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**FEMALE PRISONS IN WESTERN AUSTRALIA
AND THE GREENOUGH WOMEN'S PRECINCT**

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OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

**Female Prisons in Western Australia
and the Greenough Women's Precinct**

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The Inspector's Overview

THE GREENOUGH WOMEN'S 'PRECINCT': A BAND-AID IN THE WRONG PLACE

The first half of this report examines the state of women's imprisonment in Western Australia. It charts a history of improvement from 2002 to 2007, followed by a period when the Department of Corrective Services ('the Department') failed to plan adequately for a mushrooming number of female prisoners. The second half of the report examines the role of Greenough Regional Prison ('Greenough') in housing women. Greenough has always held some female prisoners but due to the crisis of numbers it has been required to fulfil a much greater role since the end of 2012.

This report concludes that although there is still work to be done, Greenough now offers an improved environment, culture and services to its female prisoners. This was hardly difficult given the very poor conditions that existed for women at the prison previously, but what has been achieved is a real credit to management and staff at the prison, especially as they were given few additional resources.

Ultimately, however, the Greenough women's unit is a Band-Aid in the wrong place: too small to meet demand, too far from home for the prisoners, and still a female island in a male domain. Thus, whilst the prison has improved services to women, it would be the wrong choice for any major further expansion of the female prison estate. Fortunately, the Department accepts this view. However, because of the lack of investment in accommodation for female prisoners over the past six years, it now faces some extremely difficult decisions. Unless it can identify some other solution that can be actioned quickly, it will need to allocate other parts of the male system for women.

THE GREENOUGH WOMEN'S 'PRECINCT'

Infrastructure

Greenough is a prison that holds over 300 prisoners. The majority are male but it has always held a number of females. Up to late 2012, around 25 women were held in a claustrophobic, confined, and run-down area. They were a poorly serviced adjunct in a profoundly male domain.

In 2012, in belated response to a crisis in numbers and serious stress at the state's main metropolitan women's prison, Bandyup Women's Prison, the Department decided to turn one of Greenough's larger and more modern male units into a female unit with capacity of around 69. To try to ensure separation, the unit was fenced off from the male areas and a number of demountable buildings were added to provide education and other support services. The women's area includes a basketball/netball court, some exercise equipment, and pleasant garden area. However, it is not entirely self-contained and this generates significant issues (see below).

Moving Women to Greenough from Bandyup and Roebourne

The initial movement of the women already at Greenough to the new unit in late 2012 went without problem. However, many of the women who were moved from Bandyup to Greenough in early 2013 were highly distressed. They were being moved against their will, and away from their children, family and friends. This was not only distressing but

also contrary to the promises made in Departmental policy documents on the management of women prisoners. The women also believed, as did many Greenough staff, that they had been given a misleading impression of what they were going to. Fortunately, after a difficult start, the women have settled into the new unit. It generally now has a sense of calm, especially compared with the loud, frenetic and stressed Bandyup environment.

In January 2013, the Department surprisingly decided to close the women's unit at Roebourne Regional Prison and transfer the Roebourne women to Greenough. Its justification was that this would give Pilbara women better access to services as there was a larger 'critical mass' of prisoners at Greenough. However, it was a shortsighted and poorly judged decision. The number of women in prison was always destined to exceed Greenough's capacity within a short time and the Pilbara women were angry and upset by a decision they saw as discriminatory and unfair.

As recently as February this year, the Department was still rejecting our call to re-open the Roebourne women's unit.ⁱ However, continued overcrowding and stress at Bandyup, coupled with the lack of alternatives meant it had little choice, and women began returning to Roebourne in mid-July. This presents obvious challenges because Roebourne's operations and services must be remodelled. We will be assessing its performance in managing women in the coming years.

General Performance

The infrastructure for women prisoners at Greenough is a marked improvement. Services and opportunities for rehabilitation have also improved in several areas. The most marked areas of improvement are as follows:

- Women, now being 25 per cent of the population not 10 per cent, have a stronger place in the prison;
- Increased focus on women's issues by the local management team;
- Improved education and employment opportunities;
- Improvements to women's support services; and
- Introduction of an Integrated Offender Management Committee to look holistically at the needs of individual prisoners.

Areas for improvement include:

- Health services;
- Arrangements for visits and family contact (especially for women who are a long way from home); and
- Programs to address offending behaviour.

i Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 89 (February 2014).

Managing Men and Women

Although the Department has badged the new area as a 'women's precinct', this does not mean that it is fully segregated or self-contained. Unlike most of the mixed regional prisons, Greenough very rarely allows male and female prisoners to mix in voluntary, positive, organised, and supervised settings. The fence between the women's area and the rest of the prison does provide some visual privacy but some men and women were communicating across the fence-line in demeaning, unhealthy and inappropriate ways. We were also concerned that many staff said the women's behaviour was causing problems, despite the fact it was clearly a two-way process.

Another problem is that the women have to go into the male area to access some medical services. They find this uncomfortable and there was evidence that it was deterring some of them from addressing significant physical and mental health issues.

I am very well aware of complexities of managing relationships and association between men and women in prisons, but at present Greenough embodies the worst of both worlds. Interaction is occurring, and it would be naïve to pretend otherwise. And it is not interaction that promotes positive, respectful behaviour. The safety and security of women prisoners must be paramount, but I continue to believe that, subject to careful risk assessments and proper supervision, men and women at mixed gender prisons should be allowed voluntary, meaningful and respectful interaction with each other. Ideally this will take the form of organised activities and it could be offered as an incentive to good behaviour. West Kimberley and Eastern Goldfields Regional Prisons are being managed this way, as was Roebourne Regional Prison prior to the 2013 closure of its women's unit. Greenough could institute similar practices but the Department appears to have little enthusiasm for this.

WOMEN'S IMPRISONMENT: IN A STATE OF PREVENTABLE CRISIS

Numbers and Need

Women still form a relatively small proportion of Western Australia's prison population but their numbers have grown quickly, and at a much faster rate than male numbers. Today, there are 486 women in prison, a staggering increase of 40 per cent in five years (in July 2009 there were 350). The number of male prisoners has increased by 15 per cent over the same period (from 4120 to 4748). Another way to represent the trends is that women currently comprise 9.3 per cent of the prison population compared with 7.7 per cent in July 2009.

Over the past 20 years, there has also been growing recognition in research and in official policy documents that women prisoners have different, and usually more complex, needs than men. Key differences include:

- Legal status: 27 per cent of women are on remand, compared with 22 per cent of men;
- Aboriginality: 52 per cent of women are Aboriginal, compared with 38 per cent of men;
- Mental health: a serious issue amongst the prisoner population as a whole, especially women;

- Women still generally carry higher and more immediately pressing family responsibilities; and
- Women are commonly victims as well as offenders.

Investment Decisions 2008–2013

Action to add new capacity for women was clearly needed by 2008 and absolutely critical by 2009–2010. However, women have barely featured in the state's massive prison expansion program of 2009–2013. Leaving aside the installation of double bunks in single cells, the Department has overseen the installation of well over 1,500 additional beds for male prisoners in the last five years. This new accommodation straddles all security ratings and most of the state.

However, apart from the women's unit at the West Kimberley Regional Prison, which opened in late 2012, the women have had to make do with the unwanted leftovers of the male estate. Not only that, whilst shared cells at male prisons now at least have double bunk beds installed, women at Bandyup have continued to be forced to sleep on the floor.

It is also unfortunate that the investment decisions in recent years did not factor in flexibility. Instead of adding multi-purpose facilities to the system, virtually all the accommodation has been added inside the perimeter of male prisons.

GETTING OUT OF CRISIS

Accommodation

New prisons take many years to move from the drawing board to operation and there are no firm plans for a new women's prison. The Department's new leadership has inherited a serious problem and now faces the unenviable prospect of trying to find places for female prisoners. Unfortunately, this is likely to come at the cost of re-allocating a high performing part of the male prison system to women.

I have been discussing the various options with the Commissioner and the Department for some time. Reflecting these discussions, the report makes a number of recommendations. They include:

- Examine ways to reduce the number of women in prison, especially the high remand numbers;
- Re-open the Roebourne women's unit (accepted by the Department and currently being actioned);
- Examine ways to maximise the opportunities offered by the Boronia Pre-release Centre (accepted by the Department and currently being actioned);
- Do not expand Greenough further as a prison for women (accepted by the Department);
- Do not use units at male prisons such as Hakea or Acacia for women (accepted by the Department);
- Examine using either the Bunbury Regional Prison Pre-release unit or the Wandoo Re-integration Facility for female prisoners (both options currently under consideration by the Department).

In the longer term, however, there is really no alternative to a substantial new women's prison in the metropolitan area. I have urged that, in examining its options for adult women, the Department should also give serious consideration to the needs of juveniles held in detention. Currently, Banksia Hill Detention Centre is the only option for juveniles and there are strong arguments for more diversity in the juvenile area.ⁱⁱ Consideration should therefore be given to the development of smaller detention units for juveniles and developing Banksia Hill into a women's prison.

Costs

It is very expensive to keep a person in prison. In 2012–2013 the average cost per prisoner increased by almost nine per cent, well above CPI, to \$317 per day or \$115,705 per annum.ⁱⁱⁱ Obviously, however, costs vary between different prisons and different cohorts of prisoners.

Given that all the Department's relevant policy documents refer to the fact that women in prison on average, have significantly higher needs than male prisoners, especially in areas such as health services, it might be expected that this would be clearly reflected in the budget arrangements for different prisons. Greenough, for example, faces more demands on core services when 25 per cent of its population is female than when 10 per cent is female.

To date, in my view, the system in this state has not given due regard to these facts.^{iv} The Department's response to this report firmly states that the issue of budgets is a matter for individual prisons to pursue in their individual budget bids and says no further action is required to embed the differences for women. However, there was no evidence of additional resources actually reaching Greenough to reflect the increased number of women. The Women's Support Officer position was increased from 0.6 to full time, but at the same time her workload more than doubled with the growth in female prisoner numbers.

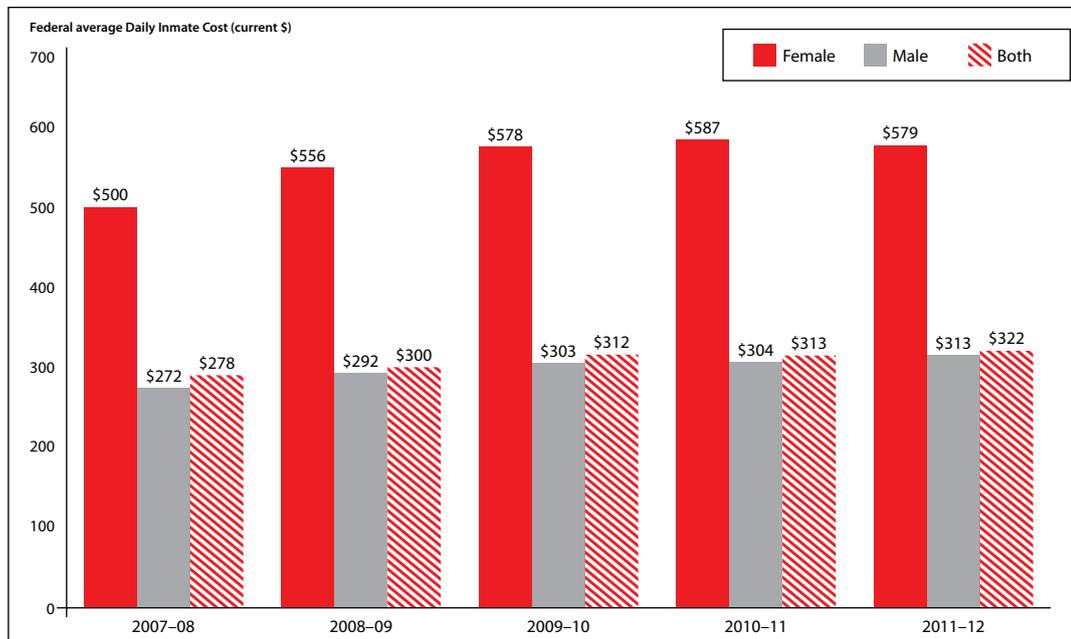
Whatever process is adopted, I believe that improved funding arrangements are required if better outcomes are to be achieved for women. Western Australia has something to learn from Correctional Services Canada ('CSC'). CSC explicitly recognises the additional cost of women's imprisonment and builds this directly into its planning and funding allocations. As the following table shows, it assesses the actual cost of men's imprisonment to be only 55 per cent of the cost for women. Interestingly, though, because women are only a small proportion of the population, the impact on the total cost of imprisonment is only around three per cent.

ii OICS, *Directed Review into an incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013); OICS, *The Management of Young Women and Girls at Banksia Hill Detention Centre*, Report No. 86 (October 2013).

iii Department of Corrective Services, *Annual Report 2012–2013*, 98–99.

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

Correctional Services Canada: Costs of keeping an inmate incarcerated



Source: Correctional Service Canada.^v

Structures and Outcomes

The establishment of a high level position, the Director Women's Corrective Services, was one of the reasons that the focus on women's imprisonment improved from 2003 to 2008. I have always taken the view that the abolition of this position in 2010 was a mistake, a view shared by two Parliamentary committees,^{vi} and still consider that such a position is required, not least to drive a coordinated focus on both prison based services and community corrections. However, the Department has firmly rejected a recommendation on these lines.

Results and outcomes are more important than structures and processes, and there was certainly room to streamline Departmental bureaucracy.^{vii} However, I am not persuaded that there can be improved services and outcomes for women without an appropriate high level position to drive women's interests. I hope to be proved wrong.

Neil Morgan

Inspector of Custodial Services

21 July 2014

v <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/crrctns-cndtnl-rls-2013/index-eng.aspx>

vi Community Development and Justice Standing Committee, *Making Our Prisons Work: An Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies*: Report No. 6 (2010); Standing Committee on Public Administration, *Omnibus Report – Activity During 38th Parliament* (2012).

vii See OICS, *Directed Review into an incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013).

Chapter 1

WOMEN'S IMPRISONMENT: A STORY OF INCREASING NUMBERS, NEED AND NEGLECT

A THEMATIC REVIEW AND A GREENOUGH INSPECTION

- 1.1 This report provides a review of services for women prisoners at Greenough Regional Prison ('Greenough') based on an on-site inspection in August 2013 and a thematic overview of the state of women's imprisonment. Events since August 2013 have added to its timeliness and relevance. First, the crisis in female prisoner numbers has predictably continued, with Bandyup Women's Prison in Perth ('Bandyup') bearing the brunt of the problems.¹ Secondly, the Department of Corrective Services ('the Department') is in the midst of much-needed structural and cultural reform. Its ability to respond to the crisis of female imprisonment after six years of neglect will provide a strong test of this reinvigoration.
- 1.2 New prisons take many years to come into operation and in order to address the immediate crisis in female imprisonment, intelligent lateral thinking will be required. This will necessitate difficult decisions about how best to use existing custodial assets to meet demand. Unfortunately, if the needs of female prisoners are to be adequately met, these decisions are likely to impact adversely on male prisoners in some well-functioning parts of the system. However, provided decisions are made with an eye to the needs of prisoners as a whole, and not merely as stop-gap measures, there are real opportunities for the Department to improve services to women, to reduce recidivism, and to provide the foundation for improved future planning and investment.

METHODOLOGY

- 1.3 Female prisoners at Greenough are now held in Unit 4. The on-site inspection of Unit 4 took place over a period of three days and involved a large number of meetings with management, staff and prisoners, sometimes in groups and sometimes individually. This was supplemented by documentary material relating not only to Greenough but also to women's imprisonment as a whole. Meetings were held with head office representatives and they were also provided with a briefing on our key findings. Prior to the on-site phase of the inspection, focus groups were conducted with the women in Unit 4. Because they came from all over the state, three groups were convened, determined by the prisoners' home region – the Mid-West, South-West/metropolitan, and Pilbara.² Another focus group was held at Bandyup, comprising women who had spent time in both prisons.

1 The Office conducted an inspection of Bandyup in March 2014. The report of this inspection will be published later, but this report does make brief reference to some of its negative and depressing findings.
2 For further discussion of the situation for female prisoners from the Pilbara, see [1.31]–[1.33], [3.4]–[3.7] and [3.12].

GREENOUGH IN A NUTSHELL: DOING BETTER BUT A BAND-AID IN THE WRONG PLACE

The 'New' Greenough Women's 'Precinct'

- 1.4 Greenough has always housed a number of women prisoners, usually in the region of 25 and usually in Unit 5, a claustrophobic, confined and run down area.³ In 2012, in response to a crisis of numbers at Bandyup, a more modern and larger unit, Unit 4, was modified for women prisoners. The women already at Greenough started to inhabit Unit 4 from late November 2012 and Unit 5 reverted to a male unit. Women were transferred in from other prisons, especially Bandyup and Roebourne Regional Prison ('Roebourne'), from late January 2013.
- 1.5 Unit 4 had previously served as a unit for male prisoners. It is located within the same perimeter fence as the rest of the prison, close to male accommodation blocks, the oval and a number of other amenities. It is separated from the male accommodation areas by a mesh fence topped by razor wire. A privacy screen has been added to the fence line adjacent to the male prisoners' accommodation, obscuring the view in and out of the women's unit. This adds some degree of visual, but not aural, privacy. When it was decided to turn over the unit to women, some additional supporting infrastructure, in the form of demountable buildings, was added to allow education and a number of other services to be delivered in the same section of the prison. There is a basketball/netball court, some isometric gym equipment, and a small but pleasant garden area.
- 1.6 Unit 4 and its immediate surrounds are now called the 'women's precinct,' but this term should not obscure the fact that the area is not truly separate physically. Nor can it function fully independently because many core services are centrally located and delivered. Despite the improvements it is still a female island in a male prison.
- 1.7 If Unit 4 is fully occupied, it has a total capacity of 69. In other words, compared with Unit 5, it offers a gain of up to 44 beds for women. Importantly it also offers the opportunity to do much more for women being held at Greenough than in the past.

Why This Inspection?

