



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

2018 INSPECTION OF POST-INCIDENT
MANAGEMENT OF PRISONERS
AT GREENOUGH REGIONAL PRISON

125

OCTOBER 2019

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2018 Inspection of post-incident management of prisoners at Greenough Regional Prison

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Contents

INSPECTOR'S OVERVIEW

Systemic plans map the road to recovery	iii
Executive summary	v
Recommendations.....	vii
Fact page	viii

1 INTRODUCTION	1
1.1 The Shuard Review	1
1.2 This report	2
2 THE AFTERMATH OF THE RIOT.....	4
2.1 Accommodation	4
2.2 Services	4
2.3 Community impact	10
3 LOCKDOWNS CONTINUED INTO SEPTEMBER.....	12
3.1 Lockdowns and employment.....	12
4 IMPACT ON STAFF	14
4.1 Senior management team.....	14
4.2 Custodial staff	16
4.3 Other staff	18
5 TREATMENT OF MALE TRANSFEREES	20
5.1 Transfer out	20
5.2 Arrival at Hakea	20
5.3 Confinement regimes at Hakea	21
5.4 Integration to Hakea's mainstream	25
6 TREATMENT OF FEMALE TRANSFEREES	26
6.1 Demographic profile of the women	26
6.2 Post-riot conditions	26
6.3 Accommodation for women returning to Greenough was not appropriate	28
6.4 Life at Bandyup following the transfer	28
7 GREENOUGH IN 2019: SIGNS OF IMPROVEMENT BUT STILL IN RECOVERY	32
7.1 New management and infrastructure repair drove positive change.....	32
7.2 Lessons learned	33

APPENDIX 1

Table of abbreviations	34
------------------------------	----

APPENDIX 2

Bibliography.....	35
-------------------	----

APPENDIX 3

Media release	36
---------------------	----

APPENDIX 4

Department of Justice response	38
--------------------------------------	----

APPENDIX 5

Inspection team	42
-----------------------	----

APPENDIX 6

Inspection timeline	43
---------------------------	----

Inspector's Overview

SYSTEMIC PLANS MAP THE ROAD TO RECOVERY

Loss of control is every prison administrator's worst nightmare. This is effectively what happened over several hours at Greenough Regional Prison (Greenough) during the afternoon and evening of 24 July 2018.

The Department acted quickly and commissioned Ms Jan Shuard PSM to undertake a review of what happened, focussing on causal factors, responses, and opportunities for improvement. Ms Shuard's report identified the four phases of emergency management as: prevention, preparedness, response, and recovery. Her report and recommendations largely address the first three phases and also the immediate recovery response.

The focus of this inspection was to look at the fourth phase, recovery, over the weeks and months following the incident. We undertook the fieldwork for the inspection from August 2018 until early 2019. We made several site visits, analysed documents and information and, most importantly, spoke with staff and prisoners who were at Greenough at the time of the incident.

Post-incident management

Following any sort of major incident, it is common practice to undertake a critical review into what happened to identify lessons learned and improve response mechanisms for the future.

Our inspection examined the post-incident management and recovery in the months following the incident. Like Ms Shuard, we were focussed on opportunities for improvement rather than criticising what happened. This report sets out what we saw and heard and what the evidence tells us. No doubt some may interpret what we say as criticism or wisdom with the benefit of hindsight, but this is not our intention. The reader's focus should be on how better planning and preparedness can make post-incident recovery more structured, efficient and effective for all involved.

There were many complexities facing the prison and the Department following the incident.

It was clear from our work that prisoners were denied many basic rights and were held in unacceptable conditions. That said, in the immediate aftermath of the incident there may have been little that the prison or Department could reasonably have done given the state of the prison, the police investigation, the lack of suitable alternatives, and the geographical context. However, as the days became weeks and the weeks became months, we have identified that there were unnecessary delays in the return to a normal regime. Our report highlights many illustrative examples, particularly for prisoners who remained at Greenough. Somewhat ironically, male prisoners identified as either escapees or persons of interest as rioters, who were transferred from Greenough to Hakea, were subjected to a much shorter period of restricted regimes or lockdowns than those who remained at Greenough. Further, we identified that many of the women and men had suffered traumatic effects from the riot.

SYSTEMIC PLANS MAP THE ROAD TO RECOVERY

Staff too were traumatised by the events on the night. There were several supports in place for staff, including counselling and welfare support, but many staff spoke of the impact it had on them personally.

Welcomed response

We have made several findings and five recommendations. All bar one of the recommendations are focussed on recovery planning. The objective is to have a systemic recovery plan available following an emergency or major incident.

The Department has accepted four of the five recommendations in our report. Importantly, they acknowledged the need for structured post-incident planning and intend to develop a structured prison centric post-incident recovery plan for prisoners and staff.

Publication of this report has been delayed for several months due to my transition into this role following appointment in May this year. At the time of writing, although significant progress has been made, Units 2 and 3 are still not open. There are, however, comprehensive long term plans being developed for improvements to the women's precinct. We will continue to monitor progress as part of our ongoing liaison work with the prison.

Acknowledgments

I am grateful for the cooperation and assistance we received during this inspection from key prison and Department staff, many of whom were already very busy with the recovery work.

It is also important to acknowledge the hard work of the inspection team who contributed so much to our inspection, particularly Charlie Staples for his work in planning the inspection and as principal drafter of this report.

Eamon Ryan
Inspector

3 October 2019

EXECUTIVE SUMMARY

In the afternoon and evening of Tuesday 24 July 2018, a major disturbance occurred at Greenough Regional Prison (Greenough), in the state's mid-west. Prisoners took control of the prison, set fires, and threatened staff with makeshift weapons. Male prisoners gained access to the female unit. Ten men escaped. Although control was re-established the following morning, damage across the site was extensive. All escapees were recaptured within 48 hours.

Within days, the Minister for Corrective Services announced an independent review into the causes of the incident, and the responses by the Department of Justice (the Department). Ms Jan Shuard PSM led that review. Mindful of Ms Shuard's terms of reference, the Inspector of Custodial Services decided to bring forward his scheduled inspection of Greenough, with a focus on post-incident management, and services and support for prisoners and staff.

In the immediate aftermath of the incident, with two accommodation units out of service and 160 beds lost, prisoners were crowded into the remaining cells. Conditions were unavoidably harsh. Showers and clean clothing were not immediately available. Medical staff could not treat prisoners individually, but did distribute essential medication. Prisoners had no opportunity for exercise and recreation. An offender treatment program and reintegration services were interrupted.

The Department moved quickly to identify prisoners who had taken an active part in the incident. By Friday 27 July, 17 of the male participants in the incident were transferred to Hakea Prison in Perth (Hakea). Over the next five days, all but two female prisoners were transferred to Bandyup Women's Prison (Bandyup).

Two of the men who had escaped from Greenough were taken to Hakea's Unit 1 on section 43 confinement, a punishment regime. The remaining male participants went to Hakea's Unit 4 on a close supervision regime, not intended as punishment. We were surprised to find that the men in Unit 4 were actually on a harsher regime than those in Unit 1, as they were denied the minimum one hour exercise out of cell, and were not visited daily by prison management.

By contrast, female prisoners transferred to Bandyup were initially taken to the refurbished Unit 1, and were assessed by medical and education staff. Many had been deeply traumatised by the speed with which male prisoners had broken into their unit, and the perception that women had been abandoned by Greenough custodial staff.

In the weeks that followed, the Greenough women were dispersed across the Bandyup site. Many were given ongoing counselling and support, and some were supported to complete an offender treatment program. Their Greenough gratuity levels were maintained for a time, but not all found comparable work.

Although male participants in the Greenough incident were put on restrictive regimes at Hakea, within a month, they had progressed out of confinement regimes, and into mainstream accommodation. Back at Greenough, men who had not taken an active part

EXECUTIVE SUMMARY

in the incident were still enduring a strict regime and restricted service delivery four months after the incident. The Department told us that was unavoidable because of the extensive damage to Greenough infrastructure, and the determination by staff that locking prisoners in cells - lockdowns - was the only way to guarantee safety.

Return to a normal regime at Greenough was not helped by conflict between local management and custodial staff. Prison officers blamed management for budget and overtime restrictions in the four months before the incident, and the consequent increase in lockdowns. In their opinion, the incident was the direct result of locking prisoners up too often, and for too long. After the incident, they resisted the relaxation of the lockdown regime, and the re-opening of Units 3 and 4 until extensive improvements had been made to physical infrastructure security.

Greenough management, on the other hand, felt undermined by a lack of ongoing support from the Department in Perth. Although experienced prison managers had come to Greenough in the first eight weeks after the incident, that support did not extend to progressing the recovery phase towards the reintroduction of a normal regime. The Department did not provide structured change management, which could have hastened normalisation, and improved conditions for prisoners.

In early December 2018, the substantive Greenough Superintendent was recalled to Perth, replaced by an experienced Deputy Superintendent. We visited the prison a month later, and found significant progress. Men had been moved from Unit 2 to the re-opened Unit 4, and repair and refurbishment of Units 2 and 3 was underway. Education and Health service delivery had improved. Although the General Practitioner service was restricted by changes to flight schedules, the visiting Psychiatrist had seen a positive change in prisoners, although some showed signs of post-traumatic stress disorder. The Education Centre was running activities over the summer break, and an innovative multi-media course was scheduled. A genuine recovery process appeared to be in place at last.

Fortunately, loss of control has happened rarely in Western Australian prisons. The Department had no recent experience of managing an incident of this type. It is clear that opportunities exist to refine post-crisis management to better support staff and prisoners, and return a prison efficiently to a normal regime.

LIST OF RECOMMENDATIONS

RECOMMENDATION 1

In the immediate aftermath of a major disturbance, consideration needs to be given to meeting the health and welfare needs of prisoners.

RECOMMENDATION 2

Having regard to security and infrastructure conditions, timely recovery to a normal regime must be a priority for emergency management planning.

RECOMMENDATION 3

After a major disturbance, the Department ought to consider the provision of consistent and sustained support to prison senior management to assist the recovery effort.

RECOMMENDATION 4

Ensure compliance with relevant regulations and policies when implementing confinement and/or close supervision regimes following emergency incidents.

RECOMMENDATION 5

Female prisoners should not be held for extended periods in the male maximum-security Unit 1.

FACT PAGE

NAME OF FACILITY

Greenough Regional Prison

BRIEF HISTORY AND ROLE

Greenough Regional Prison holds sentenced and remand prisoners, and has held men and women. Greenough accommodates maximum, medium, and minimum-security prisoners.

LOCATION

The prison is 420 km north of Perth, and 15 km south-east of Geraldton.

The traditional owners are the Yamatji people.

