive external activities out of the regional prisons.
- The fact that there are relatively low numbers of Aboriginal men at Wooroloo, Karnet and Pardelup is also an issue of concern and not a justification for Boronia’s low numbers.
- Subsequent to the inspection, the number of Aboriginal women at Boronia has dropped back again, with only between six and eight there during May and the first three weeks of June 2012.^{xii}

This report makes a number of findings and a number of suggestions as to how the situation may be improved and the Department has supported the main recommendation which followed.^{xiii} This is a matter we will continue to track: the public have a legitimate interest in knowing whether the facility is reaching all the groups it was intended to reach, including those who have the highest re-entry needs.

Women with Mental Health Issues

It is acknowledged that female prisoners have high mental health needs and we have previously criticised the fact that so many are being held in a counter-therapeutic environment at Bandyup. The design and calm ambience of Boronia is inherently more therapeutic but women are ‘refused transfer to Boronia on mental health grounds if they are clinically unstable or if their risk is considered too great.’^{xiv} This policy position is sound but in our view, there are opportunities for it to be applied more flexibly. Furthermore, in line with Boronia’s philosophy, there are real opportunities for residents to access community based mental health services whilst at Boronia, with the view to improving continuity of treatment on release.

xii Calculated from Department of Corrective Services, Weekly Offender Statistics for May-June 2012 (<http://www.correctiveservices.wa.gov.au/about-us/statistics-publications/statistics/2012.aspx>)

xiii See Recommendation 1.

xiv See The Department’s response to Recommendation 1.

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MAXIMISING OPPORTUNITIES FOR PERSONAL RESPONSIBILITY AND EMPOWERMENT

Boronia's philosophy emphasises personal responsibility and empowerment. There are many areas where this is evident in the centre's operations, but we have concluded that this focus can be further enhanced without risk to residents, staff or the public and that there are some situations where the centre has adopted practices which are intended to be protective but can actually be disempowering. The Department has accepted some of our recommendations and rejected others.^{xv}

DOES BORONIA IMPROVE CORRECTIONAL OUTCOMES?

After eight years of operation, Parliament and the public are entitled to know whether Boronia's 'new way of doing business' actually 'works'. Boronia was not meant to offer just a different operational model: the aim was to achieve measurably improved outcomes. Staff and management at Boronia and in head office are justifiably proud of Boronia and believe that it is making a positive difference. But an independent, methodologically robust evaluation is required. Currently, there is too much reliance on anecdote and good feeling.^{xvi}

An evaluation of this sort will need to examine reoffending rates and probably also other social indicators. It will necessarily require comparison with the outcomes achieved from other prisons, including Bandyup and some of the male minimum-security prisons. It will also need to take account of the fact that Boronia houses a highly selected group of lower risk women.

IMPACT OF DEVELOPMENTS AT DERBY AND GREENOUGH

On many occasions over the past three years I have criticised the lack of planning and action for female prisoners at a time when their numbers were rising rapidly. The expansion in beds which has occurred has been almost entirely focused on male prisoners and there has been far too little focus on women.

Later this year there will be two important developments for women prisoners. First, the new West Kimberley Regional Prison in Derby ('Derby') will open, probably in October, with a dedicated women's unit. Secondly, one of the male units at Greenough Regional Prison ('Greenough') will be converted to a female unit. The net sum gain in terms of beds will be in the region of 65 to 70.

We will be examining these developments carefully over the coming months, including during a formal inspection of Greenough in October 2012. Greenough currently houses around 22 women and has not been able to offer them a very positive regime. If it is to build up to 72 (Boronia's total design capacity), while ensuring the adoption of a number of basic principles that underpin Boronia, including the need for a women-centred approach, it will need to be properly supported in terms of infrastructure, staff training and human resources across all areas, not least health, education and support services.

Neil Morgan
24 June 2012

xv See Recommendations 2, 9, 10, 15 and 17.

xvi See Recommendation 18, which the Department has supported subject to funding.

Fact Page

NAME OF FACILITY

Boronia Pre-release Centre for Women

LOCATION

Noongar land, suburban Perth, 8kms south east of Central Business District.

ROLE OF FACILITY

Minimum-security prison for women with re-entry focus. Provision for children to live with their mothers until the age of four, and for older children up to the age of 12 to have regular extended day and/or overnight stays.

BRIEF HISTORY

The prison opened in May 2004 and replaced Nyandi Women's Prison.

LAST INSPECTION

21-25 June 2009

ORIGINAL DESIGN CAPACITY OF PRISON

71

CURRENT DESIGN CAPACITY OF PRISON

70

OPERATIONAL CAPACITY OF PRISON^{xvii}

82^{xviii}

NUMBER OF PRISONERS HELD AT TIME OF INSPECTION

76

NUMBER OF CHILDREN IN RESIDENCE

6

NUMBER OF ABORIGINAL WOMEN HELD

10

OTHER SIGNIFICANT COHORTS

8 Vietnamese women

DESCRIPTION OF RESIDENTIAL UNITS

Community standard self-care, social housing each with shared kitchen, bathroom, dining/lounge, laundry, and garden facilities, including:

- Three 'nursery' houses: each with two bedrooms designed for a mother and her children to share.
- Twelve houses: each with five rooms, for six women total (includes one shared room).
- Two intermediate care houses: with a total of five single bedrooms (one reserved for temporary 'time outs', not permanently occupied).

^{xvii} The DCS website defines 'Operational Capacity' as "the design capacity plus additional cells within a centre which are not intended as long term accommodation (eg temporary bunks / beds)."

<http://www.correctiveservices.wa.gov.au/prisons/prison-locations/boronia.aspx>

^{xviii} This figure is according to the Department of Corrective Services' website, last updated on 13 January 2011.

Chapter 1

BORONIA PRE-RELEASE CENTRE FOR WOMEN – REACHING ITS FULL POTENTIAL?

INTRODUCTION

- 1.1 Boronia Pre-release Centre for Women (hereafter Boronia) opened in May 2004 to replace Nyandi Women's Prison as Western Australia's only dedicated, purpose-built, minimum-security custodial facility for women. In doing so, Boronia introduced a unique and contemporary prison management style and philosophy, based on a women-centred approach.
- 1.2 Boronia is located in Bentley, eight kilometres south-east of Perth's central business district. It is surrounded by a thriving community with a highly developed social infrastructure of further education, recreation, public housing and public transport facilities.
- 1.3 At the time of the 2012 inspection Boronia accommodated 76 women, including 10 Aboriginal women and eight women of Vietnamese origin. Additionally, six children under the age of four were residing at Boronia with their mothers.

BACKGROUND TO THE 2012 INSPECTION

- 1.4 Boronia is the result of a project begun in 2001 to address the limitations of the then existing facilities and services for female prisoners in Western Australia. Its planning and development included extensive research of literature, best practice approaches and preferred models of service delivery.¹ Early Department of Justice literature on the then unnamed low-security prison for women stated that:²

The centralised location of the prison in the Perth metropolitan area is crucially important as it permits access by women and their resident children to locally available education and training institutions, traineeship and employment opportunities, community-based health and welfare services, public transport and other amenities.
- 1.5 The 2012 inspection of Boronia is the third to take place since its inception, and it is with these early intentions in mind that Boronia's progress is assessed. Findings from the previous two inspections are therefore summarised for context.

BORONIA'S FIRST INSPECTION: 2006

- 1.6 The first inspection report on Boronia was conducted two years after it commenced operation and ran with the headline: 'The successful product of a coherent philosophy for women-centred imprisonment'.³ The then Inspector found that Boronia had incorporated many positive aspects into its operations, including its physical infrastructure, arrangements for mothers and children, available health services, and the quality and profile of its staff.⁴ Areas for improvement included Boronia's under-utilisation (it was well under capacity at the time), the lack of systematic data to enable a robust evaluation of the effect of Boronia's new approach on reoffending rates,⁵ and the unsatisfactory development of the (then)⁶ Section 94 work program.⁷

1 Salomone J, *Towards Best Practice in Women's Corrections: The Western Australian Low Security Prison for Women* (Western Australia: Department of Justice, 2004).

2 Ibid, 7.

3 Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Boronia Pre-Release Centre*, Report No. 42 (April 2007) v.

4 Ibid, vii.

5 Ibid, viii.

6 The work release program known as 'Section 94' in 2006 is in later years referred to 'Section 95' due to changes to the *Prisons Act 1981* (WA).

7 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre*, Report No. 42 (April 2007) 55.

BORONIA'S SECOND INSPECTION: 2009

- 1.7 In a response by the Department of Corrective Services (the Department) to the draft report of the second inspection of Boronia, the following statement was made: Boronia is without doubt ‘one of a kind’... and is a complete departure from standard prison design and associated services.⁸
- 1.8 While there was no doubt that Boronia was ‘one of a kind’, and that it performed to high standards, one of the aims of the second inspection was to identify opportunities to build on Boronia’s achievements. Positive findings of the inspection included clarity of Boronia’s role in the wider prison estate, immunity from over-crowding, its relations with the community, and positive staff-resident and staff-management relationships.⁹ Nonetheless, the Inspector was concerned that, using the Department’s own description of Boronia, it was looking more and more like a ‘complete departure from standard prison design and associated services’, rather than a model that would be rolled out more widely.¹⁰
- 1.9 The 2009 report concluded that, on the basis of Boronia’s established reputation, the Department was perfectly positioned to enable the centre to forge ahead with further innovations in corrections for women. The report raised a number of areas in which this could occur, including ensuring greater access by Aboriginal women and the development of Aboriginal-focused services; accommodation and programs; the provision of family violence and related treatment programs; the delivery of client-focused health care; and the involvement of residents in a wider range of community-based education, work and leisure activities through Section 95 of the *Prisons Act 1981*.¹¹

THE 2012 INSPECTION

Is Boronia Living Up to its Potential as a Pre-release Centre for Women?

- 1.10 Between inspections of Boronia, regular liaison visits were conducted in order to monitor its performance and progress in implementing the recommendations contained in the Office’s second report. These visits confirmed that Boronia was performing consistently well. However, concerns remained that the facility was not living up to its full potential as a unique and contemporary pre-release centre for women, and this became the central theme of the 2012 inspection.
- 1.11 This Report details the findings of the third inspection of Boronia. Given the conclusions of past inspections and impressions from liaison visits, particular attention was paid to the numbers of Aboriginal women accessing Boronia, and the range of community-based education, work, health and recreation activities available to its residents.

8 DCS letter to the Office of the Inspector of Custodial Services.

9 Prisoners at Boronia are referred to as ‘residents’ in support of normalising the prison environment and better preparing prisoners for their release. This Inspection Report has adopted this convention, except where reference is being made to prisoners generally.

10 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*, Report No. 62 (November 2009) iii.

11 Ibid, 35.

Inspection Methodology and Broad Conclusion

- 1.12 Pre-inspection surveys of Boronia's staff and residents were conducted in late 2011, and received a high response rate.¹² This provided the inspection team with a clear indication of issues of interest prior to the commencement of onsite activities. The 2012 inspection took place over a one-week period, running from Thursday 19 January to Wednesday 25 January. This enabled inspection team members to be present at Boronia over both days of the weekend, and thus observe a full cycle of weekly operations.
- 1.13 Inspection team members worked in pairs in order to enhance both information collection and accountability. The team was additionally supported by an expert representative from the Department of Training and Workforce Development.
- 1.14 Boronia remains a unique facility. In the last three years, it has been required to take some prisoners above its design capacity but has remained relatively protected from the over-crowding pressures that affect the majority of the state's prisons. It also houses a settled and carefully selected group of minimum-security, low risk prisoners.
- 1.15 The broad conclusion offered by the Inspector in the exit debrief was that Boronia is generally performing well, as it had been in 2009. However, little or no progress had been made against most of the key recommendations from the last inspection. This was despite the Department claiming in 2009 that most of the recommendations were not only accepted but were already being actively addressed as part of its 'continuous improvement philosophy'.
- 1.16 Following on from Boronia's 'settling in' and 'consolidation' phases, it is now necessary for Boronia to reflect on how it can achieve more, and drive forward to its next phase. It is hoped that this Report will provide the opportunity and momentum for it to do so.

12 The OICS prisoner survey was distributed to prisoners at Boronia Pre-Release Centre on 15 November 2011. There were 62 respondents, constituting 86% of the total prisoner population on that day. This was an improvement from 2009 where only 54% of the prisoner population were surveyed. Staff were given three weeks to complete the survey. There were 33 respondents, constituting 83% of the total staff population at Boronia at that time.

Chapter 2

THE RESIDENTS' PROFILE: A PLACE FOR ABORIGINAL WOMEN?

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- 2.1 Boronia refers to its prisoners as ‘residents,’ in support of an enhanced level of respect, normalisation of the prison environment and better preparation for prisoners upon their release.¹³ This Inspection Report has adopted this convention, except on occasions where reference is being made to prisoners in general.
- 2.2 Upon commencement of operations in 2004, Boronia had a capacity of 70 residents.¹⁴ Due to the systemic overcrowding now present across the Western Australian prison estate, Boronia’s capacity has been increased to 82, through the addition of second beds into some rooms. While far from ideal, Boronia’s current occupancy rate (around 117% of design capacity) is well below the state average, including that of Bandyup Women’s Prison (hereafter Bandyup).¹⁵
- 2.3 In spite of the fact that Boronia is a pre-release centre, Bandyup is by far the largest releasing prison for women in Western Australia. The Office’s 2011 report of Bandyup found that it released around 150 sentenced prisoners each year, while Boronia releases around 90.¹⁶ Yet in spite of this, Boronia has far more resources available for the provision of structured re-entry support.¹⁷
- 2.4 Information received prior to the inspection of Boronia indicated that at that time its residents included three out of country Aboriginal women, eight Vietnamese, four Chinese/Malay, two Romanian, one Italian, and one Maori. Six residents were due to be deported upon release, with a further three liable for deportation.¹⁸ It is important to note that these figures do not necessarily represent the number of foreign nationals resident at Boronia, as a number of the women identified above were Australian citizens from culturally and linguistically diverse backgrounds.
- 2.5 The inspection team found that the majority of offences committed by Boronia’s residents involved drugs, driving or fraud, and that very few violent offenders were present onsite.¹⁹ Boronia therefore appears to house a very ‘select’ group of female offenders, with many of these women having far lower re-entry needs than those imprisoned at Bandyup, where the majority of violent offenders with high resocialisation and re-entry needs are held.
- 2.6 Research conducted by the Department indicates that the majority of women in Western Australian prisons come from a socially and economically deprived background. This leaves them with little in the way of social and economic resources to change their lifestyle upon release. Women’s offending behaviour was also found to have strong links to substance use, and a large majority had suffered from physical or sexual abuse at some stage of their lives.²⁰

13 It is noteworthy, however, that this term is not afforded to minimum-security rated male prisoners at any prison in Western Australia, including Bunbury’s Pre-Release Unit.

14 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre*, Report No. 42 (April 2007) 8.

15 The report of the 2011 inspection also found that Bandyup had been placed under great stress as a result of severe overcrowding, and at the time of writing, this was still the case. At the time of writing, the population of Bandyup had increased to 261 women despite its capacity of 188: DCS, *Adults Offenders in Custody as at 19/04/2012 00:00 Hours. Count by Facility, Ethnicity and Gender* (19 April 2012).

16 OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No. 73 (August 2011) 6.

17 For example Boronia now has a full time Transitional Manager. This function is found at all other state prisons, including Bandyup. Yet while Boronia’s full-time Transitional Manager services up to 82 residents, Bandyup’s Transitional Manager addresses the needs of more than 250 prisoners.