- 1.8 The Office conducted an announced inspection of Greenough in October 2012 and examined the situation of women in Unit 5 at that time. However, for a number of reasons, the Inspector decided to undertake an additional targeted inspection of the new women's unit in August 2013:
 - The new unit was not open in October 2012.
 - Over the past six years, the Office has consistently expressed alarm at a growing crisis in women's imprisonment. Whilst there has been massive additional investment in

3 Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 21 (May 2003); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 44 (May 2007); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013).

male prisons, there has been far too little for women, despite their growing numbers and the palpable deficiencies of existing facilities, especially Bandyup Women's Prison.⁴

- Greenough does not have a good record in dealing with female prisoners. Over more than a decade, our inspection reports have found the women isolated and poorly serviced, very much an unwanted adjunct in a profoundly male domain.⁵ We needed to examine whether the new unit was genuinely offering something better and whether the culture had changed.
- Even if Unit 4 is an improvement at Greenough, it is fundamentally flawed as a location. There are relatively few women prisoners from the region and it is a long and difficult journey to Greenough from other parts of the state. When Unit 4 opened, many women with absolutely no connection to the area had been forced to move from Bandyup Women's Prison in Perth, creating stress and further social dislocation. In addition, all of them complained that they had not been given an accurate picture of what they were going to. We wanted to find out what the Department had done to mitigate these problems.
- The problem of (dis)location was compounded by the Department's surprise decision in January 2013, to close the women's unit at Roebourne to anyone other than remandees or short-term visitors. As a result, most of the women from the Pilbara were transferred to Greenough. They were distressed and frustrated at being out-of-country, especially as the men at Roebourne were not only able to take over their old unit but were also having additional facilities built, in the form of a 'work camp' at the front of the prison.⁶

General Conclusion

- 1.9 The broad conclusion of this report is that although there is still work to be done, Greenough does now offer an improved environment, culture and services to its female prisoners. This is a credit to the prison management and staff, especially given the very limited additional resources that were made available to the prison. However, it is ultimately a Band-Aid in the wrong place: it is too small to meet demand, too far from home for the prisoners, and not the right choice for any major further expansion of the female estate.

4 OICS, *Annual Report 2012–2013*; OICS, *Annual Report 2011–2012*; OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011); OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 57 (December 2008); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 79 (July 2012); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010); OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 72 (June 2011); OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008); OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 77 (March 2012); OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 56 (November 2008); OICS, *The Management of Young Women and Girls at Banksia Hill Detention Centre*, Report No. 86 (October 2013).

5 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 21 (May 2003); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 44 (May 2007); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013).

6 See [1.31]–[1.33].

WOMEN'S IMPRISONMENT: A STORY OF INCREASING NUMBERS,
NEED AND NEGLECT



Photo 1: Greenough Unit 5 – The women's unit pre-2012



Photo 2: Greenough Unit 4 – The new women's precinct

WOMEN PRISONERS: INCREASING IN NUMBER AND COMPLEXITY

1.10 The number of prisoners has increased rapidly and consistently over recent years and the rate of growth has been much faster for females than males. These are national as well as local trends. They have been predictable and obvious over the past 20 years and particularly marked in the last five. Female prisoners have a different profile from the males and, as a group, have more complex needs.

Numbers

1.11 Twenty years ago, Western Australia had 90 to 100 female prisoners out of a total prisoner population of 1800. At the time of finalising this report (mid-March 2014), there are 5,120 people in prison, comprising 475 females and 4,645 males. Thus, in the past 20 years, the total prison population has grown by 2.8 times, male numbers by 2.7 times and female numbers by 4.8 times. Women were just five per cent of the prison population 20 years ago but are now 9.2 per cent.

1.12 The following table shows that the sharp upward movement in female numbers has been particularly pronounced over the past five years. From March 2009 to March 2014, the number of female prisoners grew by over 50 per cent. The number of male prisoners rose by 25 per cent.

	Total number of prisoners	Number of female prisoners	Female prisoners as % of total number
March 2009	4000	315	7.8
March 2011	4650	375	8.1
March 2013	4950	450	9.0
March 2014	5120	475	9.3

Table 1: Female Prisoner Numbers 2009–2014

1.13 The number of people in prison is destined to increase as the population grows and as a result of legislative changes, including laws to ‘close loopholes’ in the state’s three strikes home burglary laws. Estimates of the numbers involved, and their breakdown by gender, are not available but these legislative changes will certainly increase the number of women in prison, as well as the number of men. Because they reflect a person’s ‘track record’ of offending, the impact of these laws will be felt for a number of years and will have a compounding effect.

1.14 In the interests of public protection as well as the offenders, rational, well targeted prison systems address need and not just numbers. This is not the place for a full exploration of the differences between male and female prisoners and of the need for a women-centred philosophy: that is something that is now well-accepted and that the Department and others have fully articulated.⁷ However, it is important to emphasise that the profile of female prisoners is significantly different from that of males with respect to Aboriginality

⁷ Department of Corrective Services (DCS), *Profile of Women in Prison 2008 – Final Report* (2009); DCS, *Strategic Plan for Women 2009 – 2012: Women’s Way Forward*; DCS, *Female Prisoners Plan 2012 – 2022* (2013); DCS, *Female Offenders Framework* (September 2011); DCS, *Female Offender Policy* (September 2011).

and legal status. Furthermore, the needs of female prisoners in terms of mental health issues, family responsibilities and victimisation are often acute.

- 1.15 Western Australia has the highest per capita incarceration rate of Aboriginal people in Australia, well in excess of every other jurisdiction.⁸ Aboriginal women are even more seriously over-represented than Aboriginal men. As shown in Table Two, in March 2014, 47 per cent of the women in prison were Aboriginal, compared with 39 per cent of the men.

	Proportion of all Prisoners who are Aboriginal	Proportion of Prisoners on Remand	Proportion of Remand Prisoners who are Aboriginal
Male	39%	19.9%	47%
Female	47%	24%	50%

Table 2: State Prisoner Profile March 2014

- 1.16 Legally, prisoners are classified into two groups: remand and sentenced. Remand prisoners pose particular challenges for prison systems. They are legally innocent and, at least in theory, are entitled to a different regime. Having been received into prison more recently, they are also likely to be more unsettled and volatile. Table Two shows that remand numbers have been rising significantly faster than sentenced prisoner numbers. It also shows that women are significantly more likely to be on remand than men and that, of all the cohorts, Aboriginal women are the most likely to be on remand.
- 1.17 Local, national and international research agrees that mental health is a serious issue amongst the prisoner population as a whole, and especially amongst female prisoners.⁹ Unfortunately, these mental health issues are all too obvious, especially at Bandyup. Parts of Bandyup are in effect operating as secure units for people with serious mental health issues, but cannot provide the therapeutic environment and services that are needed.
- 1.18 In many families, gender roles and family responsibilities are differently aligned from 20 years ago, with more women in the workforce. However, it is an incontrovertible fact that female prisoners generally carry higher and more immediately pressing family responsibilities than male prisoners.
- 1.19 Western Australian prisons house a large number of 'young adult' prisoners, both male and female, aged 18 to their mid-20's and Aboriginal people are very highly over-represented in this cohort. The state has recognised that more needs to be done for young men and has established the Wandoo Reintegration Facility for 18 to 24 year olds. However, no specific initiatives have been taken to address the needs of young women even though their needs as mothers, victims, offenders and health consumers are frequently greater than those of the young men.

8 Steering Committee for the Review of Government Service Provision, *Report on Government Services 2014 – Chapter 8: Corrective Services* (2014); Australian Bureau of Statistics, *4517.0 Prisoners in Australia 2013* (2013).

9 Total Offender Management System (TOMS) Data Extraction (15th January, April, July and October for the years 2008 to 2012); DCS, *Profile of Women in Prison 2008* (2009) 7; Mental Health Foundation, 'Mental Health Statistics: Prisons', <http://www.mentalhealth.org.uk/help-information/mental-health-statistics/prisons/>; Byrne M & Howells K, 'Key Issues in the Provision of Correctional Services of Women' presented at *Women in Corrections: Staff and Clients Conference*, (31 October – 1 November 2000).

- 1.20 Finally, a large number of women in prison are victims as well as offenders,¹⁰ and many will be returning to the same or similar circumstances on release. Imprisonment should be used as an opportunity to address such issues in a safe and sensitive environment and to help women prepare for the challenges they will face on release.

WHERE ARE WOMEN IMPRISONED?

- 1.21 Although female prisoner numbers have been rising rapidly, Western Australia has only two female-specific prisons, both of which are in the Perth metropolitan area: Bandyup and Boronia Pre-release Centre for Women ('Boronia'). More than three quarters of female prisoners are held in these two metropolitan facilities. The others are held in mixed-gender regional prisons.

Bandyup: Overcrowded, Stressed and Getting Worse

- 1.22 In terms of numbers, functions and complexity, Bandyup is still by far the most important women's prison in Western Australia. It holds more than 60 per cent of the state's female prisoners and is currently holding up to 300 women. It is the most overcrowded prison in the state and its population has almost trebled in ten years. In 2011, when it held 230 women, this Office described it as the most problematic prison in the state.
- 1.23 Bandyup has deteriorated further since 2011.¹¹ One of many depressing indicators is that it has by far the highest rate of prisoner on staff assaults out of all the state's prisons.¹² A second, which is directly related to the assault rate, is the extremely high level of unmet mental health need.
- 1.24 A third indicator is the imbalance between Bandyup's security rating as a facility and the security ratings of its prisoners. The prison is maximum-security and is necessarily run on that basis. But it only holds around 30 maximum-security prisoners, and around 60 are minimum-security. The minimum-security women do not need this level of security and they do not have access to the type of programs that a minimum-security facility could offer. Women who achieve minimum-security status are seriously disadvantaged compared with their male equivalents.¹³
- 1.25 Bandyup is also the state's only designated maximum-security prison for women. This gives no proper options for dispersing maximum-security prisoners who should not be in the same prison. This has generated particular problems at Greenough. Although it is officially rated medium-security it has become the 'dispersal' option for one or other of two maximum-security prisoners who are considered unsuitable for co-location at Bandyup.¹⁴

10 See also [4.33] and Western Australian Department of Justice Community and Juvenile Justice Division, *Profile of Women in Prison – Main findings of the Prisoner Characteristics and Needs Survey of Adult Female Prisoners in Western Australia* (June 2002) 21.

11 The Office undertook an inspection of Bandyup in March 2014. The report of this inspection is currently being written and the full reasons for its grim conclusions will be published in that report. It is unusual for this Office to refer in advance to the findings of a pending report but in this case it is essential if the neglect of women's imprisonment and the need for urgent action are to be understood.

12 OICS, *Assaults on Staff in Western Australian Prisons* (July 2014).

13 OICS, *Report on the Flow of Prisoners to Minimum Security, Section 95 and Work Camps* (December 2012).

14 See also [4.4].

- 1.26 Finally, it must be understood that Bandyup, already the most stressed prison in the state, has had to bear the brunt of the problems posed by the increasing number and complexity of female prisoners. Boronia only takes very settled women. With a handful of exceptions, the same is true of Greenough, West Kimberley and Eastern Goldfields prisons. Bandyup therefore remains the 'catch all' facility for women whose needs and risks are too complex for any other prison. As a result, the needs of its 280–300 prisoners are even more complex than those of the 120 women it housed a decade ago.

Boronia: A Unique Niche

- 1.27 Boronia is a small, purpose built facility that opened in 2004. It was designed for 72 prisoners but currently holds around 80. Given the crisis in numbers it is likely to be required soon to take more prisoners by doubling up more of its rooms.¹⁵ Boronia only takes sentenced and highly selected minimum–security rated women, and does not take prisoners with significant mental health or behavioural issues.
- 1.28 For good reason, Boronia has been recognised internationally for its design, intent and operating philosophy. However, given the restrictions under which it operates, it remains inaccessible and irrelevant to the majority of prisoners. In practice, it houses a considerable proportion of long–term prisoners and foreign nationals.¹⁶ The cohorts of local prisoners with the highest re–entry needs often fail to meet its criteria, and it has always held low numbers of Aboriginal women.¹⁷ Furthermore, although there is a strong belief that Boronia 'works' to improve correctional outcomes, there has never been a robust evaluation of its actual outcomes.¹⁸

Regional Prisons

- 1.29 The remaining female prisoners are being held in three regional prisons: Greenough (around 60 prisoners), Eastern Goldfields Regional Prison (around 20) and West Kimberley Regional Prison (20–25). All of these prisons are predominantly male and each has different philosophies and practices with respect to matters such as allowing male and female prisoners to mix under supervision.
- 1.30 Historically, women were also held at Roebourne (usually 10–15) and Broome Regional Prison (similar numbers). The women's unit at Broome was sensibly closed when West Kimberley Regional Prison opened, allowing women from the Kimberley region to be held in country and in far more appropriate, purpose built conditions.

15 This is far from ideal and at odds with the intent of the facility. However, at least the rooms are just about large enough to allow two single beds rather than bunk beds.

16 The 2012 inspection of Boronia found that 25.6% of its residents (20 out of 78 women) had more than three years left to serve on their sentences. This included 7.6% of the total population (six women) who had more than six years left to serve, TOMS Data Extraction (25 January 2012). During the 2012 inspection six women were due to be deported, and a further three were liable for deportation (totalling 9 women, or 11.5% of Boronia's population). OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 79 (July 2012) [2.4].

17 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 79 (July 2012); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009).

18 OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 79 (July 2012); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 42 (April 2007).

CLOSING THE ROEBOURNE WOMEN'S UNIT: POOR DECISION AND POOR ACCOUNTABILITY¹⁹

- 1.31 The women's unit at Roebourne has always caused concern to this Office because of its small size.²⁰ However, the physical infrastructure had been improved in recent years and there were opportunities to do more for the women held there. The decision to close the unit in January 2013 appeared short-sighted given the growth in female prisoner numbers, and was out of line with the Department's commitment to keep prisoners 'in country' and close to family as far as possible, a matter that is arguably even more important for women than it is for men.
- 1.32 We explored the Department's thinking and decision making processes with a number of key personnel. Unfortunately, nobody was able to clearly articulate who had taken the decision or the processes that had been followed. Our requests for written assessments, minutes of high level management meetings or other documentation proved fruitless. It is extraordinary that a decision that fundamentally affected the lives and rights of women and children from the Pilbara was not clearly documented.
- 1.33 The Department did tell us, though, that the decision aligned with their 'regional centres concept'. Due to the inability to improve access to services and conditions for women at every regional prison, and the pressure for more accommodation for male prisoners, it said it had been decided to consolidate women in fewer regional prisons and to improve services at these prisons. The Department claimed this was the best way to 'ensure that female prisoners can be managed safely, securely and humanely'.²¹ What has occurred, however, is that women from the Pilbara have been disadvantaged and displaced in comparison with their male counterparts, and women from the metropolitan area are now caught up in 'regional centres'.

PRISON EXPANSION 2009–2014: WOMEN GET MEN'S UNWANTED LEFTOVERS

- 1.34 By 2008, arguably earlier, the need for additional female prisoner accommodation was transparently obvious. By mid-2009 it had become even more urgent. Female prisoner numbers were growing proportionately faster than male numbers, there were too few facilities for women, Bandyup was under serious and increasing stress, and the needs of the women were becoming ever more obvious. Female accommodation should have been prioritised in the massive prison expansion programs that commenced in 2008/2009 but it was not.
- 1.35 Extra prisoner numbers are accommodated in our prison system in two ways. The first is to 'double up' cells that were designed only for one person. The second is to add new accommodation. Sometimes this will take the form of new facilities, but the trend in recent years has been to add new accommodation units into existing prisons.

19 This issue has also been examined in the Office's most recent report on Roebourne Regional Prison: see OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 89 (February 2014) v.

20 Ibid; OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 70 (February 2011).

21 Email from DCS to the Office of the Inspector of Custodial Services, 'Information request' (21 August 2013).

1.36 The contrast between the amount of investment in new male accommodation and in new female accommodation over the last five years is both remarkable and inexplicable.

Investment for men

1.37 It is impossible to put a precise figure on the amount of additional accommodation added for the men because numbers will vary according to whether the new units are double-bunked or not. But as a ballpark figure, between 2009 and 2014, excluding the double-bunking of existing cells, additional dedicated accommodation for more than 1500 men will have been added to the system. The additional accommodation embraces all security levels and all the main regions. The additional accommodation includes:

- A Pre-release Unit designed for around 72 prisoners adjacent to the existing Bunbury Regional Prison;
- 640 beds in five new accommodation units added at the state's three maximum-security male prisons, Casuarina, Hakea and Albany Prisons (complete and largely operational);
- West Kimberley Regional Prison (120 male beds);
- Additional minimum-security accommodation at Karnet Prison Farm and Wooroloo Prison Farm;
- Upgrading of Pardelup from a work camp for 10–12 people to a prison farm for 84;
- New, larger work camps at Wyndham, Dowerin and Warburton;
- With the transfer of all juveniles to Banksia Hill Detention Centre, the site of the old Rangeview juvenile remand centre was turned into a facility for 80 minimum-security men aged 18–24;
- 387 beds in new accommodation units at Acacia Prison (due for completion mid-2014); and
- A 'Town Work Camp' at Roebourne Regional Prison for 40 prisoners (due to open in 2014).

1.38 In addition, the new Eastern Goldfields Regional Prison is scheduled to open in 2015. It is projected to add a further 225 beds for male prisoners.

1.39 When decisions were being made about additional prison accommodation, there were options to design places in a way that gave greater independence from the existing site. This would have injected more flexibility in terms of using the new units for different cohorts of prisoners.²² However, with the possible exception of the Bunbury Pre-release Unit and possibly the work camps, none of the new accommodation lends itself to accommodating women without massive additional investment.

22 OICS, *Directed review into an incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013) [5.19].

Investment for Women

- 1.40 Investment in accommodation at women's prisons has been reactive, stop-gap and insufficient. It has comprised only the following:
- West Kimberley Regional Prison (30 female beds);
 - The addition to Bandyup of Unit 6, a cluster of demountable structures; and
 - Unit 4 at Greenough (formerly a male unit).
- 1.41 With the exception of West Kimberley Regional Prison, none of the additional accommodation for women was planned or intended for women and all of it was accommodation that was no longer needed for the men. The demountables that now form Unit 6 at Bandyup were originally ordered for Karnet Prison Farm (minimum-security) and were designed for single occupancy. They were diverted to Bandyup (maximum-security) and like Karnet, they were doubled up from their introduction.
- 1.42 Given the closure of the women's units at Roebourne and Broome, the net sum gain of 'new' beds in the past five years has been around 80, far short of what was required. Around 95 per cent of the new accommodation has been for males.
- 1.43 When the new Eastern Goldfields Regional Prison opens, it is projected to add a further 30 beds for female prisoners.