PREVIOUS INSPECTION

29 May – 03 June 2016

THIS INSPECTION

22 August 2018 – 11 January 2019

CAPACITY INFORMATION

Unit	Purpose	Total Capacity 2018	Population 25.07.2018
Unit 1	Maximum-security and isolation regimes for men	34	58
Unit 2	Standard accommodation for men	70	59
Unit 3	Standard accommodation for men	69	10
Unit 4	Standard, privileged and isolation regimes for women	80	56
Unit 5	Privileged accommodation for men	25	41
Unit 6	Minimum-security accommodation for men	56	50
Total		334	274

Chapter 1

INTRODUCTION

Greenough Regional Prison (Greenough) is located near Geraldton, 420 km north of Perth, Western Australia. Prior to 24 July 2018, the prison had capacity for 334 prisoners (254 males and 80 females) across all security levels. Throughout the first half of 2018, the average population was 10 per cent below capacity.

In the afternoon and evening of Tuesday 24 July 2018, a major disturbance occurred at Greenough. It was justifiably called a riot in the media. But it was also more than just a 'riot'. Prisoners gained control of the prison, threatened staff with makeshift weapons, and sprayed staff with chemical spray. Male prisoners breached an internal fence and gained access to the women's unit. Ten men escaped. Fortunately, no staff members sustained serious physical injuries.

Control of the prison was re-established early the following morning. Damage was extensive. Two accommodation blocks, Unit 3 (male) and Unit 4 (female) were left uninhabitable. The loss of those 160 beds almost halved the capacity of the prison. These factors and the geographical location of the prison created a complex range of immediate problems that had to be addressed.

1.1 THE SHUARD REVIEW

Two days after the incident, the Minister for Corrective Services, the Hon Francis Logan MLA (the Minister) announced there would be an independent critical incident review into the events that occurred at Greenough. Seven days later, the Director General of the Department of Justice (the Department), appointed Ms Jan Shuard PSM, former Commissioner Corrections Victoria, to lead the critical incident review (the Shuard Review) (DOJ, 2018).

The scope for the Shuard Review was to identify causal factors, responses and opportunities for improvement, and was conducted under the following terms of reference.

- Examine the events and circumstances surrounding the incidents that occurred on 24 and 25 July 2018.
- Establish any causal or contributory factors including, but not limited to, a review of the operating model, integrity of the security systems, facility infrastructure and security practices; taking into consideration the offender cohort management at Greenough at the time of the incident and recommendations for the management of offender cohorts (particularly women) going forward.
- Review the adequacy of the emergency management planning and crisis/emergency management response.
- Recommend strategies to mitigate any identified system weaknesses.

The Shuard Review commenced on 6 August 2018. It did not seek to attribute fault or blame to individual prisoners, prison officers or departmental staff. The objective was to identify strengths and weaknesses in the structure, systems and processes at Greenough.

INTRODUCTION

The Shuard Review was tabled on 28 November 2018. It found that a ‘number of inter-related factors ... contributed to an unstable prison environment leading up to the incident; and other factors ... amplified the scale and seriousness of the incident.’ The causes included ailing infrastructure, deteriorating staff/management relations, too few prisoner activities and too many lockdowns, insufficient focus on the needs of young prisoners and Aboriginal prisoners, the location of the women’s unit, and poor strategic planning.

Ms Shuard also found that while the response on the night was generally good, the prison and the Department had not given sufficient attention to prevention and preparedness.

We agreed with the Shuard Review key findings in relation to the causes, contributing factors and response, and issued a media release to that effect (see Appendix 3).

1.2 THIS REPORT

The terms of reference of the Shuard Review were limited to the events of 24 – 25 July and the emergency response to those events. However, we took the view that it was also important to consider issues of post-incident management and recovery during the rest of 2018 and into early 2019.

The site was strewn with debris, two accommodation units were destroyed, and there was other extensive damage. Necessarily, there were immediate changes to prison routine after the events of 24 – 25 July. Prisoners left at Greenough were closely confined, and the escapees and those identified as participants in the riot were transferred to other sites. In the immediate aftermath staff worked hard and put in long hours to secure the prison and make it safe for everyone who worked and lived there.

Nobody is defending the actions of the prisoners involved in the incidents, but it is a fact that, for whatever reasons, conditions at Greenough for prisoners remained harsh for some weeks, even for those who were cleared of involvement.

Our regular contact with the prison suggested that trauma associated with the riot was negatively affecting interaction between management and custodial officers. As the Shuard Review found, relationships had been poor for some time, and the riot had entrenched the divisions. Staff/prisoner relations had also been declining before the riot, and this was exacerbated by the riot. Despite some short-term external support for local management, we saw little evidence of an overarching strategic recovery plan to return the prison to a stable routine. There were, however, several specific recovery plans drafted and implemented in the months following the riot

Because of our concerns, we brought forward our inspection of Greenough, which had been scheduled for mid-2019, with a focus on:

- Post-incident management, support and treatment of prisoners.
- Staff support, recovery and management.

INTRODUCTION

- Access to families, community concerns, involvement and consultation on post-incident prisoner services.
- Access to services and supports for women and men transferred from Greenough.

This inspection was conducted between August 2018 and January 2019. We met with prisoners and staff at Greenough, local service providers, and Geraldton community members. We reviewed relevant departmental documentation, and were given regular prison status updates by Greenough management and the Department. We also contributed to the Shuard Review and received briefings about the progress of that inquiry.

For legal reasons, the Shuard Review did not interview prisoners who had been on site at the time. However, our inspection did include interviews with prisoners at Greenough, which gave us helpful insight into the events immediately after the riot, and in the months that followed. We also interviewed prisoners who had been transferred to other prisons. Those interviews helped us understand the lasting impact of the riot. We have therefore included a number of direct statements by prisoners and service providers.

Chapter 2

THE AFTERMATH OF THE RIOT

2.1 ACCOMMODATION

Conditions for prisoners were harsh

On the night of 24 July, with a prisoner population of 274, Greenough lost 19 cells from Unit 3 and 26 cells from Unit 4. Unit 6, outside the secure perimeter of the prison, was not affected by the riot. Inside the fence, it was necessary to accommodate more prisoners in fewer cells.

Cells at Greenough are too small to meet Australian correctional standards. On 25 July, the prison had 63 cells designated as single accommodation. Of these, 17 were shared by two prisoners, 31 by three prisoners and seven by four prisoners.

Extract from Prisoner Letter

There was no power, no emergency call buttons, no hot water, no utensils to eat with, nothing to clean ourselves or our cells with. Worst of all we couldn't let our families know we were okay. Full 24/7 lockdown, ignored, not spoken to, just food thrown through the hatch.

For at least the first 72 hours after the riot, prisoners were continuously confined in cells in numbers that exceeded bed capacity. Some prisoners were not given sheets, blankets or mattresses. Meals were served through cell door observation hatches. Rubbish was removed from cells through the same hatches.

Early on Friday 27 July, 15 male non-participants were transferred to Roebourne Regional Prison. That afternoon, 17 men who had participated in the riot were transferred to Hakea Prison (Hakea). Overcrowding in Units 1 and 5 eased somewhat, but women in Unit 4 remained crowded and confined in their cells.

At noon on Saturday 28 July, 20 women left Greenough for Bandyup Women's Prison (Bandyup). That evening, with the overall population down to 226, Units 1 and 2 were below capacity, and conditions for women in Unit 4 had improved. Unit 5 was the most crowded, with 34 men sharing 24 places.

On Sunday 29 July, a second group of 17 women left Greenough. The remaining 19 women were moved within Unit 4 into J and K wings from G and H wings, which had sustained most of the damage during the riot. The capacity of Unit 4 was just 10. On Wednesday 1 August, a week after the riot, a third group of women left Greenough for Bandyup. Only two women were left in a population of 185.

2.2 SERVICES

Prisoners had little or no access to essential services and basic activities

Confined to cells, male and female prisoners had no access to exercise or recreation, and only limited access to health and mental health care. That was despite widespread trauma, and at least two instances of significant physical injury.

THE AFTERMATH OF THE RIOT

Men said that the emergency cell call buttons were switched off, and that officers refused to engage with them. In fact, the fire in the Unit 3 office had disabled cell calls across the site, but prisoners do not appear to have been informed of this. They believed that officers had disabled the cell call system as punishment. Cell calls in Units 1, 4, and 5 were repaired and restored by Tuesday 31 July.

Extract from Prisoner Letter

Just to sum it up we had:

- *seven days 24/7 lockdown with 12-minute shower*
- *seven days before we made a phone call*
- *eight days no emergency call button*
- *11 days to get clean sheets*
- *12 days to get one set of clean clothes, nothing after that*
- *22 days till we got an hour out of cells*
- *30 days till I seen the sun shine.*

We may be in jail but to be treated that inhumanely was so downgrading it's affected me just as much as the actual riot.

The Department's response noted two significant facts that limited movements in and around the prison in the immediate aftermath. The first was the police investigation, and the second was that the presence of debris and damage from the riot made areas unsafe.

Basic hygiene was compromised

Women were first allowed out of their cells on the night of Thursday 26 July. They were asked by police whether they had been sexually assaulted during the riot, and several had a shower and a change of clothes. However, they told us that no phone calls were allowed.

Most of the women had a first shower on the Friday evening, three days after the traumatic events of 24th. The majority of those who were transferred in the third group only got a second shower and change of clothes the following Tuesday, after four more days. Some women claimed that this was their first shower since the riot.

Male prisoners in Unit 2 waited 90 hours before first showers. They reported showering in groups of four, kneeling, hands on the wall. They said that Department's Special Operations Group (SOG) observed them, with Tasers drawn. They were given their first set of clean clothes after the showers.

The Department's response disputes the claim that prisoners were required to kneel while showering or that Tasers were drawn and pointed at prisoners. Our enquiries through relevant supervisory staff to try and clarify this indicated that SOG officers may have had their Tasers drawn, but not pointed.

THE AFTERMATH OF THE RIOT

Extract from Prisoner Letter

Saturday 4:30 PM we got escorted to the showers, strip searched, and had two minutes to get showered and dressed whilst Tasers pointed at us. We got back to our cell and it had been tipped upside down, shit everywhere, all our milk tipped on the ground and a blanket in our toilet, and nothing to clean it up with.

Circumstances hindered health care delivery

Prisoners did not get food or medication on the evening of the riot. Later that week, nurses tried to restore a basic level of healthcare for prisoners, focusing on essential daily medication.

The widespread destruction and vandalism were major obstacles for medical staff. Nurses had difficulty wheeling heavy medication trolleys through waterlogged corridors, either flooded as a direct result of the riot, or by attempts at firefighting. They worked in the dark because power was not restored until a fortnight after the riot. It was difficult to be sure that prisoners were consuming medication, not hiding it.