18 Superintendent J Allen, *Boronia Pre-Release Centre for Women – OICS Briefing* (January 2012).

19 Total Offender Management Solution (TOMS), (information accessed 19 January 2012).

20 Department of Corrective Services (DCS), *Profile of Women in Prison 2008* (2009) 3.

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- 2.7 The situation for Aboriginal women is even worse. Sixty-nine per cent of those Aboriginal women profiled had a problem with alcohol abuse, while substance abuse in their family and social groups was also significantly higher than that reported by non-Aboriginal women.²¹ Furthermore, Aboriginal women were more likely to have been imprisoned previously, with more frequent yet shorter periods of incarceration, compared to non-Aboriginal women who tended to serve fewer, but longer, sentences.²²
- 2.8 This paints a particularly grim picture of the situation for Aboriginal women who, with higher rates of recidivism, have a greater need for re-entry services and therapeutic treatment. While the prison environment is far from ideal for such a victimised group, it does provide an opportunity to connect with services they may otherwise not access while in the community.
- 2.9 As will be discussed at length in the chapters to follow, Boronia offers a wide range of unique re-entry services to its residents but the number of Aboriginal women accessing them is very low. Unfortunately, there was no evidence to suggest that this issue had been identified or actioned by the Department: certainly it provided no evidence that it has examined either the causes or any possible solutions.



Garden beds at Boronia Pre-release Centre for Women.

21 Reported substance abuse among families of Aboriginal women was 76%, while for non-Aboriginal women it was 20%. Ninety-three per cent of Aboriginal women reported that their friends abused substances, compared to only 59% of non-Aboriginal women: DCS, *Profile of Women in Prison 2008 – Executive Summary and Key Findings* (2009).

22 Ibid.

BORONIA: 2009 TO 2012

- 2.10 At the time of the 2009 inspection, there were 22 Aboriginal women accommodated at Boronia, comprising 30 per cent of its total population. Even accounting for the fact that many Aboriginal women come from the regions, this was below their representation in the system as a whole, which at the time was 50 per cent of female prisoners in the state. During the same week as the Boronia inspection of 2009, Bandyup's population was almost 40 per cent Aboriginal.²³ Later that year, the Chief Justice of Western Australia stated that:²⁴
- The percentage of Aboriginal women amongst those at Boronia is significantly less than the percentage of Aboriginal women within the prison population generally. While this may be a consequence of the characteristics of Aboriginal women offenders, including their offence types and criminal histories, the rates of return to custody...suggest that those offenders are in greater need of assistance when re-entering the community.
- 2.11 The 2009 report recommended that Boronia establish clear targets, outcomes and time-frames to enhance access and increase the numbers of Aboriginal women. The Department responded by saying that this was already a key focus of its activities, and that, consistent with its continuous improvement philosophy, implementation was ongoing. Indeed the Department's *Strategic Plan for Women 2009–2012: Women's Way Forward* (hereafter *Women's Way Forward*), which was intended to provide guidance and direction on how to improve service delivery to bring about change in women's lives, used the number of Aboriginal women in Boronia as one measure in determining success in reducing re-offending.²⁵
- 2.12 Despite this commitment, the 2012 inspection found that rather than demonstrating any improvement in this area, the number of Aboriginal women at Boronia had in fact fallen.

23 DCS, *Adult Offenders: Count by Facility, Status, Ethnicity and Gender* (25 June 2009).

24 The Hon Wayne Martin, Chief Justice of Western Australia, *Corrective Services for Indigenous Offenders – Stopping the Revolving Door*, paper to the DCS Joint Development Day (17 September 2009) 17.

25 DCS, *Women's Corrective Services Strategic Plan 2009–2012: Women's Way Forward* (June 2009) 1.

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BORONIA'S ABORIGINAL POPULATION

- 2.13 The following graph represents the numbers of Aboriginal residents at Boronia, compared to its total population. This information was drawn from statistical data available on the Department's website, using *Adult Offenders in Custody* statistics for the first Thursday of every month, from July 2009 to January 2012.²⁶ These dates were chosen to capture the period from the last inspection of Boronia (June 2009) to the most recent (January 2012).

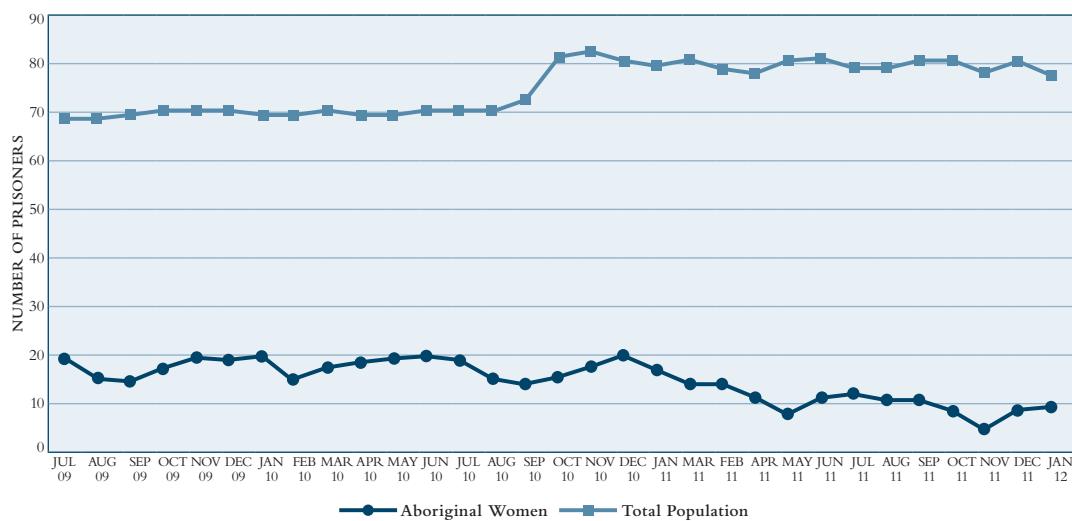


Figure 1: Rates of Aboriginal Women at Boronia Compared to Total Population²⁷

- 2.14 This data clearly demonstrates that while the total number of women residing at Boronia jumped in October 2010, the number of Aboriginal women placed at Boronia has been steadily declining since December 2010. This graph reveals that in the second half of 2009 (following the last inspection) the Aboriginal population of Boronia averaged 26 per cent. Yet in 2011 the average percentage of Aboriginal women at Boronia had fallen to 14 per cent. Official departmental statistics for Thursday 19 January 2012, the first day of the on-site phase of the latest inspection, reveal that on that day there were 76 residents at Boronia, of whom only 10 were Aboriginal – 13 per cent of the centre's total population.²⁸
- 2.15 In his exit debrief, following the completion of the on-site inspection, the Inspector expressed his disappointment with these numbers. As the provision of improved services and accommodation for Aboriginal women had been a stated key focus of the Department in 2009, he had:
- expected it to have been at the forefront of DCS submissions and reflections on future directions. But there was no evidence that the issue had been identified, 'pushed' or analysed prior to the inspection, either at Boronia or centrally.²⁹

26 <http://www.correctiveservices.wa.gov.au/about-us/statistics-publications/statistics/default.aspx>

27 Ibid.

28 DCS, *Adult Offenders in Custody as at 19/01/2012 00:00 Hours. Count by Facility, Status, Ethnicity and Gender* (19 January 2012).

29 Neil Morgan, Inspector of Custodial Services, *Exit debrief: Boronia Pre-Release Centre for Women* (25 January 2012).

THE RESIDENTS' PROFILE: A PLACE FOR ABORIGINAL WOMEN?

ABORIGINAL WOMEN THROUGHOUT THE WESTERN AUSTRALIAN PRISON ESTATE

- 2.16 The following data provides insight into the distribution of sentenced women throughout the state's prisons at the time of writing.³⁰ This analysis focuses purely on sentenced women, as Boronia does not perform a remand function.³¹ Across all Western Australian facilities that accommodate adult women, sentenced Aboriginal women constitute 45 per cent of the total population of female prisoners. Indeed, this figure was reflected at Bandyup, the state's primary women's custodial facility, where Aboriginal women made up 45 per cent of the prison's population.

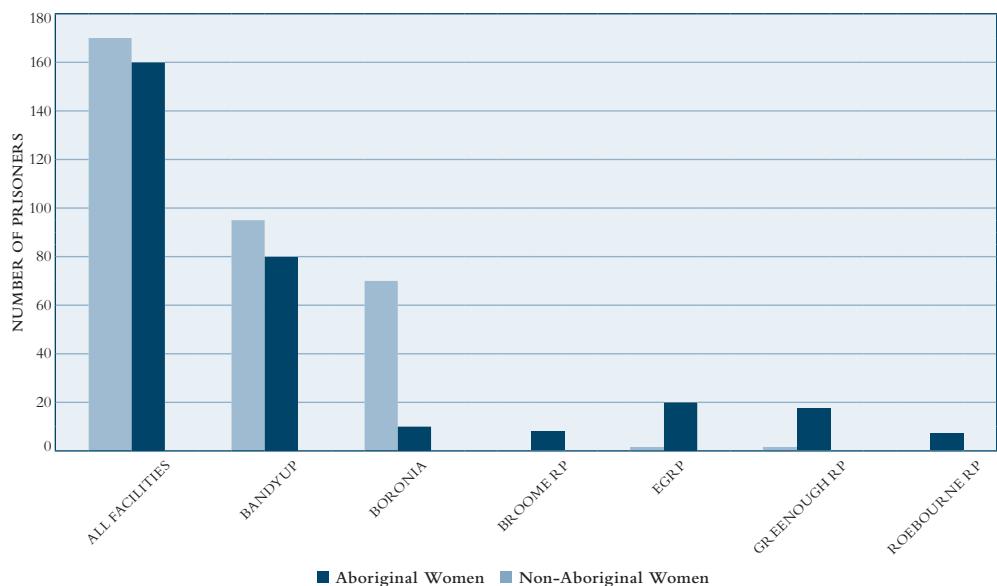


Figure 2: Numbers of Aboriginal Women Compared to Non-Aboriginal Women in Western Australian Prisons³²

- 2.17 Regional prisons including Broome, Eastern Goldfields, Greenough and Roebourne, accommodate a far greater percentage of incarcerated Aboriginal women per population. This is to be expected, given that imprisonment in 'country' is preferable for Aboriginal prisoners, as relocation outside of their 'country' imposes emotional and spiritual distress beyond that imposed upon non-Aboriginal prisoners.³³
- 2.18 Nonetheless, Boronia stands in stark contrast to the women's estate as a whole with only 13 per cent of its population comprised of Aboriginal women. Put another way, using the same set of data as above, there were 255 sentenced women in metropolitan prisons.³⁴ Of these, 90 were Aboriginal and 165 were non-Aboriginal. Boronia, with its flagship services, housed 70 (over 42%) sentenced non-Aboriginal women but only 11 (12%) of sentenced Aboriginal women. These figures are deeply disturbing given that Aboriginal women are recognised as having the highest re-entry needs.

30 DCS, *Adult Offenders in Custody as at 1/03/2012 00:00 Hours. Count by Facility, Ethnicity and Gender* (1 March 2012).

31 Nonetheless, it is notable that of female remandees across the state, Aboriginal women made up 50.5%.

32 DCS, *Adult Offenders in Custody as at 1/03/2012 00:00 Hours. Count by Facility, Ethnicity and Gender* (1 March 2012).

33 OICS, *Inspection Standards for Aboriginal Prisoners* (July 2008) 4.

34 DCS, *Adults Offenders in Custody as at 1/03/2012 00:00 Hours. Count by Facility, Ethnicity and Gender* (1 March 2012).

A LACK OF WILLINGNESS TO ENGAGE?

- 2.19 So what are the causes of the declining numbers of Aboriginal women at Boronia? The 2012 inspection, as well as those preceding it, heard unanimous evidence from Aboriginal focus groups that Aboriginal women were reluctant to transfer out of Bandyup. Possible reasons included difficulty adjusting to the less ‘institutionalised’ environment, settling into shared accommodation, feeling intimidated by the non-Aboriginal women (because of their ‘standing’, skills and education levels), fear of social isolation, under-developed self-care/housekeeping skills, and an unwillingness to take on the additional responsibility associated with living in shared domestic arrangements.
- 2.20 As will be further discussed in Chapter Five, the transition from Bandyup to Boronia is often very challenging. The opportunity to resolve this is at Bandyup, prior to transferring to Boronia. Improving the flow of Aboriginal women to the self-care units at Bandyup (where they are also conspicuously absent),³⁵ and more proactive engagement by Boronia staff with Bandyup’s Aboriginal prisoners would help ease their concerns over the unfamiliar surroundings and lifestyle of Boronia by assisting in the transition.
- 2.21 What seems certain though, is that the fewer Aboriginal women there are at Boronia, the fewer other Aboriginal women will want to transfer there. This Office therefore encourages Boronia to explore and introduce new initiatives to support Aboriginal women during their time at the centre. One such possibility suggested by the Inspector in his exit debrief was the introduction of shared housing for Aboriginal women, in the interest of providing them with a more communal atmosphere. Other possibilities discussed in this report include improved liaison between Boronia and Bandyup, Boronia’s Aboriginal residents talking with their Bandyup counterparts about the benefits of life at Boronia, the recruitment of Aboriginal staff at Boronia, more engagement with Aboriginal community organisations, and enhancing the cultural ‘feel’ of the centre.

THE ASSESSMENT PROCESS

- 2.22 The first and foremost prerequisite for placement at Boronia is a minimum-security rating; however once a woman has been deemed eligible, a further evaluation is made of her suitability for placement at the centre. The inspection found that this involves an assessment of whether the individual’s offence/s involved child victims, whether they have poor relationships with women already at Boronia, and whether their physical and mental health needs can be met at the centre. Due to infrastructure limitations, women with complex physical disabilities are excluded from Boronia, as are those with psychiatric conditions that may become unstable. According to Boronia’s management, the rationale for this exclusion lies in the lack of 24-hour nursing, dedicated mental health staff, and the absence of the Prison Counselling Service (PCS).³⁶

³⁵ OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No. 73 (August 2011) 5.

³⁶ During the writing of this report, it was discovered that PCS had in fact recommenced services at Boronia, beginning on 7 February 2012, just two weeks after the Inspector’s exit debrief, which drew attention to the lack of PCS services. While this represents a positive change in Boronia’s ability to support women with mental health issues, PCS provide complementary support and crisis management and should not be considered to replace psychiatric care and treatment.

THE RESIDENTS' PROFILE: A PLACE FOR ABORIGINAL WOMEN?

- 2.23 All assessments for placement at Boronia are conducted by the assessments team at Bandyup. This team is comprised of an Assessments Manager, a Case Management Coordinator and some report writers. As long as this team remains up to date with their assessment workload, there should be a constant pool of suitable minimum-security prisoners at Bandyup ready to be transferred to Boronia.
- 2.24 At the time of the 2012 inspection, there were 59 minimum-security prisoners at Bandyup Women's Prison, 25 per cent (15) of whom were Aboriginal. Nine of these minimum-security women were on the waiting list for transfer to Boronia, from which three (or one-third) were Aboriginal. Management at Boronia was able to provide information on almost all of the other minimum-security prisoners at Bandyup, including the reasons for their exclusion from the Boronia transfer list. Some of the reasons included lack of interest, incomplete programs, and mental and/or other health issues that required access to 24-hour medical services. It is this final ground, mental health status, which will now be the subject of further discussion.

Recommendation 1

Ensure that more Aboriginal women have access to Boronia's re-entry services. Initiatives should include (i) identifying ways to enhance the centre's appeal to Aboriginal women incarcerated elsewhere in the prison estate and (ii) ensuring that more of the Aboriginal women who are classified minimum-security can progress to placement at Boronia.

EXCLUSION ON THE GROUNDS OF MENTAL HEALTH

- 2.25 Departmental research into female offenders demonstrates the prevalence of mental health issues among female prisoners, with 39 per cent of incarcerated women having a reported mental health history.³⁷ According to the same research, Aboriginal women present far greater rates of self-harm and suicide attempts (both in and out of the prison context) than their non-Aboriginal counterparts.³⁸ Given that Aboriginal women demonstrate higher mental health needs while in custody, excluding women from Boronia on the grounds of mental health issues may inadvertently exclude greater numbers of Aboriginal women than non-Aboriginal women. This causes concern for the Office for three reasons.
- 2.26 Firstly, Boronia is a pre-release centre, with specialised re-entry services unavailable elsewhere in the women's estate. The re-entry needs of mentally unwell women are arguably greater than for those without such a diagnosis. Precluding women from Boronia based on their mental health status denies them the opportunity to better prepare for reintegration into the community. Secondly, although Bandyup does what it can within the limits of poor conditions and severe overcrowding, Boronia's physical environment is potentially more 'therapeutic', calming and conducive to mental health care.