Chapter 2

DRIFTING INTO CRISIS AND STRATEGIES FOR WORKING OUT OF IT

- 2.1 The period from 2002 to 2014 has been one of two distinct halves. In 2000, women's imprisonment was badly neglected but from 2002 to 2008 it was afforded overdue priority in planning, investment and organisational resourcing. This led to tangible improvements. Regrettably, from 2009 to 2013, too few resources were dedicated to female prisoners. The result is a crisis in women's imprisonment that was both predictable and avoidable.
- 2.2 This chapter aims to understand why women's imprisonment improved in the period from 2002 to 2008 but declined so badly thereafter. This offers some valuable lessons in how to better plan for the future. The final section sketches some possible options for the immediate and short-term future. None of these options is truly satisfactory, but unfortunately the situation now demands decisions that nobody would positively desire.

2002 TO 2008: NEW POLICIES, ORGANISATIONAL FOCUS AND ACTION

- 2.3 This Office commenced operations in 2000. Its first major review of women's imprisonment was the inaugural inspection of Bandyup Women's Prison, conducted in 2003.²³ The report was critical of Bandyup itself but, more fundamentally, of the lack of planning and philosophical direction for female prisoners across the state. Other reports criticised the situation of women at the various regional prisons.²⁴
- 2.4 These reports helped to trigger a sharper strategic focus on the needs of women prisoners by the Department of Justice (as it then was) and the government.²⁵ In the period from 2002 to 2008, the Department not only developed new high level policies for female prisoners but also drove a women-centred approach in the various prisons. Importantly, resources were specifically dedicated to these tasks at all levels, both in head office and at the different prisons.
- 2.5 The position of Director Women's Corrective Services, created in 2003, was pivotal to the improvements. This senior executive position drove a sharper strategic direction, ensured that women's issues had a designated strong voice at key decision making levels, and provided a strong bridge between head office and the prisons. The responsibilities of the position were somewhat diluted in 2008 when the state's three prison farms (all of which are male, minimum-security facilities presenting particular challenges)²⁶ were added to the portfolio but the position holders were still strong and visible.

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

24 OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 6 (June 2001);
OICS, *Report of an Announced Inspection of Roebourne Regional Prison*, Report No. 14 (April 2002);
OICS, *Report of an Unannounced Inspection of Eastern Goldfields Regional Prison*, Report No. 4 (August 2001);
OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 21 (May 2003).

25 In 2002, the then Minister Hon Jim McGinty MLA reported to Parliament on the results of a study trip to examine women's imprisonment in other countries (*Report on a visit to Canada, Minnesota and England by Attorney General, Jim McGinty, MLA, Minister for Justice and Legal Affairs 11–20 August 2001*, Perth, 2001). In early 2003, the former Inspector provided a briefing paper for the then Minister outlining the measures he thought should be taken to reform women's imprisonment.

26 OICS, *Report of an Announced Inspection of Wooroloo Prison Farm*, Report No. 80 (August 2012);
OICS, *Report of an Announced Inspection of Karnet Prison Farm*, Report No. 84 (June 2013);
OICS, *Report of an Announced Inspection of Pardelup Prison Farm*, Report No. 82 (December 2012).

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- 2.6 From the mid-2000's onwards, change management initiatives were put in place at a number of prisons housing women in order to try and drive systemic as well as local improvements. Three major new policy documents relating to women's corrective services were also developed over this period: *Women's Way Forward: Corrective Services Future Directions 2008–2012*, *Women's Treatment and Intervention Model*, and *Strategic Directions 2008–2012: Health Care for Women and Girls*.
- 2.7 The combination of a clear strategic focus, political and corporate drive and a supporting organisational structure saw some tangible improvements from 2003 to 2008. Bandyup implemented a stronger women-centred approach and the benefits of this were clear.²⁷ The government decided to establish a purpose built pre-release centre for women, and Boronia opened in 2004. Approval was given for new 'cottage-style' self-care accommodation at Bandyup (commonly called 'The Village'), and this opened in the first quarter of 2009. Although conditions for women in regional prisons remained problematic because of the age and condition of these prisons and the small number of women held there, there were also significant efforts to improve both conditions and services, especially at Roebourne and Broome prisons.
- 2.8 The improvements that were implemented or commenced between 2003 and 2008 were attributable to the Department giving both organisational priority and concrete backing to women's imprisonment. There were reasons to be optimistic about the future but women's imprisonment was clearly under pressure and very much a 'work in progress'. The momentum needed to be continued and Bandyup remained a high priority.

2009 TO 2014: GROWING CRITICISM, NEW POLICIES, BUT FAR TOO LITTLE ACTION

- 2.9 As discussed in Chapter One, the trends and pressures in women's imprisonment have been obvious for many years. They have been the subject of critical scrutiny not only by this Office, but also by Parliamentary committees and others. Although the Department did develop new policy documents in 2011 and 2012, these came too late to inform the male-dominated investment decisions taken in the key period, 2009–2010.

OICS Reports

- 2.10 The warning signs were evident by 2008–2009. This Office's 2008 inspection of Bandyup, the linchpin of the women's prison estate, found improvements in some areas but warned that that momentum was slowing and that 'there is a long way to go before the prison can genuinely claim to have implemented ... a women-centred custodial management regime.'²⁸ The pressure of numbers was also evidenced by the fact that the new 'Village' at Bandyup fell short of demand even at the time it opened.²⁹

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

28 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 57 (December 2008) iv.

29 The 'Village' increased the prison's design capacity from 147 to 183 but when it opened, Bandyup already held more than 200 women.

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- 2.11 During 2009 and 2010 the Office raised the issue of investment in women’s prisons on multiple occasions with the Department and government. The Office was particularly concerned that the Department decided in 2010 to abolish the pivotal position of Director Women’s Corrective Services and Prison Farms. The Department indicated in Parliament that this decision was not driven by budget needs but by a changing philosophy,³⁰ but it was not clearly explained in documentation. In practical terms, the abolition of the position was certainly felt at all the prisons holding women.
- 2.12 The report of the 2011 inspection of Bandyup was bleak and pessimistic.³¹ Unfortunately, its pessimism was very well-founded and the Department’s responses to the draft report simply elevated the Office’s concerns. The report made strong recommendations across a range of areas, especially strategic focus, funding and health/mental health services. Some of the Department’s responses to the report were wrong, many were seriously out of touch, and there seemed to be little sense of urgency or lateral thinking.³² The Inspector subsequently described the situation as a ‘passive acceptance of the unacceptable’.³³ Not surprisingly, a forthcoming report will show that Bandyup has deteriorated further since 2011. Whilst Bandyup was the most pressured site, the Office also continued to voice concern at the situation for women in regional prisons.³⁴
- 2.13 This Office’s Annual Report for 2011–2012 summarised the situation as follows:
- Female prisoners constitute an increasing proportion of a growing prisoner population ... From 2009 onwards, this Office has frequently raised its concerns about the need for more dedicated and planned accommodation for female prisoners but there has been inadequate planning and action ... [The measures that have been taken] are only interim measures and will barely cover current need. Investment in purpose-built, good quality female prison accommodation and in women-centred services is urgently needed.³⁵
- 2.14 The 2012–2013 Annual Report found it necessary to repeat the same comments.³⁶

30 Community Development and Justice Standing Committee, *Making Our Prisons Work: An Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies*: Report No. 6 (November 2010) 58.

31 OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No.73 (August 2011). See also *Report of an Announced Inspection of Greenough Regional Prison*, Report No.83 (March 2013) [2.8]–[2.29].

32 See OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No.73 (August 2011), Inspector’s Overview and Appendix 1.

33 OICS, *Announced Inspection of Bandyup Women’s Prison 2014*, Inspector’s Debrief.

34 OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No. 73 (August 2011); OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No. 57 (December 2008); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 79 (July 2012); OICS, *Report of an Announced Inspection of Boronia Pre-release Centre for Women*, Report No. 62 (November 2009); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013); OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010); OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 72 (June 2011); OICS, *Report of an Announced Inspection of Eastern Goldfields Regional Prison*, Report No. 54 (July 2008); OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 77 (March 2012); OICS, *Report of an Announced Inspection of Broome Regional Prison*, Report No. 56 (November 2008); OICS, *The Management of Young Women and Girls at Banksia Hill Detention Centre*, Report No. 86 (October 2013).

35 OICS, *Annual Report 2011–2012*, 14.

36 OICS, *Annual Report 2011–2012*, 8.

Parliamentary Committee Reports (2010 and 2012)

- 2.15 Two separate Parliamentary Committees have examined aspects of women’s imprisonment in recent years. In 2010, the Legislative Assembly Community Development and Justice Standing Committee report *Making Our Prisons Work* commented on a ‘male-dominated culture’ in the Department. It concluded that there was too much of a gap between the Department’s espoused positions and the reality of its operations and criticised the abolition of the Director’s position.³⁷
- 2.16 The Legislative Council Standing Committee on Public Administration was so concerned by this Office’s 2011 report on Bandyup that it decided to visit the prison for itself.³⁸ The Committee was troubled by the conditions it found and the lack of good planning. It requested further documentation from the Department but ‘eventually had to resort to issuing a summons ... due to the Department’s inability to provide the information within the ample timeframe stipulated by the Committee.’³⁹ The former Commissioner and some of his senior colleagues gave evidence and the transcript of their evidence from September 2012 makes for sobering reading.⁴⁰
- 2.17 The Public Administration Committee reached some telling conclusions, all consistent with concerns this Office had also raised: lack of documented plans for a new prison; no funding approval for key works; insufficient risk analysis; and no funding for key needs such as mental health and occupational health and safety:⁴¹
- Despite the Department having identified the need for a new women’s prison in its Strategic Asset Plan 2007/8 to 2012/13, no plans for one have yet been documented.
 - Out of a list of funding proposals for capital investment from the Department from 2007/8 to 2012/13, not one has been approved that is specific to Bandyup. This includes the key Bandyup Facilities Redevelopment Stages 3 and 4, which covers a number of building and services redevelopment, including upgrades to the health centre and a new visits centre.
 - There has been no recent risk analysis by the Department of the prison. This is despite:
 - a) the Inspector identifying a number of risks that expose the Department to a risk of litigation; and
 - b) the Department acknowledging that the ageing infrastructure at the prison has resulted in a number of Occupational Health and Safety issues which could lead to possible litigation.

37 Community Development and Justice Standing Committee, *Making Our Prisons Work: An Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies*: Report No. 6 (November 2010) Chapter 5.

38 Standing Committee on Public Administration, *Omnibus Report – Activity during 38th Parliament* (November 2012) 35–38.

39 *Ibid.*, 37.

40 Standing Committee on Public Administration, *Follow-up on a previous inspection of Bandyup Women’s Prison by the Committee* (August 2012).

41 Standing Committee on Public Administration, *Omnibus Report – Activity During 38th Parliament* (November 2012) 37–38.

- There has been no funding allocated for a dedicated mental health unit for prisoners and high priority safety expenditure remains significantly unfunded (such as for fire safety and ligature removal programmes).
- Furthermore, it was recently noted at a budget estimates hearing that there was no funding provision in the 2012–2013 budget for Bandyup, despite the evident need for expenditure to address the various matters set out above.

New Policy Documents

- 2.18 As noted earlier, the Department developed three key policy documents intended to govern its approach to women’s imprisonment from 2008 to 2012.⁴² However, the value and operational relevance of these documents was not clear. Most did not contain measurable outcomes or clearly defined targets, and the Department’s commitment to its self-set objectives sometimes appeared equivocal.⁴³
- 2.19 In response to the problems of women’s imprisonment, the Department developed three new documents to provide the policy and operational framework for women in custody. These were finalised between September 2011 and July 2012, too late to inform investment decisions in 2009–10.
- **Female Offender Policy** (September 2011) is an overarching document created to ‘guide the development and delivery of just and equitable corrective services, that take into account the diverse and unique needs, characteristics, life experiences and family circumstances⁴⁴ of female offenders.
 - **Female Offender Framework** (September 2011) examines each of the service areas in Corrective Services to provide a basic structure to address the needs of females receiving those services.
 - **Female Prisoners Plan 2012–2022** (July 2012) claims to provide a 10-year strategic plan to address the needs of women prisoners in Western Australia. It outlines service delivery requirements and adopts a state wide approach to capital works needs including short-, medium- and long-term responses to overcrowding and aged infrastructure.
- 2.20 The stated purpose of these documents was to develop a coordinated and targeted approach to managing female offenders, taking into account the needs characteristics, life experiences, family circumstances and ethnicity (in particular Aboriginality) of female offenders in Western Australia.
- 2.21 The three new policy documents contain some useful material but there are problems. First, some of the documents add little that was not already known and embedded in earlier documents. Secondly, research, policy and planning must be operationalised if they are to be anything more than tokenistic aspirational statements. Thirdly, they are not operationally relevant: prison staff generally appear unaware of their existence and certainly of their content.

42 *Women’s Way Forward: Corrective Services Future Directions 2008–2012; Women’s Treatment and Intervention Model; and Strategic Directions 2008–2012: Health Care for Women and Girls.*

43 OICS, *Report of an Announced Inspection of Boronia Pre-release centre for Women*, Report No. 62 (November 2009) Chapter 6.

44 DCS, *Female Offender Policy* (September 2011) 1.

A Case of Poor Planning by the Department or Lack of Funding by Government?

- 2.22 The lack of action is difficult to explain and impossible to justify. In responding to our draft reports and Parliamentary committee questions, the Department has claimed, in essence, that the problem has not been poor planning but the failure of the Treasury Department to fund its proposed redevelopment of Bandyup.
- 2.23 The primary focus of this Office is on how custodial services are functioning; in other words, on the outcomes of funding decisions not the processes behind proposals, negotiations and decisions. However, some comment is necessary here. Whilst it is true that Treasury did decline funding requests for Bandyup, the evidence available to us suggests (as it also did to the Public Administration Committee)⁴⁵ that the Department did not properly articulate or prioritise the risks and needs of female prisoners. For example, it is not clear why the 2009–10 expenditure focus was so male-dominated. It is also not clear why the Department kept revisiting essentially the same plan when funding had been refused, rather than developing new plans. In any event, the Bandyup redevelopment plans involved the replacement of a decrepit unit not an additional unit. This would have added, at most, a limited number of additional beds. The plan to add to a crowded and highly stressed site was never going to be sufficient to meet numbers, need or growth and, as the Public Administration Committee noted, plans for a new prison were under-developed and not documented.
- 2.24 Two factors probably contributed to the declining focus. First, as previously noted, the Department had abolished a key position. Secondly, it has consistently and seriously under-estimated the forward forecasts of female prisoner numbers.⁴⁶

Substantive Inequality

- 2.25 In June 2013, the Acting Commissioner for Corrective Services issued a broadcast to all staff emphasising the importance of substantive equality initiatives and targets in the Department and across government.⁴⁷ The broadcast pointed to a number of Departmental initiatives and highlighted the expansion of the Greenough women's precinct as a good example of its contributions to substantive equality.
- 2.26 If substantive equality is narrowly conceived, and Unit 4 is viewed in isolation, the conditions, services and the general culture for women at Greenough have improved. However, substantive equality is not about finding individual pockets of good practice or improvements, it is about systems, policies and planning that reflect and meet demand. The expansion of Greenough was driven not by demand from the region or by improving conditions: it was driven by the pressure of numbers at a prison 400 kilometres away. That pressure had in fact been caused by a substantive equality failure to plan for a predictable growth in female prisoner numbers and to provide the right accommodation in the right place.

45 See [2.16].

46 A stark example of this is contained in the Department's *Female Prisoners Plan 2012–2022 Adult Custodial* (July 2012) 17. The plan predicted that by the end of June 2014 we could see a lower band population of 434, and an upper band of 467. By March 2014 the numbers of women were already well above this, at 478.

47 Commissioner's Broadcast (20 June 2013).

2.27 Specific substantive equality issues raised in this report relate to the decision to close the Roebourne women’s unit, the need to transfer women from the metropolitan area, the absence of compensatory measures for the women moved against their will, and a lack of funding for most services to meet the additional demands posed by the large increase in female prisoners. There is also no escaping the fact that the women at Greenough are still in a profoundly male domain, a matter which raises issues relating to the appropriateness of interactions with males and of access to some core services, including health.⁴⁸

SOME REMEDIAL OPTIONS AND STRATEGIES

2.28 New prisons take many years to move from the drawing board to operation. Expanding existing sites is also a time-consuming and risky activity and the main female site, Bandyup, is already far too crowded and severely stressed. Decisions are urgently needed to deal with current need and future growth in female prisoner numbers. The following section makes six recommendations designed to ensure better planning, improved conditions and a better focus on reducing recidivism.

2.29 The primary role of this Office is to make recommendations for improvement and it is for the Department to decide if or how it intends to address the recommendations. However, in this instance, and without discussing the pro’s and con’s of the various options in detail, we have chosen to surface some of the options that the Department will need to consider if it is to meet current demand and need. The Office is advised that the Department is currently examining all options and most of the ideas in the following section have already been shared with Departmental personnel.⁴⁹ The Office always welcomes opportunities for positive engagement and hopes the following discussion will assist the Department’s deliberations.

Numbers

2.30 It is important for the government and the Department to adopt a broad approach to corrections that includes strategies to reduce the number of people coming into prison and the number returning to prison after release. In the case of women, even a relatively small reduction in numbers of around 30 would be immensely helpful. The preceding discussion has surfaced a number of areas where it may be possible to target measures to reduce numbers. They include the following areas:

- Remand prisoner numbers are rising very quickly and a higher proportion of women than men are being held on remand. Too little is known about the exact reasons for these trends but improvements to bail services and bail coordination have shown beneficial results in the case of both juveniles and adults.⁵⁰

48 See Chapters 3 and 4.

49 For example re-opening Roebourne women’s unit, using Bunbury Pre-Release Unit for women, using Wandoo Reintegration Facility for women, examining Boronia Pre-release Centre for Women’s optimal use. OICS, *Announced Inspection of Bandyup Women’s Prison 2014*, Inspector’s Debrief.

50 Ross S & Forster K, ‘Female Prisoners: Using Imprisonment Statistics to Understand the Place of Women in the Criminal Justice System’, (Australian Bureau of Statistics 2000) presented at *Women in Corrections: Staff and Clients Conference* (31 October – 1 November 2000); Bail coordinator positions were established at the Central Law Courts to reduce numbers of women admitted to Bandyup and the time some spent in custody before bail could be effected, see OICS, *Announced Inspection of Bandyup Women’s Prison*, Report No. 57 (December 2008) 5.