In Unit 4, the medication trolley was vandalised during the riot. Medical staff at Greenough confirmed that because medication was either stolen or destroyed, women did not get their essential medication for several days.

For the first two weeks after the riot, the operational regime prevented prisoners from going to the medical centre for appointments, unless the matter was a medical emergency. Nurses told us they dispensed medication through cell door hatches. They had no direct contact with the prisoners. Routine medical tests like checking blood sugar levels were not possible. Escorts to external medical appointments were cancelled, and prisoners missed appointments.

We interviewed two prisoners who claimed that health services at Greenough, and later at Hakea, had been below standard. Prisoner A told us that, during the riot, he received significant cuts to his leg from razor wire. He used bandages from a unit office to stop the bleeding.

Reports on the Department's Total Offender Management Solution (TOMS) database record that he was among a group of prisoners strip searched by the SOG at the Greenough Unit 1 showers. Prisoner A told us he was ordered to remove his clothing and the bandage to see if he was hiding anything. When he removed the bandage 'copious amount of blood' sprayed from his leg. The Clinical Nurse Manager attended, and suggested that the wound was arterial and required hospital admittance. Prisoner A was taken by ambulance to the Geraldton Regional Hospital late on Wednesday 25 July where he received more than 20 stitches.

Prisoner A was transferred to Hakea Prison on Friday 27 July. Health care staff saw all transferees on Saturday 28 July. The occurrence book recorded them in the wing for approximately 30 minutes. Prisoner A told us that for the following week, his wounds were weeping blood and pus all over his bed at night, and that he was refused clean sheets.

THE AFTERMATH OF THE RIOT

Records indicate that Prisoner A was escorted to the Hakea medical centre daily from Sunday 5 until Wednesday 8 August. He told us that his wound was reopened and stitched again, as the muscle beneath had not been sutured properly. When we interviewed him on 21 September, he said that he had only recently ceased antibiotic treatment.

Prisoner B escaped from Greenough during the riot. He told us that during his capture by police, his thumb was broken. He was seen by Greenough medical staff on 26 July who set his thumb in a cast. He told us that later, his cast was removed by non-medical staff. At the time of our interview at Hakea on 21 September, he said he had not been seen by medical staff or had the cast replaced, and that his thumb was still broken.

Prisoners lost critical support

Greenough has a full-time Prison Support Officer (PSO) and a full-time Aboriginal Visitor Service (AVS) representative on site. It is one of few regional prisons with those services available to prisoners five days a week. Both provide valuable support. The PSO has been at Greenough for many years, and has developed positive relationships with prisoners and officers. He manages a team of peer support prisoners, and those prisoners in turn support the prisoners in their units and at workplaces.

The PSO and the AVS visitor told us that, for six days after the riot, they were not permitted on site. They said that when they did return, they were not able to access prisoners. The regime following the riot also prevented peer support prisoner movement. Prisoners were therefore denied support at a critical time.

We were told that Prison Counselling Service staff were permitted to see women on Monday 30 and Tuesday 31 July, before the third group of 16 left for Bandyup at noon on Wednesday 1 August.

Recommendation 1

In the immediate aftermath of a major disturbance, consideration needs to be given to meeting the health and welfare needs of prisoners.

An offender program was disrupted

Choices, Change and Consequences (CCC) is a program that some women are required to complete as part of an Individual Management Plan (IMP). In assessing parole applications, the Prisoners Review Board often includes failure to complete an IMP program as a reason to deny parole.

Sixteen women at Greenough were part-way through CCC at the time of the riot. Several were approaching their eligibility dates for parole in late 2018 and early 2019, and were understandably anxious about their prospects. Programs staff at Greenough hoped those women could continue with CCC at Bandyup. Unfortunately, when we spoke with those women two months after the riot, they had still not been told when they could

THE AFTERMATH OF THE RIOT

complete the program. Ultimately in the following months, eight women completed the program. Of the remainder, three refused to participate in the program, three were released before completion, and two were not required to complete it.

Prisoners missed out on reintegration services

Regional Alliance West (RAW) is the contracted service provider for reintegration services at Greenough. RAW work with those prisoners approaching release who have a medium to high risk of reoffending. RAW provide services including:

- obtaining identification documents
- obtaining Medicare cards
- opening bank accounts
- counselling
- providing access to accommodation.

These are essential services for prisoners nearing release, and can mean the difference between a prisoner transitioning successfully, or returning to custody.

For at least 10 days following the riot, understandably, no RAW staff could enter the prison to deliver the services they were contracted to provide. Prisoners working with RAW before the riot had their reintegration planning and counselling interrupted. Some re-engaged with RAW when things settled down, but 55 women and 51 men were transferred out of Greenough within 10 days of the riot. When we interviewed RAW staff, they told us they had tracked the progress of their clients through other facilities, but reintegration and counselling services for some of those prisoners had been significantly disrupted, or cancelled.

Men cleared of involvement in the riot remained under a strict regime

Thirty-three men who had been identified as active participants in the riot were transferred to Hakea Prison. They were immediately placed on restrictive regimes in Units 1 and 4, but by the fourth week after the riot, most had been moved on to mainstream accommodation and a normal prison regime.

By contrast, men remaining at Greenough, all of whom had been cleared of active participation in the riot, were still under a strict regime four months after the riot. They told us that not knowing how long the lockdowns would continue was distressing. The Department's response indicated that returning to a normal routine was difficult due to loss of infrastructure, the clean-up and repair, and staff hesitation to decrease lockdown hours.

Immediately after the riot, changes to the Greenough routine were not explained to prisoners. Information about transfers was also withheld. In the circumstances, that may have been necessary to maintain prison security and good order, but many prisoners told us that the uncertainty was destabilising and increased their feelings of vulnerability.

THE AFTERMATH OF THE RIOT

Recommendation 2

Having regard to security and infrastructure conditions, timely recovery to a normal regime must be a priority for emergency management planning.

Communication between management and staff faltered, and lockdowns continued

As Greenough moved into the second month after the riot, conditions for prisoners remained harsh. Despite a greatly reduced prisoner population and an increase in custodial staff, the management team was not able to persuade custodial officers to return the prison to a normal routine. Lockdowns continued, with many prisoners only out of cell for one hour each day.

In our view, the Department should have given additional support, if required, to Greenough management to ensure that the prison regime was normalised more quickly.

Lockdowns affected prisoners' physical and mental health

Nurses told us lockdowns were causing health problems for prisoners. Men had little opportunity to access fresh air or sunshine, let alone engage in any sporting or fitness activity. Many prisoners complained of sleep disruption. Locked in a cell with nothing meaningful to do, they could sleep all day if they wished. Those that did struggled to sleep through the night. Health staff were rightly reluctant to issue sleeping medication unless absolutely necessary.

Smoking in cells is not permitted in Western Australian prisons. Prisoners are only allowed to smoke outside, in designated smoking areas. At Greenough, with prisoners locked in cells for up to 23 hours each day, many were smoking in cells. That was not only unpleasant for non-smokers sharing a cell, but posed a health and safety risk. Nurses had received complaints from asthmatic prisoners exposed to passive smoking in these conditions.

Extract from Prisoner Letter

I've always been a strong-minded person, nothing really got me down, a happy-go-lucky personality, but since the trauma of being left for dead and the stress of the whole situation, something changed. I'm constantly in a state of anxiety, every time I hear a door slamming or keys rattling it puts me back into that life or death feeling. I physically shake and can't control it. I wake up during the night in a panic fit.

As much as I don't want to admit it I spend a fair amount of time curled up in bed sobbing. I don't feel safe anywhere any more. I feel alone, isolated. I lost 10 to 15 kg since the riot even though I did nothing but eat and sleep.

THE AFTERMATH OF THE RIOT

2.3 COMMUNITY IMPACT

The community was shocked

Community members told us that at first, they were completely bewildered by the riot. Some had been alarmed by panicked telephone calls from the prison. They could see the glow from fires in the distance, and were concerned for the safety of family members, whether they were staff or prisoners.

At first, the only source of information about what was happening at the prison came through media reports. Some community members said they were given a telephone number at the Department to enquire about the welfare of family at the prison. Others said they were not.

Relatives of prisoners felt angry and helpless

Relatives were angry about how prisoners were treated on the night of the riot, and in the days following. They heard that prisoners who had not participated in the riot had been taken to the oval on the first night to wait until control was restored at the prison. The night had been very cold, and prisoners had been shackled and exposed. Family members felt their relatives had been treated very badly.

In the days that followed, family had heard that with power cuts, prisoners had been locked in darkness in cells 24 hours a day. Access to showers and health services had been limited. They were concerned that prison staff blamed all prisoners for the riot, regardless of involvement. Harsh treatment of prisoners seemed likely. All visits were suspended until the second week of August, increasing community concern. Families felt helpless.

Relatives of the prisoners who escaped on the night and of those who were actively involved in inciting the riot felt targeted – by police, by other families, and by the Department. That increased their anxiety. They felt very vulnerable, even in their own community.

Although we recognise that the prison and the Department were caught up in the immediate aftermath of the riot, we believe that better systems could be in place to inform and reassure family and community members after serious incidents have occurred, for example the appointment of a designated community liaison person.

Aboriginal Legal Service (ALS) staff found conditions at Greenough disturbing

Lawyers from the Geraldton branch of the ALS visit Greenough weekly, and they continued to visit after the riot. Their service was crucial in representing prisoners who had been identified as witnesses to, or participants in, the riot. They tried to make sure that their clients had legal representation during police interviews, but that did not always happen.

THE AFTERMATH OF THE RIOT

As well as legal representation, ALS provided a welfare service. Lawyers at ALS branches across the state have a strong network, and those at one office can ask colleagues at another office to conduct welfare checks on prisoners transferred away. That was common practice in the aftermath of the riot, with ALS staff following up on recent transferees to and from Greenough.

After the riot, ALS staff were deeply concerned about living conditions for prisoners at Greenough. They felt that conditions before the riot had been bad, but that the regime after was much worse. They believed that constant lockdowns aggravated already tense relations between prisoners and officers.

ALS lawyers were able to arrange official visits to meet clients, but the restrictive routine required prisoners to be shackled, not only while being escorted, but also during an appointment. Four or five officers escorted each prisoner. The lawyers found that treatment undignified, to the extent that some chose not to see their clients in person under such a regime. This compromised their ability to provide a quality service.

Reports by ALS lawyers

One prisoner described the fear he felt, locked in Unit 1 as fires continued to burn and smoke engulfed the Unit. He said prisoners were screaming for help, but nobody came to help them. Eventually they had to break out themselves, destroying doors and windows to do so. He said he thought he was going to die.

