

Appendix 1

THE DEPARTMENT'S RESPONSE TO THE 2012 RECOMMENDATIONS

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

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

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

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

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<p>8. Work to ensure that prisoners continue to be able to access the level of services from State Training Providers that they had previously received, and that the total number of allocated hours is increased in line with the increasing prison population.</p>	<p>Supported in Principle The Department of Training and Workforce Development funds external studies program, which are not available to prisoners and has capped the allocation of training hours to the Department.¹³⁹</p>
<p>9. Expand the use of the Prisoner Employment Program (PEP) at Boronia by ensuring:</p> <ul style="list-style-type: none"> (i) that the relevant Policy Directives are sufficiently flexible; and (ii) that all staff and managers actively promote and support the program amongst residents. 	<p>Supported The Department is currently reviewing Policy Directive 68 (Prisoner Employment Program) and flexibility based on risk will be a consideration of that review. Boronia managers and staff will continue to support Prisoner Employment Program (PEP) activities within the scope of PD 68, and active promotion will be encouraged.</p>
<p>10. Increase the use of section 95 of the Prisons Act to incorporate more meaningful activities for the women in relation to five areas:</p> <ul style="list-style-type: none"> (i) work; (ii) recreation; (iii) activities between mothers and children; (iv) health services (including mental health); and (v) education. 	<p>Supported in Principle As outlined in Recommendation 9, the Department is currently reviewing Policy Directive 68 (Prisoner Employment Program). It is intended that the scope of activities available under Section 95 of the Prisons Act will be considered as part of this review. Risk assessment of participating prisoners and appropriateness of activities will continue to be key factors of consideration for Section 95 activities.</p>
<p>11. Produce an up to date version of the orientation DVD.</p>	<p>Supported The Department will update the orientation process, including assessment of the most appropriate communication tools.</p>

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

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

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

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

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