- A wider range of program offerings and timelier program delivery could lead to prisoners being released at their parole date instead of being deferred or denied parole.⁵¹
- There may be options for different forms of supervision and monitoring in the community. Interestingly, in 2012 the then Minister argued that ‘there was a case for releasing with a GPS device some female prisoners who were pregnant or with significant family responsibilities.’⁵²

Recommendation 1

With a particular focus on women prisoners, and without compromising public safety, the Government and the Department should examine efficiencies and introduce initiatives to reduce the number of prisoners. Options include improved bail co-ordination/support, better program delivery, and wider use of electronic monitoring/GPS tracking.

Needs

2.31 The profile of female prisoners in Chapter One highlighted some key areas of need, including differences between male and female prisoner profiles and the needs of Aboriginal women. There needs to be an immediate allocation of ‘beds’ for the women, but recidivism rates can only be reduced if this intelligently targets at areas of shortfall and need. It is not enough to identify ‘ad hoc’ bed space.

Recommendation 2

The Department should:

- Identify and address key areas of need in the planning for new and additional accommodation for women. In particular, measures should be taken to improve mental health services, to meet the needs of young women, to reduce the number of minimum-security women being held in higher security facilities, and to develop relevant social, life and employment skills.*
- Set defined targets and measurable outcomes in each area of need and measure performance.*

Departmental Structure and Direction

2.32 The abolition in 2010 of the position of Director Women’s Corrective Services without establishing adequate alternative positions was, in most people’s eyes, a serious mistake.⁵³ Subsequently, but only on adopting the *Female Prisoners Plan 2012–2022* in July 2012, the Department did decide to establish a position called Manager Women’s Services. However, this position sat only in the Adult Custodial Services area and did not straddle community justice services. It was not a permanent position and its level of seniority did not reflect the importance and urgency of the work.⁵⁴ Other positions appeared to have some responsibility for women in other areas of the Department but the model was disjointed.

51 See [4.59]–[4.61] and the Annual Reports of the Prisoners’ Review Board dating back many years: <http://www.prisonersreviewboard.wa.gov.au>

52 Thomas B, ‘Satellite Trackers for Sex Abusers’, *The West Australian* (30 April 2012); <https://au.news.yahoo.com/thewest/a/13552429/satellite-trackers-for-sex-abusers>

53 See [2.11] and [2.14].

54 The Office was informed in late 2013 that a job description was being developed for submission for approval for the creation of a permanent position.

- 2.33 The Department is currently in the midst of a fundamental restructure. The final elements of this are not yet fully decided but, very sensibly, there will now be two core service streams, ‘Adult Justice’ and ‘Youth Justice’.⁵⁵ This presents real opportunities for rationalisation and for improving connectivity between different units in the Department. The Office urges the Department to prioritise, in both streams, the establishment of senior positions charged with improving services and outcomes for women and girls, both in custody and the community.⁵⁶

Recommendation 3

In finalising its restructure, the Department should establish appropriate high level positions with responsibility for developing strategic policies for women and girls in custody and community justice services, setting targets, evaluating and improving outcomes, and a mandate to operationalise policies.

Immediate and Short-term: Options for Expansion and Re-allocation

- 2.34 In the short-term, the Department now has no option but to consider whether some of the existing female facilities can be expanded and whether some of its existing male facilities, or sections of male facilities, can be used for female prisoners. In undertaking this exercise, it will need to take account of issues such as mental health, security ratings, geography and demography. This will require a whole of system re-think, examining all assets and considering how these can best be utilised.
- 2.35 One suggestion is that additional parts of Greenough Regional Prison could be converted for women. However, the conclusion of this report is that Greenough is fundamentally the wrong location. It is also a medium, not a minimum-security facility, and can only take selected women because it lacks many of the services they need. If, contrary to our recommendations, Greenough is further expanded for women, it is absolutely essential that the Department invest a good deal more services in ensuring the women have better access to ‘remote’ visits and family contact.⁵⁷
- 2.36 An option that is viable and, in our view should be immediately implemented, is to re-open the Roebourne women’s unit. This would at least allow another 10 to 15 women, mainly from the Pilbara, to be transferred back to country. Again this would require adequate resources being provided to Roebourne to ensure that areas such as health services, education and training, programs and community engagement are fully covered.⁵⁸

55 OICS, *Directed review into an incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013) Chapter 8.

56 During the final stages of preparing this report however, this Office received details regarding the Department’s proposed re-structuring. The accompanying explanatory notes stated that resources allocated to Women’s Policy and Strategy were being diverted to the new Office of Reform, and that no further resources were being allocated to positions supporting the women’s estate. This is extremely disappointing and a lost opportunity for the Department to address significant shortfalls in the women’s estate. See: DCS, *Proposed high-level structure – Summary of changes to existing arrangements May 2014* (May 2014); DCS, *Explanatory notes – Proposed high-level structure – Summary of changes* (May 2014).

57 See the recommendations in Chapters 3 and 4.

58 OICS, *Announced Inspection of Roebourne Regional Prison*, Report No. 89 (February 2014) Chapter 3.

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- 2.37 Consideration will also need to be given to increasing the number of women at Boronia and examining the optimal use of that facility, perhaps in conjunction with other Departmental assets. Boronia was designed for 72 and currently houses 80 prisoners. Its functions may be compromised, to a degree, by doubling up more of the existing rooms. However, circumstances may well dictate this. It is currently the only minimum-security female prison and whilst an additional 10 to 12 beds is undesirable, it may be necessary. It was also originally intended that Boronia would have two more houses, each with a capacity of five. Consideration will need to be given to funding these houses to add genuine extra capacity.⁵⁹
- 2.38 In examining the optimal use of Boronia and other existing assets, the Department should also need to consider the viability of using some currently unused houses that it has, both at the Correctional Services Academy next to Boronia and near Hakea Prison. It may well be that some of the women who are nearing release and who are already going out of Boronia each day on employment programs may be suitable for placement in other forms of supervised accommodation. Obviously, any such options must be safe and secure, both for the women and the community.
- 2.39 However, simply re-opening Roebourne and expanding Boronia will not meet demand now, let alone in the future. Other options are required at all security levels, and a new prison is several years away. Unfortunately, the recent programs to expand the male prisons did not build in flexibility for the new units to be multi-purpose, even when this could have been done. For example, at Hakea Prison, two new units were constructed outside the old perimeter but instead of being truly self-contained, the old perimeter was removed and the units are really now part of Hakea itself. The two new Hakea units were utilised for juvenile males after the January 2013 riot at Banksia Hill Detention Centre. However, this was a short-term measure and the shortfalls of the facility were clear: it lacked adequate separation from the rest of the prison and all key areas such as catering, medical services, visits and movements in and out of the prison required access through the main prison.⁶⁰ Bringing this up to standard as a self-contained female prison would be costly and inevitably something of a compromise. It would also have negative impacts on the system as Hakea is very full as it is the primary male remand prison at a time of rising remand numbers.
- 2.40 Acacia Prison is currently undergoing a massive expansion of close to 400 additional beds.⁶¹ However, it does not appear appropriate or viable to use this accommodation for women. The expansion was deliberately (and intelligently) designed to promote physical and operational integration between the existing and new areas. It does not allow the level of physical separation that would be required for women and the design hinges on using the existing site for all key services.

59 This Office acknowledges that the completion of Boronia's intended blue print has been included in the Department's Strategic Asset Plan since the development of the *Female Prisoners Plan 2012–2022*. However its completion has not been funded by the Government.

60 OICS, *Directed review into an incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013) Chapter 7.

61 OICS, *Announced Inspection of Acacia Prison*, Report No. 90 (June 2014).

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- 2.41 The only two parts of the male prison estate that offer an opportunity for full services and self-contained operations are the Pre-release Unit at Bunbury Regional Prison ('Bunbury PRU') and the Wandoo Reintegration Facility in Perth ('Wandoo'). Both are rated minimum-security but have more secure perimeters than Boronia. With some modification they could probably both be brought up to a level of security where they could safely accommodate both minimum-security women (of whom there are many) and lower-risk medium-security women.
- 2.42 Both the Bunbury PRU and Wandoo are doing well.⁶² It is not desirable nor ideal but circumstances dictate uncomfortable decisions. This is not the place for detailed discussion of these two options but some key points need to be made. In terms of the Bunbury PRU option:
- The PRU offers very good facilities and would allow services such as health, visits, recreation and education, employment and training to be delivered both on-site and in the community.
 - The PRU was designed for 72 but, like Boronia, the rooms do allow two beds to be installed. This is far from ideal but, with some sharing of rooms the capacity of the PRU for women could be around 100 (as it has been for the men).
 - The Bunbury PRU is far closer to Perth and other south-west 'catchment areas' such as Mandurah, Rockingham, Armadale and Collie. However, it is still around two hours by car from Perth. If this option is chosen, the Department should examine ways to alleviate the tyranny of distance by measures such as a bus from a transport hub such as Mandurah station; use of Skype or other appropriate technologies; and longer visits times to compensate for reduced frequency of visits. To date, these are not measures that have been maximised at either Bandyup or Greenough.⁶³
 - The prison must not lose the positive re-entry focus it has achieved for male prisoners as a result of having a dedicated autonomous pre-release unit. If the PRU is to be used for women, the mothballed minimum-security unit at the front of the prison should therefore be re-opened for the men, with a focus on out of prison activities and skill development.
 - Some of the men currently at the PRU would need to be placed elsewhere. Options certainly include Pardelup Prison Farm (whose capacity could be sensibly increased from 80 to 120)⁶⁴ and perhaps some of the under-utilised work camps.
 - There must be adequate staff and management resourcing/training to accommodate women.

62 OICS, *Announced Inspection of Bunbury Regional Prison*, Report No. 75 (December 2011); OICS, *Inspection of Wandoo Reintegration Facility* (2014 report pending).

63 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011); See also Chapters 3 and 4.

64 OICS, *Announced Inspection of Pardelup Prison Farm*, Report No. 82 (December 2012) Recommendation 1.

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- 2.43 The Wandoo Reintegration Facility for young men aged 18 to 24, currently operated by Serco, only commenced operations in late 2012. Consideration will no doubt be given to converting Wandoo to a female prison, with the young adult population being rolled into another facility, probably Acacia. Issues with this option include:
- There are very good reasons for providing young men with specific programs to enhance skills and employability. Wandoo is intended to operate as a reintegration facility and hinges on links with metropolitan service providers and employers. These opportunities would be reduced if the facility was moved to Acacia. There is also a real risk that the focus on young men would become subsumed in the demands of a much larger prison.
 - Wandoo largely consists of small cells, originally designed for single occupancy by juveniles. It would add only around 80 beds to the female estate unless small cells are unacceptably double-bunked.
 - It is critical for the system to focus on better services for young adult prisoners, both male and female. Given this, there are strong arguments for allowing Wandoo to mature and to evaluate it over a decent timeframe against its contractually mandated outcomes, such as employment on release, with a view to informing system-wide learning and decisions as to future directions.
- 2.44 In summary, there is no ‘magic bullet’ to the issue of women’s imprisonment. The lack of timely investment in new female accommodation has led to a situation in which difficult and uncomfortable decisions are now required.

Recommendation 4

The Department should not:

- (a) Significantly expand the use of Greenough Regional Prison for women; or*
- (b) Use units at male prisons such as Hakea or Acacia for women as they are not sufficiently autonomous or segregated.*

Recommendation 5

The Department should:

- (a) Re-open the Roebourne Regional Prison women’s unit;*
- (b) Examine options for maximising Boronia’s potential, including increasing the number of women accommodated, criteria for transfer to the prison and building additional accommodation;*
- (c) Make use of existing housing assets as transitional accommodation;*
- (d) Take account of the discussion in this report when examining the option of turning either the Bunbury Pre-release Unit or Wandoo over to women.*

Longer Term Options

- 2.45 Clearly, a new prison is needed for women. The precise requirements will depend on decisions taken in the shorter term about the use of existing assets and whether these changes are temporary or longer term. However, as previously recommended,⁶⁵ it is essential that long-term planning takes full account of *all* custodial needs and the optimal use of existing facilities.
- 2.46 In particular, Banksia Hill Detention Centre remains problematic as it is the sole juvenile detention centre in the state. Currently it houses all male and female juveniles, both sentenced and remand, from all over the state. Their ages range from 10 to well over 18 and their needs are quite disparate. Greater diversity is needed in accommodation for juveniles to take account of age, geography and legal status and it is not clear that Banksia Hill is best suited as a juvenile facility. However, it may be very suitable, with some relatively cost effective modifications, as a female prison. This would allow investment in more diversified options for juveniles.⁶⁶

Recommendation 6

The Department give a high priority to implementing plans to ensure there is adequate women centred custodial infrastructure. The planning should include consideration of the purposes of the wider prison estate, including the best use of all custodial facilities, including Banksia Hill Detention Centre.

65 OICS, *Directed Review into an Incident at Banksia Hill Detention Centre on 20 January 2013*, Report No. 85 (July 2013) Recommendation 33.

66 Ibid.

Chapter 3

MANAGING TRANSITION, CHANGE AND RESOURCES AT GREENOUGH

- 3.1 The decision to relocate and invest in the women's precinct was only triggered by a crisis in numbers at Bandyup, but it did give the Department the opportunity to make long overdue improvements to the management of women prisoners at Greenough. In preparation for the movement of women to Unit 4, and the increase from 25 to up to 69 women, Greenough prepared a *Women's Estate Transition Plan*.⁶⁷ The plan provided details of a transition, first of men out of Unit 4, then of women out of Unit 5 and into Unit 4 (late 2012) and, finally, a gradual six week transfer of women from around the state to Unit 4 (from January 2013). This plan also incorporated the planning of some works that needed to be completed within the Unit 4 area without decreasing the overall population level of the prison as a whole.
- 3.2 Technically the *Women's Estate Transition Plan* was workable and sensibly staged but there were still some very significant teething problems, including the forced transfer of women to Greenough when they had no connection to the region, the adequacy of resourcing to Greenough for the influx of more female prisoners, and the clarity and consistency of Departmental practices for the management of women prisoners.
- 3.3 The following chapters conclude that some of the problems have now been resolved, and services and opportunities in Unit 4 have certainly improved. However, two intractable problems remain. First, for too many of the prisoners Greenough is the wrong location. Secondly, there are inherent limitations on what can be done for women in a male prison domain, a problem that is exacerbated by some of the practices adopted at Greenough.

WHERE DO THE GREENOUGH WOMEN COME FROM?

- 3.4 Increasing the number of female prisoners at Greenough from 25 to a maximum of 69 necessitated the transfer of up to 44 women from their existing custodial facility. There are too few women from the mid-west to fill Unit 4 with local area residents, close to their homes, children, extended family and friends. Figure 1 shows that the Unit 4 prisoners come from all over the state, and include a small number of foreign nationals. At the time of inspection, only four per cent of women came from Geraldton. A further 26 per cent came from the Mid-West region, but even this covers a huge area and may be hundreds of kilometres from Geraldton itself.

67 Patten S, *Greenough Regional Prison Women's Estate Transition Plan* (Department of Corrective Services August 2012).

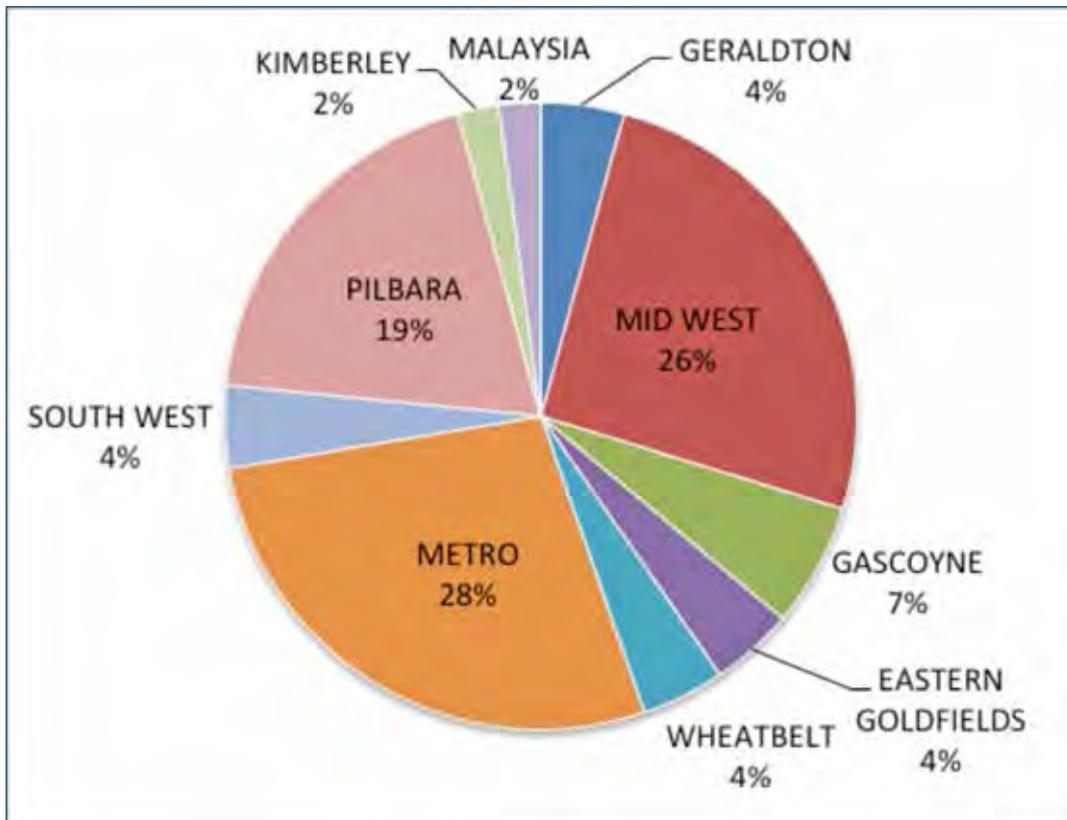


Figure 1: Region of Origin (as per address prior to arrest)⁶⁸

- 3.5 The decision to convert Unit 4 was driven not by the needs of the women at Greenough but by the urgent need to transfer women out from Bandyup ‘to meet the immediate short-term needs of the female prison estate’.⁶⁹ Not surprisingly, the largest number of women (28%) came from metropolitan Perth.
- 3.6 With the closure of the women’s unit at Roebourne, Greenough also became a prime location for women from the Pilbara.⁷⁰ Almost 20 per cent of the Unit 4 women were from the Pilbara. A further seven per cent were from the Gascoyne and two per cent from the Kimberley.
- 3.7 There is a stark gap between Departmental policy and reality. Departmental policy documents proclaim the goal of keeping prisoners, especially women, close to home. For Aboriginal women in particular, there is nothing more important than staying ‘in country’ and more generally the official policy position accords with humanity and common sense. However, even if ‘local prisoners’ is defined to cover Geraldton, the Mid-West and the Gascoyne, two thirds of Greenough’s female prisoners are hundreds, sometimes thousands, of kilometres from home.