We interviewed one prisoner who was so disturbed by the riot that he just sat there shaking and crying.

Chapter 3

LOCKDOWNS CONTINUED INTO SEPTEMBER

3.1 LOCKDOWNS AND EMPLOYMENT

Before the riot, Greenough had reasonable employment opportunities

In March 2018, Greenough was required to introduce an adaptive routine. This meant that prisoners were locked down when unit staff numbers fell below prescribed levels. In Units 1 and 2 at Greenough, cells line corridors that are separated from the unit day rooms by grilles. The adaptive routine had ruled that lockdowns would not be 'behind grilles' (in corridors), but would be 'in cell'. The adaptive routine therefore had non-workers regularly locked in cells. In April 2018, three- and four-hour lockdowns during the day were not uncommon.

Fortunately, only a few prisoners were not working in the three months before the riot. Despite short staffing and the adaptive routine, employment had been good. Prisoners with jobs to go to avoided the frequent lockdowns.

Prior to the riot, 37 prisoners were scheduled at education, for work in the gardens, and at the laundry. Twenty-three men worked in the kitchen. Eleven men were leaving the prison on section 95 work in the community, and nine women worked in textiles. A number of workshops were open, and prisoners also provided support services at reception, recreation, canteen, and as peer supporters. No prisoners were listed as not working. However, it is likely that the 33 per cent of the population listed as unit workers were under-employed.

"After the riot, the only prisoners in Units 1, 2 and 5 who were not subject to continuous lockdowns were those assessed as suitable for return to work. The laundry resumed production within two days of the riot, driven by the need to fulfil external contracts. The kitchen followed several days later. Both industries ran for at least a week with fewer prisoner workers than before the riot.

When we visited Greenough four weeks after the riot, some prisoners were getting out of cells to attend activities. The education centre had opened the day before our visit, the laundry employed 25 workers, and the kitchen had eight. In total, 66 men from those units were not locked down in cells. That left 51 men subject to lockdowns, of whom 44 were recorded as 'unit cleaners', working behind grilles.

The men in the externally located, minimum-security Unit 6 were not confined to cells. Seven of them left the prison for supervised work in the community, eight were at education inside Unit 6, and the rest were working inside the main prison.

Eight weeks on and still locked down

Eight weeks after the riot, employment and lockdown rates had barely changed. On 17 September, 61 men from Units 1, 2 and 5 were working or at education. Fifty-three men were subject to lockdowns because they were not working or were unit cleaners. Over a third of prisoners were spending most of the day locked in their cells.

LOCKDOWNS CONTINUED INTO SEPTEMBER

That may have been necessary in the first few days or weeks after the riot to consolidate control of prisoners and management of the prison. But we were troubled to see such a restricted regime still in place eight weeks after the event.

Access to some services was improving

When we interviewed health centre staff eight weeks after the riot, they told us that the regime was starting to return to normal. Prisoners could leave their cells to receive medication, but still only through grilles. Some were being escorted to the health centre to be treated in person, subject to the triage and appointment regime that had been in place before the riot.

At that time, despite widespread lockdowns, the PSO, the AVS visitor and those peer support prisoners who were not locked in cells were doing what they could. The PSO could meet with individual prisoners if he called the unit in advance to notify staff. We were pleased to hear that he had met with prisoners identified as at risk of self-harm, and with new intakes.

RAW staff had resumed regular contact with clients, conducting interviews at official visits, but prisoners were still subject to strict escorting and supervision arrangements. Custodial staff stood by the door when interviews were in progress, potentially compromising confidentiality.

RAW staff enjoyed a positive relationship with the Greenough Transitional Manager, who had helped them maintain contact with some of their clients, particularly those women who had been transferred to Bandyup. One RAW counsellor told us that she had successfully held counselling sessions by telephone to Bandyup with former clients.

Chapter 4

IMPACT ON STAFF

The prison's ability to recover from the riot was heavily dependent on staff. Following such an incident, clear leadership and direction was needed, and staff at all levels required appropriate support.

In the days after the riot, staff returned to find scenes of destruction, with debris strewn throughout the prison. Two unit offices were severely damaged, and one was destroyed by fire. Staff spoke about the pervasive smell of smoke – 'like a burned-out car'. Staff also expressed anger at what had happened and frustration towards local and head office management.

4.1 SENIOR MANAGEMENT TEAM

Previous inspections had found conflict between management and staff at Greenough

Greenough staff have a long history of conflict with senior management. As far back as 2012, we noted a marked decline in the relationship between staff and management (OICS, 2013). The 2016 inspection found the relationship had deteriorated even further (OICS, 2016b).

Key issues then were the communication style of management, and conflicts arising from budget limitations, overtime restrictions, and redeployment of staff. In 2016, we recommended that Greenough staff and management should work together to improve relationships, and that the Department should provide expert intervention if necessary (OICS, 2016b, Recommendation 1). Although there were different senior personnel involved, it appears that those issues remained relevant in 2018.

After the riot, Greenough management felt under pressure and unsupported

All three operational managers – Superintendent, Assistant Superintendent Operations, and Assistant Superintendent Security – were centrally involved in coordinating the response to the incident. They witnessed the unfolding of events as the destructive actions of the rioting prisoners escalated. When we interviewed them in August and September, their individual and shared burden of trauma was palpable.

In the days after the riot, the load on senior management increased. There was criticism and scrutiny of local management decisions made before, during, and after the event. The custodial officer group were also highly critical of how local management had run the prison in the lead-up to the riot, holding them responsible even for matters outside their control. In short, the senior management team felt isolated and unsupported.

Greenough management received some additional support for the first month

The senior management team at Greenough was smaller than other prisons of comparable size and complexity. The Assistant Superintendent Offender Services position had been lost in March 2018 when the occupant accepted a voluntary separation package. The loss of that position would be challenging for Greenough to cover in normal circumstances, let alone in the challenging conditions following the riot.

IMPACT ON STAFF

On the day after the riot, a Principal Project Director from head office (an experienced prison Superintendent) and an Assistant Superintendent were sent to Greenough. Their role was to set up an Incident Control Facility (ICF), assist in coordinating the recovery effort, and maintain communication with head office. The aim was to allow local management to focus on operating the prison, and arrange the transfer of prisoners off site. The additional support was invaluable in the first weeks after the riot.

In addition, there were numerous site visits by the Minister, the Director General, the Commissioner and other senior executives to provide support to the recovery efforts of staff and senior management.

On Monday 13 August, 20 days after the riot, the Greenough Superintendent went on annual leave for two weeks. The Principal Project Director then became Acting Superintendent, and a second Assistant Superintendent was sent to Greenough to help maintain the ICF and manage communication with head office. This early level of support was commendable.

When the substantive Superintendent returned in early September, the Acting Superintendent and the two additional Assistant Superintendents returned to Perth. By this time, head office demands for information had eased, and the prison had settled into a routine. In that sense, the initial crisis had passed.

However, it was only six weeks since the riot. Greenough was obviously only in the embryonic stages of recovery, and its routine was far from normal. Management / staff relations remained deeply fractured, and prisoner / staff relations were fragile. The infrastructure could be repaired but the prison needed structured medium and long term support to repair and rebuild its culture.

The relationship between management and custodial staff had broken down

The prison officer group directed much of their anger and frustration at the senior management team. Relations were fraught and communication strained. Several officers told us that the relationship was 'broken' and that they were 'not sure it can be fixed'.

Senior managers also recognised the damaged relationship – 'they don't talk to us'. In a significant departure from line management, prison officers had set up an email group that excluded members of the senior management team, further eroding communication and trust.

Senior managers did try to improve communication, holding five meetings with the prison officer group between 29 August and 26 September. But custodial staff were reluctant to engage at first. They told us they were uncomfortable speaking in that forum. They doubted that senior managers were genuinely interested in their views, and feared they would be targeted for raising issues. During that month, senior managers persisted with the meetings, believing that staff were beginning to see value in them.

IMPACT ON STAFF

The Department was slow to invest in cultural change management

In October 2018, we wrote to the Department asking whether additional ongoing support would be provided to Greenough senior management. The Department's response did not suggest a thorough change management process would be put in place. When we visited the prison in November, the management team remained strongly committed to the prison, but they were stressed, and communication with custodial staff was still poor. With the benefit of hindsight, it seems that the initial support for senior management could have continued beyond early September 2018.

We have previously commented on the success of Wooroloo Prison Farm in reforming staff culture with help from an external consultant (OICS, 2015; OICS, 2018). Even though Wooroloo faced fewer pressures than Greenough, it took around two years, not two months. A similar change management process was needed at Greenough.

As soon as the Shuard Review was released in late November, four months after the riot, the Department moved the Greenough Superintendent to a head office position. A Deputy Superintendent came up from Perth to act in his place.

In mid-December, the Commissioner for Corrective Services (the Commissioner) informed the Inspector that a Greenough Recovery Team would be established to support the incoming Superintendent from mid-January 2019. The Recovery Team would be in addition to existing staff, and would comprise: Assistant Superintendent Offender Services; Senior Project Officer (Maintenance); Senior Officer (Security); and a Project Officer.

With the benefit of hindsight, this type of support could have been provided from soon after the riot. It is also recognised that the Department had commissioned the Shuard Review, and may well have been reluctant to make significant changes prior to the Review being completed.

Recommendation 3

After a major disturbance, the Department ought to consider the provision of consistent and sustained support to prison senior management to assist the recovery effort.

4.2 CUSTODIAL STAFF

Prison officers were angry and frustrated

Prison officers were angry. They claimed they had predicted the riot, and felt that their warnings had not been heeded. Since March 2018, budget and overtime restrictions contributed to staff absences, and vacancies were not covered. As discussed in the Shuard Report, staff were redeployed within the prison to cover custodial positions, leaving fewer services and activities to keep prisoners occupied.

IMPACT ON STAFF

Ms Shuard also noted that in the months before the riot, Greenough had rarely requested additional overtime shifts, as they were entitled to do if staff shortages were impacting on safety and security.

Custodial staff squarely blamed senior management for their feelings of anger and frustration, even though the budget, and the overtime 'cap', were largely beyond local control. They also blamed management for the adaptive routine, even though the Western Australian Prison Officers' Union, their own representatives, had negotiated the staff deployment agreement that led to such routines.

After the riot, custodial staff were traumatised, displaying typical stress reactions. Five officers had not returned to work, and at least another 10 remained quite unsettled. Many had disrupted sleep, and were on edge. After such a traumatic event, all of this is not surprising.