³⁷ DCS, *Profile of Women in Prison 2008* (2009).

³⁸ Ibid.

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- 2.27 The third cause of concern for this Office is a legal one. To ensure that the needs of Western Australia's diverse population are adequately addressed, the Western Australian Equal Opportunities Commission developed the *Policy Framework for Substantive Equality* in 2010, which states that:
- Systemic racial discrimination is racism that is embedded in the policies and practices of an organisation. Whilst this form of racism is often unintentional, the effect is to limit or restrict people particularly from minority groups from accessing all or some of the services of an organisation in a fair and non-discriminatory manner. This type of racism is often difficult to distinguish as it appears neutral but has a negative effect on people with a particular attribute or characteristic.³⁹
- 2.28 Furthermore, the *Equal Opportunity Act 1984* states that direct impairment discrimination occurs when a person with an impairment is treated less favourably than a person without that impairment, in the same or similar circumstances.⁴⁰ Preclusion of access to Boronia on the grounds of mental health status could arguably constitute discrimination under the *Equal Opportunity Act 1984*.⁴¹
- 2.29 When women at Boronia 'act-up' they are swiftly returned to Bandyup because of the lack of any counselling available on-site. Rather than removing women from Boronia, the Office sees this as an opportunity for the centre to expand the use of Section 95 to access community-based mental health services. This would not only assist Boronia's residents through difficult periods, but establish connections to external agencies, in line with Boronia's function as a pre-release centre, and provide increased opportunities for those women with the most significant re-entry needs.⁴²

Recommendation 2

Change the current practice of excluding prisoners from Boronia on the grounds of mental health needs by sourcing and establishing a comprehensive network of community-based mental health and counselling services under section 95 of the Prisons Act 1981.

RE-CONNECTING WITH ABORIGINAL CULTURE

- 2.30 Compared with other prisons in Western Australia, the inspection team found little sense of 'Aboriginality' at Boronia. The Transitional Manager has connected with Aboriginal service providers, and there are a number of initiatives to promote Aboriginal culture on-site (including the First People's Garden, art in the visitors area, and several references to the Kullaari gecko⁴³), yet there is little in the way of Aboriginal cultural activities provided (aside from the annual NAIDOC week). Furthermore, the inspection team found both at Boronia and Bandyup that Aboriginal women remain reluctant to be transferred to Boronia.

39 Equal Opportunities Commission (WA), Substantive Equality Unit, *Policy Framework for Substantive Equality* (2010) 4–5.

40 *Equal Opportunity Act 1984* (WA) s 66A(1).

41 http://www.eoc.wa.gov.au/Libraries/pdfs/Your_rights_-_Impairment_1.sflb.ashx

42 This issue will be the subject of further discussion in Chapter Five.

43 Boronia identifies the Kullaari gecko as a protector of Aboriginal women.

THE RESIDENTS' PROFILE: A PLACE FOR ABORIGINAL WOMEN?

2.31 The centre's physical location makes it extremely well placed to connect with a number of local Aboriginal agencies, including Clontarf Aboriginal College, Abmusic, and Moor Mooditj. Establishing relationships with organisations such as these could provide valuable opportunities for Boronia and its residents, including the establishment of both in-reach and out-reach services. Moor Mooditj for example, runs first aid courses and offers diplomas and certificates in health services. Regular engagement with these institutions would provide the opportunity to increase cultural activities, boost the profile of Aboriginal culture at Boronia and provide positive role models for its Aboriginal residents.

Recommendation 3

Improve levels of engagement with Aboriginal institutions and agencies to implement in-reach and out-reach programs and activities and to raise the profile and recognition of Aboriginal culture at Boronia.



The First People's Garden – a meeting place for Aboriginal women.



Boronia identifies the Kullaari gecko as a protector of Aboriginal women.

Chapter 3

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

THE ABOLITION OF THE WOMEN'S CORRECTIVE SERVICES DIRECTORATE: WHAT IMPACT?

- 3.1 At the time of our 2009 inspection of Boronia, the Department's *Women's Way Forward* had recently been endorsed.⁴⁴ Paralleling the Department's above-mentioned 2008–2011 Strategic Plan, this document aimed to build on changes within the women's estate which had been gathering momentum in the preceding years. It formally articulated the Department's commitment to shift the culture and treatment of women in prison, and outlined strategies, outcomes, and success measures necessary to effectively do so. Rather than treating women as 'prisoners who happen to be women', management strategies were to be predicated on the unique needs of women.⁴⁵
- 3.2 The Office believes that the position of the Director of Women's Corrective Services was critical to the metamorphosis which had been occurring in the women's estate.⁴⁶ Its creation in 2003 was symbolic of the Department's commitment at that time to truly elevating the profile of women and developing a women-centred approach to imprisonment. The impact of a dedicated budget and post-holder, focused on championing and driving change for women, ensured not only good women-centred practice at Bandyup and Boronia, but also its transference to the regional prisons. As such, the Inspector explicitly stated in the 2009 inspection report that the role of the Director remained as crucial and relevant as ever if Boronia was to achieve part of its strategic purpose and be instrumental in transferring appropriate practices to the regions.⁴⁷
- 3.3 Yet the directorate, including its discrete budget, was abolished in early 2010. Its roles and responsibilities were transferred to prison superintendents. In practice, while the superintendents of Boronia and Bandyup were delegated 'portfolio' responsibility for driving the cause and strategic development of women's custodial management, superintendents in the regions had responsibility for improving the focus on women prisoners in their own prisons.
- 3.4 This approach has been problematic for two reasons. First, the responsibility for strategic development was layered on top of the superintendents' already full workloads. Secondly, relegating women's corrective services simply to a portfolio responsibility placed it on the same level as issues such as cessation of smoking (another superintendent portfolio), thereby devaluing its importance.
- 3.5 Another example of the problems associated with the abolition of the directorate concerns the provision of offender treatment programs that address family violence. The report of the last inspection recommended that the Department resource and ensure the ongoing delivery of a discrete suite of quality endorsed group treatment programs that address family violence and related issues from a female, and particularly an Aboriginal female, perspective.⁴⁸ The provision of specific domestic violence programs for women is also identified in *Women's Way Forward* as a service strategy to reduce reoffending. Yet despite this, the 2012 inspection found no progress had been made in respect of either this recommendation or service strategy.

44 This was subsequently renamed *Strategic Plan for Women 2009–2012: Women's Way Forward*.

45 DCS, *Women's Corrective Services Strategic Plan 2009–2012: Women's Way Forward* (June 2009) 1.

46 Latterly, the title and by definition the scope of this position changed to Director of Women's Corrective Services and Prison Farms.

47 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 4.

48 Ibid, 37.

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

- 3.6 It is impossible to know whether Boronia's failure to progress in areas such as these is directly attributable to the abolition of the position of Director of Women's Corrective Services. What is certain, however, is that if the position still existed, the women's estate would have had an advocate for a women-centred approach at every executive management meeting. This would also have lent support for a systematic follow-up of necessary improvements being provided to individual prisons.

DIFFERENT PROCESSES FOR A DIFFERENT PRISON?

- 3.7 All prisons are required to report their progress against departmental business plans, and yet the form and content of this process bears little relevance to Boronia's role and function. The process requires that every prison report against key results areas using a standardised template. If a prison which houses mainly males also accommodates some women, there is a section at the end of the report titled 'Improved Focus on Women Prisoners' in which prisons can include commentary about women-centred initiatives. Boronia (and Bandyup for that matter) report using the same template as any other prison. Therefore, progress against strategies which underpin the key results areas in *Women's Way Forward*, which should be consuming most of the prisons' energies, are added in at the end.
- 3.8 Boronia and Bandyup are therefore being expected to report as if they are male prisons which happen to accommodate women, in direct contradiction of the approach advocated by *Women's Way Forward*. Management at women's prisons say they have identified this marginalised focus on women, but to no avail. The loss of an executive level advocate with an exclusive focus on the women's estate appears to have resulted in a stalling of progress in this and many other areas.⁴⁹
- 3.9 This is also apparent in the process of operational compliance auditing. During 2010–2011, the Department conducted a statewide review of each prison's compliance with 11 of its 27 newly revised standards. Such a process can be used to identify shortfalls in service provision, and subsequent opportunities for improvement. However, the tool used and applied on this occasion was not customised to measure Boronia in the context of its role, function and operating philosophy. Instead, its performance was measured essentially as if it was a medium to maximum-security male facility.⁵⁰
- 3.10 It is not surprising then, that Boronia performed poorly when measured using this tool.⁵¹ The process would not necessarily have been a loss, had it been able to identify deficits and corresponding opportunities for improvement. Yet in spite of persisting through a particularly arduous process, few opportunities for improvement were identified that could actually be applied to Boronia. The relative benefit of such a process to Boronia was disproportionate to the amount of work involved for both the auditing team and Boronia's staff. This again exemplifies the way in which the focus on a women-centred approach has been significantly weakened, if not lost.

⁴⁹ In March 2012 the Department released a Proposed Organisational Structure for consultation. The proposed structure includes a Women's Services position within the Strategic Services portfolio, to provide strategic direction and monitoring of the implementation of women and young female services statewide. It is proposed that this will be achieved via the implementation of the Female Offender Policy and Female Offender Framework, linked to DCS' strategic priorities, business plans and facilities development. DCS, *Organisational Restructure – Explanatory Notes* (March 2012) 8.

⁵⁰ DCS, *Operations Compliance Follow-Up Review Boronia Pre-Release Centre for Women*, Report No. ACSR (July 2010).

⁵¹ Ibid.

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

- 3.11 This loss of direction could well explain why the findings of the pre-inspection staff surveys revealed a marked decline in staff perceptions of ‘clarity of direction’ and communication from head office since 2009. Indeed, unlike 2009, ‘head office demands’ was identified as one of the three most stressful aspects of working at the prison.

THE BORONIA CULTURE: PUTTING PROGRESS AND DEVELOPMENT AT RISK?

- 3.12 Boronia has had a stable and experienced management group for many years. As a result, the centre’s philosophy, identity and operational practices have become well embedded. During the inspection, the staff team presented as largely united and positive.
- 3.13 In order to be selected to work at Boronia, staff are required to demonstrate a particular inclination toward working with female offenders. This ‘calling’, together with mandatory completion of the ‘Working with Female Offenders’ course prior to commencement, explains the cohesion of thinking between management and staff. This was apparent through our discussions with all levels of management and staff during the on-site phase of the inspection, as well as through responses to the pre-inspection surveys.
- 3.14 All leave vacancies at Boronia which are longer than three weeks are advertised externally and internally, in accordance with departmental policies and practice. Nonetheless the inspection team was informed that when senior staff are on leave, development opportunities to act in those positions are often kept in house. For example, if the Superintendent goes on leave, the Assistant Superintendent will act in that position; with the Principal Officer acting in the Assistant Superintendent’s position. External staff rarely act in vacant positions at Boronia, and similarly the senior staff from Boronia rarely opt to act in higher positions elsewhere. There is a risk that without the critical questioning that different experiences, ‘fresh eyes’ and new staff can offer, complacency and a resistance to innovation can set in.
- 3.15 These risks were borne out by the fact that this inspection found little to no progress against previous recommendations made by this Office, despite the Department’s claims that they were already being progressed in 2009 and the promise of continuous improvement. The findings discussed throughout this Report, indicate that progress and the introduction of new initiatives at Boronia have effectively stalled. As described in the previous chapter, in some areas the situation has even declined.
- 3.16 Chapters to follow will discuss the lack of expansion in the range of work opportunities available on and off-site, the restricted range of off-site recreation options, and the limited numbers of women benefitting as a result. Given the innovative nature of Boronia’s early achievements, the lack of advancement in these areas is disheartening.
- 3.17 The Office’s findings therefore indicate that it is vital that Boronia does not remain static, but rather that it continues to innovate and ‘push the boundaries’, by developing, testing and implementing new ideas and practices. The creation of a more varied and broadly experienced senior level workforce could enable the type of critical questioning of established operations described above.

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

Recommendation 4

Increase management capacity and experience through leadership development, experience at other prisons and the rotation of staff into and out of other prisons, in order to bring about more questioning and innovative approaches to current operational practices.

BORONIA'S PLACE IN THE COMMUNITY

- 3.18 Prior to Boronia's operational commencement, a Community Engagement Advisory Group (CEAG)⁵² had been established in order to ensure good relations with the surrounding community, and management continue to actively and regularly engage with the group. The 2012 inspection of Boronia found that since its inception, Boronia has gained the acceptance and confidence of the local community.
- 3.19 Boronia's residents have been able to participate in a number of community-based activities for some years. Yet the range of activities and numbers of women regularly engaged in these activities has remained largely unchanged since the last inspection in 2009.⁵³ Members of CEAG were very open to ideas about increasing the range and frequency of community-based activity options for the women, and this is something that should be pursued.

SUSTAINABILITY PLANNING AT BORONIA

- 3.20 In line with the Department's Sustainability Policy (February 2010), Boronia released its *Sustainability Plan (2011–2012)* to implement a variety of sustainability initiatives. Key areas of focus involve the development of social, economic and environmentally sustainable centre operations. These include expanding Boronia's horticultural operations for use in the kitchens/catering service, improved energy conservation, minimisation of waste, introduction of a Risk Register, and the creation of a 'Staff Wellbeing Week'.⁵⁴ These initiatives represent good practice on behalf of Boronia's management.
- 3.21 However, the plan does not appear to engage with one of the most significant resources it has in order to achieve its targets – Boronia's residents. For example, rather than involving the residents in the drive towards energy reduction, the plan involves actions such as the placement and removal of heaters in houses and the locking of clothes dryers on set calendar dates.⁵⁵
- 3.22 In 2008, the Office noted in its report of an inspection of Acacia Prison, that Serco (the private operator of Acacia) had been proactive in developing and implementing sustainability options across the prison site. This involved the formation of an Environmental and Energy Awareness Group (EEAG) comprising senior and middle management, as well as prisoner representatives. One initiative developed by this group was an 'Energy Smart' program that aimed to incorporate energy efficient habits into staff and prisoners' daily activities.⁵⁶ In addition, Serco had engaged an environmental consultant to undertake an

⁵² In previous years, this group was known as the Community Advisory Group.

⁵³ Further details of those activities and numbers of women accessing them are discussed at length elsewhere in this Report, particularly in regard to PEP, Section 95 and recreation options.

⁵⁴ Boronia Pre-release Centre, *Sustainability Plan 2011–2012*.

⁵⁵ Ibid, 5.

⁵⁶ OICS, *Report of an Announced Inspection of Acacia Prison*, Report No. 53 (June 2008) 27.

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

audit of Acacia prison's carbon footprint and its overall impact on the environment.

Acacia's sustainability protocols are good practices, and at the time of that report, this Office identified them as being transferable to the state's public prisons.⁵⁷

- 3.23 Boronia's *Sustainability Plan* includes the installation of electricity meters for each house as an option to be explored.⁵⁸ The Office encourages Boronia to introduce this measure, and furthermore, to replicate the successful work done at Acacia by introducing incentives to those houses which achieve the best energy reductions. This would teach and ingrain good habits among the residents, rather than imposing actions upon them which remove their chance to learn economic and social responsibility. Such an initiative would represent an opportunity to expand Boronia's 'personal responsibility' philosophy from the theoretical to the practical.

BORONIA'S STAFF PROFILE

- 3.24 Relative to other prisons Boronia is well resourced and, to its credit, management is rigorous in ensuring that these resources are well used. The custodial group has been fully staffed since October 2011 with a 50:50 gender balance, little need for overtime and rosters consistently being managed within budget. The Principal Officer coordinates staff education and development, and performance management processes are well established.
- 3.25 Boronia stands to benefit from the recent departmental staffing review and, if proposals are implemented, the centre will gain an additional night officer, one assessments officer and some Vocational Support Officer (VSO) relief. This would ensure that in terms of fulfilling Boronia's role and function as a minimum-security pre-release centre for women, there would be sufficient and appropriately skilled staff available.
- 3.26 The non-uniformed contingent is close to being fully staffed, and the few vacancies being carried are not imposing much of a burden in terms of extra duties for staff. As part of their professional development plans, the Department is sponsoring a number of Boronia's staff to pursue higher qualifications.
- 3.27 In summary, the number, mix and skill level of staff adequately meets the needs of the prison and the current prison population. However, with the exception of a recently employed part-time Aboriginal Education Worker, there are no Aboriginal staff members. Conceted efforts to recruit Aboriginal staff may enhance Boronia's appeal and go some way to reducing the inequity of access to Boronia by Aboriginal women prisoners.