68 TOMS Data Extraction (12 August 2013).

69 DCS, *2013 Inspection of the Position of Female Prisoners at Greenough Regional Prison: Department of Corrective Services Submission* (July 2013) 4.

70 See also [1.31]–[1.33].

FORCED TRANSFERS AND FAMILY SEPARATIONS

3.8 The decision to ‘decant’ women from Bandyup because of its excessive ‘muster’⁷¹ meant the transfer of women from the metropolitan area with no ties to Greenough and no wish to go there. Understandably, there were few volunteers for transfer initially, especially as Greenough had a poor reputation amongst female prisoners and the new unit, facilities and services were unknown. Even though conditions at Bandyup were poor, many women preferred the local known to the distant unknown. The problem was that the failure to invest in new accommodation for female prisoners had left the Department with the choice of leaving women sleeping on floors or moving them against their will.

3.9 Bandyup and Greenough developed selection criteria to assist Bandyup in ‘identifying suitable prisoners to be relocated to Greenough Regional Prison’.⁷² The effect of these criteria was to limit the pool of transferees to the more settled prisoners, leaving Bandyup to manage the rest.⁷³ The key criteria were as follows:

- Length of sentence (the theory being that those with long sentences could come to Greenough to break up their time);
- Current conduct (Greenough has limited management options for prisoners presenting behavioural difficulties);
- No major physical health requirements (Greenough does not have 24-hour on-site medical services);
- No major mental health needs (no regular mental health service at Greenough);
- Program eligibility (few programs delivered at Greenough);
- Capacity to receive visits (Bandyup prisoners receiving visits from their own children aged 12 years and under were not subject to transfer);
- Medium or minimum-security rating; and
- Offenders from the Mid-West and further north should be given priority.

3.10 The situation engendered a sense of déjà vu. The very first inspection of Bandyup Women’s Prison in June 2002 found women were being forced to transfer to Greenough due to lack of space at Bandyup. The then Inspector stated:

With prisoner numbers consistently reaching in excess of 120 and with building in progress on the site, prisoner numbers at Bandyup needed to be reduced. From August 2001, Greenough Prison geared itself to receive significant numbers of women from Bandyup. *The initial arrangements for prisoners to transfer to Greenough caused serious unrest and concern to prisoners, partly because the criteria and the process were not transparent, and partly because, to achieve the required numbers, some transfers were involuntary. [...]*

71 The Department commonly uses the terms ‘muster’ and ‘decant’ but should cease to do so. The word ‘muster’ is particularly demeaning and should properly be used only in relation to livestock not people. The word ‘decant’ neutralises the uncomfortable fact that human beings (not liquids) are being transferred, often involuntarily.

72 DCS, *Greenough Regional Prison Women’s Estate Transition Plan* (1 August 2012) 3.

73 See also [1.24].

The problem for those not wanting to go to Greenough is usually not with the prison itself – some prisoners find they prefer being there – but rather with the losses transfer entails. In most cases women who were not willing participants in the transfer scheme had children in the south-west and did not want to be moved further away from them. Other prisoners did not want to lose preferred, usually single-cell accommodation that they would not regain on return to Bandyup.⁷⁴

- 3.11 The criteria developed to identify transferees in 2012/2013 seem to have taken some lessons from the past, especially in excluding mothers with visiting children under 12 from transfer. Unfortunately, however, the only way to describe the transfer practices of late 2012 and early 2013 is, again ‘forced’ or ‘involuntary’ transfer. Two of the initial group of women transferred were so distressed by the experience that, on arrival, they had to be placed on the At Risk Management System (ARMS). Greenough and Bandyup staff voiced strong concerns. They felt that many of the transferees had come unwillingly and that some had been coerced.
- 3.12 The situation with respect to children and families was particularly distressing. Some of those transferred from Bandyup had been separated from children from whom they were receiving visits because those children were over 12 years of age; as they said, 12 is a very young cut-off. And the women who were transferred from Roebourne were simply separated from all children of any age. Their only option for personal contact with children was if their families could make the onerous and expensive journey to Geraldton or if they could get a temporary transfer to Roebourne for visits.
- 3.13 It was transparently obvious that transferring women in these circumstances would create distress, social isolation and spiritual dislocation. Too little was done to manage and assist in this. The Department did not even install simple, cheap technology such as Skype or other forms of ‘visiting’ arrangements.⁷⁵ Proactively promoted to both families and prisoners, these might have helped alleviate the tyranny of distance.⁷⁶
- 3.14 The distress of the transfers was exacerbated by the transport arrangements from Perth. Prisoners are generally moved by air these days as this is safer and more humane than transfer in a secure vehicle. However, despite the fact they were highly selected, the Bandyup women were transferred to Greenough by road. This meant a road journey of around five hours in secure vehicles. This Office was informed that a number of women suffered from motion sickness, and further that some were immediately placed on ARMS following their arrival.

74 OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No.13 (June 2002) [5.11]–[5.12] emphasis added.

75 Greenough did however submit a funding proposal for a Skype/Video Link facility for the women’s precinct in its 2013–2014 prison budget.

76 See [4.37]–[4.43] and Recommendation 13.



Photo 3: Secure custody vehicles were used to transfer women by road from Bandyup in Perth to the new women's precinct at Greenough

WHAT THE WOMEN WERE TOLD AND WHAT THEY FOUND

- 3.15 Most of the women who arrived in the initial transfers from Bandyup had been model prisoners, living in self-care or at earned supervision level, with full-time employment and receiving Level One gratuities. This was not surprising given the selection criteria.
- 3.16 Before and during the inspection, the team heard consistent, credible and adamant comments from the ex-Bandyup women that they had been seriously misled about the facilities and circumstances at Greenough. In particular they said they had been told it was a 'new' unit; that there were ample employment opportunities; that none of the cells were double-bunked, and that the cells had both air conditioning and their own bathrooms. Departmental head office representatives suggested the women must have misheard or misinterpreted what they were told. Most of the staff at Greenough and Bandyup were convinced that the women had been misled, intentionally or otherwise.
- 3.17 The standard of prison life the women encountered on arrival was certainly very different from what they were accustomed to at Bandyup and from what they had been anticipating. Many of the women had never been in a mixed prison before, and were understandably distressed by male prisoners shouting at them through fences. As the unit was still in its early stages, services were underdeveloped and there were few jobs, programs, educational options or other positive activities. As a consequence of being without employment, many women, now more socially isolated, soon found themselves in a position where they could not afford to make phone calls to families.

- 3.18 In summary, the increase in women prisoners at Greenough always presented potential risks, and in the early days of the expanded precinct many of these risks materialised. Some of the women were transferred against their will, or agreed to transfer based on false or misunderstood information. The initial lack of meaningful activity meant that there were insufficient opportunities for all women, and access to services, privileges and standard of living were all reduced compared with Bandyup. Some women experienced high levels of distress, which posed risks for the management of the unit.
- 3.19 Fortunately, a few months later this Office found that significant progress had been made, thanks largely to the efforts of the acting Superintendent, the Assistant Superintendent Operations and a number of supportive staff. Once processes and service provision had time to settle in, prison management were receiving far fewer complaints from the female prisoners.
- 3.20 By April 2013, with a population of around 58, our liaison visits to the prison indicated that all of the female prisoners were employed. The atmosphere in the unit had improved significantly, and many of the women who had wanted to leave on first arriving were indicating that they were now happy to stay. This was very encouraging, and is a credit to all management and staff involved. However, as this report shows a number of issues remained at the time of the inspection and subsequently.

Recommendation 7

Whenever the Department transfers female prisoners to prisons outside their home location due to population pressures, it should prioritise the needs and obligations of women as mothers, grandmothers and elders in assessing their appropriateness for transfer.

INCONSISTENT RULES AND ORDERS

- 3.21 At the time of the inspection, around eight months after the first women had been transferred to Unit 4, Greenough generally had appropriate Local and Standing Orders to manage its additional population of female prisoners. As will be discussed however, in some areas of operation and service delivery the policies, orders or rules were confusing, inadequate or absent.
- 3.22 Greenough (a medium-security facility) has adopted more restrictive local rules in relation to privileges such as amounts of private spends, craft items, personal grooming products and items allowed in cell than Bandyup (a maximum-security facility). This exacerbated the distress and frustration of the transferees, especially when the answer given for the inconsistent rules was simply 'that's the Greenough way' and was not grounded in security or safety concerns. It seemed nonsensical, for example, that Bandyup allows scissors for craft or tweezers for grooming to be in cell (unless risk assessments dictate otherwise), but the lower security Greenough does not.
- 3.23 It is important that the Department ensures greater uniformity in rules and orders across facilities. Clearly there will need to be some differences between different prisons to reflect operational requirements but some of the current differences are inexplicable and the cause of confusion and anger.

- 3.24 The Office has noted a lack of consistency between prisons and the frustration it engenders in a number of inspection reports involving both female and male prisoners.⁷⁷ Other significant examples are mentioned elsewhere in this report, including the issues of male and female prisoners mixing and of remote phone allowances.⁷⁸ It is time for the Department to improve clarity and consistency.

Recommendation 8

The Department should enact consistent operational policies and procedures for the management of prisoners across different prisons. Exceptions should be allowed only where the individual prison makes a specific and compelling case.

RESOURCING FOR WOMEN PRISONERS

Official Policy

- 3.25 Adding 44 women prisoners to Greenough did not just require the reallocation of 44 beds in which they could sleep. It was crucial for essential services such as education, counselling, medical, employment and programs to expand and diversify in line with the needs of the women being transferred there. As the Department itself has put it: ‘[A]ddressing the needs of female prisoners is far more complex than simply ensuring that they have adequate accommodation’;⁷⁹ and ‘providing sufficient beds is just the beginning of ensuring that female prisoners’ requirements are addressed’.⁸⁰
- 3.26 Demountable structures were added to Unit 4 to allow certain services such as education, counselling and health to be delivered within the ‘precinct’. However, some services still require access to central areas and the key to service delivery within the unit is adequate staff resources. The issue here is not just the increased demand from 44 prisoners, but the increased demand from 44 *female* prisoners.
- 3.27 The Department’s key blueprint documents in effect endorse the principle that the different needs of women prisoners should be reflected in different or additional resourcing. The *Female Offender Policy* commits to recognising gender different needs and the complexity of female offender needs.⁸¹ The *Female Prisoners Plan 2012–2022* acknowledges the complex differences and high demands that women place on a number of service delivery areas,⁸² and its avowed purpose is ‘to provide the strategic and operational direction required to ensure the provision of improved gender specific services’.⁸³ Two areas in particular are recognised as generating high demand from women;

77 OICS, *Announced Inspection Bunbury Regional Prison*, Report No. 75 (December 2011); OICS, *Announced Inspection of Albany Regional Prison*, Report No. 78 (June 2012).

78 See Chapter 4.

79 DCS, *Female Prisoners Plan 2012–2022* (July 2012) 12.

80 DCS, *2013 Inspection of the Position of Female Prisoners at Greenough Regional Prison: Department of Corrective Services Submission* (July 2013) 8.

81 DCS, *Female Offender Policy* (September 2011) 1.

82 DCS, *Female Prisoners Plan 2012–2022* (July 2012) 3, 5, 8, 12, 21, 25, provide examples of this.

83 *Ibid.*, 9.

health services and counselling services.⁸⁴ The Department's *Substantive Equality Policy* also requires that 'services address the needs and circumstances of service users...regardless of their...gender'.⁸⁵

Greenough Realities

- 3.28 Moving the women from Unit 5 to Unit 4 had no impact on the prison's overall daily approved population (DAP) of 280 prisoners.⁸⁶ The move simply increased the proportion of female prisoners from 10 per cent to 25 per cent. However, the clear logic of the Department's own policies was that additional resources would be needed if Greenough was to ensure both that the extra women received appropriate services, and that the existing male population was not disadvantaged.⁸⁷
- 3.29 Examination of the budget for Greenough Regional Prison and follow up interviews with relevant staff showed that in fact the prison received no additional funding when female prisoner numbers increased. It simply continued to receive its standard budget based purely on the total DAP.
- 3.30 Initially, the only additional resourcing received in recognition of the increased *female* population was an additional 0.4 FTE so the role of Women's Support Officer (WSO) at the prison could be increased to a full time position.⁸⁸ But this funding was not 'additional' in any real sense of the word. It came from closing Roebourne's women's unit where there had been a 0.4 FTE WSO. The Greenough WSO was already a 0.6 position and now had to absorb responsibility for the women moved from Perth, and then later those women transferred from Roebourne. Expressed simply in number terms, the 0.4 increase was expected to meet the needs of a 180 per cent increase in the number of female prisoners. The needs of the women had also become greater in many ways. The role of the WSO is absolutely essential to the success of the women's unit. The post-holder is an advocate for the Unit as well as providing and coordinating important services.
- 3.31 Education services were subsequently bolstered by the appointment in February 2013 of a 0.6 FTE Female Education Coordinator.⁸⁹ However, almost every service delivery area examined during the course of the inspection relayed the same experience – that the provision of services to the women had only been possible by reallocating existing resources from men to women. This approach was out of line with the Department's own recognition that women place higher demand on certain services (such as health and counselling) compared with their male counterparts. Service providers simply had to shoehorn women into the resources and services that had been available for a male/female split of 90/10 not 75/25.

84 DCS, *Greenough Regional Prison Women's Estate Transitional Plan* (1 August 20012) 4.

85 DCS, *Substantive Equality Policy* (November 2008) 2.

86 DCS, *Greenough Regional Prison: Women's Estate Decant and Fill Plan* (4 October 2012).

87 See [3.32]–[3.37] for discussion of the impact of additional women on services to the male population.

88 An additional Disciplinary Officer position was later created for the women's precinct, however this was not in place at the time of the inspection.

89 See [4.64].

- 3.32 There are also some interesting comparisons with Boronia. The number of women prisoners at Greenough (up to 69) is not vastly dissimilar to the design capacity of Boronia (72) or to Boronia's actual current numbers (80). Greenough also holds a much more complex cohort, including at least one maximum-security prisoner at any given time, and a large proportion of Aboriginal women from many different regions. However, Greenough has been given nothing like the same resources. Boronia has its own Superintendent, a full management team, and dedicated women-centred services in areas such as health and re-entry. Essentially Greenough has had to make do with what it had, with few dedicated women's positions.
- 3.33 Local pragmatism and resourcefulness are admirable, but more is needed by way of strategic direction, backed by concrete support. The issue of funding models for female prisoners is one of relevance across the whole system, as is especially relevant now at Bandyup and Greenough. This Office has previously recommended that the Department should align its funding models with its avowed policy objectives and 'develop a funding model which recognises the unique needs and demands of women's custodial management.'⁹⁰ The Department rejected that recommendation in 2011 but it remains valid and needs to be revisited by its new leadership:

Recommendation 9

- (a) *The Department develop a funding model for all prisons that accommodates women which recognises the particular needs of women's custodial management and enables greater equity of service provision.*
- (b) *Provide Greenough Prison with additional resources to deliver female-specific services more comparable to those at facilities accommodating a similar number of women.*

Effects on Male Prisoners and the Lack of 'Mixing'

- 3.34 Access by women prisoners to services and facilities has long been documented by the Office to be very poor compared to their male counterparts.⁹¹ The same issues have been charted at other regional prisons where males vastly outnumber females. At Greenough, the problems are compounded by its strict policy (discussed in Chapter 4) against allowing male and female prisoners to mix. This policy, which is not adopted at every regional prison, means that men and women cannot access services or amenities at the same time. This has two consequences: either the men are denied access when women are using the services/amenities, or the women are denied access because the prison considers there are too few of them to justify denying the larger group of men. Clearly there need to be restrictions on mixing, but Greenough's blanket approach is unnecessary and hinders access to services. Given the proximity of the women's precinct to male units, and the lack of mature, supervised mixing, there is already a great deal of unhealthy verbal interaction.⁹²

⁹⁰ OICS, *Announced Inspection of Bandyup Regional Prison*, Report No. 73 (August 2011).

⁹¹ OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 21 (May 2003) 46; OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 44 (May 2007) 52; and OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013) [2.8].

⁹² See Chapter 4.

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- 3.35 One of the Department’s justifications for increasing the number of women at Greenough and closing the Roebourne women’s unit was ‘critical mass’, that is creating a large enough group of women to justify the provision of a more comprehensive suite of services. However, as discussed, the effect of adding more women into a male domain and not increasing resources was that service providers generally had to spread existing resources amongst the male and female prisoner groups. Given that males and females were not being mixed even for activities and services that are delivered jointly at other prisons, and given that the additional women also had additional needs, the purported benefits of a ‘critical mass’ remained somewhat illusory.
- 3.36 The basic point is simple: women deserve equal access even when they are a small proportion of prisoners in a mainly male domain, but male prisoners should also not be disadvantaged. In many respects the prison was doing what it could to allow women access, but the result was that access for males was more restricted. Areas of concern, voiced by staff as well as prisoners, included:
- Loss of oval access four times each week during female recreation;
 - Loss of better accommodation and single cells for men who had previously been able to move to Unit 4 as part of a hierarchical management model;
 - Fewer hours of work available in the kitchen as it moved to a split shift system to allow female prisoners access to kitchen work;
 - Loss of male section 95 work one day each week so women could access external opportunities (as they had to share the staff member responsible for supervision and transport);
 - PCS counselling sessions for men reduced so the team could deliver programs to women;
 - Reduced access to the Transitional Manager who was now allocating 25 per cent of her time to the women;⁹³ and
 - Education services redistributed contact hours available to prisoners to provide dedicated courses to women within the precinct on a daily basis.
- 3.37 Paradoxically, the only service observed to be delivered on a ‘shared’ basis was medical appointments, an area that cries out for separation in the interests of confidentiality and confidence in seeking help. There was a transportable in the women’s precinct for nurses to triage health complaints inside the unit, but access to a doctor was only available at the central medical centre. Furthermore, at the time of the inspection, nurses were simply not visiting Unit 4, so women had to go out for any form of treatment. The issues were compounded by the fact that the nurses’ room in Unit 4 was not soundproof and medical staff were therefore reluctant to use it.⁹⁴

93 This reflects the additional demand created by the women, despite the fact that there was no increase to the prison’s total population.

