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OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES

REPORT OF AN ANNOUNCED INSPECTION  
OF BANDYUP WOMEN'S PRISON



Report of an Announced  
Inspection of Bandyup Women's Prison

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# The Inspector's Overview

## BANDYUP WOMEN'S PRISON: PROGRESS BUT FURTHER IMPROVEMENT REQUIRED

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The third inspection of Bandyup Women's Prison was carried out between Sunday 20 April and Thursday 24 April 2008, and whereas the second inspection of the prison in 2005 found that Bandyup 'had achieved a significant turnaround from the unacceptably low performance' found in the 2002 inspection, this inspection produced a mixed result in identifying both considerable gains in some areas, alongside those in which further improvement was clearly needed.

Central to this inspection was the question of whether Bandyup embodied a women-centred approach to custodial management consistent with the Department of Corrective Services' philosophy for the management of women prisoners, the origins for which can be traced back to the operational brief developed for the commissioning of the Boronia Pre-Release Centre. Within the overall context of a women-centred philosophy the more distinctive needs of the Aboriginal prisoners, who comprise 42 per cent of the Bandyup population, were also of concern. At a policy level, there is clear evidence within the Department of Corrective Services of continuing development of the women-centred management framework as indicated by the development of three new draft documents: *Women's Way Forward: Women's Corrective Services Future Directions 2008 – 2012*; *Women's Treatment and Intervention Model*; and *Strategic Directions 2008 – 2012: Health Care for Women and Girls*. Whilst only one of these drafts has been fully endorsed at an executive level within the Department, the thinking that underpins these documents permeates the Service Level Agreement and Business Plan for Bandyup Prison, and for this the Department and the Prison are to be commended.

Whilst the evidence as to the extent to which Bandyup embodies a women-centred philosophy to custodial management is mixed, the strengths of the prison must be acknowledged. Bandyup has a very experienced, competent and supportive management team, and for the most part staff treat prisoners with respect and courtesy, and endeavour to address prisoner concerns. There are a number of positive initiatives within the prison such as the introduction of a structured day for prisoners which maximises personal choice and responsibility on the part of the women, and encourages and rewards personal development activities. The structured day as implemented at Bandyup is inclusive with good participation rates within the prison and appropriate representation of Aboriginal women across the various gratuity (paid work/activity) levels. Another positive feature of the Bandyup environment is the extent to which the prison has forged strong links and commensurately high levels of prisoner engagement with community agencies, including services from agencies providing support for the women for transition back into the community.

However, ultimately the success of a women-centred philosophy must be measured by the extent to which it is reflected in the operational practices and day-to-day experiences of prisoner life for the women at Bandyup. There were two key areas in which the women spoken to during the inspection saw the prison falling short and their views were supported by the findings of the inspection. They were in the provision of services and facilities to support the maintenance of family relationships and responsibilities, and the provision of an appropriate suite of treatment and intervention programs for women.

BANDYUP WOMEN'S PRISON: PROGRESS BUT FURTHER  
IMPROVEMENT REQUIRED

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Women often come into prison with family responsibilities that require significant effort to manage, and while the prison has gone some way towards recognising the different role and needs of women in this regard, it has not done so to the extent that would be expected within the context of a women-centred philosophy. Some of the concerns raised by the women, such as rules which prohibit conjoint visits in circumstances where the families of prisoners are known to one another seem unnecessarily restrictive. Similarly a lack of progress on the facilitation of video based visits for out-of-country prisoners and the paucity of organised family days at the prison are short-comings that need to be remedied. Of central concern, the visits centre at Bandyup is small, ill-equipped, and completely inadequate for the needs of the prison and needs to be replaced as a matter of urgency.

The lack of an endorsed and fully funded suite of treatment and intervention programs specifically targeting the needs of women within the prison system is a glaring gap and completely incongruent with a women-centred management philosophy. The Department has failed to progress development of the Reconnections women's centred offender program since its initial successful trial at Bandyup in 2005, and more importantly has not provided any dedicated resources to develop and implement the Women's Treatment and Intervention Model. Efforts on behalf of local management to close the gap with community programs including a successful Family Violence Program are to be commended, but it is a Departmental responsibility to meet the essential programmatic needs of women in custody, and it should move to do so.