THE LIMITS OF CONFINEMENT: SECURITY AT BORONIA

- 3.28 Virtually all interactions observed between staff and residents were positive and conducted at a level that was congenial while maintaining respect. Officers were positive in their remarks and actions, and the residents appeared comfortable with the interaction at this level. Prisoner surveys conducted prior to the inspection indicated that 95 per cent of prisoners felt that officers at Boronia applied the rules fairly (up from 78% in 2009) and treated prisoners with dignity (an increase from 62%).

57 Ibid.

58 Boronia Pre-release Centre, *Sustainability Plan 2011–2012* (2011) 5.

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

- 3.29 Prisoner surveys further showed that 95 per cent of Boronia's residents felt safe compared to the 82 per cent recorded on the 2009 prisoner survey. However, both the surveys and the inspection itself found that staff confidence in regard to the prevention of contraband, clarity of security and incident reporting measures, and perimeter security had declined.⁵⁹

Perimeter Deterrents

- 3.30 As a minimum-security facility located in the suburbs, Boronia's perimeter fencing was designed to blend into the community while still presenting a physical barrier. The fence is constructed of cyclone mesh wire with steel rails top and bottom. It is supported by a microphonics detection system, and closed circuit cameras are located on the perimeter and internally. Minimal perimeter lighting is used to reduce the visual impact on surrounding residential properties. The cameras and security system alarms are overseen 24 hours a day by an officer stationed in the monitoring room.
- 3.31 Although the fence is suitably constructed to meet the risk of escape associated with a minimum-security facility for women, there have been 19 recorded counts of intruders into the centre since 2004. While the majority of these intrusions appear to have been opportunistic rather than planned, such incidents nonetheless represent a considerable risk to both the residents and staff of Boronia and raise questions about the effectiveness of the fence and current levels of signage as deterrents.
- 3.32 Recently, the microphonics and cameras have been operating poorly and a number of false alarms have been recorded. In some cases, cameras which detected an intruder provided delayed footage of very poor quality. Questions remain about the sensitivity of the microphonics, and their ability to pick up breaches on all sections of the fence. For example, on one occasion an intruder was recorded entering the centre, yet not recorded leaving. Consequently, Boronia is planning to introduce additional detection systems along the fence to allow for improved identification of breaches.
- 3.33 There is also a need for increased signage on the perimeter fence to help deter people from entering by identifying the facility and the consequences of intrusion. Currently, the entire perimeter fence has only seven signs attached to it. These signs are small and are hard to see when approaching the fence from anywhere other than directly in front of the sign. It is understood that the centre has placed an order for more signs which will be larger than those currently in place.⁶⁰ This Office urges Boronia's management to pursue the implementation of additional signage, along with an increase in the number of those currently displayed.

⁵⁹ Staff survey results indicated that perceptions of the prison's effectiveness in 'Preventing entry of contraband' had fallen from 61% to 26%; 'Having good, clear security procedures' had fallen from 68% to 56%; and 'Maintaining perimeter security, gates, grills, locks and cameras' had fallen from 68% to 44%.

⁶⁰ Inspection team members were notified on 10 February 2012 that the new fence signs were complete and ready for collection.

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- 3.34 The combination of increased signage, additional detection systems, improved cameras and the proposed additional staff member on night shift, should significantly impact the number of intrusions, and thus increase the safety of the staff and the residents of Boronia.



The inspection team found aging signs that would provide little deterrent to opportunistic or unknowing trespassers.



By the time this report came to press however, more effective signage was in place.

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

Night Staffing

- 3.35 The first announced inspection of Boronia in 2006 identified that the night staffing complement of three people per shift was insufficient to adequately monitor the centre.⁶¹ The recommendation was made that Boronia should undertake a review of night staffing arrangements to ensure that the centre is sufficiently staffed at all times. The recommendation also stated that the review should involve an analysis of gender patterns in the staffing roster. This would enable the centre to ensure a sufficient number of female staff on-site at all times, in order to ensure that the centre's capacity to strip-search a resident, if required, was not compromised.
- 3.36 Unfortunately, the current inspection found that the night staffing levels were the same as those that gave rise to the 2006 recommendation. Given the larger number of women residing at Boronia, and the increased frequency of incidents involving intruders,⁶² there remains a clear need for the Department to boost the number of staff covering night shifts. As indicated earlier in this chapter, the recent departmental staffing review has included a recommendation for an additional staff member to be placed on night shift at Boronia.⁶³ This Office supports and encourages this recommendation, and urges the Department to implement this change as soon as possible.
- 3.37 Staff also raised concerns about the gender balance among custodial and administration staff. At the time of the inspection the administration staff were 100 per cent female, while the custodial staffing gender levels were 50:50.⁶⁴ In this Office's 2002 inspection report for Bandyup (the only other dedicated women's custodial facility in the state), it was recommended that a target be set for a staff gender ratio, where the balance is significantly towards women at all levels.⁶⁵ The 2006 Bandyup report suggested a 60:40 female–male ratio was the appropriate target across the site.⁶⁶ These recommendations recognise that a lack of female custodial staff impacts on the ability of a women's prison to operate efficiently, particularly in areas such as urine testing and searches. An increase in staffing levels on night shift, as discussed above, would provide the opportunity for the centre to recruit additional female custodial staff, thus reducing the occasions where staff may consist only of males.
- 3.38 As discussed earlier in this chapter, the lack of progress against this previous recommendation is disappointing. This Office therefore reiterates its previous recommendations in this regard.

61 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre*, Report No. 42 (April 2007) 10.

62 To be discussed in the following section.

63 Superintendent J Allen, *Boronia Pre-Release Centre for Women – OICS Briefing* (January 2012).

64 Superintendent J Allen, *Boronia Pre-Release Centre for Women – OICS Briefing* (January 2012).

65 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 13 (2002) 106.

66 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 36 (2006) iv.

BORONIA'S CULTURE: MANAGEMENT, SYSTEMS AND PLANNING FOR THE FUTURE

Recommendation 5

Ensure that the centre is sufficiently staffed at all times.

Recommendation 6

Conduct an analysis of gender patterns on staffing rosters at Boronia to ensure that there are sufficient female staff on each roster, and recruit and administer the rosters accordingly.

Search Procedures

- 3.39 Departmental *Policy Directive 26* (PD26) states that '[e]very prisoner shall be searched on each occasion they enter or leave a prison'.⁶⁷ While such a standard is certainly justifiable for prisoners in a high-security facility, as previously discussed, the requirements of maximum-security prisons are not necessarily suitable given the nature of Boronia. In this case, the searching of residents entering and leaving Boronia is conducted on a random basis and consequently not all residents are searched.
- 3.40 The number of searches currently conducted on women entering and leaving the centre appears to be appropriate for the risk associated with a women's minimum-security facility. Nonetheless, departmental compliance standards reflect the stipulations of PD26 requiring compulsory searches of all residents entering and leaving the centre and this means that Boronia consistently fails in this area when it is compliance audited.
- 3.41 PD26 also states that '[i]t is mandatory that prisoners are strip-searched: on first receipt and discharge from any prison'.⁶⁸ However Boronia does not strip-search women transferring in, as the process has already taken place prior to their departure from Bandyup.⁶⁹ Strip-searches are only conducted as part of the urine testing procedure, upon return from home leave (again as part of urine testing procedures), and on the occasion that intelligence identifies a need. This Office believes that Boronia's practice of strip-searching is conducted in a manner and frequency which is appropriate to the risk associated with minimum-security women.
- 3.42 As discussed earlier in this chapter, by measuring Boronia's compliance against general departmental standards, the centre is being set up to consistently perform badly. One would not, and should not, expect security procedures at Boronia to be commensurate with those at Bandyup, for example. The Office considers that as a facility with an explicit goal and framework, Boronia should be measured against standards which are better suited to reflect its position within the prison estate.

Recommendation 7

Develop and implement compliance standards across the Department which better reflect the specific offender profiles, roles and activities of the various prisons.

⁶⁷ DCS, *Policy Directive 26 – Searches* (2010) 2.

⁶⁸ Ibid, 2.

⁶⁹ DCS, *Boronia Pre-Release Centre for Women: Standing Order B9 – Procedure for Testing for Alcohol, Drugs and Other Intoxicating Substances* (18 August 2011).

Chapter 4

PREPARATION FOR RELEASE AND RE-ENTRY

CASE MANAGEMENT

- 4.1 In 2009, this Office found that case management at Boronia was doing well, despite the lack of allocated funding for case management coordination. At that time, the role of case management coordinator was being performed by the Assistant Superintendent, in addition to her already over-extended workload. In a positive development, the recent departmental staffing review has identified the need for an assessments officer position at Boronia. Although this is not a case management coordinator role, this position will certainly assist in ensuring all assessment reports are completed, a necessary stage in the efficient functioning of a case management system. Boronia's management has advised that the centre is also seeking an additional case management position, but this remains to be confirmed.
- 4.2 The case management system at Boronia is robust. All eligible residents – that is, those with sentences of six months or more who have had an Individual Management Plan (IMP) drawn up – are allocated a case manager. Those residents with sentences of less than six months, and who are therefore not eligible for an IMP, are still allocated a case manager, primarily to assist them with parole reports.
- 4.3 In the past this Office has been critical of the Department's case management system, which traditionally has been a one dimensional system which does not encompass the individual's needs.⁷⁰ Feedback from prisoners has consistently highlighted the perceived neglect of areas such as basic welfare requirements (for example, arranging payments of rent, mortgage and utilities or addressing childcare needs).⁷¹
- 4.4 Case management at Boronia, however, assumes a much more holistic approach. Case managers are able to dedicate considerable time to the residents, which improves the prospects of their welfare needs being addressed. Case managers are also well supported by other staff at Boronia (such as the Transitional Manager and the Manager Family and Community Services) in facilitating solutions to residents' welfare problems. Further, the case conference system, as observed by inspection team members, included broad discussion on the residents' overall circumstances, particularly in the lead-up to their release, and was not just a forum to discuss progress against IMP requirements.
- 4.5 Overall, the inspection finding relating to case management was positive. The system was well managed and the addition of dedicated staff to work in this area (one definite and one proposed) indicates that the system will continue to benefit Boronia's residents.

MANAGING THE TRANSITION FROM BORONIA TO THE OUTSIDE WORLD

- 4.6 Possibly the most significant improvement in transitional services to women at Boronia since the last inspection has been the re-classification of the Transitional Manager position from part-time to full-time. In 2009, the part-time nature of this position made it difficult for the Transitional Manager to fully realise their role.⁷² This Office was particularly critical of this given that Boronia is a facility 'from which virtually every resident will be transitioned into the community'.⁷³

⁷⁰ See: OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 75 (December 2011) 50; OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011) 34–35; and OICS, *Report of an Announced Inspection of Acacia Prison*, Report No. 71 (March 2011) 44.

⁷¹ OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011).

⁷² OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 26.

⁷³ Ibid, 25.

- 4.7 The Transitional Manager's role has two main aspects. The first is to provide a direct service to residents, by which residents' reintegration needs are assessed and then referrals made to the appropriate service provider or life skills course. Residents are linked with the contracted re-entry services on-site at Boronia once an assessment has been made as to their primary reintegration needs.
- 4.8 The second component of the Transitional Manager's role is to foster relationships with the external agencies that deliver re-entry programs and services at Boronia. Some of these agencies are contracted by the Department to provide pre-release services, while others provide services on a voluntary basis. The current full-time Transitional Manager has been in post at Boronia for almost two years, and the inspection found that transition services provided at Boronia through this position are well coordinated and adequately address the re-entry needs of the residents.
- 4.9 Ruah is the service provider contracted by the Department to deliver re-entry services to the women at Boronia. Ruah attends the centre daily to provide a range of services to different cohorts of residents. Specifically, this agency is contracted to provide re-entry services to those residents due for release in three months in addition to providing up to six months post-release support.
- 4.10 Ruah also facilitates a domestic violence program at Boronia which is run twice a year over eight weeks. The introduction of this program is good women-centred practice, and is an improvement since the last inspection in 2009. As far back as 2006, this Office recommended that the Department resource the delivery of programs at Boronia that specifically address domestic violence. No progress against this recommendation had been made when the Office inspected Boronia for a second time in 2009, resulting in a further recommendation to this effect, which stated that:⁷⁴

The Department must resource and ensure the ongoing delivery of a discrete suite of quality endorsed group treatment programs that address family violence and related issues from a female – and especially an Aboriginal female – perspective.
- 4.11 It was therefore pleasing to note domestic violence programs are included as part of the service provided by the contracted re-entry provider. The Office is nonetheless concerned that whilst addressed in part, this recommendation has not been wholly progressed, particularly in regard to its incorporation of an Aboriginal perspective. Although Boronia's population now includes even fewer Aboriginal women than it did at the time this recommendation was made, this remains an issue of concern.
- 4.12 A new initiative driven by the Transitional Manager has been the inclusion of a Life Skills program, also facilitated by Ruah. This program will run for seven weeks, twice a year, and will address issues including building better relationships, self-esteem and positive thinking, welcoming change, and development of financial and time management skills. The inclusion of this program as part of the contracted re-entry services is good practice.

⁷⁴ Ibid, 12.

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- 4.13 In addition, the Transitional Manager has introduced a range of non-contracted providers and services as part of her suite of transitional re-entry services at Boronia. These include volunteer-based counselling and advice services relating to abusive relationships, gambling and financial management, drug and alcohol abuse, free legal information, and case management support upon release.
- 4.14 Referral to these programs is made for residents by the Transitional Manager, who also sources these programs and coordinates their delivery within the prison. Having access to such services provides Boronia's residents with opportunities to empower themselves and strengthen their ability to manage their lives. These programs focus on the practical skills needed to cope with life outside of prison, and are not meant to replace the therapeutic offender treatment programs described in the following section. The transitional services provided at Boronia are broad, and it would be expected that there would be no reason for a resident not to engage with these services, other than a personal choice not to do so.

THERAPEUTIC TREATMENT FOR OFFENDERS

- 4.15 Unlike its feeder prison Bandyup, Boronia does not deliver offender treatment programs such as those offered by the Department's Offender Management and Program Division (OMP). These programs are scheduled on behalf of prisoners once they have been sentenced and their Individual Management Plans (IMPs) have been developed. Any program needs are incorporated into the development of prisoners' IMPs, and prisoners are scheduled into these programs as they become available. Only those prisoners with a sentence of six months or more are eligible for an IMP and will therefore have their program needs identified.
- 4.16 Boronia is a pre-release centre; as such, all programs in place at Boronia have a particular re-entry focus to assist with the resident's reintegration into their communities. To date therefore, it is assumed that residents will have completed any offender treatment programs scheduled in their IMPs at other facilities, in particular Bandyup.
- 4.17 One exception to this is the OMP cognitive skills program, Think First. This program is facilitated by prison officers and Boronia currently has two staff members who are accredited to deliver this program.
- 4.18 However, the provision of OMP-sponsored programs at Boronia is about to be expanded, with the impending introduction of two new programs to be delivered on-site which aim to assist in the re-entry process. The first of these is Cognitive Brief Intervention (CBI), a shortened (20-hour) cognitive skills program covering self-control, critical reasoning, problem solving, interpersonal perspective taking and relapse prevention. This program is particularly targeted at the remand population at Casuarina and Hakea Prisons owing to its brief nature. Boronia management have negotiated with the local community-based Department programs hub for this program to be delivered at Boronia by the same facilitators who deliver it at Hakea. It is anticipated that the first CBI program will be run at Boronia following an information day for residents scheduled in February 2012.