94 See [4.22]–[4.25]. It is acknowledged that since the inspection use of the nursing station has improved.

- 3.38 Demand for medical services was such that it was impossible to restrict access to the central medical centre based on gender. Men and women waited together in the same general area on separate benches. There was clear evidence that some women, particularly Aboriginal women from more culturally traditional areas, were deterred from accessing any service that would expose them outside the women's precinct, particularly recreation and medical services. Part of this reflected their own anxieties and sense of 'shame' in front of men. Staff said that the women also sometimes experienced bullying from the males, either because the men were displeased that their access had been curtailed or because of jealousy over possible contact with other men.
- 3.39 Policies and practices relating to the mixing of men and women and the provision of medical services are serious problems that need to be addressed, especially with the increased number of women at Greenough. Both are the subject of recommendations in Chapter 4.

CUSTODIAL STAFFING

- 3.40 Unit 4 is staffed in accordance with Greenough's regular roster, meaning that any uniformed staff member can be rostered there on a rotating basis. This is quite different from what occurred when the Department created a new female precinct at Banksia Hill Juvenile Centre, where the majority of staff who work with the young females either volunteered or were handpicked to do so. In preparation for the rolling roster, Greenough has been rotating its officers through the Department's *Working With Female Offenders* training course, with 74.5 per cent of staff having completed the course prior to the inspection.⁹⁵
- 3.41 Commendably, however, three Senior Officers had been selected to provide consistent managerial oversight of the unit's operations. All of the prison's Senior Officers were invited to apply via an expression of interest, ensuring that only genuinely motivated individuals applied. Overall, the balance of having the consistency of elected volunteer senior officers and a rolling roster of other staff seemed to be working well.



Photo 4: A custodial officer entering the Greenough women's precinct

95 DCS, *Document Request – Care & Wellbeing 3.6 Training* (2013).

Chapter 4

UNIT 4 OPERATIONS AND SERVICES

- 4.1 This chapter examines the management, operation, living conditions and services of Unit 4. The main source material dates from August 2013, although local management was receptive and responsive to our feedback at the time, follow-up liaison visits to the prison show that the key findings, themes and challenges remain valid.

INFRASTRUCTURE AND GROUNDS

- 4.2 Prior to December 2012 female prisoners at Greenough were held in Unit 5, a restrictive, oppressive,⁹⁶ and claustrophobic environment.⁹⁷ At the time of the October 2012 inspection, the situation had deteriorated even further with even more restrictions on space as a result of preparations for the upcoming move to Unit 4. The 23 women in Unit 5 had little to keep them positively occupied, and ‘as a group, they remained seriously disadvantaged compared with male prisoners’.⁹⁸
- 4.3 The move to Unit 4 represents a huge improvement to the women’s unit infrastructure. The unit is a spacious double storey accommodation block, consisting of two wings joined by a central unit office. Each wing includes two storeys of cells with shared bathroom and shower facilities on both levels. Each wing has its own day room area, and one wing (designated the ‘self-care’ or earned supervision wing) includes a kitchen area for prisoners to prepare their own food. Overall, the unit is in good condition.
- 4.4 A serious drawback is that two multipurpose cells (MPCs) and two observation cells were deliberately located at the end of the wing reserved for earned supervision prisoners. These cells are used for women considered to be at risk of self-harm, and also for the management and/or punishment of prisoners whose behaviour presents problems. The four cells can be isolated by means of a movable grill but placing volatile or distressed women in a general accommodation area, especially in the most privileged area, has continuously caused considerable disruption. This was very evident at the time of the inspection, when the management of one prisoner was impacting on the whole wing, even on occasions the whole unit. Despite being rated only medium-security, Greenough is being required to house one of two long-term maximum-security women on rotation, sometimes presenting management challenges. More dispersal options are required for female prisoners.⁹⁹
- 4.5 The outdoor area is also a considerable improvement on Unit 5. Previously, the women were confined to a tightly restricted quadrangle surrounded by razor wire but the outdoor areas of Unit 4 are extensive and varied. The grounds incorporate garden areas, a section of the prison’s orchard, a number of recreation options, and the Yarning Area, or cultural meeting place.

96 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013) 49.

97 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010) 16.

98 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013) v.

99 See Recommendations 2 and 3.

UNIT 4 OPERATIONS AND SERVICES



Photo 5: The view past self-care cells to the multipurpose (punishment and observation) cells



Photo 6: The interior of a multipurpose cell

- 4.6 Unfortunately, there appeared to be significant miscommunication regarding the women's ability to access the Yarning Area. Neither unit officers nor prisoners were able to definitively state whether the women actually had access, and the area appeared largely unused. Management told us that the women were permitted to access the Yarning Area during recreation times, but this information had either been poorly disseminated or misunderstood.
- 4.7 The women's precinct includes an Industries Area where a number of transportable buildings have been placed to provide a variety of services. These include a small laundry and store room, nursing station, an office for the Women's Support Officer (WSO), education and programs rooms, and a small library. The intention is to provide services to the women within their own area of the prison, minimising movements and unwanted interactions between female and male prisoners. This area also includes a grassed space, and a concrete area with tables and benches covered by sail cloths.

MANAGING MALE AND FEMALE INTERACTION IN MIXED PRISONS

- 4.8 Possibly the most troubling aspect of this inspection was the interaction between male and female prisoners. The women's precinct runs alongside a male unit, which is separated from the women's recreation area by a fence line, pathway and privacy screen. However the men and women were able to communicate with each other if the women sat or lay on the ground while the men sat in their cells. On several occasions, we observed numerous women lying on the ground along the fence speaking across a pathway with unseen male prisoners in their cells.



Photo 7: A female prisoner lies on the ground to speak with unseen male prisoners beyond the fence

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- 4.9 This behaviour was tolerated insofar as it did not result in shouting or unruly behaviour from prisoners. According to some staff, attempting to keep the prisoners from talking was futile, and it was easier to let it continue. However other staff raised concerns about the type of relationships that were being either developed or perpetuated.
- 4.10 We were very concerned by the nature of the interactions we observed and the language. It was impossible to monitor the exact nature of the interactions but the way in which they were happening was sad and demeaning. It was the very antithesis of positive male/female interaction. Staff commented that the men were able to exert pressure and control over the women and there was evidence that they were being pressured into not attending activities such as recreation on the oval where other male prisoners might be able to watch them. Many staff stated that they felt the women would be more open to engaging in a variety of activities if they were in an all-female prison.
- 4.11 We raised our concerns with local management and it appears that a clampdown followed on communication across the fence line, with some women disciplined for breaching this prohibition. The women were highly visible to Officers in Unit 4, but the adjacent males were hidden in their cells and often doubled up. Thus, while the behaviour of the women was policed, the male behaviours appear to have been unaddressed. Women should not have to bear the brunt of enforcement for what is two-sided behaviour.
- 4.12 Furthermore, while there were few opportunities for positive mixing, the team observed unwanted mixing at times, as when female prisoners were moved through the prison to attend medical appointments. This was just as inappropriate and there was evidence that some women were deterred from seeking much-needed medical support.¹⁰⁰
- 4.13 The *United Nations Standard Minimum Rules for the Treatment of Prisoners* state that male and female prisoners should be held in separate facilities.¹⁰¹ However, this is not feasible in Western Australia because of the small size of regional prisons and the over-riding priority of keeping people close to home.
- 4.14 This Office has always acknowledged the complexity of managing the relationships and association between men and women in mixed prisons. On the one hand, strict separation frequently has a negative impact on service access and also denies the opportunity for prisoners to engage in normal social relationships as they would in the community.¹⁰² On the other hand, many women come from backgrounds of domestic violence and poor relationships, and exposure to male prisoners can be a cause of further trauma. However, we take the view that for cultural and social reasons, and based on careful risk assessments, male and female prisoners should be given the opportunity to voluntarily mix under appropriately managed circumstances. This is especially important to out-of-country Aboriginal prisoners with family members housed in the same prison as displacement from home and family imposes an emotional and spiritual distress beyond that experienced by non-Aboriginal people.¹⁰³

100 See also [3.36] and [4.19]–[4.26].

101 United Nations *Standard Minimum Rules for the Treatment of Prisoners* (1957) <http://www.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx>

102 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010).

103 OICS, *Inspection Standards for Aboriginal Prisoners* (July 2008) 4. Also see Standards A13.1, A37.5 and A40.1.

- 4.15 The Department's rule governing association largely reflects the same principles. It requires that male and female prisoners be 'assigned separate sleeping quarters or cells'.¹⁰⁴ It goes on to provide requirements for the supervision of male and female prisoners, and expressly permits integration during population counts, medical parades, in dining rooms, recreation areas, work areas and visits areas (except where the Superintendent designates otherwise) and programs.
- 4.16 However, Greenough management opts to segregate men and women quite strictly, and this was the case at the time of this inspection. Male and female prisoners were rarely given the opportunity to interact under monitored, safe and respectful circumstances. Mixing was still permitted at annual NAIDOC day events, but few other positive interactions were encouraged. Before the expansion of the women's precinct, the women had been permitted, on occasion, to spectate when the male prisoners played football, but with the increase in their numbers and greater access to sporting functions this was discontinued.
- 4.17 Greenough's practices differ markedly from other regional prisons. For example, prior to the closure of its women's unit, Roebourne routinely allowed men and women to mix during recreation and also in some programs and activities (including some off-site employment training programs). Eastern Goldfields also allows mixing during recreation. These interactions are subject to intelligent local risk assessments and are appropriately supervised. They provide a more positive and far less demeaning opportunity for interaction.
- 4.18 In summary, while the safety and security of women prisoners is paramount, it should be possible to put systems in place so that the Unit 4 women can have supervised and structured access to other areas of the prison, even at the same time as men. The key principles are that interaction should be:
- Based on individual risk assessments not blanket exclusions;
 - Voluntary;
 - Meaningful;
 - Respectful; and
 - Well-managed.
- 4.19 Unfortunately the interactions we observed at the inspection met none of these criteria. Indeed, far too many involved behaviours that should be actively discouraged.

Recommendation 10

Subject to individual risk assessments and appropriate supervision, male and female prisoners at all of the state's mixed-gender prisons should be allowed regular, voluntary, meaningful and respectful interaction with each other.

104 DCS, *Adult Custodial Rule 6 – Association of Male and Female Prisoners* (13 May 2001) 1.1.

HEALTH AND MENTAL HEALTH

4.20 The increase in female prisoners at Greenough did not attract a corresponding increase in funded services, despite the Department's acknowledgement that the cost of some services is higher for female prisoners.¹⁰⁵ Predictably, the increase in female prisoners has resulted in an increase in the demand for medical services. Coupled with health staff shortages, this has resulted in significant service delivery issues.

Health Services

4.21 The delivery of health services at Greenough has been problematic for many years, due to difficulties recruiting and maintaining staff. This has historically resulted in poor service provision and lengthy waiting periods for medical consultations. As a result, health services were a key focus of the October 2012 inspection. At that time, fortunately, access to health services had improved, thanks in large part to a full complement of staff.¹⁰⁶

However, by August 2013, the health centre was again significantly understaffed. The role of Clinical Nurse Manager was filled substantively, but two full-time nursing positions were empty, and the medical centre had been relying on casual staff for several months. The challenge of recruiting nurses locally appears to be compounded by the Department's inability to offer salary packages equivalent to those of the Department of Health, and by complicated and time-consuming recruitment processes.¹⁰⁷

4.22 Due to the lack of staff, little to no health promotion was being carried out by health services. However, a number of the lifestyle programs being run by education staff indirectly covered health issues, with one program in particular facilitated by an ex-nurse. While this was a positive addition for the women and prison, it had come about via happy chance rather than good planning, and was taking place without consultation with health services.

Deficiencies in Infrastructure and Staffing Levels

4.23 The addition of transportable buildings in the Industrial Area adjacent to Unit 4 was intended to minimise the movement of female prisoners throughout the prison, and thus lessen their interactions with male prisoners. A small nursing station was included in one of the buildings, so that medical complaints could be triaged and minor issues dealt with inside the women's precinct. Women would still be required to attend the main medical centre for appointments with the doctor and other specialist services, including psychiatry, physiotherapy, podiatry and dental services. Unfortunately, the range of services available from the nursing station was being severely restricted by inadequate soundproofing, limited security and low staffing.

105 See Chapter 3.

106 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013) 33.

107 Medical staff employed by the Department of Corrective Services are also required to be cleared by the Department of the Attorney General.



Photo 8: The Women's Precinct Industrial Area

- 4.24 The nursing station is actually one room inside a multipurpose transportable building, bordered on one side by a programs room and on the other by a small library. Prior to the inspection, the Office had been informed that nursing staff were concerned about the lack of confidentiality because sound travelled easily through the thin walls. Foam panelling was subsequently applied to either side of the connecting wall. However the inspection team verified that sound still travelled through the walls, and that the meaning of conversations could easily be picked up from the adjoining room. This raises serious questions about whether the room is fit for purpose. For security reasons, medications are not stored in the station but are brought into the women's precinct twice daily. Again this limits the scope of service that the station can offer.
- 4.25 Staffing was another serious problem. The Unit 4 nursing station was negotiated to be open for three two-hour periods each week, and to operate with one nurse in attendance. However due to staff shortages, this service had ceased at the time of the 2013 inspection. The team was informed that if a nurse was sent to Unit 4, staffing levels at the medical centre would be so low that it would have to close.
- 4.26 Consequently, in order to receive medical attention, female prisoners had to be escorted through male sections of the prison to the main medical centre. They were then required to wait outside the centre alongside male prisoners. While both male and female prisoners were under separate escort, and in full view of multiple officers, some of the women clearly found this experience extremely uncomfortable. A number of female prisoners said that given this arrangement, they would prefer not to attend the medical centre at all.

This presents the real risk that women could conceal medical complaints in order to avoid being escorted to the health centre.

- 4.27 In summary, despite the plans and despite the best intentions of Greenough management, the Unit 4 nursing station was not practicable and the services to the women fell short of what was needed.

Recommendation 11

Greenough Regional Prison be provided with the necessary infrastructure and human resources to allow health services to be provided to women within the women's unit or in a confidential area that does not require transit through the male zones of the prison.

Aboriginal Health Services

- 4.28 The relationship between prison health services and the Geraldton Regional Aboriginal Medical Service (GRAMS) appeared to have broken down, despite a Memorandum of Understanding being finalised less than 12-months earlier. GRAMS had been providing an Aboriginal Prisoner Re-Entry Health Service, funded by the Council of Australian Governments (COAG) to engage with Aboriginal prisoners six months prior to their release.¹⁰⁸ The program aimed to ensure continuity of health care after release by motivating prisoners to actively participate in their health care both prior to and following release from prison. It included coverage of chronic health issues, drug and alcohol problems, and mental health.
- 4.29 The fact that this relationship had collapsed is regrettable. The October 2012 inspection had heard that GRAMS had significant funding available but at that time, GRAMS complained that there was a lack of space in the medical centre and that the Department appeared reluctant to accept offers of funding.¹⁰⁹ The lack of additional resourcing has affected the ability of Greenough to provide the additional services required by an increased population of female prisoners, a large number of whom are Aboriginal women out-of-country. The services provided by GRAMS represent an excellent opportunity to connect with Aboriginal prisoners and to enhance the already problematic provision of health services in regional prisons. This Office urges the Department's health services to reconnect with GRAMS in order to enhance health service provision at Greenough.

108 Although funded federally, the program is operated by the Western Australian Department of Health.

109 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013) 36.

Mental Health Service

- 4.30 It is widely accepted that female prisoners present with higher needs, engage with services for longer periods than males, and are more willing to self-refer.¹¹⁰ However, the Department did not expand the prison's resources to meet the growing demand for mental health services generated by the increased number of women. Documentation provided by the prison affirms the extent of the problem. Women now comprise a quarter of the Greenough population but in the four months prior to the inspection they had accounted for well over a third of the individuals requiring mental health services (12/31) and more than 40 per cent of the occasions of service (20/47).¹¹¹
- 4.31 Greenough's medical centre employs a mental health nurse part time (0.5 FTE), and the Clinical Nurse Manager is a qualified mental health nurse. A Consultant Psychiatrist conducts a clinic fortnightly either in person or by video-link, and is also available on call in emergencies.
- 4.32 Greenough's Prison Counselling Service (PCS) had enjoyed an increase in staff since the 2012 inspection. However this was due to the filling of previously vacant positions rather than any additional resourcing. At the time of inspection, three multidisciplinary PCS positions covered counselling, treatment needs assessment, and program delivery. Programs are typically delivered by two of these staff in tandem. Thus whenever a program is running, only one PCS member is available for counselling.
- 4.33 With the increase in the female population, mental health needs at Greenough have increased but the PCS team has not been adequately resourced. It is essentially restricted to undertaking risk assessments and providing crisis care. It does not have the time to provide the ongoing counselling service that many of the women require.
- 4.34 Departmental profiling of female prisoners indicates that around 90 per cent of women in prison have experienced physical or sexual abuse at some point in their lives:
 A large majority of women indicated they had experienced physical or sexual abuse at some point in their lives (90%), with most of them experiencing abuse as an adult (83%), and about half of the sample experiencing abuse as a child (44%). Nearly half of all Aboriginal women indicated that they had experienced abuse both as a child and as an adult (52%).¹¹²
- 4.35 Disturbingly, the inspection team also heard that some female prisoners were reluctant to be entirely honest with PCS counsellors. They felt that if they admitted to the true extent of their victimisation and distress, the counsellors would be obliged to report it, and that this would have negative consequences for the prisoner.
- 4.36 These issues impact adversely on the prisoner's ability to re-enter the community safely and without re-offending. They clearly cannot be addressed without proactive interventions and ongoing engagement. Unfortunately, in addition to the pressures faced by PCS, other services had declined. At the October 2012 inspection, Chrysalis Support Services was

110 DCS, *Female Prisoners Plan 2012–2022* (2013); DCS, *Female Offenders Framework* (September 2011); DCS, *Female Offender Policy* (September 2011).