On the question of whether the distinctive needs of the Aboriginal women at Bandyup were being met, a similar picture emerged of a prison going to some lengths at a local level to address these needs, but without the necessary wherewithal. There is a huge agenda in the prison that requires attention and resourcing, e.g. the provision of culturally appropriate food (bush tucker); bringing into the prison Aboriginal Elders; addressing the very complex issues around funerals and sorry business; the needs of Aboriginal women around visits and communicating with home communities; culturally appropriate counselling services and programs; access to language teaching; and the development of appropriate industries and skills training for Aboriginal women. Local prison management has neither the resources, understanding nor knowledge to take on these issues; they need assistance. In the view of the Inspectorate the Department of Corrective Services has yet to demonstrate that it understands and is committed to resourcing services to meet the needs of Aboriginal prisoners across the system. This Office has flagged its intention to explore this matter through the development of an *Issues Paper* on Aboriginal imprisonment and if warranted may extend this work with a *Thematic Review* of Aboriginal imprisonment.

In summary, Bandyup Women's Prison continues to progress, but there is some way to go before the prison can genuinely claim to have implemented and be delivering a women-centred custodial management regime.

Barry Cram  
Acting Inspector of Custodial Services  
3 December 2008

### INSPECTING BANDYUP WOMEN'S PRISON

- The third Announced Inspection of Bandyup Women's Prison was undertaken between Sunday 20 April and Thursday 24 April 2008. The second inspection undertaken in 2005 found that Bandyup 'had achieved a significant turnaround from the unacceptably low performance' found in the 2002 inspection.<sup>1</sup> This inspection identified considerable further gains in some areas and, inevitably, areas in which further improvement was needed.
- The development of three new draft policies at the time of the inspection was an important indicator of progress on the part of the Women's Corrective Services and Prison Farms Directorate: *Women's Way Forward: Women's Corrective Services Future Directions 2008–2012, Women's Treatment and Intervention Model and Strategic Directions 2008–2012: Health Care for Women and Girls*.

### LEADERSHIP AND RESOURCING

- Compared to other maximum-security and remand facilities in Western Australia, Bandyup's administration is poorly resourced.
- Bandyup has a competent and supportive local management team with a good vision for the future of the prison.
- Staffing issues were a serious concern. Only five out of 17 senior officers were permanent appointments. About 31 per cent of custodial staff had between one and two years of service and only 28 per cent had more than five years' experience. This impacted significantly on prison operations; for example, by inconsistent treatment of prisoners, risks to staff safety and a high level of stress for experienced staff.
- Good attempts have been made to implement a mentor program for new staff, but the system has not achieved the desired outcomes and needs review.
- Human resources issues within the prison were a significant concern to staff. Better education and communication is required.
- There had been a greater commitment to staff training, including on women-centred custodial management and Worksafe training, but there were limitations on the amount of training that could be delivered under current arrangements.
- The project to replace the gatehouse and extend the perimeter for a 40-bed self-care accommodation unit was well advanced. A proposed new visits centre unfortunately had to be excluded from the project because of funding shortfalls.
- Bandyup had struggled to obtain necessary funding for its building maintenance and equipment requirements, and this was evident in a number of areas. The Department has to recognise that money cannot be saved by delaying important maintenance on essential infrastructure.
- The number of community organisations engaged with women prisoners was commendable. However, there was some need for better coordination, systems to reduce delays in accessing prisoner clients and better program and interview facilities.

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1 Office of the Inspector of Custodial Services, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 36 June 2006) iii.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### SECURING THE WOMEN

- Reception stood out as a well-run area and was an area of excellence at the prison.
- Contrary to long-established human rights standards, new prisoners at Bandyup were not systematically afforded a phone call upon arrival in the prison. Such calls are not normally provided in reception and may not immediately be offered when placed in an accommodation unit.

#### *Recommendation 1:*

*That Bandyup Women's Prison ensure that, as part of the reception process whether the prisoner is transferred from court or another prison, each prisoner is provided a personal phone call to their next of kin to inform them of their new place of detainment.*

- There were significant differences between the orientation process as outlined in Standing Order B5 and as put into practice. Too much information was given too soon in a single session, without official involvement by peer supporters or completion of a tour of the centre.

#### *Recommendation 2:*

*That the Bandyup Women's Prison orientation process be further reformed to ensure that it is effective in providing appropriate information for newly arrived prisoners.*

- The security portfolio was well managed, with good procedures and information analysis, notwithstanding a failure to undertake prescribed searches of staff and service providers.
- A personal duress alarm system now provides all staff and other workers an enhanced degree of security and safety.
- While the prison had a good level of preparedness for most emergencies, its capacity to respond to a prisoner or intruder entangled in the perimeter razor wire was unsatisfactory.