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- 4.19 Local management have also negotiated the provision of a Change and Emotions program. This is a 40-hour program which aims to enhance understanding of the link between and impact of thoughts, feelings and behaviour, coupled with the exploration of developmental, social and cultural factors. This is a departmental program that is only currently offered in the community to those offenders on community-based orders. Boronia is to date the only prison site at which this program will be run. It is anticipated that the first Change and Emotions course will be delivered in April 2012.
- 4.20 The introduction of these new programs at Boronia is a positive step, and one which will complement the range of re-entry services currently available on-site. Furthermore, increasing the range of programs available at Boronia may also go some way towards increasing women's opportunities (especially those of Aboriginal women) to access Boronia.

A CHANCE TO PROGRESS: EDUCATION AT BORONIA

- 4.21 The education centre at Boronia is performing well, showing strong performance in the areas of traineeships, number of courses completed, and an extended range of accredited training courses, including horticulture. Given the high number of courses completed by Boronia's residents, the centre's annual Gala Day provides the opportunity for a meaningful graduation ceremony that can include a resident's family and friends.



Boronia's education centre offers a range of education and training courses.

- 4.22 Residents at Boronia with higher levels of education are well catered for. The available services are quite unique among prison education centres in Western Australia, including later class finishing times (allowing for additional employment), access to educational facilities until 10.00 pm each evening, full-time students have their own space away from classrooms and are additionally authorised and encouraged to act as peer tutors. However, given the size of Boronia, students will nearly always need to study externally in some form with limited face-to-face support. Some of the distance education options – most commonly those offered by universities – require a high level of online interaction, downloading weekly lectures and handouts and submitting responses and assignments. As residents have no internet access, education centre staff provide this very time-consuming service.
- 4.23 Despite Boronia's well functioning education centre, there are two areas where improvements are warranted. These are the lack of non-accredited courses available and the recent reduction in Department of Training and Workforce Development (DTWD) funded services.
- 4.24 Boronia does not offer any non-accredited training at present, meaning that learning as a recreational activity is limited. If Boronia accommodated residents for no more than three to six months, non-accredited recreational programs would be less critical. However, when residents live at Boronia for several years, non-accredited options provide variety and new challenges. Non-accredited training offers greater opportunities to stretch skills beyond those where people might be assessed as competent for job roles.
- 4.25 A recent change in policy at the DTWD has resulted in a decrease of services from State Training Providers (formerly known as TAFEs). Access to DTWD-funded training was radically reduced during 2011, meaning that external studies are now counted towards the total number of allocated hours, a figure which is subject to a ceiling.⁷⁵ This change in policy applies to all prison delivery across the state.
- 4.26 Smaller centres like Boronia rely heavily on external education providers to offer a sufficient range of education and training options, and also have a very small allocation of hours for class-based enrolments. The policy change will mean a 42 per cent reduction in access to education and training for Boronia, mainly affecting those studying at Diploma and Certificate III and IV level.
- 4.27 This change is having a particular impact on female prisoners, who have less access to a range of class-based delivery options because classes are only able to be offered where a reasonable-sized group can be arranged at the same place and time. Due to their lower overall representation in the corrections system, women rely more heavily on external education providers for many of their education and training options, and will therefore be disproportionately affected by these changes.
- 4.28 The inspection team was informed that prisoners will now be expected to pay full fee-for-service charges for any enrolments above the allocated hours, as if they were non-residents of Western Australia. This means that instead of the concession rate of approximately \$500 per year, they will now be required to pay more than \$4000 in fees. As prisoners have very

⁷⁵ Allocated hours are those set by DTWD for State Training Providers to accommodate education delivery within each prison.

minimal income and are often from low socio-economic groups, fee-for-service is not a realistic option unless the Department purchases the places on their behalf. The Office notes that the DTWD policy *VET Fees and Charges in 2012* states that people held in custodial institutions are eligible for concession rates for vocational education and training (VET) fees.⁷⁶ Thus, the recent changes appear to breach this policy.

- 4.29 The DTWD has argued that the change is the result of a change in practice rather than a change in policy. However, whether it is a change in practice or a change in policy the result remains the same. Prisoners who were previously entitled to study externally at concessional rates must now pay full fee for service as though they were non-residents of Western Australia, a change that puts the option of external studies beyond the scope of almost every prisoner.
- 4.30 The reduction in funding seems to have taken place without any negotiation or any phase-in period. Decisions of this magnitude should be made at whole of government level, so resource implications can be identified and addressed through budgetary processes. This policy, suddenly implemented *without any compensatory arrangements*, impacts adversely on prisoners' rights as Western Australian citizens to access vocational training, and consequently undermines their rehabilitation options.

Recommendation 8

Work to ensure that prisoners continue to be able to access the level of services from State Training Providers that they had previously received, and that the total number of allocated hours is increased in line with the increasing prison population.

- PREPARING TO RE-ENTER THE WORKFORCE: THE PRISONER EMPLOYMENT PROGRAM**
- 4.31 *Policy Directive 68* (PD68) is the mechanism through which access to the Prisoner Employment Program (PEP) is facilitated. According to this document:⁷⁷
 -
 - The PEP provides minimum-security prisoners with the opportunity to engage in meaningful and sustainable paid employment, work experience, vocational training and education in the community prior to release...[T]he intention of any PEP activity is to prepare the prisoner for their eventual release and increase the likelihood of their successful re-entry into the community.
 - 4.32 In order to be found eligible for this program, prisoners must be rated minimum-security and be in the last 12 months of their sentence. Prisoners awaiting medium intensity or intensive treatment intervention programs are not eligible to apply for PEP until the relevant programs have been completed. PEP is also inaccessible to those prisoners on deportation orders, under consideration for the *Dangerous Sexual Offenders Act 2006*, or subject to the *Criminal Law (Mentally Impaired Accused) Act 1996*. Prisoners on PEP may only undertake paid employment in the last three months before their release.

76 Department of Training and Workforce Development (DTWD), *VET Fees and Charges in 2012* (2012) Section 6.3.1(d).

77 DCS, *Policy Directive 68: Prisoner Employment Program* (August 2011).

- 4.33 The philosophy behind this program is sound. However, this Office has been concerned about its consistent under-use, chiefly due to the strict eligibility criteria and lengthy approval processes, both of which have contributed to generally low levels of prisoner participation in PEP throughout the state. Indeed, this Office has found that in some instances the approval process has taken up to three months, by which time many interested employers have withdrawn from the program and filled the vacancy from elsewhere.⁷⁸
- 4.34 The position of Employment Coordinator was introduced in prisons to manage PEP. Yet despite PEP being actively promoted by a full-time Employment Coordinator at Boronia, it remains under-utilised as at the 2009 inspection.⁷⁹
- At the time of the inspection, PEP achievements included two women who had gone on to sustain employment post-release and two current residents who were attending work experience with very real prospects of paid employment. [However] most of the women expressed frustration with and a lack of confidence in PEP, citing bureaucracy, the strict eligibility criteria and its time-consuming nature as major deterrents...While conceptually sound, PEP's numbers and achievements to date are limited and do not represent good value for money.
- 4.35 At the 2012 inspection there were only four residents at Boronia actively engaged in PEP: the same number as at the 2009 inspection. Two of the residents were engaged in paid employment, and were leaving the centre daily to attend their workplaces. The remaining two were seeking employment, also leaving the centre each day to work with a community agency in job-seeking initiatives. Inspection team members were informed that, at the time of the inspection, 13 women had active applications for PEP approval.
- 4.36 The process for applying for PEP is well managed at Boronia and is initiated three months prior to the resident's earliest date of commencement to allow for any delays that may occur during the approval process. This is good practice and ensures that the time taken to approve PEP applications does not impinge upon the residents' opportunities to take full advantage of the range of PEP activities over the 12-month period. Furthermore, the Employment Coordinator at Boronia is also involved in residents' case conferences. At these meetings, the resident is advised of their eligibility status and, if found to meet the criteria, encouraged to apply for PEP.
- 4.37 There does, however, seem to be a strange 'disconnect' between Boronia's operating philosophy – grounded in reintegration – and the low numbers of residents involved in PEP. Although there is a full-time PEP Coordinator on-site at Boronia who is committed to the role and drives the program to the best of their capacity, the inspection found that PEP at Boronia required more proactive engagement and encouragement from other relevant managers. Without the full support of all staff and managers at Boronia, the possibility remains that PEP will continue to be under-utilised, and that a significant re-entry resource will continue to assist only a small number of those residents at Boronia who are in fact eligible to gain from it.

78 See OICS, *Report of an Announced Inspection of Karnet Prison Farm*, Report No. 67 (July 2010) 14–15; OICS, *Report into the Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011) 59; and OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 75 (December 2011) 58.

79 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 22.

- 4.38 The Office has noted the contrast between the onerous approval process for PEP, and the seemingly more straightforward requirements for external activities approved under Section 95 of the *Prisons Act 1981*. Recent changes to the Department's PD68, seemingly intend to extend PEP to activities that had previously operated successfully and efficiently under Section 95, a shift which has caused this Office some concern. These concerns have been raised with the Department, prompting the assurance that the intent of PD68 is to enhance, not limit, access to external activities.⁸⁰ The Office will continue to monitor this issue.

Recommendation 9

Expand the use of the Prisoner Employment Program at Boronia by ensuring (i) that the relevant Policy Directives are sufficiently flexible; and (ii) that all staff and managers actively promote and support the program among residents.

PREPARING TO RE-ENTER THE HOME: REINTEGRATION LEAVE

- 4.39 The Reintegration Leave program (RIL) provides minimum-security prisoners with the opportunity to re-establish relationships with their families and reintegrate into the community through programmed periods of leave.⁸¹ To be eligible for participation in RIL, a prisoner must have a sentence of 12 months or more, and must be in the last 12 months before release. Minimum-security classification is, of course, assumed.
- 4.40 At the time of the inspection, there were five women participating in some form of reintegration leave at Boronia. As with Boronia's process for applying to PEP, the process of applying for RIL is well managed. Again, applications are initiated three months prior to the resident's earliest date of program commencement.
- 4.41 Perhaps the most important eligibility criterion is that of a suitable sponsor, who vouches for the resident while they are on leave from the centre. Inspection team members were informed that the most common problem encountered in successfully approving these applications is the suitability of the sponsor – something over which the centre has no control.
- 4.42 Overall, the reintegration leave program at Boronia is well managed and kept present in the lives of the residents through the case conference process. This does seem to be an area of policy that has been well defined by the Department and this is reflected in the orderly way in which it is managed at Boronia.

PREPARING TO RE-ENTER THE COMMUNITY: SECTION 95

- 4.43 At Boronia's first inspection in June 2006, the Office strongly urged the need for an expanded Section 95 program at the centre. This was reiterated at the second inspection of Boronia in 2009. In both inspection reports, formal recommendations were made to the effect that the Section 95 program at Boronia is under-utilised and should be expanded. Furthermore, the 2009 recommendation made direct reference to the Department's commitment to ensuring the use of Section 95 for community-based education,

80 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 77 (March 2012).

81 DCS, *Policy Directive 66: Re-Integration Leave (RIL)* (February 2010).

recreation and diverse work opportunities.⁸² The Department responded to this recommendation by stating that this would ‘be continually reviewed in accordance with its continual improvement philosophy’.⁸³

- 4.44 In January 2012, at the time of the on-site inspection of Boronia, 61 (79%) of its 77 residents had approval to engage in Section 95 activities.⁸⁴ On the face of it, this is an impressive figure, which puts Boronia second only to Broome Regional Prison in respect of Section 95 approvals. However, in reality only 12 of the 61 women with approval for Section 95 activities were regularly leaving Boronia for work. Eight of these women were members of the Section 95 work party that attends various community-based agencies to do volunteer work. The number of women who can take part in this work party is limited by the capacity of the centre’s transport – an eight-seater bus. An additional four residents employed in the kitchen leave the centre daily, on a rotational basis, to provide catering services to the Corrective Services Academy across the road.
- 4.45 Inspection team members were told of a proposal to extend the Section 95 work program to include a horticultural work party which would leave the centre to provide gardening services to external agencies. This is a positive initiative and this Office is hopeful that the proposal will become an entrenched component of the Section 95 work program at Boronia.
- 4.46 Boronia’s Section 95 program is also used for non-work related activities. For example, there are walking groups which leave the centre with the recreation officer for daily walks around the neighbourhood. There is a choir whose members leave the centre using the Section 95 provision to perform. The Section 95 program is also used to facilitate some residents’ education requirements, and permits mothers with resident children to leave the centre to take their children to day care. All residents with children living with them at the centre are immediately granted Section 95 approval. This is to ensure that the resident has the capacity to leave the centre should she need to attend an urgent medical appointment with her child, and to allow the resident the capacity to drop her child off at day care. This is good, women-centred practice. But this practice should be further extended to allow mothers with resident children to attend other activities in the community, such as swimming lessons and playgroups.
- 4.47 There remain some troubling aspects of the Section 95 program at Boronia that continue to concern this Office. In 2009, the residents who were engaged in the Section 95 work program at Boronia described the work they undertook as ‘monotonous’ and claimed it did not provide them with opportunities to acquire specific skills.⁸⁵ While there has been some more Section 95 work sites added since 2009, the women still reported that their work did not equip them with marketable job skills, even if it may have had some reparative benefit.

82 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*, Report No. 42 (April 2007); and *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009).

83 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 38.

84 Superintendent J Allen, *Boronia Pre-Release Centre for Women – OICS Briefing* (January 2012).

85 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 21.

- 4.48 Overall, while the number of residents approved to undertake Section 95 activities is high at Boronia, the program remains significantly under-utilised. This Office would expect to see residents leaving the centre in far greater numbers and for a wider variety of work and activities. Opportunities exist under Section 95 for Boronia's residents to attend medical appointments or counselling sessions, to take their children to swimming lessons, and more. Services such as these are freely available in the community. Given that such a significant proportion of the residents at Boronia have been deemed eligible to access such services under Section 95, they represent potentially beneficial reintegration services.
- 4.49 The Department's own policy directive on Section 95 activity programs stipulates the purpose of these programs as providing for the wellbeing and rehabilitation needs of prisoners.⁸⁶ The Office is strongly of the view that, as a pre-release centre for women, the primary responsibility of Boronia is to provide its residents with every opportunity to successfully reintegrate into their communities. This cannot be achieved solely from inside Boronia's fence.

Recommendation 10

Increase the use of section 95 of the Prisons Act 1981 to incorporate more meaningful activities for the women in respect of:

- (i) work;⁸⁷*
- (ii) recreation;⁸⁸*
- (iii) activities between mothers and children;⁸⁹*
- (iv) health services (including mental health);⁹⁰ and*
- (v) education.⁹¹*

86 DCS, *Policy Directive 53: Activity Programs* (March 2011).

87 See paras 4.33–4.38 for further discussion of work.

88 See paras 5.17–5.19 for further discussion of recreation.

89 See para 4.46.

90 See paras 5.39–5.49.

91 See para 4.22 and 4.46.

Chapter 5

DAILY LIFE AT BORONIA

ARRIVAL AT BORONIA: RECEPTION, ORIENTATION AND TRANSITION

- 5.1 As described in the first Boronia inspection report six years ago, the reception process for new arrivals constitutes a model of excellent practice.⁹² New arrivals are treated with decency and respect, given a tour of the site by peer support residents, and surveyed within two weeks to ensure that they have accessed the relevant services available to them. The same report also noted the good practice of presenting an orientation DVD.⁹³ However, this DVD has since become out-dated, and its usefulness is therefore limited.

Recommendation 11

Produce an up-to-date version of the orientation DVD.