Many prison officers felt neglected by the Department after the riot. They expected it to prompt positive changes, and were not satisfied with what they saw as limited progress. They also thought that prisoners' needs were prioritised above their own. In the chaos of the riot, some officers had lost personal belongings such as spectacles, car keys, and house keys. They were told to make a claim with their own insurers in the first instance, but found they were not covered. Although local management eventually arranged compensation, officers were upset by this process. The officers' irritation was symbolic of their perception of a lack of support.

Staffing levels at Greenough increased after the riot

Immediately after the riot, the prison was severely short-staffed, but the Commissioner had lifted the overtime cap across the prison system, allowing vacancies on the daily roster to be filled. The Department seconded 11 prison officers from other prisons to Greenough, to cover for those on workers' compensation leave. In addition, four SOG officers stayed at Greenough until 24 August to assist with security on site, and support staff in the transition to a more normal regime.

Prison officers were resistant to restoring a normal routine

Custodial staff soon established an operational regime that was quite different to anything we have seen before. Instead of being based in unit offices, all prison officers were based in the recreation hall, which was designated as 'forward command'. They met there at the beginning of each shift for a briefing from the Principal Officer about the day ahead. Officers then split into four teams, one for each of the accommodation units, and one roving team. They all returned to forward command for three break periods during the day – mid-morning, lunch, and afternoon.

This procedure had officers spending more time gathered as a group than was normal, and although they valued the camaraderie and support from colleagues, it was not a sustainable operational model. With staff spending more time away from units, prisoners were locked in cells for longer periods.

IMPACT ON STAFF

Even in September, we found that prison officers were reluctant to return to a normal routine. They demanded that repairs and security infrastructure upgrades, such as installing grilles on unit office windows, be completed before normalisation could be considered. We were told that those grilles might not be in place until the end of the year. In our view, the lower number of prisoners, the transfers of the main ‘troublemakers’, and the higher number of staff per head should have allowed an earlier relaxation of the restrictive regime.

It appears that one of the primary objectives of the recovery phase was to return the prison to a normal routine. That said, it is clear that one of the impediments to this was the hesitation of staff to do so until certain conditions were met. Both sides of the argument are understandable, but while the impasse dragged on, prisoners were the ones who suffered the most.

Psychological counselling and other supports were available to all staff

We found good mutual support within the custodial staffing group at Greenough. The prison had a strong staff support team, and they had been very active since the riot. Staff appreciated that formal support, but told us that they had also been supporting each other informally.

Other formal support mechanisms were put in place in the first week after the riot. A Staff Welfare Officer came from head office to assess the wellbeing of staff and provide support. The Department’s Employee Assistance Provider, PeopleSense, sent three psychologists up to Greenough. PeopleSense also attempted welfare telephone calls to all staff, and a psychologist visited again in the third week of August. The Staff Welfare Officer returned to the prison for two days in early October to reassess staff wellbeing and provide support as required.

Prison staff gave mixed reports about the effectiveness of these measures. However, they generally acknowledged that support was available if anybody needed it, and people knew how to access it.

4.3 OTHER STAFF

The work environment for non-custodial staff and industrial officers was disrupted

Non-custodial staff were not involved in responding to the riot. Any who were on site when the riot started were evacuated promptly. For most, it was several days before they could return to the prison, only to find a very disrupted work environment, particularly for those providing services to prisoners. Access to prisoners was difficult, and service delivery was reduced.

The industrial workshops and prisoner employment areas at Greenough are run by Vocational and Support Officers (VSOs). Through our regular contact with the prison before the riot, we knew that VSOs, like prison officers, had been dissatisfied with the

PRISON OPERATIONS AND LIVING CONDITIONS

management of the prison during 2018. VSOs were typically the first to be redeployed, meaning they were moved from their work areas to cover prison officer shortages.

In the immediate aftermath of the riot, all prisoners were locked down, so most industries were shut. At first, VSOs ran the kitchen without any prisoner workers, as the kitchen and laundry were essential services. Those worksites were running again with prisoner workers within days. Other industry areas remained closed, and some VSOs were redeployed into other roles, in accordance with the adaptive routine.

Chapter 5

TREATMENT OF MALE TRANSFEREES

We interviewed 11 men who were transferred from Greenough to Hakea in the immediate aftermath of the riot. Some were identified persons of interest, some were not involved at all, and one of those interviewed had escaped custody during the riot. The men ranged in age from 26 to 59 years old, and six of the 11 were Aboriginal. Eight of the men we interviewed came from the Mid-West region, two were from the Pilbara, and one from the metropolitan area. Seven were remandees, and four were sentenced prisoners.

5.1 TRANSFER OUT

No warnings or details of transfer were given

Seventeen men identified as escapees or persons of interest in the riot were transferred to Perth by SOG on Friday 27 July.

That morning, the men were not given any indication that they were to be transferred. They were given breakfast in their cells as had happened on previous days. They were later taken from cells, handcuffed, and moved to Greenough's reception centre to be transported. The men told us that SOG officers warned them that if they spoke they would be doubled cuffed (ankles to hands) for their journey. The Department's response disputed that all prisoners were warned in this manner. They did advise that one prisoner who was kicking the door of the vehicle was warned that he would be placed in full high-security restraints if he persisted.

The men were not told where they were going, or when they would get there. They departed Greenough between 12:15 – 12:25 pm, and travelled by road to Perth. No information was provided during the six-hour road trip. Although security concerns would prevent prisoners being told their destination before boarding transport vehicles, but once under way there was no reason not to tell them.

They arrived at Hakea at around 6:00 pm. Several men told us that they recognised Hakea once they were taken off the truck, and that that was the first they knew of their destination.

5.2 ARRIVAL AT HAKEA

The Greenough transferees did not receive a standard reception to Hakea

Hakea reception usually does a very good job of receiving and processing prisoners (OICS, 2019). However, the transferees from Greenough did not receive a standard reception. They were not processed, seen by a nurse, offered a phone call, or interviewed by the Hakea induction team, whose role it is to determine self-harm risk and suicidal ideation.

Obviously, all the prisoners were 'known to the system', but by omitting normal processes, Hakea took on significant risk. Given the recent experiences of the men, their risk of self-harm or suicidal ideation may have been heightened.

TOMS data indicates that most of the men were in the reception area for less than 20 minutes. The two escapees transported with that group were only there for three to four

TREATMENT OF MALE TRANSFEREES

minutes, before going to Unit 1, Hakea's management unit. The other 15 men were escorted directly from reception to Unit 4, a standard mainstream unit, and placed in Unit 4 B-Wing which was vacant having recently been refurbished.

The obvious gap here is the apparent absence of a self-harm risk assessment. This ought to have been done, notwithstanding the circumstances of their receipt into Hakea.

5.3 CONFINEMENT REGIMES AT HAKEA

It has been difficult establishing the rules that apply to prisoners on a confinement regime, and those on close supervision. The Department has advised us in writing that *Adult Custodial Rule 1 – Management of Prisoners in Confinement* (ACR1) applies to all prisoners on separate confinement, including prisoners on close supervision.

ACR1 requires that all prisoners held in separate confinement must be:

- given access to a minimum of one hour's daily exercise
- be visited at least once per day by the Superintendent or a senior member of prison administration to ensure their health and welfare
- be visited regularly, preferably daily, by suitably qualified health service personnel to monitor their mental and physical health. (DCS, 2002)

Prisoners on confinement and close supervision regimes must sign individual Confinement Regime Rules specifying the conditions of their confinement. A written Reports and Occurrences book must also be kept, which records officers on duty, staff visits, searches, complaints, prisoner behaviour, movements in and out of the unit, and the timing of exercise, meals and showers.

All the Department's policy directives, custodial rules, and local orders are based on the relevant legislation of the *Prisons Act 1981* (WA) and/or *Prisons Regulations 1982* (WA), and, as such carry the weight of law.

The Unit 1 section 43 separate confinement regime

The two escapees were taken to Unit 1 and placed on a section 43 confinement regime. Section 43 of the *Prisons Act 1981* authorises the use of separate confinement for the purpose of maintaining good government, good order or security in a prison. The implementation of a section 43 regime was appropriate given the men's escape from Greenough during the riot.

The Unit 4 close supervision regime was harsher than Unit 1

The 15 men identified as rioters were taken to Unit 4 and placed on a close supervision regime. *Policy Directive 3 – Hierarchy of Prisoner Management regimes* (PD3) defines this type of regime as:

[...] a management option to maintain the good order and security of a prison. The purpose of close supervision is not intended as punishment or as part of a punishment. (DCS, 2009)

TREATMENT OF MALE TRANSFEREES

PD3 further states that close supervision regimes may be used to temporarily remove prisoners from the mainstream because they pose a risk to other prisoners or staff. Such a regime may be deemed necessary following acts of violence or serious nonconformist behaviour threatening the good order and security of the prison (DCS, 2009). This was also an appropriate measure in the circumstances.

The men who were held in Unit 4 told us that the close supervision regime they were held under was not compliant with the Confinement Regime Rules they had signed, or with ACR1. In fact, it seems it was more restrictive than the regime of those taken to Unit 1.

The Department provided us with copies of two Reports and Occurrences (R&O) books from Unit 4. The first 'Unit Control' R&O book records all movements in and out of the Unit. The second R&O book, annotated as 'DCS Reports and Occurrences: ex-Greenough Prisoner Wing', was intended to record all movements in and out of Unit 4 B-Wing. Examination of both books confirmed what the Unit 4 prisoners had told us about their regime.

The men told us that while they were held in Unit 4 they were not permitted an hour out of cell per day. They were offered their first shower on Saturday 28 July, the day after they arrived at Hakea. At that stage, they had not been permitted to shower for more than three days. They were taken directly to the showers and the phones, then returned to their cells. At no point during their stay in Unit 4 were the men granted a daily hour out of cell for recreation. This is an absolute minimum legal requirement.

While in Unit 4 the men were placed two to a cell. The cells were equipped with basic toiletries on arrival, although a number alleged that they did not receive toilet paper until Saturday 28 July. The cells did not have televisions, but some said they were able to get a radio after a few days, and were permitted letter writing materials. The men also alleged that the emergency cell call system in their cells was either disabled, or their calls were ignored.

Some of the Unit 4 men were later moved into Unit 1 after their direct involvement in the riot had been determined. These men confirmed that on arrival at Unit 1 they began to receive their daily hour out of cell. As such, their section 43 regime was less restrictive than that they had experienced on close supervision.

Orders from Hakea's senior management appeared not to be consistent with legislation governing minimum time out of cell

In 2014, the Department received legal advice in relation to management regimes that prompted a review. A subsequent notice from the Assistant Commissioner Custodial Operations was issued to all prisons which stated that:

Effective immediately, all prisoners placed on a regressed supervision level under PD3, such as Close or Basic Supervision, are to be permitted, as a minimum, 1 hour's exercise out of cell, with other prisoners. (DCS, 2014)

To our knowledge, that notice has not changed, or been rescinded.