111 Of the 12 women who required psychiatric services, seven were Aboriginal. DCS, *Document Request – Care & Wellbeing 3.4 Mental Health Greenough* (2013).

112 DCS, *Profile of Women in Prison 2008 – Final Report* (2009) 3.

providing an in-reach counselling service for victims of sexual assault and domestic violence. By August 2013, this had ceased, again as a result of the difficulties in recruiting appropriately qualified staff in regional centres. The loss of this service was significant and this Office hopes that engagement with Chrysalis and/or other appropriate service providers will soon recommence.

Recommendation 12

Increase the level of mental health and counselling services available for women (and consequentially also for men) at Greenough Regional Prison, including (i) additional psychiatric services; (ii) an additional Prisoner Counselling Service team member; and (iii) reinvigorated links with Chrysalis Support Services or other relevant service providers.

COMMUNITY/FAMILY CONTACT

Visits, Video-link and Skype

- 4.37 The majority of women accommodated at Greenough now come from the metropolitan Perth area and from other remote and distant locations. Only around four per cent actually come from Geraldton itself. As a result, few receive regular personal visits at Greenough. The Department's *Female Prisoner Plan 2012–2022* acknowledged that the expansion of the Greenough women's precinct would have a number of flow-on impacts, one of which was visits with family and children.¹¹³ However, almost nothing was done to address this known impact.
- 4.38 The women are told that they can apply for short-term transfers to other prisons for visits. However, while such transfers do occur, they are not common and many women felt that it was pointless applying. In theory video-link family visits can also occur but they were costly and uncommon.
- 4.39 For well over five years, this Office has been making recommendations regarding Skype and/or other technologies. For its part, the Department has repeatedly assured us (and others) that trials and further roll outs are pending. In 2009, the Office specifically recommended that new technologies for official and social visits be trialled at Greenough itself.¹¹⁴ The Department said this was unnecessary as the matter was already being actively addressed. However the 2012 Greenough inspection found no trial, no action and no plan. Skype has never been available at Bandyup either.
- 4.40 The Department still claims in correspondence and presentations that its trials of Skype have been successful, but progress has been minimal and too slow. Only three prisons, all of them male, are making any use of Skype. It was Acacia, the privately operated prison, that was the pioneer, and Albany has also been active. Hakea also makes some use of Skype, primarily for official visits. Although 'security concerns' are sometimes cited

113 DCS, *Female Prisoners Plan 2012–2022* (2012) 31.

114 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 66 (June 2010) Recommendation 8, read as follows: 'To improve family contact for prisoners: i) There should be significant upgrades to the visits facilities and the video link facilities at Greenough Regional Prison; and ii) The Department should formally trial internet-based 'visits' at Greenough and other sites with a view to their introduction across the system.'

to explain the inertia, all of these prisons are high security (ie maximum- or medium-security) and hold prisoners who pose security challenges. The Department's failure to roll out Skype or other technologies more widely is a lost opportunity.

- 4.41 This Office does not usually set timeframes on recommendations, taking the view that this is a matter for the Department to prioritise. However, the issue of Skype has festered for too long. Unless the Department has compelling reasons to the contrary, it should ensure that Skype or equivalent technologies are available throughout the prison system by the end of June 2015. Displaced women at Greenough and women at Bandyup should be priority target groups and a timeframe of the end of 2014 should be set and met.

Recommendation 13

- (a) *The Department immediately introduce Skype (or other on-line technologies) at Greenough Regional Prison and at Bandyup Women's Prison for social and official visits; and*
- (b) *By the end of June 2015, the Department ensure that Skype or other on-line technologies are fully operational at all the state's prisons.*

- 4.42 Women at Greenough are unable to have extended visits with their children as they can at Boronia and Bandyup, let alone overnight stays like those available at Boronia. This is due to a lack of adequate facilities, including a suitable medical centre and appropriate, segregated accommodation. The *Female Prisoner Plan 2012–2022* includes a description of the proposed Stage II project for the Greenough women's precinct. This includes the development of the site as part of the state-wide integrated regional estate for women, including more purpose built facilities within the current women's precinct. These would include a women's visits area and a house for extended visits or overnight stays.¹¹⁵
- 4.43 At the time of writing, local provider Centacare was due to commence a visitor service at the front of the prison, with a particular focus on providing support to the families of female prisoners. This is a welcome addition.

Phone Calls

- 4.44 Greenough is approximately 400 kilometres from Perth, and it would be unreasonable to expect visitors from the metropolitan area to routinely visit their loved ones. The maintenance of relationships therefore relies heavily on communication through telephone contact. In prisons, phone calls are accessed through a contract with a single service provider and the long distance rates are inflexible and higher than those accessible by the public. Prisoners are limited in the money they can earn and many do not have family able to provide significant cash.

115 DCS, *Female Prisoners Plan 2012–2022* (2012) 32.

- 4.45 The Department recognises the cost of long distance calls and *Policy Directive 36* allows out-of-country/remote prisoners to receive two free 10-minute calls to family/friends per week (calls may be made intrastate, interstate or international) if they also satisfy the following criteria:¹¹⁶
- Do not have adequate private funds to maintain contact without such assistance;
 - Have not utilised video visits through subsidised departmental facilities within the previous week;
 - Calls/credits must not be allowed to accumulate (except in exceptional circumstances); and
 - Not abuse or intentionally misuse the telephone allowance system.
- 4.46 A number of women who had been moved involuntarily to Greenough (or who felt they had moved under false pretences) stated that they were deemed ineligible for the calls because they were considered to have ‘adequate private funds’. There is no definition or parameters of what constitute ‘adequate’ funds. In any event, the Office has serious reservations about women who are forcibly ‘decanted’ for ‘muster’ reasons being further removed from access to their families. The issues were compounded, at least in the early days, by the fact that they earned far less at Greenough than at Bandyup due to the lack of jobs.¹¹⁷
- 4.47 *Policy Directive 36* claims that any prisoner who is out-of-country or socially isolated is eligible for the remote allowance.¹¹⁸ Initially, the Greenough Prison Local Order did not disallow the transferred metropolitan women on the basis of distance but it subsequently emerged that the Local Order was probably not compliant with the Policy Directive. This meant that nearly all women who had been transferred from Bandyup, and who had initially been given the allowance, were no longer entitled to it.

Recommendation 14

Prisoners who are transferred from their local area prison due to overcrowding should be entitled to receive more generous remote telephone allowances to facilitate ongoing contact with children, family and friends.

116 DCS, *Policy Directive 36 – Appendix 2* (27 February 2013) 6.3

117 See [3.15]–[3.17].

118 *Policy Directive 36* does not stipulate the distance that would classify a prisoner to be ‘out-of-country, or ‘socially isolated’.

SUPPORT SERVICES

4.48 Prisoner Support Officers (PSO) and peer support teams also provide a vital function in West Australian prisons, through the identification and support of vulnerable prisoners, in particular those at risk of self-harm. The PSO identifies appropriately skilled prisoners for membership of the peer support team, usually representing each unit of the prison. As previously discussed, the Women's Support Office (WSO) plays a vital and pivotal role in the women's unit, as an advocate, support and service provider. In the case of the women's unit at Greenough, the PSO and WSO both attend to the welfare needs of the female prisoners, with the PSO primarily overseeing those female prisoners who are on the At Risk Management System ('ARMS').



Photo 9: A single cell in Unit 4

4.49 Two women from Unit 4 were members of the peer support team, one from each wing. However, some felt they had no one to speak to who could appropriately understand their culturally specific welfare needs. Given the range of women now residing at Greenough, and the high level of strain being placed on counselling services, this Office feels it is necessary to increase the numbers of female peer support prisoners, or even to introduce a female-only peer support team in addition to the mixed, whole of prison team.

Recommendation 15

- (a) Greenough should increase the number of women prisoners trained and appointed to be on the peer support team; and*
- (b) The prison should consider establishing a female-only peer support team in addition to the whole of prison team.*

- 4.50 Prison chaplains attend the prison regularly. They noted that the increase in women had resulted in a broadening of the religious demographic. As one Chaplain put it '[T]he prison was experiencing religious diversity for the first time.' The experience was not without its challenges and with requests for new religious visitors and permission to have personal items in cell, security processes and clearances were being challenged.
- 4.51 It was further noted that owing to the female prisoners being more willing to engage and talk, the chaplains were finding it difficult to provide the same degree of coverage to the male sections of the prison that it had previously been able to. This was being noted and commented on by the male prisoners and could cause resentment if left unchecked.
- 4.52 In October 2012, the Department run Aboriginal Visitors Scheme (AVS) had been revitalised, after having been moribund for many years. Unfortunately, by August 2013, it had once again fallen into abeyance. One of the individuals who had been an AVS visitor had since been employed by the prison's education centre, and thus had an arguably greater presence at the prison than he may otherwise have had. Nonetheless it remains vital that Greenough have a functioning Aboriginal Visitors Scheme. Its chronic absence at the prison is unacceptable. The Department needs to examine service delivery and if services cannot be provided through the central, Perth-based AVS, consideration should be given to providing the resource to the prison and requiring them to source a relevant local service.

Recommendation 16

- (a) *The Department should ensure that Aboriginal Visitor Scheme services or similar services, are available at all its prisons.*
- (b) *At prisons such as Greenough, where there has been a chronic problem in providing AVS services, consideration be given to alternative measures. These include the option of funding the prison to source and manage services from local agencies or service providers.*

RECREATION

- 4.53 In October 2012, the inspection team found that recreation opportunities for Greenough's female prisoners (then in Unit 5) were very limited. They were permitted access to recreational activities for one hour per day, in either the gym or volleyball court area of Unit 4.¹¹⁹ Access to the oval was permitted only once a week and only for one hour.
- 4.54 The move to Unit 4 has greatly improved the amount of recreation available to the women. The number of visits to the oval has increased from one per week to four, and Unit 4 includes a basketball court, beach volleyball court, and a number of stationary exercise stations have been installed in the grassed outdoor area. Two female prisoners are employed as activities assistants and are tasked with liaising with staff about the women's recreation preferences.¹²⁰

119 At this time Unit 4 held male prisoners, but the women were permitted to use the volleyball court in its courtyard when the men were all using the oval.

120 DCS, *Document request – Rehab 5.5 Recreation activities* (2013).

- 4.55 The unit day rooms include a pool table and darts board in each wing, and there is a small library in the women's Industrial Area. Although the library is substantially smaller than that in the male section of the prison, its contents are regularly rotated in order to ensure the availability of new reading material.
- 4.56 However, despite the improvement in recreation facilities, little organised recreation was occurring. During the recreation sessions we observed, the women were given no guidance. The result was an ad hoc basketball game played by a handful of women, while a far greater number used the time to lie on the ground and talk to male prisoners across the footpath between Units.¹²¹ Staff acknowledged that more motivation was required to encourage the women to engage in recreation, and this needs to happen.

CANTEEN

- 4.57 One area where the women had experienced a reduction in access was the canteen. While in Unit 5, they had been permitted to attend the canteen to collect their orders at an allotted time. This ensured that if any errors were made they could be immediately corrected. However with their increase in numbers, the women were no longer permitted to attend the canteen, and their orders were delivered to Unit 4. If mistakes had been made, they had to resubmit their order and wait a week until the next delivery. This was causing understandable frustration.



Photo 10: The Unit 4 grounds are a significant improvement on previous accommodation for women at Greenough (see Photo 1)

121 See [4.8]–[4.18].



Photo 11: A lack of organised recreation gave female prisoners the opportunity to speak with unseen male prisoners behind the fence

- 4.58 The inspection team heard that a number of staff were promoting the concept of a canteen specifically run for and by female prisoners. This would create an additional industry, including training and skilling options such as bookkeeping, warehousing and retail. The women could be responsible for the selection of products and take responsibility for its operation under the supervision of appropriately skilled VSOs. Discussions with prison staff indicated a number of possible locations. The Office sees this as an excellent example of local initiative that would significantly enhance the Unit.

Recommendation 17

Greenough should be supported to operate a canteen within the women's precinct which is run for and by female prisoners, and is linked directly to the development of employment skills.

PROGRAMS AND CASE MANAGEMENT

Therapeutic Programs

- 4.59 The expansion of the women's precinct enabled Greenough to increase the delivery of therapeutic offender programs for female prisoners. Since Unit 4 commenced operations in December 2012, one Pathways program had been completed.¹²² The program was facilitated by two PCS staff and delivered in the women's Industrial Area. A total of 10 participants completed the addictions offending program, which ran in the first quarter of 2013.
- 4.60 A number of participants reported benefiting from the course. However, due to the amount of reading and writing involved the Pathways course is not always suitable for Aboriginal women with little formal education. A second Pathways course was scheduled for the first quarter of 2014.¹²³ In order to maximise accessibility and relevance, it may be beneficial in such cases for education staff to support the program facilitators.
- 4.61 The scarcity of appropriate offender treatment programs for female prisoners has been a longstanding issue at all prisons. As discussed in the 2011 report on Bandyup Prison, the Department's suite of offender treatment programs for women is considerably more limited than for males.¹²⁴ Areas that are particularly lacking for women include Indigenous-specific treatment programs, and sex and violent offending treatment programs. This adversely affects the women's chances of successful rehabilitation, and substantially reduces their prospects for successful parole applications. Unfortunately, Departmental records show that women continue to be recommended for treatment programs which do not exist. This represents a systemic failure.

Recommendation 18¹²⁵

The Department develop and deliver more programs specifically for women to address issues such as violence, sexual abuse and substance abuse. It should include programs that are culturally relevant to Aboriginal women from different communities across the state.

Non-Therapeutic Programs

- 4.62 Despite the ongoing lack of a range of therapeutic treatment programs, Greenough has been able to ensure the provision of a number of non-therapeutic courses covering a variety of life skills and employment ready services. These programs are developed and delivered by external service providers from the Geraldton community, and represent a welcome addition to services for the female prisoners.

122 Pathways is an addictions offending treatment program.

123 This course commenced in March 2014 with 10 participants.

124 See: OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011) [4.26]–[4.32].

125 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 73 (August 2011) 102–103, made two recommendations to similar effect. They were supported in principle (but rather equivocally) by the Department but the March 2014 inspection of Bandyup found no real progress.

UNIT 4 OPERATIONS AND SERVICES

Agency	Purpose	Frequency
Aboriginal Workforce Development	Employment	Fortnightly
Bundiyarra Aboriginal Corporation	Irra Waanga Language Program	Weekly
Department for Communities, Parenting WA	Parenting Workshops	Weekly
Durack TAFE	Beauty and Grooming Workshops	Weekly visits for 10 week per course
Geraldton Resource Centre	Life skills	Weekly
Joblink	Employment and life skills workshops	Weekly

Table 3: Life skills and employment courses offered for women at Greenough Regional Prison

4.63 Furthermore, a number of additional services commenced following the 2013 inspection. These included Centacare (relationships programs, knitting for the homeless, Drumbeat, and Bookbags for Kids) and the Aboriginal Family Law Service (workshops on a variety of legal matters). The breadth of services now available for women at Greenough represents an enormous improvement on what has previously been available, and the prison is to be commended on achieving as much as it has in the first year of the women's precinct expansion.

EDUCATION, TRAINING AND EMPLOYMENT

Education

4.64 In October 2012, education for women at Greenough had essentially been placed on hold because no segregated location was available.¹²⁶ The move to Unit 4, and in particular the addition of the Industrial Area, has significantly increased the opportunities for education. The transportable buildings in Unit 4's Industrial Area include two education classrooms, in which 10 education classes run per week.

4.65 As noted earlier, aside from the increase in infrastructure, very little additional resourcing was granted to Greenough in order to meet the demands of an extra 44 female prisoners. However one area where this did occur was education. A new female education coordinator position (0.6 FTE) was introduced in February 2013, a welcome addition to a dedicated and enthusiastic education team.

4.66 The prison's education centre has a well-established relationship with the Geraldton based Durack Institute of Technology. Courses available at the time of the inspection included:

- Certificates I and II: Hospitality;
- Certificate II: Conservation and Land Management – Section 95;
- Certificate in General Education for Adults (CGEA): Indigenous Story Telling Through Art;
- CGEA – Numeracy;

¹²⁶ Previously the female prisoners had access to a demountable building adjacent to Unit 5 where education classes were delivered. However due to the works that were being done in preparation for the move to Unit 4 the building was no longer in use. OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013) [6.13].

- CGEA – Information Technology;
- New Opportunities for Women (NOW) – Health and Personal Management; and
- Health and Beauty.

4.67 The introduction of the Indigenous Story Telling Through Art course has been a particularly positive addition. The course is specifically tailored to engage with Indigenous prisoners, and is facilitated by the prison’s Aboriginal Education Worker (AEW). While the course is primarily group work and art based, it incorporates the CGEA for Reading and Writing and is proving to be a positive entry point to education for many of the Aboriginal women.

4.68 Basic literacy and numeracy skills remain key areas of need but with the transfer of additional women from Bandyup, the population also now includes women with high level education and the potential to undertake tertiary studies. Addressing the needs of such diverse groups will be a difficult challenge. Traditionally, students have had the opportunity to take on external courses via correspondence. However, external courses are increasingly internet-based, and this severely limits the range of education options as prisoners have no internet access at all in Western Australia. While other jurisdictions in Australia and overseas have invested in technology to enable restricted and highly monitored use of internet resources, the Department has not done so. Without investment in appropriate technology, and in the absence of alternative ways for secure prisoner access to online resources, education options for prisoners will become increasingly limited and irrelevant to the real world to which they will return.

Employment

4.69 Prior to their transfer from Unit 5 to Unit 4, employment options for female prisoners at Greenough were limited. Those women who were not eligible for section 95 external employment were essentially restricted to options within the confines of Unit 5.¹²⁷ The graph below draws on Departmental data, and shows employment levels in August 2013 compared with one year earlier.