- 5.2 While the reception and orientation processes in place at Boronia are positive, when women first arrive from Bandyup the period of their transition is often challenging. The first Boronia inspection report stated that many newly arrived residents had felt ‘exposed, vulnerable and quite frightened’ when they first arrived.⁹⁴ During the 2012 inspection of Boronia, team members found that the residents of Boronia reiterated the same concerns regarding their initial transfer from Bandyup.
- 5.3 Bandyup, Boronia’s feeder prison, is a maximum-security environment surrounded by razor wire, in which prisoners are under constant surveillance. The rules and expectations of appropriate behaviour are very different to those of Boronia. At Bandyup, prisoner behaviour is largely managed by the rules and procedures of the maximum-security environment, while at Boronia residents are expected to manage their own behaviour according to a model of personal responsibility.
- 5.4 This Office has consistently made the point that any orientation to Boronia should commence at Bandyup, prior to transfer. The same point has also been made in inspections of Bandyup:
A comprehensive orientation process should be implemented to adequately prepare women for life at Boronia. This orientation process should not be separate from the initial orientation the women receive on entering Bandyup. This process must include appropriate use of the Transition Unit.⁹⁵
- 5.5 When this recommendation was made in 2007, Bandyup had designated one of its self-care units as a ‘transition unit’ for women on the transfer list to Boronia. This was a good initiative that the Office supported. However, shortly afterwards, the Transition Unit reverted back to standard accommodation.
- 5.6 It is clear that there is a gap in the transition process between Bandyup and Boronia. The opportunity to bridge this gap is at Bandyup, before prisoners transfer to Boronia. At the very least, an updated version of the orientation DVD should be shown to prisoners at Bandyup awaiting transfer to Boronia. This could be complemented by staff and residents

92 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*, Report No. 42 (April 2007) 15–16.

93 Ibid, 16.

94 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*, Report No. 42 (April 2007) 16.

95 OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No. 36 (June 2006) Recommendation 28.

from Boronia attending Bandyup, to explain ‘life at Boronia’ to all minimum-security prisoners. Aboriginal women from Boronia would prove to be an invaluable resource in this area, as sharing their experiences may help promote Boronia to the Aboriginal women at Bandyup.

Recommendation 12

Reinvigorate the transition process from Bandyup to Boronia to ensure that all minimum-security prisoners at Bandyup are provided with opportunities to understand the potential benefits of Boronia, and in understanding its philosophy and requirements.

THE PRACTICALITIES OF DAILY LIFE

Boronia’s Supermarket and Canteen

- 5.7 Pre-inspection survey results indicated that the Boronia residents’ satisfaction with both the quality and quantity of food had increased from the already positive results of the previous inspection.⁹⁶ However, they rated the canteen’s lack of diversity and supply as the number one negative aspect of life at Boronia.
- 5.8 Because Boronia is a self-care facility, residents prepare their own meals in their shared houses. The supermarket and canteen, while nominally separate entities, are located in the same storeroom, with supermarket items reserved for household purchases, and canteen items for personal purchases. Each house has a communal budget from which to make their purchases.⁹⁷ The women are also permitted up to \$150 per week of ‘personal’ purchases, which are limited to canteen items only.⁹⁸ A number of residents also reported that the limitations on items permitted as ‘personal’ as opposed to ‘household’ purchases is complex, and causes disagreement within the houses.
- 5.9 All food purchases at the supermarket use the ‘traffic light’ colour coding system, which has been in place since the centre opened.⁹⁹ Following the 2007 inspection this Office recommended that the ‘traffic light’ system be reviewed.¹⁰⁰ The Department agreed, stating that they intended to ‘review the colour coding as a means of continuous improvement in the provision of services to women in custody’.¹⁰¹ However, the 2012 inspection found that this system is still in operation and is still causing considerable confusion amongst residents. Clearly, continuous improvement has not been achieved and a review remains necessary.

96 Seventy-nine per cent were happy with the quality of food available and 82% happy with the quantity. Both of these scores show an improvement on results from the previous survey of 2006, which were 79% and 74% respectively.

97 The amount of the household budget is dependent on the number of residents per house.

98 DCS, *Boronia Supermarket/Canteen Frequently Asked Questions* (23 January 2012). This system is further detailed in: OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*, Report No. 42 (April 2007) 18–20.

99 Under this system, all food items available in the supermarket and canteen are coloured green, orange or red, in keeping with Department of Health guidelines on nutrition and healthy eating standards.

100 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*, Report No. 42 (April 2007) Recommendation 5.

101 Ibid, 61.

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Items available in Boronia's canteen.



Eggs are an example of household purchase items, which are bought with household funds and divided amongst the residents of each house.

- 5.10 It is notable in this regard that Boronia's food purchasing system has been replicated at Bunbury's Pre-release Unit (PRU), where it operates well and without complaint. This may be attributable to the fact that the Bunbury PRU canteen is supported by two VSOs, one of whom assists and mentors the inmates with their purchases, in line with his role as a life skills officer.¹⁰² The addition of a similar position at Boronia could go some way towards the resolution of this issue.
- 5.11 A positive addition to the prisoner purchasing system at Boronia has been the introduction of a self-service kiosk in the library, which allows residents to check their personal gratuities balance, Centrelink payments and the canteen price list. The system is updated daily, and the residents are able to ascertain their funds without canteen staff being privy to their personal information. This system is highly regarded by the residents at Boronia, and represents a welcome addition to Boronia's services.
- Clothing**
- 5.12 Residents' responses to the pre-inspection survey revealed that only a quarter of residents were 'mostly happy' with the clothing available to them. Discussions with residents during the inspection confirmed a high level of dissatisfaction with clothing in regard to the sizes, quality and the quantity of clothes available to them.
- 5.13 Of particular note is the fact that all residents receive only one pair of shorts for the hot summer months. For those employed in the gardens, these had to suffice for their outdoor work, the gym, and after hours' activities. Mothers with young children on-site also reported that due to the inherently messy nature of child rearing, the amount of clothing received was far from adequate. Both of these cohorts reported that they were required to do daily washes, the flow-on effects of which, as regards water and electricity, are clearly incompatible with Boronia's efforts towards environmental sustainability.
- 5.14 Proposals are currently being considered to provide new clothing options for Boronia's residents. These include new outfits specifically for visits and appointments, new day-to-day clothing to be manufactured at Bandyup, and the gradual phasing out of the Boronia 'maroons'. This Office supports plans for new and updated clothing for Boronia residents, and furthermore encourages Boronia to increase the number of clothing items provided, in particular for those working in the gardens and caring for young children.
- 5.15 An additional issue relating to clothing is the lack of any identifying numbering or tagging to indicate ownership, resulting in the hoarding (and allegedly stealing) of clothes, possibly because of the perceived low quantity of items provided. Although lacking the equipment to implement a change at present, Boronia management indicated a willingness to revisit the notion of tagging clothing with some form of identification.

102 OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 75 (December 2011) 35.

Encouraging a Healthy Lifestyle: Recreation

- 5.16 Pre-inspection survey findings indicated that Boronia residents were less happy with their recreation options in 2012 than they were in 2009. These results are somewhat surprising given the surveys also returned a large number of comments concerning a positive experience with recreation activities, and the enthusiasm and good work of the recreation officer.



The central lawn area can be used for recreation purposes, including volleyball.

- 5.17 In 2009 this Office recommended that Boronia expand its use of Section 95 to enable greater community-based recreation options. The Department responded that this recommendation was supported in principle and was to be ‘continually reviewed in accordance with our continuous improvement philosophy’.¹⁰³ However, the walking program that existed at that time remains the only out-reach recreation option available today.¹⁰⁴
- 5.18 The present recreation officer began at Boronia in mid-2011, filling a role which had been vacant for seven months. This role is benefitting greatly from a fresh approach, with the current post holder identifying numerous opportunities to expand options available to residents, both inside and outside the centre. One suggestion for example, included utilising Section 95 to take women to an indoor rock climbing facility: an exercise that builds not only self-confidence, but also trust. The possible benefits to Boronia’s residents are clear, yet the success of such proposals will depend on departmental willingness and commitment to its philosophy of continuous improvement. Recommendation 10 (above) includes the expansion of recreation opportunities under Section 95 and will not be repeated here.

¹⁰³ OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 38.

¹⁰⁴ OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 25.

5.19 The effectiveness of the recreation officer is somewhat hampered by the position's working hours (Monday to Friday, therefore not present over weekends) during which time most of the women are occupied with other activities, including employment. The recreation officer works around this schedule where possible by adjusting her daily working hours to suit whichever activities are planned for the day (early morning walks, or afternoon sports), but the organisation and running of weekend activities is dependent on two recreation assistants who are residents in the centre. The inspection received feedback from residents that the range of activities provided over the weekends is currently insufficient, and for those who do not receive visits the weekends are reportedly long and dull.

Employment Opportunities

- 5.20 Employment options for the residents at Boronia are limited by the range of industries which can be accommodated at a facility of its size. The breakdown of employment at Boronia during the inspection included 27 working in the kitchen (35% of the population), 15 in the garden party (19%), six in the cleaning party (7%), eight on the Section 95 work team (10%), four on the maintenance team (5%), and four residents in individual or miscellaneous positions (5%).¹⁰⁵ The main on-site employment options therefore are limited to the kitchens, gardens and cleaning.
- 5.21 Although employment rates at Boronia are high, it can be seen that there is a limited range of employment options available, as well as a lack of meaningful work. The number of residents at Boronia has increased since the last inspection in 2009, yet as was noted in the previous chapter, the numbers of residents leaving the centre for work through Section 95 and PEP have remained at the same. These programs could both be expanded to include more meaningful work experiences to enhance residents' employability upon release.
- 5.22 Given Boronia's unique role and location, there is still untapped potential in terms of employment. It was deliberately located in the metropolitan area in order to permit access by women ... to locally available education and training institutions, traineeship and employment opportunities ... public transport and other amenities.¹⁰⁶
- 5.23 The full realisation of the centre's potential in this regard has not yet been reached. This Office therefore urges Boronia and the Department as a whole to continue to push for innovative employment options and to enhance both the accessibility and meaningfulness of work via Section 95 and PEP. Recommendations 9 and 10 (above) refer to the expansion of work opportunities under PEP and Section 95, and will therefore not be repeated here.

Maintaining Contact with Family and Friends

- 5.24 In 2011, residents were surveyed in relation to their satisfaction with family contact through various means, those being telephone (92% satisfied), mail (93% satisfied), and video link (30% satisfied). These findings are consistent with the 91 per cent of residents who expressed satisfaction with their family contact in 2009. Visits were surveyed separately, and 86 per cent of residents responded that they were happy with this method of contact, up from 71 per cent

¹⁰⁵ Positions omitted include six mothers (7%), five full-time students (6%) and three unemployed (3.8%). TOMS, *Boronia Pre-Release Centre: Current Gratuity Rates Ordered by Job* (24 January 2012).

¹⁰⁶ Salomone J, *Towards Best Practice in Women's Corrections: The Western Australian Low Security Prison for Women* (Western Australia: Department of Justice, 2004) 7.

in 2006. Similarly, visits were reported as one of the top three aspects of Boronia. In spite of this, however, the closure of the café in the visits area ranked as one of the top three most negative aspects of life at Boronia.

- 5.25 Previously, visits had been greatly enhanced by the inclusion of the café which provided food prepared by the on-site catering employees, available for purchase by visitors through a card purchasing system. However, due to the failure of the equipment and inability to obtain spare parts, visits at Boronia have operated without the café for approximately 12 months. During this time, visitors have not been permitted to purchase food to bring to visits requiring residents to purchase items from the canteen from a restricted list of security approved ‘sealed’ items. This requirement excludes many healthy options (including fruit), prompting complaints from many residents, who would prefer to be able to purchase healthier options for their visiting children.
- 5.26 Despite assurances that a new café payment system will be up and running soon (as of the January 2012 inspection) it is disappointing that the visits centre will have been without an adequate replacement system for 12 months, tarnishing what was one of the highlights of Boronia at the previous inspections.¹⁰⁷
- 5.27 While visits at Boronia nonetheless remain one of its most positive features, the centre’s population also includes out of country Aboriginal women, foreign nationals and women with family overseas.¹⁰⁸ These women are isolated from their social and family networks, and are far less likely to receive visitors. However, the inspection found that while the centre’s video link facility was used for court visits, inter-prison link ups, it had been used at least once for a social visit between a mother and her children.
- 5.28 The use of the software application Skype is proving to be a valuable tool in the maintenance of family and social links at other prisons around the state. Indeed, this Office has commended Acacia Prison on its innovative use of Skype, and recommended that this and other such initiatives be transferred across to the state system.¹⁰⁹ Hakea, Albany and a number of other prisons now use such systems. For example, Albany Regional Prison which, like Boronia, has a significant population of foreign national prisoners, has enabled video visits by use of two ‘Skype booths’, complemented by the provision of international time clocks. Facilities such as these represent good practice which should be replicated at Boronia. They should be available not only to people who are a long way from home but for all residents.

Recommendation 13

Introduce facilities to enable the use of Skype at Boronia in order to enhance family and social contacts and in line with the centre’s philosophy of family engagement.

¹⁰⁷ During the writing of this Report, the Office was advised that the Boronia Café would re-open for visits from 14 April 2012 onwards.

¹⁰⁸ For example on 13 January 2012, Boronia’s residents included three out of country Aboriginal women, eight Vietnamese, four Chinese/Malay, two Romanian, one Italian, and one Maori. Six residents were due to be deported upon release, with a further three liable for deportation: Superintendent J Allen, *Boronia Pre-Release Centre for Women – OICS Briefing* (January 2012).

¹⁰⁹ OICS, *Report of an Announced Inspection of Acacia Prison*, Report No. 71 (March 2011) Recommendation 2.

Mothers and Children

- 5.29 Boronia was designed to model a women-centred approach to imprisonment in Western Australia. Provision for the role of women as mothers is central to this philosophy, and as a result, Boronia has a well-developed suite of services available to cater to this particular group of residents.
- 5.30 Boronia has the capacity to accommodate six children up to the age of four to reside on-site with their mother or principal carer, with an additional overflow capacity for emergencies. Overnight stays and extended visits are also available for children up to the age of 12. At the time of the 2012 inspection, Boronia had six children residing on-site with their mothers.



Boronia's women centred approach allows children up to the age of four to reside with their mothers.

- 5.31 The Pine Tree Tots program focuses on assisting mothers to provide a stable and nurturing home environment, and provides links to early years' services in their local communities.¹¹⁰ Sessions take place weekly and are compulsory for all mothers who wish to have children residing with them on-site.
- 5.32 Since the 2009 inspection, the Pine Tree Tots program has become a fully contracted service. Until recently, this program had been running at Boronia through the provision of external grant funding secured by local management. In early 2010, however, the Department incorporated this program as part of its suite of contracted service providers and it has been able to continue at Boronia as a result of this secured funding. This is a welcome improvement and one that was encouraged in the previous inspection report.¹¹¹

110 DCS provided document, *The Aims of the Pine Tree Tots Program* (undated).

111 OICCS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 12.

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- 5.33 All women who have children either residing with them, or approved for overnight or extended stays, are required to attend Child Care Review Conferences with staff representatives from relevant areas. Furthermore, all children are required to have a Care Plan in place, which is regularly reviewed. These support structures are described at length in the report of the previous inspection,¹¹² and inspection team members observed them to be thorough and efficient during the most recent inspection.
- 5.34 Although there are good processes in place for mothers with children in residence at Boronia, during the inspection the Office received considerable negative feedback about the delivery of services to this group. This included a lack of responsiveness to requests made in relation to children's needs and a general lack of engagement and support. In particular, requests for children's items, including new shoes and clothing for growing toddlers, the timely provision of nappies and formula, and responses to requests for Christmas gifts, were perceived as resulting in lengthy and often inadequate response times. It is an occupational health and safety requirement of Boronia that children outdoors and attending day care must wear shoes; therefore, delays in the provision of new shoes can impact on a child's freedom of movement. For a facility modelled on women-centred practice, the provision of services to young children and babies cannot be overlooked. This Office is therefore of the view that Boronia must ensure children's needs are responded to, via their mothers, as soon as possible and that shortfalls in this area of service delivery are addressed.

Recommendation 14

Ensure that resident children's needs are met in a timely manner by the introduction of monitored deadlines for responses to requests from mothers relating to their children's needs.