TREATMENT OF MALE TRANSFEREES

Multiple entries in the Unit 4 B-Wing R&O book indicated that management had instructed unit staff to refuse those prisoners recreation, for example “no recreation as per senior management” (Friday 3 August). Recreation was denied to all those prisoners for the duration of their close supervision period in Unit 4.

Minimum time out of cell is an absolute right. It was established in the 1955 *United Nations Standard Minimum Rules for the Treatment of Prisoners* (United Nations, 2015), and is built into the Department’s governing legislation and policy.

Hakea’s Local Order 21 which relates to prisoner management, reiterates this, and further states that:

In addition to the minimum 1 hour exercise period, the prisoner shall be provided with out of cell time for ablutions and routine requirements (for example phone calls). (DOJ, 2017)

The orders from Hakea’s senior management and subsequent practice in the unit clearly breach this standard.

Senior management did not visit prisoners daily in Unit 4 despite policy requirements

Prisoners held in separate confinement are required to be visited at least once per day by the Superintendent or a senior member of prison administration to gauge their health and welfare (DCS, 2002). Those visits are recorded in the Reports and Occurrences book.

Copies of the Unit 4 B-wing R&O book suggest that daily visits by senior staff did not occur on eight days between Friday 27 July and Thursday 9 August. Although, the Unit 4 ‘Unit Control’ R&O book recorded that senior Hakea staff visited Unit 4 on four of those days, it is unclear whether they visited the ex-Greenough prisoners.

Regardless, neither R&O book has senior staff visiting ex-Greenough prisoners on Friday 27 July (the afternoon of their arrival), or on Wednesday 1 August, Wednesday 8 August, or Thursday 9 August. That breaches departmental policy and represents inadequate compliance.

Recommendation 4

Ensure compliance with relevant regulations and policies when implementing confinement and/or close supervision regimes following emergency incidents.

Phone calls to families were not available for more than two days

According to the *United Nations Standard Minimum Rules for the Treatment of Prisoners*, every prisoner has the right to immediately inform their family or contact person, following transfer to another facility. This is a fundamental right, not a privilege.

When a prisoner is received into custody in ordinary circumstances, they are processed through a prison’s reception area, and offered a call to their families to advise them of their situation. When a prisoner is subject to a regime and scheduled transfer between

TREATMENT OF MALE TRANSFEREES

facilities, they will have typically been able to advise their families or other contacts in advance. Neither procedure was available to the Greenough transferees.

The Confinement Regime Rules that the prisoners in Unit 4 were provided with stated that they were permitted social and legal phone calls, but included the comment: 'If can be facilitated'. The occurrence book indicates that phone calls were not available to the prisoners until Monday 30 July, as the prisoner's contact lists had not yet been added to Hakea's telephone system.

Furthermore, on the first day that phone calls were available, three of the 15 men in the unit were not able to make phone calls due to having insufficient funds. It is not known whether officer initiated welfare calls were offered.

The Greenough riot and escapes attracted significant national media attention. Family members and friends congregated outside Greenough prison for days waiting to hear about the welfare of their loved ones, but little information was given to them. One man told us that his family were assured he was still at Greenough, when in fact he had already been transferred to Hakea, but had been unable to inform them. A reasonable person would expect that family members should have been informed of the transfer as soon as possible.

Regular visits from qualified health staff did not occur despite policy requirements

ACR1 also states that prisoners held in separate confinement are required to be visited regularly, preferably daily, by suitably qualified health service personnel to monitor their mental and physical health (DCS, 2002). The Unit 4 B-Wing Reports and Occurrence book notes that health care staff attended the wing for half an hour on Saturday 28 July to see all the ex-Greenough prisoners. Medication rounds for the prisoners commenced that afternoon, and continued regularly in the morning and afternoon for the remainder of their stay in Unit 1 or Unit 4.

However, it is unclear whether suitably qualified health service personnel conducted these medication rounds, as is required by ACR1 (DCS, 2002). The men we interviewed told us that the staff who delivered medications could not dispense Panadol if it was requested. For some years now Hakea has relied on 'medication assistants' to conduct such rounds (OICS, 2016a). These staff are not qualified health care professionals, and are not authorised to dispense any medication other than what has been prescribed for the prisoners. They are not therefore permitted to dispense over the counter medications, and are certainly not capable of answering any questions or offering advice related to health or mental health issues.

In relation to other welfare support, the occurrence book records only one visit to the unit by the Prison Counselling Service (PCS) on Tuesday 31 July, and no attendance by the PSOs or AVS. When the PCS visited the wing, they would only have been able to speak to the prisoners through their cell door hatches, with cell mates and staff listening in. This is

TREATMENT OF MALE TRANSFEREES

clearly inappropriate. One man commented that, aside from police, we were the first people who had spoken to them about the riot since they arrived.

5.4 INTEGRATION TO HAKEA'S MAINSTREAM

One woman and 23 men were charged with rioting and causing damage

By late September when we interviewed the men at Hakea, most of the group had completed their initial periods of separate confinement. Many had been moved on to mainstream prison regimes elsewhere in the prison, or dispersed around the state's prisons. A number had even been released. A few had only a matter of days left to serve on supervision regimes.

At that point, Western Australia Police (WAPOL) were still conducting their investigation and charges for the riot and escapes had yet to be laid. On 12 October 2018, 23 men aged between 18 and 35, and one woman aged 30, were charged with rioting and causing damage by fire (ABC News, 2018). Of the 15 men who had been identified as persons of interest and held under close supervision in Unit 4, only six were charged.

Services did not flow from one prison to the next

Key reintegration and rehabilitation services were disrupted when men were transferred from Greenough to Hakea. Several of the men we interviewed had either been part way through a program at Greenough, or scheduled for a program in the coming months. At that time, Hakea staff advised them of their options going forward. They were concerned about the impact this could have on their future parole hearings.

We also spoke with a man who was due for release the following week, after spending more than two and a half years in prison. He told us that he had not spoken to anyone at Hakea about his release or transitional support options, and there was no record on TOMS to indicate otherwise. Despite he and all his family being from the Geraldton area, he was about to be released from Hakea.

Chapter 6

TREATMENT OF FEMALE TRANSFEREES

6.1 DEMOGRAPHIC PROFILE OF THE WOMEN

On the night of the riot, over half the women had links to the Mid-West

There were 56 women at Greenough at the time of the riot. TOMS showed that 29, or just over half, had links to the Mid-West region.

After the riot, 53 women were transferred to Bandyup. One was bailed from Greenough on Monday, 30 July 2018. Two Kimberley women were transferred to Broome on Thursday 2 August, and then to West Kimberley Regional Prison in Derby.

6.2 POST-RIOT CONDITIONS

Immediately after the riot, women at Greenough experienced degrading conditions

On 31 August and 17 September, we interviewed women who had been transferred from Greenough to Bandyup. They told us that the riot and its aftermath were extremely traumatic. One told us it was 'the worst night of my life'.

At first light, on Wednesday 25 July 2018, the 56 women were placed into the 22 intact cells in Unit 4. Fifteen of these cells were occupied by three women. Five of the cells had only single beds.

Women told us that they were instructed to take their mattress and linen from damaged cells, but were not allowed to retrieve clothes or other belongings. Some women said they were happy to share belongings with new cellmates. Two women were put in observation cells that lacked beds, cell furniture, TVs or toiletries, and four were placed into two management cells which had double-bunks, but nothing else. Women missed breakfast and lunch that day. A single meal was supplied through cell door hatches late on the Wednesday. After that, normal meals were supplied, but only through the hatches.

None of the women were allowed out of their cells for meals, showers, phone calls, to smoke, to exchange clothing, or for work, study, programs, or recreation. Medication was not distributed. Rubbish was pushed out of cells through the hatch. Women told us that after three days without showers or clean clothes, they were very uncomfortable, especially after the riot and contact with smoke from fires. Some women told us they 'bird-bathed' using the sink in their cell.

Women were distressed they could not reassure their loved ones

Women felt very strongly that they should have been allowed to phone family to let them know they were safe. Some heard later that, when family or friends came to the prison or called to ask about their welfare, they were only told 'she's alive'. The women themselves were not informed about enquiries from family. Although the prison let some women write home, one told us that a letter she gave to staff on 26 July did not arrive until 17 September.

The first women to have contact with family were those in the first group transferred to Bandyup on Saturday, 29 July. They could make calls the following day, five days after the

TREATMENT OF FEMALE TRANSFEREES

riot started. The second group, transferred on Sunday, had similar permission. Women in the third group told us they were allowed to make calls from Greenough the following Tuesday, the day before they left Greenough. One told us she burst out crying when she finally got to call her father.

Staff were not sympathetic

Women said that before the riot, they got on very well with most staff, some of whom were especially respectful and helpful. After the riot, things changed. Prisoners were hurt and bewildered by this changed attitude. Women told us that even some of the most sympathetic staff refused to answer questions about phone calls, showers, or clothes. They said that hatches were slammed shut as soon as food was put through, and that they were told to shut up and take their meal. They said that some staff seemed quite angry and that there were no enquiries as to how they were coping, or if they needed something. The cell call system was not working.

Some women told us when unit staff came to their cells, SOG officers were present and appeared to be supervising. Women also said staff claimed that they were under instruction from the SOG not to interact with prisoners, and not to touch anything in the unit, even their own personal belongings lying around after the riot.

In fairness, the Department, in its response, said that the SOG were not supervising Greenough staff, and were merely there to provide additional security.

No notice was given of the initial transfers out

The first two groups of female prisoners were not given any information about their weekend transfer to Bandyup. They were simply put in hand-cuffs, taken to reception, and placed on the bus. They had no opportunity to pack property from their old cells, or to inform family until the day after they arrived at Bandyup. They were not able to have a final visit with children, family or friends. Three days later, the third group were told they would be transferred, and some of those from self-care had the opportunity to pack belongings.

Those remaining after the weekend did receive some care and attention

Nineteen women were left after the second group was transferred. They were consolidated into J and K wings, allowing work to begin repairing cells in G and H wings. The third group of 16 were not transferred to Bandyup until the follow Wednesday, 1 August. Some of those women told us they did not get a second shower or change of clothes until the day before they left.

From Monday 30 July, food was served from the trolley, not through the hatches. Also on that day, a visiting Prison Counselling Service Clinical Supervisor, and the Greenough Prison Security Manager held two group meetings with the women. Those meetings were considered as critical incident psychological first aid sessions, after which each prisoner was briefly seen by a prison counsellor.