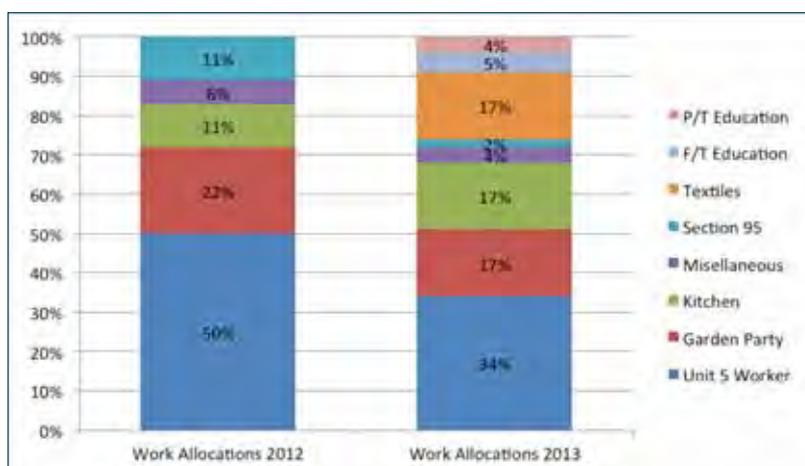


Figure 2: Female prisoner Employment at Greenough 2012¹²⁸ and 2013¹²⁹

127 The kitchen and garden worker positions related to the kitchen and gardens within Unit 5 only.

128 From a total of 18 female prisoners. TOMS Data Extraction (15 August 2012).

129 From a total of 47 female prisoners. TOMS Data Extraction (12 August 2013).

- 4.70 These graphs clearly illustrate that the number of employment options have increased significantly, thanks to the expansion of the textiles industry, greater access to the kitchens, and the re-commencement of education options for women. Nonetheless the number of women employed as unit workers remained high. This is unfortunate as this type of work typically involves menial cleaning duties, with no accredited training or meaningful job skilling attached.¹³⁰
- 4.71 At the time of the 2012 inspection of Greenough, the prison's management had identified employment as an issue vital to the success of the new women's unit, and for the most part the 2013 inspection found that this had been successful. A range of employment was available for the women, including horticulture, kitchens (both of which were connected to training and certification), textiles, and section 95 one day per week for approved minimum-security prisoners.
- 4.72 The textiles industry had been reinvigorated since 2012, thanks in no small part to the addition of a resourceful and motivated VSO. The textiles area was employing eight women, with the potential to take on more. Women employed in the textiles area manufactured products for use within the Department, and had established a number of external contacts with the potential to increase output significantly. However the location of the workshop (adjacent to Unit 5, the old women's unit now occupied by men) was proving problematic because there was nowhere for the women to take a break or use a bathroom without having to be moved back to Unit 4.
- 4.73 The significant increase in the grounds area now available to female prisoners had broadened the options for gardens employment. As previously noted, the grounds are extensive, and include a section of the prison orchard and multiple garden beds. However as gardening employees do not have a designated uniform, the women were being required to wear their own prison clothing whilst working in an inherently dirty job. Furthermore, they did not have access to thick socks which are appropriate for occupational health and safety reasons. The lack of a distinctive uniform was also raised as a security issue by staff who said that they were unable to identify whether a prisoner was a gardens' employee (and therefore permitted in certain areas) or not.
- 4.74 An obvious solution would be to engage textiles to produce a uniform for the garden employees. However at the time this was not possible. Bandyup's textiles industry was solely responsible for producing uniforms for the entire women's estate, and prison industries are not permitted to 'poach' from each other. While it makes sense that prisons should not be in direct competition with each other for industrial opportunities, this instance highlights the restrictions inherent in this arrangement. This Office would hope that such restrictions will be re-evaluated in the interest of increasing employment and opportunity in a new extension of the women's estate.

130 OICS, *Report of an Announced Inspection of Greenough Regional Prison*, Report No. 83 (March 2013) 50.

4.75 In 2012, up to seven women were regularly accessing Section 95 employment external to the prison.¹³¹ Due to some valid security concerns these positions were no longer available but, in a positive development, a new Section 95 dune restoration project was proving to be a success. This was the result of collaboration with the local Durack Institute of Technology, and saw a group of eight women exiting the prison once per week to assist in the project which contributed to a Certificate II in Conservation and Land Management. The program was initially scheduled to run for 10 weeks, however potential remains for it to be doubled in length.¹³² This project is an extremely positive development, and one this Office hopes to see continue,¹³³ and ideally, be expanded.

Training

4.76 Vocational training and traineeships were available for female prisoners at Greenough, consistent with the available employment options. Documentation provided by the Department prior to the inspection indicated that 39 female prisoners had been engaged in some form of vocational training in the first half of the year.

Industry Area	Distinct Students
Gardens Certificate I in Agrifood	8
Kitchen Certificate II in Hospitality	1
Section 95 (CALM) Certificate I in Conservation and Land Management	8
Textiles Certificate I in Textiles, Clothing and Footwear	6
Construction (White Card) Certificate I in Construction	16
TOTAL	39

Table 4: Female prisoner enrolments in vocational training at Greenough from 1 January 2013 to 30 June 2013¹³⁴

4.77 At the time of the inspection only one woman was engaged in a formal traineeship agreement, completing a Certificate II in Hospitality via the kitchen. Departmental information indicates that at least two female prisoners were transferred to Greenough from Bandyup mid-traineeship but that the lack of relevant industry areas at Greenough meant that their traineeships had to be cancelled.¹³⁵

4.78 Traineeships had become problematic for the prison in recent times, as the individual who had formerly been responsible for signing off on training assessments was no longer available to the prison. This had halted the prison's ability to provide traineeships in several industrial areas, including horticulture and textiles.

131 Seven external employment positions were available in the local community, including five at Foodbank and two at Nazareth House (residential aged care).

132 DCS, *Document request – Reparation 4.3 Vocational Training* (2013).

133 This Office was pleased to note that the CALM program was continuing to run in May 2014, with the addition of nursery based horticultural work.

134 DCS, *Document request – Reparation 4.1 External Contracts* (2013).

135 DCS, *Document request – Rehabilitation 5.3 Attachment 6 Women's Traineeship Report* (2013).

INTEGRATED SERVICE PROVISION

- 4.79 In its 2011 *Female Offender Policy*, the Department highlights integrated service delivery as one of its guiding principles for the management of female prisoners.¹³⁶ In order to try and maximise and streamline its services to women prisoners, Greenough was trialling an Integrated Offender Management Committee (IOMC). This is a goal orientated process which includes monthly roundtable meetings of relevant staff members, and where each prisoner's specific needs are considered. Attending staff members include the Transitional Manager, Employment Coordinator, WSO and Education staff.
- 4.80 IOMC meetings follow a pro-forma template that includes referral options for a variety of services both inside the prison and in the community upon release. The process covers the following areas of service provision:
- Cultural/Spiritual – cultural, sorry times, Peer Support Officer, chaplain;
 - Family issues – DCP, extended family, assistance with childrearing, contacting family in other prisons;
 - Employment – white card training, PEP, resumes;
 - Education – traineeships, proof of age, TAFE, flexi learning;
 - Life Skills – workshops;
 - PCS referral options; and
 - Medical referral options.
- 4.81 The inspection team heard that this integrated service provision tool was proving to be a strong motivation for staff to maintain contact with each prisoner on an individual basis. Such a process should furthermore ensure better outcomes for those women who may not be as forthcoming with their needs as others. The IOMC is however a pilot program and this Office urges the Department to continue to support this endeavour, and to proceed with the implementation of the IOMC across the female prisoners estate.

Recommendation 19

The Department should:

- (a) Evaluate the Integrated Offender Management Committee (IOMC) process at Greenough;*
- (b) If the IOMC process is successful, introduce this process across the women's estate; and*
- (c) Examine the suitability of rolling out a similar process for male prisoners.*

136 DCS, *Female Offender Policy* (September 2011) 2.

Appendix 1

THE DEPARTMENT'S REPOSE TO THE 2014 RECOMMENDATIONS

Recommendation	Acceptance Level/Risk Rating/Response
<p>1. With a particular focus on women prisoners, and without compromising public safety, the Government and the Department should examine efficiencies and introduce initiatives to reduce the number of prisoners. Options include improved bail co-ordination/support, better program delivery, and wider use of electronic monitoring/GPS tracking.</p>	<p>Supported – Existing Departmental Initiative As part of its reform program the Department is examining a range of diversion options to reduce the number of offenders entering custody. These initiatives are being progressed in cooperation with the Western Australian Police and the Departments of Treasury, Attorney General and Premier and Cabinet.</p>
<p>2. The Department should:</p> <p>(a) Identify and address key areas of need in the planning for new and additional accommodation for women. In particular, measures should be taken to improve mental health services, to meet the needs of young women, to reduce the number of minimum-security women being held in higher security facilities, and to develop relevant social, life and employment skills.</p> <p>(b) Set defined targets and measurable outcomes in each area of need and measure performance.</p>	<p>Supported In Principle As part of the current reform program the Department is evaluating the accommodation needs for all prisoner cohorts across the state. This will include the provision of health and other services specific to the needs of women. The measurement of performance indicators will also form part of the reform agenda.</p>
<p>3. In finalising its restructure, the Department should establish appropriate high level positions with responsibility for developing strategic policies for women and girls in custody and community justice services, setting targets, evaluating and improving outcomes, and a mandate to operationalise policies.</p>	<p>Not Supported The restructure of the Department has focused on aligning its structure with its strategy. For example, a single Deputy Commissioner has been put in charge of adult custody and adult community corrections, to improve the coordination and alignment of services for an offender's entire journey through the corrections system. This will enable a consolidated approach to developing priorities, setting targets, and evaluating and improving outcomes for all adult offenders, including women offenders.</p>

THE DEPARTMENT'S REPOSE TO THE 2014 RECOMMENDATIONS

Recommendation	Acceptance Level/Risk Rating/Response
<p>4. The Department should not:</p> <p>(a) Significantly expand the use of Greenough Regional Prison for women; or</p> <p>(b) Use units at male prisons such as Hakea or Acacia for women as they are not sufficiently autonomous or segregated.</p>	<p>Supported</p> <p>The Department currently has no intention to either utilise the new units at Hakea or Acacia to hold female offenders, nor is there any intent to increase the numbers of females held at Greenough. The Department continues to explore and plan for the increasing female population.</p>
<p>5. The Department should:</p> <p>(a) Re-open the Roebourne Regional Prison women's unit;</p> <p>(b) Examine options for maximising Boronia's potential, including increasing the number of women accommodated, criteria for transfer to the prison and building additional accommodation;</p> <p>(c) Make use of existing housing assets as transitional accommodation;</p> <p>(d) Take account of the discussion in this report when examining the option of turning either the Bunbury Pre-release Unit or Wandoo over to women.</p>	<p>Supported In Principle</p> <p>a) The women's unit at Roebourne will be reopened in July 2014.</p> <p>b) An installation of an additional 12 beds at Boronia has already commenced.</p> <p>c) Use of the existing housing assets is under review.</p> <p>d) The Department will take into account this report when considering accommodation options for women.</p>
<p>6. The Department give a high priority to implementing plans to ensure there is adequate women centred custodial infrastructure. The planning should include consideration of the purposes of the wider prison estate, including the best use of all custodial facilities, including Banksia Hill Detention Centre.</p>	<p>Supported In Principle</p> <p>The Department acknowledges that the high number of women prisoners has put pressure on existing custodial infrastructure. The identification and implementation of options to alleviate the pressure within the women's estate is a priority for the Department and is driven by the Corporate Executive.</p> <p>A number of short-term initiatives have been put in place, including opening additional beds at Boronia and Roebourne, and a range of medium-term options are being developed for consideration by the Minister.</p>

THE DEPARTMENT'S REPOSE TO THE 2014 RECOMMENDATIONS

Recommendation	Acceptance Level/Risk Rating/Response
<p>7. Whenever the Department transfers female prisoners to prisons outside their home location due to population pressures, it should prioritise the needs and obligations of women as mothers, grandmothers and elders in assessing their appropriateness for transfer.</p>	<p>Supported – Existing Departmental Initiative It is recognised by the Inspectors Office that the initial concerns have been significantly reduced since the opening of the unit. The Department recognises the need to alleviate the distress related to moving female offenders, and in particular primary care givers, from their home and as such individual circumstances and needs are taken into consideration when assessing their appropriateness for transfer.</p>
<p>8. The Department should enact consistent operational policies and procedures for the management of prisoners across different prisons. Exceptions should be allowed only where the individual prison makes a specific and compelling case.</p>	<p>Supported The Department agrees and is currently reviewing all policies and procedures to ensure there is a consistent approach, including reducing the amount of Local and Standing Orders.</p>
<p>9. (a) The Department develop a funding model for all prisons that accommodates women which recognises the particular needs of women’s custodial management and enables greater equity of service provision. (b) Provide Greenough Prison with additional resources to deliver female-specific services more comparable to those at facilities accommodating a similar number of women.</p>	<p>Supported In Principle Each prison is required to formulate their own bids based on the needs of the prison on a zero based budget basis. This allows the prison to consider what they need to deliver all the services they need for the cohort of prisoner they hold. It is acknowledged that female offenders do have different needs to male offenders and these should be considered through each prison’s bid, such initiatives include the provision of a Women’s Support Officer to provide specific support to female offenders in mixed gender prisons and to coordinate additional gender specific services. No action is proposed as this is already factored in to the process. Equally the provision of staffing resources is currently under review through the 2014 staffing review process.</p>

THE DEPARTMENT'S REPOSE TO THE 2014 RECOMMENDATIONS

Recommendation	Acceptance Level/Risk Rating/Response
<p>10. Subject to individual risk assessments and appropriate supervision, male and female prisoners at all of the state's mixed gender prisons should be allowed regular, voluntary, meaningful and respectful interaction with each other.</p>	<p>Not Supported There are risks and safety issues related with this recommendation, which cannot be mitigated at certain sites. Where possible, the Department does allow regular, meaningful and respectful interaction at mixed-gender prisons.</p>
<p>11. Greenough Regional Prison be provided with the necessary infrastructure and human resources to allow health services to be provided to women within the women's unit or in a confidential area that does not require transit through the male zones of the prison.</p>	<p>Supported The situation regarding the Health Services staff shortage should be resolved once the restrictions on recruiting staff as part of corrective budgetary matters imposed by the Government across the public sector are rescinded. Once the shortage is resolved, the issues OICS have raised will be addressed.</p>
<p>12. Increase the level of mental health and counselling services available for women (and consequentially also for men) at Greenough Regional Prison, including:</p> <ul style="list-style-type: none"> (i) additional psychiatric services; (ii) an additional Prisoner Counselling Service team member; and (iii) reinvigorated links with Chrysalis Support Services or other relevant service providers. 	<p>Supported In Principle Staffing numbers at GRP have increased from three to five in 2014. The staffing ratio includes three Prison Counselling Services/Senior Programs Officers and two Senior Programs Officers. Current staffing levels allows for effective service delivery of prison counselling services, treatment assessments and program delivery at GRP. The services of Chrysalis was suspended by the organisation in 2013. Following the recruitment of a new CEO in 2014, the Department is in current negotiations to develop a Service Level Agreement with Chrysalis which will see the resumption of in-reach counselling for victims of sexual assault and domestic violence. It is anticipated that service delivery by Chrysalis will resume in 2014.</p>

THE DEPARTMENT'S REPOSE TO THE 2014 RECOMMENDATIONS

Recommendation	Acceptance Level/Risk Rating/Response
<p>13. (a) The Department immediately introduce Skype (or other on-line technologies) at Greenough Regional Prison and at Bandyup Women’s Prison for social and official visits; and</p> <p>(b) By the end of June 2015, the Department ensure that Skype or other on-line technologies are fully operational at all the state’s prisons.</p>	<p>Supported In Principle</p> <p>The Department is committed to introducing e-visits to all facilities, based on funding.</p>
<p>14. Prisoners who are transferred from their local area prison due to overcrowding should be entitled to receive more generous remote telephone allowances to facilitate ongoing contact with children, family and friends.</p>	<p>Supported</p> <p><i>Policy Directive 36</i> already provides for this arrangement. Greenough will review the Local Order to ensure it is compliant.</p>
<p>15. (a) Greenough should increase the number of women prisoners trained and appointed to be on the peer support team; and</p> <p>(b) The prison should consider establishing a female-only peer support team in addition to the whole of prison team.</p>	<p>Supported</p> <p>a) A third female Peer Support Officer has commenced at Greenough.</p> <p>b) Peer Support is run by the Prisoner Support Officer, there is no requirement for two teams.</p>
<p>16. (a) The Department should ensure that Aboriginal Visitor Scheme services or similar services, are available at all its prisons.</p> <p>(b) At prisons such as Greenough, where there has been a chronic problem in providing AVS services, consideration be given to alternative measures. These include the option of funding the prison to source and manage services from local agencies or service providers.</p>	<p>Supported</p> <p>The Department is committed to the provision of AVS services at all prisons. The Greenough Superintendent has been tasked to explore alternative measures.</p>

THE DEPARTMENT'S REPOSE TO THE 2014 RECOMMENDATIONS

Recommendation	Acceptance Level/Risk Rating/Response
<p>17. Greenough should be supported to operate a canteen within the women's precinct which is run for and by female prisoners, and is linked directly to the development of employment skills.</p>	<p>Supported In Principle The Department will review options for providing a more equitable access to canteen services. This will include the possibility of relocating the current prison canteen from Unit Two to a more central location, providing direct access for all prisoners at Greenough. It will then be acceptable for women prisoners to operate the canteen and be linked directly to the development of employment skills.</p>
<p>18. The Department develop and deliver more programs specifically for women to address issues such as violence, sexual abuse and substance abuse. It should include programs that are culturally relevant to Aboriginal women from different communities across the state.</p>	<p>Supported The Department is currently reviewing its suite of programs and developing additional programs that are more relevant to women and Aboriginal people.</p>
<p>19. The Department should:</p> <ul style="list-style-type: none"> (a) Evaluate the Integrated Offender Management Committee (IOMC) process at Greenough; (b) If the IOMC process is successful, introduce this process across the women's estate; and (c) Examine the suitability of rolling out a similar process for male prisoners. 	<p>Supported The Department is in the process of reviewing the Integrated Offender Management (IOM) and if the review endorses the process then the Department will seek to roll this out across the Women's estate. The Department has initiated a project that will scope the potential of Individualised Integrated Case Management (IICM) across the State for all offender cohorts.</p>

Appendix 2

THE INSPECTION TEAM

Professor Neil Morgan Inspector of Custodial Services

Natalie Gibson Director of Operations

Stephanie McFarlane Inspections and Research Officer

Appendix 3

KEY DATES

Formal notification of announced inspection	24 June 2013
Pre-inspection community consultation	19 August 2013
Start of on-site phase	19 August 2013
Completion of on-site phase	21 August 2013
Inspection exit debrief	21 August 2013
Draft Report sent to the Department of Corrective Services	22 May 2014
Draft Report returned by the Department of Corrective Services	1 July 2014
Declaration of Prepared Report	21 July 2014

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



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