HEALTH: AN OVERVIEW OF SERVICES

- 5.35 Boronia's health centre is modern, purpose-built and well equipped. There are sufficient and appropriately skilled staff and overall a comprehensive health service is provided. During the on-site phase of the inspection Boronia's residents expressed satisfaction with their access to, and the quality of, general health services.
- 5.36 A new health service management structure was introduced in September 2011 and is still in the process of development. The Nurse Manager at Bandyup health centre now provides the administrative oversight and human resource management of Boronia's health centre. This new structure and stability has, however, exposed a lack of clarity in the role and responsibilities of the Senior Medical Receptionist (SMR), with the post holder undertaking tasks beyond the scope of their role. At the time of the inspection nursing management and the SMR were working together to ensure that the position is adequately protected and that the limits of the SMR's role and responsibilities are clearly defined.

¹¹² Ibid, 31–32.

- 5.37 At the time of the inspection there were no Aboriginal health staff at Boronia. However, the Council of Australian Governments (COAG) funded position of Aboriginal Liaison Officer had been filled, and the appointee was due to commence imminently.¹¹³ The post-holder will be based at Boronia two days a week, and will work with prisoners to ensure a continuity of health care upon their release. This position represents a welcome addition to the health centre, and may go some way to enhancing Boronia's appeal to those eligible women at Bandyup who are reluctant to transition to Boronia.
- 5.38 At the time of the last inspection, the visiting General Practitioner (GP) service had been cut from six to three hours a week. These hours have subsequently been reinstated, and increased to seven hours a week over two sessions. This would appear to be consistent with an increase in GP service provision noted at other prisons during recent inspections.¹¹⁴

Specialist Medical, Allied Health, Dental Services and External Appointments

- 5.39 External services are provided on an in-reach and out-reach basis, and include dentistry, physiotherapy, and other specialists as needed. The attendance of Boronia's residents at external specialist health appointments has generally been facilitated by officers, who drive the residents in the centre's vehicles, as opposed to the prisoner transport contractor. This system is common to the minimum-security prisons, and residents appreciate this more comfortable and normalised arrangement.
- 5.40 Pre-inspection surveys indicated that satisfaction with access to medical specialists and dental care had fallen significantly since 2009.¹¹⁵ Furthermore, medical appointments were rated as second of the three most negative things about Boronia. One possible reason for this dissatisfaction is that previously the GP had referred residents to private clinics, but such referrals are now being made to Health Department of Western Australia (HDWA) clinics where waiting lists are invariably longer.
- 5.41 Data provided to the Office prior to inspection indicated that of 81 appointments cancelled in the 12 months prior to September 2011, 30 were cancelled by Boronia. Further investigation revealed that the length of time required for an appointment is often underestimated, and that the transporting officer's time is sometimes overbooked leading to cancellation of appointments.
- 5.42 Residents' satisfaction with access to dental care has also reduced since 2009. This deterioration in satisfaction has been common to almost every inspection conducted by this Office during the last two years. Nonetheless, Boronia residents enjoy a relatively good service compared with their counterparts in other parts of the estate. One session a week is reserved for Boronia residents at the local HDWA dental clinic. However, staff reported that demand always exceeds supply and decisions regarding a resident's priority have to be made. Although residents can access emergency dental care when necessary, the HDWA resources allocated are insufficient to provide any more than an acute care service.

¹¹³ Four years of COAG funding has been allocated to this initiative. However, complex bureaucratic processes have delayed the commencement of this scheme in the state's prisons, including Boronia for over two years.

¹¹⁴ As noted during this Office's recent inspections of Albany Regional Prison and Bunbury Regional Prison. See OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 75 (December 2011); and *Report of an Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012).

¹¹⁵ In 2009, 65% of respondents were happy with their access to medical specialists as compared with 38% in 2011. Similarly, 55% of respondents were happy with their access to dental care in 2009, compared with 40% in 2011.

- 5.43 An additional issue regarding allied health services concerned the visiting optometry service. The inspection team found that an optometrist visits the centre, but only when there is a critical mass of women to warrant attendance. There seems to be no clear reason why the residents cannot visit this, or another, optometrist in the community in the same way that they attend other allied health appointments. The Office suggests that Boronia should facilitate such an arrangement. As envisaged in Recommendation 10 (above), this can be achieved through a wider use of Section 95.

No Place for the Mentally Unwell?

- 5.44 As discussed in Chapter Two, once a woman has been deemed eligible for Boronia in terms of security classification processes, a further assessment of each individual's suitability occurs. Boronia's management explained that this involves consideration of the mental and physical health status and needs of potential residents, to determine whether these can be met at the centre. Women with complex physical disabilities are excluded, as are those who have psychiatric conditions which are or may become unstable. Boronia management defends this preclusion on the basis that the centre lacks 24-hour nursing coverage, dedicated mental health nursing staff and the Prison Counselling Service (PCS).
- 5.45 The prevalence of mental health issues among female prisoners is well documented, not least by the Department's own research into female offenders.¹¹⁶ At this Office's inspection of Bandyup in 2011, 59 prisoners (25% of the population) were diagnosed with a mental disorder, 33 of whom were suffering from a major mental illness.¹¹⁷
- 5.46 By comparison, in the week following this inspection of Boronia only nine residents (11%) were diagnosed with a mental disorder.¹¹⁸ Managing mental illness in the community is extremely challenging, and all too often sufferers are marginalised and isolated. Arguably, therefore, the re-entry needs of those women with mental illness are greater than those without such a diagnosis. Yet it appears that this very diagnosis may often preclude them from transitioning to Boronia, and from the opportunity to properly prepare for reintegration in the community.
- 5.47 As was discussed in Chapter Two, rates of mental illness are also higher among Aboriginal women.¹¹⁹ This means that exclusion on the grounds of mental health will exclude greater numbers of Aboriginal women than non-Aboriginal women. As argued earlier, exclusion from Boronia on the grounds of mental health status may well constitute discrimination under the *Equal Opportunity Act 1984*.¹²⁰
- 5.48 This Office is obviously aware that the Department has limited and finite resources for the provision of health services, and that it must therefore target the areas of greatest need. Findings from the 2011 inspection of Bandyup revealed that the mental health needs of the women imprisoned there were barely being met. It would therefore be unacceptable to divert resources from Bandyup to Boronia.

116 DCS, *Profile of Women in Prison 2008* (2009).

117 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011) 89.

118 Total Offender Management Solution (TOMS) *Report of Medical Status – Facility* (03/02/2012).

119 DCS, *Profile of Women in Prison 2008* (2009).

120 *Equal Opportunity Act 1984* (WA) s 66A(1).

5.49 However, given the re-entry role of Boronia, as well as the repeated feedback from the residents during the inspection about their need for a counselling service, this Office expects that management should be proactively establishing links with mental health support and counselling services in the community (as it has with child health, optometry and dental services). Not only would such a solution prevent the unnecessary return of women to Bandyup for reasons of mental illness, but also permit access to Boronia for those with a far greater need for re-entry services than are presently able to access them. Such a move would remove the discriminatory aspect of the so-called ‘suitability’ assessment, by granting access to Boronia’s unique services for those who are currently among the most vulnerable and disadvantaged of the state’s prisoners. A recommendation was made in Chapter Two with respect to mental health. That will not be repeated here but the importance of action on this critical issue is all too obvious.

SUPPORT SERVICES

Aboriginal Visitors Scheme

- 5.50 In 2009, the Aboriginal Visitors Scheme (AVS) was not well engaged with residents at Boronia, given that they were attending the centre for only two hours per fortnight.¹²¹ This prevented the establishment of any meaningful relationships between residents and the visitors. The 2012 inspection found that the AVS had doubled their visits, now visiting Boronia for two hours per week.
- 5.51 Nonetheless, the inspection found that AVS visitors were not permitted to enter into the residents’ houses, and were therefore required to meet with women either in Boronia’s grounds, library or visits centre. While the AVS are permitted to enter the women’s houses in the self-care facilities at Bandyup, local regulations at Boronia do not permit this to occur.¹²² This is an unsatisfactory arrangement, as an effective relationship between residents and the AVS may require the discussion of personal and/or sensitive matters and expecting residents to have such conversations in public areas is inappropriate.
- 5.52 According to Boronia’s management, this regulation reflects the fact that the residential houses are shared, and that visitors are not permitted inside because of respect for other members of the household. The Office is of the opinion, however, that this regulation denies residents the opportunity to negotiate within the home, and to reach an agreement among themselves. These sorts of opportunities are in line with Boronia’s operating philosophy which encourages personal responsibility. The imposition of regulations counter to this philosophy reflects a paternalistic approach inconsistent with the ethos of Boronia. Bandyup’s practices are preferable as being less paternalistic and more in keeping with the ‘real world’.

121 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 18–19.

122 Boronia Pre-release Centre for Women, *Local Order 17*, [4.3]: ‘No visits are to be conducted inside a prisoner’s residential house’.

Religious Needs and Diversity

- 5.53 Religious needs at Boronia are facilitated by the Anglican Head Chaplain, who visits the centre twice weekly. Other denominations that visit Boronia include a Catholic nun, an Anglican deacon, Prison Fellowship, and a Buddhist nun. The contract between the Anglican Church and DCS notably stipulates that all religious visitors must be female.
- 5.54 Religious representatives are subject to the same restrictions on visiting residents in their homes as described for the AVS in the section prior. As discussed above, the Office finds this to be contradictory to Boronia's stated goal of preparing women for release, which encourages personal responsibility, respect and accountability. As such, the justification offered by Boronia's management in this matter is unacceptable.

Recommendation 15

In line with the centre's philosophy of personal responsibility, allow Aboriginal Visitor Scheme visitors and religious representatives to have access to residents' houses at the discretion of the residents.

- 5.55 A Buddhist nun has been attending Boronia in response to the increasing numbers of Vietnamese residents; however, the Office was disappointed to find that the nun does not speak Vietnamese. Due to the limited English language capabilities of these residents her visits are somewhat ineffective. This issue has been raised on numerous occasions by the Vietnamese residents, yet no appropriate replacement has been found. This group are already isolated from some of the benefits available at Boronia, such as programs and counselling. The flow-on effects of this on their prospects for rehabilitation, along with access to parole, are significant. The further lack of access to religious counsel represents an additional factor in their isolation.
- 5.56 Earlier in this Report, the recommendation was made that Boronia connect with Aboriginal agencies in order to facilitate cultural awareness and growth for that section of its population. There are at least three separate Vietnamese Buddhist Associations in the Perth metropolitan area. This Office therefore urges Boronia to approach and engage local Vietnamese Buddhist community representatives, and facilitate visits from a Vietnamese-speaking Buddhist representative, in order to better engage with this element of its community.

Communicating with a Diverse Population

- 5.57 Western Australia is the most culturally diverse state in Australia, and the state's prison population reflects this.¹²³ At the time of the 2012 inspection, Boronia had a significant population of residents for whom English was not a first language, and not all of them were foreign nationals. The largest cohort from this culturally and linguistically diverse (CALD) group of residents included eight women (10% of Boronia's population) who spoke Vietnamese as their first language.

¹²³ Government of Western Australia, *Western Australian Language Services Policy* (2008) 1.

- 5.58 Boronia utilises the Translating and Interpreting Service (TIS) in a face-to-face capacity for a six-weekly meeting for Vietnamese residents, and telephone interpretation is used for medical appointments. For many situations, including orientation, the prison has relied on one bilingual resident to provide interpreting services, hold a position on the peer support team, and provide orientation tours for newly arrived Vietnamese speakers. While in some respects this is good practice, over-reliance on this form of interpretation is unacceptable.
- 5.59 *The Western Australian Language Services Policy 2008* (WALSP) establishes minimum standards for the use of interpreting and translating services, as well as establishing requirements for the ‘minimisation and management of legal risks to the State of Western Australia, its agencies and instrumentalities’.¹²⁴ The policy states that appropriately qualified interpreters and/or translators are necessary for communication of essential information, for the protection of rights, health, and safety, including informing prisoners of their legal rights and obligations, situations requiring informed consent, situations involving legally binding contracts or agreements with the state, and situations involving the communication of essential information for full participation in decisions or proceedings relating to a prisoner’s rights, health and safety.¹²⁵
- 5.60 Departmental over-reliance on the use of prisoners as interpreters contravenes the WALSP minimum standards which allow for non-professional interpreting only in ‘exceptional circumstances’.¹²⁶ This Office has made numerous recommendations in the past regarding the development and introduction of policy regarding the treatment of foreign national prisoners, some of which relate to language and translation services.¹²⁷ Increasingly, too, many prisoners at Boronia and elsewhere require language assistance even though they are Australian citizens. It is incumbent on the Department therefore, to ensure that processes are in place to meet the state’s minimum standards for language services within prisons.

Recommendation 16

Ensure, across the whole Department, that the standards for interpreting and translating services set out in the Western Australian Language Services Policy 2008 are fully met.

124 Ibid, 15.

125 Ibid, Standard 2.1.

126 Ibid, Standard 2.3.

127 OICS, *Report of an Announced Inspection of Hakea Prison*, Report No. 63 (April 2010); OICS, *Report of An Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012).

Chapter 6

FINDING A PATH FORWARD

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- 6.1 Boronia has certainly achieved a great deal in its seven and a half years of operation, overcoming concerns from the public and local community, and setting a new standard for female imprisonment in Western Australia. Yet inspection findings indicate that Boronia it is not yet meeting its full potential.
 - 6.2 Boronia continues to offer many good practices and opportunities for its residents. The centre embodies a united sense of purpose, staff/resident relations are generally very positive, and the residents feel safe. However, with successful institutions like Boronia, there is a risk that complacency may hinder continuous improvement, and the drive for new achievements. This risk was well recognised in an early Department of Justice paper regarding the then unnamed low-security women's prison which warned of factors that may erode reforms over time and to the need for consistent ongoing application of a progressive philosophy and staffing regime in order to ensure continuing improvements to women's prison management.¹²⁸
 - 6.3 Departmental comments such as 'accommodation, services, innovation and commitment to services for women prisoners doesn't get any better than Boronia'¹²⁹ suggest that all goals have been met. That is not a view that this Office shares and is one which is of great concern.
 - 6.4 It was disappointing and very troubling that this inspection found little to no progress against past recommendations. Indeed, in some instances the situation had deteriorated. The most obvious example relates to the low number of Aboriginal women at Boronia. Adding to our concerns, the Department provided absolutely no evidence to suggest that it had identified the issue, of any research to understand why this had happened, or of the examination of potential solutions.
 - 6.5 This is despite the fact that three years ago our recommendations had been supported by the Department and were proclaimed to be under active implementation.¹³⁰ As has been discussed throughout this Report, the introduction and advancement of new initiatives at Boronia appears to have all but halted.
 - 6.6 Boronia's operations are based around four guiding principles:¹³¹
 - personal responsibility and empowerment;
 - family responsibility;
 - community responsibility; and
 - respect and integrity.

128 Salomone J, *Towards Best Practice in Women's Corrections: The Western Australian Low Security Prison for Women* (Western Australia: Department of Justice, 2004) 8.

129 DCS letter to the Office of the Inspector of Custodial Services.

130 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) Recommendation 1, 37.

131 Salomone J, *Towards Best Practice in Women's Corrections: The Western Australian Low Security Prison for Women* (Western Australia: Department of Justice, 2004).



Boronia's grounds contribute to its unique atmosphere.

- 6.7 However, this inspection found areas of Boronia's operations which actively limit residents' ability to take on personal responsibility. One example – discussed in Chapter Five of this Report – is the fact that the AVS and religious representatives are not permitted to enter residents' houses. Such actions remove a valuable opportunity for Boronia's residents to negotiate and settle such issues among themselves. A proposed means of developing the resident's social and economic responsibility was discussed in Chapter Three regarding the introduction of energy saving incentives.¹³²
- 6.8 The Office understands the need for a protective, nurturing environment. But there is a risk that blanket protective policies and practices may actually undermine personal responsibility. Crucially, personal responsibility and empowerment must include the ability to disagree, to negotiate and to learn from mistakes.
- 6.9 Regulations which deny women these options reflect a paternalistic approach which is inconsistent with Boronia's stated goal of preparing women for release by encouraging personal responsibility, respect and accountability. In order to adequately embody its philosophy through operational practice, Boronia should reconsider those regulations and procedures which work against such personal development.

¹³² See para 3.23.

Recommendation 17

Boronia must re-evaluate any current operating procedures which counteract its philosophy of personal responsibility and accountability.