TREATMENT OF FEMALE TRANSFEREES

The Security Manager apologised for their experiences during the riot, and their poor treatment since, something the women appreciated. Women could also ask questions and resolve some of their concerns, including provision of sanitary packs.

On the following day, each cell was visited by a Prison Counsellor and the Women's Support Officer. Each prisoner was given a 'care pack' comprising a mindful colouring-in book with colour pencils, and brochures with information on 'Post-incident Reactions', and 'How to Cope'.

6.3 ACCOMMODATION FOR WOMEN RETURNING TO GREENOUGH WAS NOT APPROPRIATE

The records suggest that no women were held at Greenough between 2 August and 14 August, but inevitably, some women were required by court to appear in Geraldton. They were held at the back of Unit 1, the male maximum-security unit.

Between 15 August and 9 November, female prisoners spent over 130 nights at Greenough in Unit 1. During October, up to eight women at a time were held in cells 117, 118 and 119. One female prisoner was at Greenough for 25 consecutive days, and another spent 18 days on site. These were not brief transfers.

It may have been necessary for local management to keep Unit 4 closed for repairs, but we question the decision to hold women for considerable periods in maximum-security cells, at the back of Unit 1, which also holds male prisoners.

We recognise the infrastructure issues facing Greenough in the aftermath of the riot. Nevertheless, women, regardless of their security rating, should not be held in a male unit and confined for long periods of time.

Recommendation 5

Female prisoners should not be held for extended periods in the male maximum-security Unit 1.

We were pleased to learn that commencing early November, female prisoners held in Unit 1 were given opportunities to leave the unit for an hour each day for fresh air and exercise. This took place in the grassed courtyard attached to Unit 5. This must have been a welcome relief from the confines of the punishment cells of Unit 1. Men in Unit 5 were locked down when women were present.

6.4 LIFE AT BANDYUP FOLLOWING THE TRANSFER

Bandyup's Unit 1 B Wing back in service, but Greenough women were dispersed

All three groups arrived at Bandyup late, after dinner time. They were all processed quickly through reception and placed in units. Health staff then saw them very briefly.

TREATMENT OF FEMALE TRANSFEREES

Fortuitously, Bandyup had some capacity for two reasons. First, B section of Unit 1 had been empty for over a year and was due to be recommissioned at the beginning of August. Secondly, the new therapeutic drug prison for women, Wandoo Rehabilitation Facility, had opened in the week of the riot. Bandyup expedited the transfer of seven women to Wandoo to help accommodate those from Greenough.

The women from Greenough were dispersed among various units at Bandyup. Most were placed in Units 1 or 2, but those who had earned privileges in Greenough were placed in Units 4 or 6.

Greenough women were welcomed in group meetings and offered services at Bandyup

On Sunday 30 July, the Superintendent, PCS staff, nurses and chaplains met and welcomed the new arrivals to Bandyup. They were briefed on what they could expect, and offered services. A prison counsellor offered further individual counselling, and a nurse reviewed any existing health conditions. Women were also offered 'morning after' medication.

There were tensions among the women, and some felt they were a burden at Bandyup

Women who had not joined in the riot were angry with those who had. Many non-participants had been traumatised by the chaos and the fires, and disapproved of those who had engaged with male prisoners. They told us some of the young joiners were arrogant when they came to Bandyup, belittling others for failing to join in.

After several days, three women were identified as perpetrators in the riot, and they were demoted to close supervision. Some women from Greenough were interviewed by police in mid-August, but according to media reports, only one was charged with an offence relating to the riot.

Arriving at Bandyup, Greenough women told us they were conscious of imposing on an already crowded facility. Accommodating the new arrivals was certainly a burden for Bandyup staff and management. Some of the Greenough women also felt that other prisoners were unsympathetic.

Bandyup, like most Western Australian prisons at the time, had introduced adaptive routines that maximised staff safety over prisoner access to recreation, work, and other services. In response to the Greenough riot, the overtime cap had been lifted, but Bandyup was not able to fill existing staff positions. More staff were needed to manage the increased numbers from Greenough. Because some shifts could not be covered by overtime, the adaptive routine continued, causing frequent and extensive lockdowns.

Gratuity levels were maintained for two weeks, but not all found comparable work

Other than the three women placed in the management unit, the Greenough women were put on the standard prison regime at Bandyup. Initially, the prison was successful in easing their transition. Women on earned privileges at Greenough were placed in similar accommodation at Bandyup, and pay levels from Greenough were maintained for two

TREATMENT OF FEMALE TRANSFEREES

weeks after their transfer. During that period, women were expected to find new jobs, but in a crowded facility, the competition was strong. Only a few managed to get jobs with comparable gratuity levels. When we visited Bandyup, we found some long-term prisoners, who did not appear to have participated in the riot, having to manage on lower pay than at Greenough, and in less meaningful work.

Education and Transition Managers quickly assessed new arrivals

The Education Campus Manager saw all the new arrivals within a few days. Some declined education, especially those soon due for release, but some joined basic education classes, including four Aboriginal women who took Bandyup's first ever Standing on Solid Ground course. Others were waitlisted for future courses. One woman told us she had been enrolled in tertiary studies, but had already deferred for that semester.

A group of six women had been enrolled in traffic management training at Greenough and only had one more day of practical experience to complete the course. Unfortunately, there was no prospect of completing the course at Bandyup, as it had to be on public roads, and the section 95 clearances to work off-site were not available. The Transitional Manager (TM) suggested they contact the training contractor on release, who could help them complete their training, issue their certificate and possibly offer work. The TM also met with women due for release to arrange relevant documents, transport and other re-entry support.

Three women were put on management regimes, and others were transferred out

The three women identified as perpetrators completed 12 days on close and basic supervision in the management unit at Bandyup. Two were then returned to mainstream, and the third spent 18 days on a s.43 confinement regime.

The majority were not participants in the riot. One of them was transferred to Eastern Goldfields Regional Prison (Eastern Goldfields) 18 days after coming to Bandyup, followed by nine others over the next three weeks. One was transferred to Boronia Pre-release Centre for Women after four days at Bandyup, followed by two more before the end of August.

Many women lost property during the riot

None of the women who were transferred out on the weekend following the riot were allowed to pack their own property. Only some of those who left for Bandyup the following Wednesday could do so.

Long-term prisoners at Greenough had accumulated valuable property like books, game machines, craft materials, CDs, shoes, and toiletries. In the chaos of the riot, a lot of personal property had been lost. Some that remained was packed and sent to Bandyup, but it was many weeks before it was all sorted, logged, and issued or stored.

TREATMENT OF FEMALE TRANSFEREES

Women told us they believed the Department had managed property irresponsibly. They complained that property was missing even from intact cells, or that it had been mishandled. They claimed that photos had been torn off noticeboards. Potential losses were considerable in some cases, with one woman losing irreplaceable academic texts and notes. When we spoke with women in mid-September, some were still under the false belief that there was more property to be distributed.

Some needed ongoing counselling and mental health support

Many women were deeply traumatised following the riot. Initially, women were locked in cells. They could hear the progress of the riot, and smell smoke from the many fires. Staff had evacuated the unit, the cell call system had failed, and no-one told them what was happening. Men broke into Unit 4, and cell doors were smashed.

Some women joined in, but most were in fear for hours into the night. We were told the most terrifying aspect had been that custodial staff had not stayed to protect them. For many, the riot re-awoke trauma from experiences of domestic violence, when they had felt utterly powerless and vulnerable.

A number of counsellors and other professionals at Bandyup told us some women had experienced flashbacks and panic attacks. Lockdowns due to short staffing and the adaptive routine at Greenough had triggered acute fear, anxiety, and frustration.

Trauma had been made worse by unsympathetic treatment in the immediate aftermath of the riot. Disrupted routine, loss of contact with friends, family and counsellors, loss of personal property, all added to their distress. Many had been quite settled at Greenough before the chaos of the riot.

The Prison Counselling Service at Bandyup prioritised the Greenough women, at the expense of existing prisoners. Nineteen women asked for an initial counselling session, and five needed ongoing counselling. Some were also seen by the mental health nurse and the visiting psychiatrist. One woman said she had been 'crying her eyes out' for days before she saw someone. For the first time in her life she had needed medication to help her sleep and stabilise her mood. One of the women identified as a perpetrator in the riot was also very troubled, and needed particular attention from counsellors and mental health staff at Bandyup.

Women had quite different views on returning to Greenough

Women from the Mid-West generally focused on the positive aspects of the Greenough regime, and their good relations with staff. They wanted to return to be reunited with family and friends.

By contrast, many women from outside the region felt betrayed by Greenough staff. They had lost trust, and were fearful of moving to a mixed gender prison. In time, however, 10 women did accept a transfer to Eastern Goldfields, which is a mixed-gender prison, and told us they were quite happy there, noting that contact between men and women at that facility was more pro-social and better regulated than at Greenough.

Chapter 7

GREENOUGH IN 2019: SIGNS OF IMPROVEMENT BUT STILL IN RECOVERY

7.1 NEW MANAGEMENT AND INFRASTRUCTURE REPAIR DROVE POSITIVE CHANGE

In early December 2018, the substantive Superintendent was recalled to head office, and a Deputy Superintendent was transferred from Hakea Prison to Greenough to act in that position until February 2019. At which point another Superintendent would act for several months.

We visited Greenough on 11 January 2019, almost six months after the incident. The Commissioner and the Minister had visited the day before us. The Superintendent had presented his plans for investment at the site, including strategies to build a positive operational philosophy for Greenough, further relaxation of the prison routine, and infrastructure changes to improve site security. He told us the Minister and Commissioner had supported his plans for the prison. We welcome the commitment of significant investment by the Department.

Reopening Unit 4 reduced crowding and lockdowns, and eased tensions between management and staff. The Superintendent told us that in mid-December, repairs to Unit 4 had returned it to specification. Just before Christmas:

- 25 men in Unit 5 (self-care) had been moved to the self-care side of Unit 4
- the most compliant men in Unit 2 had filled the rest of Unit 4
- the remainder of those in Unit 2 had been moved to Unit 5, which had been stripped of self-care infrastructure
- Unit 2 was emptied for refurbishment.

At the time of our visit contractors were repairing Unit 3, and the refurbishment of Unit 2 had begun. The Superintendent assured us that eventually, Units 2 and 3 would fill again. Unit 5 would be refurbished as a female unit, to open as early as June 2019. He was pleased that the prison routine had relaxed, lockdowns were less frequent, and staff and prisoners seemed happier. The tensions between management and staff had relaxed.

Women were still held at the back of Unit 1, but were getting one hour recreation in the Unit 5 yard each day. We saw men in Unit 1 going to the oval for recreation as a group. Men choosing not to go were locked in cells.

Health and education service delivery had improved

General Practitioner health service at the Greenough Health Centre was still restricted, with time in the prison limited by changes to flight schedules into Geraldton. Despite that, prisoner access to the Health Centre had improved. The visiting psychiatrist had noticed a positive change in prisoners at Greenough, but had seen signs of post-traumatic stress disorder in men sent down to Hakea after the riot.

Staff at the Education Centre were planning programs for 2019, and had been allowed to run some activities over the Christmas break. Education staff were pleased to have been included in the Superintendent's call for input to a Greenough operational philosophy and strategic plan, based around education, health and employment. A course in radio

GREENOUGH IN 2019: SIGNS OF IMPROVEMENT BUT STILL IN RECOVERY

production was planned, with input from Radio Mama, the Geraldton Yamatji radio station, and a multimedia trainer with experience working with male and female Aboriginal prisoners at Eastern Goldfields. The Commissioner had guaranteed departmental support for that project.

Peer support team members were impressed by recent changes at Greenough, and attributed them to the new Superintendent. They still had several concerns, including:

- lack of programs and reintegration support
- processes at the canteen
- limits on money coming in
- difficulty accessing funerals
- officer attitude
- poor cultural awareness training for prison staff.

Despite those complaints, we were impressed by the general atmosphere of positivity and optimism expressed by staff and prisoners. It was a marked change from the bleak negativity we had found during our visit in November, just six weeks earlier.

A genuine recovery process appeared to be in place, but it had been six months coming. And it needed to be sustained.

7.2 LESSONS LEARNED

Crisis and post-crisis management strategies should be strengthened

Fortunately, loss of control has happened rarely in Western Australian prisons. Unlike WAPOL and the Department of Fire and Emergency Services staff, prison management and staff have no recent personal or practical experience of high-level emergency situations.

Our assessment of the six-month journey towards recovery at Greenough has raised questions about the Department's capacity to manage a timely recovery from high-level critical incidents.

Many matters raised in this report are based on our observations of what happened. It is clear that opportunities exist to better prepare for the recovery from a serious incident. Clear business continuity and disaster recovery planning may well highlight key issues to be addressed in the recovery phase.

Appendix 1

TABLE OF ABBREVIATIONS

ALS	Aboriginal Legal Service
AVS	Aboriginal Visitor Scheme
CCC	Choices, Change and Consequences
DCS	Department of Corrective Services
DOJ	Department of Justice
I&R	Inspections and Research
ICF	Incident Control Facility
MLA	Member of the Legislative Assembly
OICS	Office of the Inspector of Custodial Services
PCS	Prison Counselling Service
PSM	Public Service Medal
PSO	Prison Support Officer
R&O	Reports and Occurrences
RAW	Regional Alliance West
SOG	Special Operations Group
TOMS	Total Offender Management Solution
VSO	Vocational and Support Officer
WAPOL	Western Australian Police

Appendix 2

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Appendix 3

MEDIA RELEASE

Office of the Inspector of Custodial Services

MEDIA RELEASE

REPORT INTO INCIDENTS AT GREENOUGH REGIONAL PRISON ON 24-25 JULY

Embargoed until 12 Noon on Wednesday 28 November 2018

The Inspector of Custodial Services, Neil Morgan, has welcomed the release of Ms Jan Shuard's report into the loss of control, damage and escapes at Greenough Regional Prison on 24-25 July 2018. Professor Morgan said:

'I welcomed the appointment of Jan Shuard to undertake this review, and congratulate her and her team on the quality and timeliness of their report. I know, all too well, how hard it is to undertake such reviews in the stressful and confusing aftermath of serious incidents.

Nobody is defending the actions of the prisoners, and nobody could have predicted the precise sequence of events. But I agree with Ms Shuard's findings in relation to the causes and contributing factors. Indeed, as she points out, we had previously warned of these in published reports and other forums. The problems included ailing infrastructure, deteriorating staff/management relations, too few prisoner activities and too many lockdowns, insufficient focus on the needs of young prisoners and Aboriginal prisoners, the location of the women's unit, and poor strategic planning.

I can only hope that the government responds to Ms Shuard's findings and recommendations in a more positive and proactive way than when we tried to get progress on the same issues, especially in 2016 and early 2017. Too many of our warnings were ignored or under-played.'

Professor Morgan said he also agreed with Ms Shuard's assessment of the strengths and weaknesses of the immediate response to the incident by the Department of Justice and WA Police:

'In essence, the response on the night was generally good. But the Department did not give sufficient attention to prevention and preparedness, failing to heed some of the lessons from the 2013 and 2017 riots at Banksia Hill Detention Centre.'

The Inspector said he was satisfied that Ms Shuard's report adequately explained the nature, causes and response to the 24-25 July incident, and that he would therefore not be reporting on these matters. However he said that the issues of post-incident management required consideration:

'As with most official inquiries into riots and escapes, Ms Shuard's terms of reference were directed to the events of the night. Her priority was to learn lessons from the night and to reduce the risk of such events occurring again.

However, I took the view that it was also important to examine what happened in the period following the riots and escapes. How adequate was the support given to the

MEDIA RELEASE

prison, its staff and its management? How were prisoners treated, especially the women? And how can Greenough re-group, recover and revitalise?

We have recently completed the fieldwork for this report and will send a draft report to the Department of Justice for comment as soon as possible. However, by the time we comply with formal due process requirements and the statutory one month embargo period that applies to all our reports, our report is not likely to be tabled before March 2019.'

Neil Morgan
Inspector

Appendix 4

DEPARTMENT OF JUSTICE RESPONSE



Response to the Announced Inspection:

**Management of Prisoners after the July
2018 Riot and Escapes at Greenough
Regional Prison**

July 2019

DEPARTMENT OF JUSTICE RESPONSE

Response to the Announced Inspection:

Management of Prisoners after the July 2018 Riot and Escapes at Greenough Regional Prison

The Department of Justice welcomes the report into the Management of Prisoners after the July 2018 Riot and Escapes at Greenough Regional Prisons.

The Department has reviewed the report and noted a level of acceptance against the seven recommendations.

Appendix A contains comments for your attention and consideration.

DEPARTMENT OF JUSTICE RESPONSE

Response to the Announced Inspection:
Management of Prisoners after the July 2018 Riot and Escapes at Greenough Regional Prison

Response to Recommendations

- 1 In the immediate aftermath of a major disturbance, consideration needs to be given to meeting the health and welfare needs of prisoners.**

Response:

The Department acknowledges the need for structured post-incident planning for the management of staff and prisoners following a major disturbance, and will take a programmatic approach to addressing the recommendations made in the report.

Corrective Services will develop a statewide prison centric post incident recovery plan for prisoners and staff. The plan will instruct on all aspects of prisoner management, staff and family support along with prisoner service delivery. It will also advise on progress reporting requirements. The plan will be the vehicle to ensuring the recommendations made in the report are enduring and have local prison relevance. The establishment of the recovery plan will enhance and fit within the existing Emergency Management Framework.

Level of Acceptance:	Supported
Responsible Business Area:	Operational Support
Proposed Completion Date:	31 October 2020

- 2 Having regard to security and infrastructure conditions, timely recovery to a normal regime must be a priority for emergency management planning.**

Response:

Recommendation will be addressed through the program of works being done in response to recommendation 1.

Level of Acceptance:	Supported
Responsible Business Area:	Operational Support
Proposed Completion Date:	31 October 2020

- 3 After a major disturbance, the Department ought to consider the provision of consistent and sustained support to prison senior management to assist the recovery effort.**

Response:

Recommendation will be addressed through the program of works being done in response to recommendation 1.

Level of Acceptance:	Supported
Responsible Business Area:	Operational Support
Proposed Completion Date:	31 October 2020

DEPARTMENT OF JUSTICE RESPONSE

Response to the Announced Inspection:
Management of Prisoners after the July 2018 Riot and Escapes at Greenough Regional Prison

4 Ensure compliance with relevant regulations and policies when implementing confinement and/or close supervision regimes following emergency incidents.

Response:

Recommendation will be addressed through the program of works being done in response to recommendation 1.

Level of Acceptance:	Supported
Responsible Business Area:	Operational Support
Proposed Completion Date:	31 October 2020

5 Female prisoners should not be held for extended periods in the male maximum-security Unit 1.

Response:

Female prisoners currently at Greenough are not held in male maximum security Unit 1 for extended periods.

Unit 1 is utilised as temporary accommodation only for new female intakes. These women are transferred to alternative appropriate facilities as soon as practical, taking into consideration that constant transfers can have a destabilising impact on the health and wellbeing of the women. The transfers are informed by individual circumstances such as court appearances, bail conditions, family visits, transport availability and other personal requirements.

As the women are received at Greenough, urgent transfer and management plans are designed taking into consideration their circumstances and to minimise their length of stay in Unit 1.

This process will continue until such time more permanent accommodation for women at Greenough is stabilised.

Level of Acceptance:	Not Supported
Responsible Business Area:	Adult Male Prisons
Proposed Completion Date:	N/A

Appendix 5

INSPECTION TEAM

Neil Morgan	Inspector of Custodial Services (to April 2019)
Eamon Ryan	Inspector of Custodial Services (from May 2019)
Darian Ferguson	Deputy Inspector of Custodial Services
Lauren Netto	Principal Inspections and Research Officer
Stephanie McFarlane	Principal Inspections and Research Officer
Charlie Staples	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Kieran Artelaris	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer

Appendix 6

INSPECTION TIMELINE

Inspector	Formal notification of announced inspection	17 August 2018
Principle Inspection & Research (I&R) Officer, Community Liaison Officer	Interviews with management and prisoners at Bandyup	31 August 2018
Deputy Inspector, Two I&R Officers	Interviews with management, staff and prisoners at Greenough	10–11 September 2018
Principle I&R Officer, One I&R Officer	Interviews with management, staff and prisoners at Bandyup	17 September 2018
Principle I&R Officer, Community Liaison Officer	Interviews with contracted and other service providers in Geraldton Interviews with management, staff and prisoners at Greenough	17–18 September 2018
Two I&R Officers	Interviews with management and prisoners at Hakea	21 September 2018
Two I&R Officers	Interviews with management, staff and prisoners at Greenough	26 November 2018
Two I&R Officers	Interviews with management, staff and prisoners at Greenough	11 January 2019
Inspector	Draft report sent to the Department of Justice	12 March 2019
Director General, Department of Justice	Initial response received from the Department of Justice	12 April 2019
Inspector	Revised draft report sent to the Department of Justice	1 July 2019
Director General, Department of Justice	Revised response received from the Department of Justice	21 August 2019

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



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