- 6.10 Another area where Boronia has consistently underperformed is in the use of Section 95. Since the first inspection report of Boronia in 2006, this Office has repeatedly recommended that, in line with its role as a minimum-security pre-release centre, Boronia should expand its use of Section 95.¹³³ Despite the Department's response to the 2009 recommendation to this effect, that the use of Section 95 will be 'continually reviewed in accordance with our continuous improvement philosophy',¹³⁴ almost six years have now passed without improvement.
- 6.11 This inspection has identified numerous areas which could be improved by way of increased access to Section 95. These include:
- **Mothers with children:** mothers are automatically eligible for Section 95, yet only use it for day care and medical visits when they could be taking children to swimming lessons, parks and library story groups.
 - **Employment:** expanded work options and opportunities for more meaningful employment.
 - **Recreation:** access to a range of community-based options to enhance self-confidence, respect and accountability.
 - **Specialist medical services:** already used for dental services, could be expanded to address shortfalls in other service areas including optometry.
 - **Mental health services:** access to community-based mental health services would eliminate discriminatory access requirements to Boronia for those with mental health issues, among whom Aboriginal women are overrepresented.
- 6.12 It is also disappointing that after seven years of operation there is no hard evidence of Boronia's success in making a positive difference on release. The need for such data was pointed out in the first Boronia inspection report, with the then Inspector stating that:¹³⁵
- Parliament and the public are entitled to know what impact this new approach is making upon re-offending rates and ideally upon other indicators of social disadvantage. Whilst Boronia Prison management attempt in an anecdotal and ad hoc way to keep track upon women who are released from there, still no systematic data exist that would enable a robust evaluation to be made. It is now time to put some such evaluative tool in place.

133 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre*, Report No. 42 (April 2007) 67–68.

134 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009) 38.

135 OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre*, Report No. 42 (April 2007) viii.

6.13 At the exit debrief of the 2012 inspection, the Inspector commented that too many of Boronia's claims for success still hinge on anecdote, intuition and positive sentiment. This makes it difficult for the Office – and therefore the government, Parliament and the community – to know whether Boronia actually 'works'. There is an urgent need for a methodologically robust independent evaluation of Boronia's post-release outcomes. Any such study should compare Boronia with other prisons. Because Boronia houses a highly select group of prisoners, the study must also be based on comparing prisoners with like backgrounds and similar risk profiles, not just a comparison of bare numbers.

Recommendation 18

Commission and publish a methodologically robust independent evaluation of Boronia's post-release outcomes, including a comparison with other male and female prisons.

- 6.14 At the completion of the onsite phase of the 2012 inspection, the Inspector posed the following five strategic challenges to both the Department and Boronia:¹³⁶
- Increase the number of Aboriginal and other high needs women at Boronia.
 - Increase the use of Section 95 and PEP.
 - Commission a methodologically robust independent evaluation of Boronia's post-release outcomes, including comparisons with the results achieved from other prisons.
 - Ensure that:
 - Boronia does not remain static but innovates and continues to 'push boundaries'.
 - Management capability is increased through leadership development, experience at other prisons, and through staff from elsewhere experiencing and contributing to Boronia.
 - Reduce the extent to which Boronia is 'one of a kind' through system-wide application of principles and practices which can be shown to 'work' at Boronia and which are transferable.
- 6.15 It is hoped that the findings and recommendations of this inspection Report will provide the opportunity and momentum for Boronia to continue to be a progressive and innovative leader in the field of women's prison management, to reflect on how it can achieve more, and drive forward to its next phase.

¹³⁶ Neil Morgan, Inspector of Custodial Services, *Boronia Pre-Release Centre for Women: 2012 Inspection Debrief* (25 January 2012).

Appendix 1

THE DEPARTMENT'S RESPONSE TO THE 2012 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
<p>1. Ensure that more Aboriginal women have access to Boronia's re-entry services. Initiatives should include:</p> <ul style="list-style-type: none">(i) identifying ways to enhance the centre's appeal to Aboriginal women incarcerated elsewhere in the prison estate; and(ii) ensuring that more of the Aboriginal women who are classified minimum-security can progress to placement at Boronia.	<p>Supported</p> <p>Boronia will identify and implement ways to enhance the appeal of Boronia Pre-release Centre for Women to Aboriginal prisoners. It is intended that the content and presentation of information about Boronia will be reviewed and updated in conjunction with an Aboriginal advisory group to make it more appealing to Aboriginal women throughout the prison estate.</p> <p>The Department will review the placement of Aboriginal women classified as minimum-security. No women have been refused transfer to Boronia based on their Aboriginality. Their placement can not be guaranteed and will be managed according to the level of risk posed with each case being assessed individually.</p>
<p>2. Change the current practice of excluding prisoners from Boronia on the grounds of mental health needs by sourcing and establishing a comprehensive network of community-based mental health and counselling services under section 95 of the Prisons Act.</p>	<p>Not Supported</p> <p>This Recommendation is not supported as prisoners at Boronia Pre-release Centre, can and do receive mental health care from the Department's co-morbidity team as and when required. Patients may be refused transfer to Boronia on mental health grounds if they are clinically unstable or if their risk is considered too great.</p>
<p>3. Improve levels of engagement with Aboriginal institutions and agencies, to implement in-reach and out-reach programs and activities, and to raise the profile and recognition of Aboriginal culture at Boronia.</p>	<p>Supported in Principle</p> <p>Boronia Pre-release Centre for Women currently works with many external agencies for in-reach and out-reach programs and activities. This collaborative partnering approach will continue. A range of strategies have been implemented and will continue to be pursued to raise the profile and recognition of Aboriginal culture at Boronia.</p>

THE DEPARTMENT'S RESPONSE TO THE 2012 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
4. Increase management capacity and experience through leadership development, experience at other prisons and the rotation of staff into and out of other prisons, in order to bring about more questioning and innovative approaches to current operational practices.	<p>Supported – Existing Departmental Initiative Boronia Pre-release Centre for Women complies with all Departmental HR policies and practices. Vacancies longer than three weeks at the prison are widely advertised through the WA prison system and selection is competency based and in consideration of developmental opportunities for staff.</p> <p>DCS currently provides management training to Superintendents and their management teams. The Department is evaluating a state-wide approach to shorter term secondment opportunities.</p>
5. Ensure that the centre is sufficiently staffed at all times.	<p>Supported in Principle Obviously the Department endeavours to sufficiently staff the Centre at all times and currently has a full complement of staff.¹³⁷</p>
6. Conduct an analysis of gender patterns on staffing rosters at Boronia to ensure that there are sufficient female staff on each roster, and recruit and administer the rosters accordingly.	<p>Not Supported Use of Departmental time and resources to undertake an analysis of gender patterns on staffing rosters at Boronia is not seen as being viable. Industrial conditions of the current WAPOU Award provides an entitlement for all officers to request a shift swap which can not be refused on the grounds of gender. Staff are selected on merit and ability to do the job.¹³⁸</p>
7. Develop and implement compliance standards across the Department which better reflect the specific offender profiles, roles and activities of the various prisons.	<p>Noted The Department has a well developed set of standards and compliance framework that has been in operation for approximately five years. Over that time they have been continuously reviewed and will continue to be reviewed in the future to ensure they remain contemporary.</p>

¹³⁷ This response does not acknowledge the concerns of staff or the findings of the Department's own staffing review which concluded that, at times, Boronia is insufficiently staffed.

¹³⁸ The Department's response means there will be occasions on which the requirements of Policy Directive 26 in relation to the searching of female prisoners will not be able to be complied with.

THE DEPARTMENT'S RESPONSE TO THE 2012 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
8. Work to ensure that prisoners continue to be able to access the level of services from State Training Providers that they had previously received, and that the total number of allocated hours is increased in line with the increasing prison population.	<p>Supported in Principle</p> <p>The Department of Training and Workforce Development funds external studies program, which are not available to prisoners and has capped the allocation of training hours to the Department.¹³⁹</p>
9. Expand the use of the Prisoner Employment Program (PEP) at Boronia by ensuring:	<p>Supported</p> <p>The Department is currently reviewing Policy Directive 68 (Prisoner Employment Program) and flexibility based on risk will be a consideration of that review. Boronia managers and staff will continue to support Prisoner Employment Program (PEP) activities within the scope of PD 68, and active promotion will be encouraged.</p>
10. Increase the use of section 95 of the Prisons Act to incorporate more meaningful activities for the women in relation to five areas:	<p>Supported in Principle</p> <p>As outlined in Recommendation 9, the Department is currently reviewing Policy Directive 68 (Prisoner Employment Program). It is intended that the scope of activities available under Section 95 of the Prisons Act will be considered as part of this review. Risk assessment of participating prisoners and appropriateness of activities will continue to be key factors of consideration for Section 95 activities.</p>
(i) work; (ii) recreation; (iii) activities between mothers and children; (iv) health services (including mental health); and (v) education.	
11. Produce an up to date version of the orientation DVD.	<p>Supported</p> <p>The Department will update the orientation process, including assessment of the most appropriate communication tools.</p>

¹³⁹ This is not a response but a restatement of what is contained in the report. The Office has subsequently followed up this matter with the Department who now appear to be taking a more proactive approach.

THE DEPARTMENT'S RESPONSE TO THE 2012 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
12. Reinvigorate the transition process from Bandyup to Boronia to ensure that all minimum-security prisoners at Bandyup are provided with opportunities to understand the potential benefits of Boronia, and in understanding its philosophy and requirements.	<p>Supported</p> <p>Boronia Pre-release Centre for Women has identified a range of strategies to reinvigorate the transition process of prisoners from Bandyup Women's Prison to Boronia. These include:</p> <ul style="list-style-type: none"> • Production of communication material that describes the daily life at Boronia for distribution to suitable Bandyup prisoners. • Bandyup assessment staff will visit Boronia to increase familiarity with the daily life of prisoners at the Centre, to assist staff in answering questions from prisoners.
13. Introduce facilities to enable the use of Skype at Boronia in order to enhance family and social contacts and in line with the centre's philosophy of family engagement.	<p>Supported</p> <p>Boronia Pre-release Centre for Women has identified a location where Skype can be provided. DCS is currently undertaking a feasibility study of implementing Skype at Boronia.¹⁴⁰</p>
14. Ensure that resident children's needs are met in a timely manner, by the introduction of monitored deadlines for responses to requests from mothers relating to their children's needs.	<p>Not Supported</p> <p>The Department considers that adequate systems are currently in place to ensure that resident children's needs are met in a timely manner. If a mother feels responses are not being met in a timely manner, and these impact upon her capacity to parent, several systems of complaint are already in place (e.g. Access, Ombudsman, EEO) which will provide an independent review of the complaint. The fundamental role of this facility is that of a prison.¹⁴¹</p>
15. In line with the centre's philosophy of personal responsibility, allow Aboriginal Visitor Scheme visitors and religious representatives to have access to residents' houses at the discretion of the residents.	<p>Not Supported</p> <p>There are identified locations within this facility suitable for this purpose.</p>

¹⁴⁰ Given the successful use of Skype at other prisons it is not clear why a feasibility study is required before this recommendation is implemented.

¹⁴¹ This is a disappointing response. Many concerns were raised with the inspection team and there appeared to be opportunities for improved internal processes which would preclude the need to resort to agencies such as the Ombudsman.

THE DEPARTMENT'S RESPONSE TO THE 2012 RECOMMENDATIONS

Recommendation	Acceptance Level/Response
16. Ensure, across the whole Department, that the standards for interpreting and translating services set out in the <i>Western Australian Language Services Policy 2008</i> are fully met.	Supported – Existing Departmental Initiative The review has been carried out and the recommendations will be progressed through CET.
17. Boronia must re-evaluate any current operating procedures which counteract its philosophy of personal responsibility and accountability.	Not Supported Boronia's philosophy on how Personal Responsibility plays out within the parameters and constraints of a multiple occupancy housing setting within a custodial facility is clearly defined and must be considered and balanced with other points of the guiding philosophy.
18. Commission and publish a methodologically robust independent evaluation of Boronia's post-release outcomes, including a comparison with other male and female prisons.	Supported The Department considers it timely, subject to funding, to commission an independent review of the outcomes of Boronia Pre-release Centre for Women.

Appendix 2

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2009 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration	Assessment of the Department's Implementations			
		Poor	Less than acceptable	Acceptable	More than acceptable
	Report No. 62, <i>Report of an Announced Inspection of Boronia Pre-release Centre (November 2009)</i>				
1.	Care and Wellbeing/Already a key focus Across the whole of the women's estate, the Department must provide accommodation, services, and programs to Aboriginal women that cater to their identified and specific needs, customs, values and beliefs, and which eliminate the structural disadvantages they currently experience. Measurable outcomes, targets and timeframes should be established and monitored.	•			
2.	Rehabilitation/Ongoing The Department must resource and ensure the ongoing delivery of a discrete suite of quality endorsed group treatment programs that address family violence and related issues from a female – and especially an Aboriginal female – perspective.		• ¹⁴²		
3.	Administration and Accountability/Ongoing Across the whole custodial system, the Department must develop a complaints process that is integral to its overall customer feedback system, and which is open, transparent, well used and effective in eliciting constructive feedback and expressions of satisfaction and dissatisfaction, and bringing about positive change and quality improvement. Given its stability and role, Boronia may be one of a number of sites at which to test new processes.			• ¹⁴³	

¹⁴² The Department completed a review of ACCESS in April 2011. However as this inspection took place in January 2012, insufficient time had passed to adequately assess its effectiveness.

¹⁴³ While it is pleasing to note that domestic violence programs are included as part of the service provided by Ruah as a contracted re-entry provider, the Office is nonetheless concerned that whilst addressed in part, this recommendation has not been wholly progressed regarding the incorporation of a specifically Aboriginal perspective.

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE
2009 RECOMMENDATIONS

Recommendation No.	Recommendations By Type of Recommendation/Duration	Assessment of the Department's Implementations			
		Poor	Less than acceptable	Acceptable	More than acceptable
	Report No. 62, <i>Report of an Announced Inspection of Boronia Pre-release Centre (November 2009)</i>				
4.	Reparation/Ongoing Boronia must expand the use of (i) Section 95 for more community-based education/study, recreation, reparation, and diverse work opportunities; and (ii) the Prisoner Employment Program (PEP). The Department must maintain its unequivocal commitment to the use of Section 95 for education/training, employment and recreation opportunities.	•			
5.	Care and Wellbeing/Three Years The Department must ensure the provision of support, and the human, physical and financial resources necessary to fully operationalise the stated intentions of the <i>Strategic Directions Health Care for Women and Girls 2008–2012</i> at Boronia and in other parts of the female custodial estate.	N/A 144			

144 In the years following the 2009 inspection of Boronia, significant changes have been made at the directorate level in departmental health services. Health Services Directorate staff have advised that these changes had consequential effects at operational level across the prison estate and as such, the *Strategic Directions Health Care for Women and Girls 2008–2012* plan was effectively abandoned in favour of more pressing imperatives. Nonetheless, Boronia's health centre is now adequately and appropriately resourced, and supported to provide a service that reflects the intent of the plan.

Appendix 3

THE INSPECTION TEAM

Professor Neil Morgan	Inspector of Custodial Services
Mr Andrew Harvey	Deputy Inspector of Custodial Services
Mr Christopher Davers	Director of Operations
Ms Lauren Netto	Principal Inspections and Research Officer
Ms Stephanie McFarlane	Inspections and Research Officer
Mr Jim Bryden	Inspections and Research Officer
Ms Janina Surma	Inspections and Research Officer
Ms Elizabeth Re	Inspections and Research Officer
Ms Cheryl Wiltshire	Expert Advisor, Department of Education and Training

Appendix 4

KEY DATES

Formal notification of announced inspection	16 September 2011
Pre-inspection community consultation	23 November 2011
Start of on-site phase	19 January 2012
Completion of on-site phase	25 January 2012
Inspection exit debrief	25 January 2012
Draft Report sent to the Department of Corrective Services	27 April 2012
Draft report returned by the Department of Corrective Services	31 May 2012
Declaration of Prepared Report	24 June 2012

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