#### *Recommendation 3:*

*That the Department upgrade its preparedness for a razor-wire rescue at Bandyup Women's Prison.*

- Bandyup Women's Prison Drug Strategy Plan 2008–2011 was sound and provided a good balance of supply, demand and harm-reduction strategies. Recent drug testing results indicated a significant reduction in substance use by prisoners.
- Bandyup had more prisoners charged in proportion to its count than other prisons. A number of charges were found to be trivial and inappropriate.
- Prison charges were heard in the small dayroom area of the management unit, which affords no privacy insofar as proceedings are audible to other prisoners within the unit. This is clearly inappropriate.



## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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- Women were improperly held in close confinement for extended periods pursuant to invalid orders under s 43 of the *Prisons Act 1981* ('section 43 orders'). The bundling of section 43 orders among numerous unnumbered papers in a unit file also failed to give due prominence to the orders. The TOMS record inadequately reflected the status of these prisoners.
- The women's custodial estate in Western Australia lacks placement options for women requiring separation from the mainstream population whether due to security or behavioural risks to others.

### *Recommendation 4:*

*That Women's Corrective Services develop a strategy to better accommodate women requiring separation from the mainstream due to serious identified security or behavioural risks to others and ensure that women are not held inappropriately in close confinement for extended periods of time.*

- Prisoners and officers alike had strong views about the value of the prisoner complaints and grievances system and this was a significant area of contention. There was evidence that some staff actively discouraged prisoners from pursuing grievances.

### *Recommendation 5:*

*That Bandyup Women's Prison develop a strategy to implement a more open, accountable, fair and reconciliatory culture of local response surrounding prisoner complaints and grievances.*

- Custodial transport arrangements continued to be a significant cause of concern, particularly the cancellation of medical transports. The prison had not made adequate arrangements to ensure that prisoners were transported to critical medical appointments, including appointments for mammograms where women had detected breast lumps. Many such appointments had been missed due to deficiencies in the contracted custodial transport service.

### *Recommendation 6:*

*That the Superintendent of Bandyup Women's Prison establish a contingency plan to ensure that escorts deemed critical by medical staff proceed, notwithstanding failure by the relevant transport contractor to provide this service.*

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### LOOKING AFTER WOMEN INSIDE

- For the most part staff treated prisoners with respect and courtesy and made a good effort to address prisoner concerns. However, the daily routine, frequent staff shortages, unsympathetic attitudes by a few staff and inexperience limited what could be achieved and undermined consistency and quality of responses.
- Women often come to prison with family responsibilities that require significant effort to manage. They are certainly needier than other prisoners, yet they have the same level of service available in other prisons: one wing officer per unit.
- When assisting women to address their welfare needs with external contacts, it is default practice for officers to speak on behalf of prisoners. This is an inappropriate and demeaning practice and the antithesis of women-centred custodial management.

#### *Recommendation 7:*

*That Bandyup Women's Prison allow prisoners to talk directly to those addressing their welfare needs.*

- Welfare needs not addressed at unit level can be picked up by certain other staff and increasingly by visiting services. But Bandyup still lacks any kind of system to assess welfare needs and plan appropriate interventions. While the notion of welfare is missing from the overarching *Women's Way Forward* policy, an attached *Women's Needs Checklist* could provide a sound basis for documenting prisoner welfare needs for attention by relevant units, staff, programs or visiting agencies.

#### *Recommendation 8:*

*That Bandyup Women's Prison review its assessment, coordination and delivery of welfare services, with a view to early implementation of a Women's Needs Checklist. The review should address delivery of welfare services in units, staff training needs, the role of assessments staff, the role of case managers, coordinated referrals to external agencies and transition services.*

- Health services at Bandyup were well managed with a clear understanding of core business and challenges. Screening programs utilised for women's health issues represent good practice as do the various health promotion activities undertaken.
- While Bandyup had appointed a medical assistant to manage prisoner medication and trial new medication systems, as with other prisons there was an unacceptable delay in obtaining medicines from the pharmacy at Canning Vale.
- Health services and the Prisoner Counselling Service contribute positively to management of prisoners at risk of self-harm and suicide or with mental health issues.
- The Peer Support program, facilitated by the Prisoner Support Officers, was found to be operating effectively with good membership from different units, backgrounds, regions and age groups as was the Aboriginal Visitors' Scheme.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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- Recreation was a particularly successful aspect of the prison. The structured day and new gratuity model encouraged greater participation in recreation by rewarding prisoners for participation in community programs and physical activities.
- The inspection found that Bandyup went some way to recognising the different role and needs of women in maintaining family relationships, but not to the extent that would be expected within the context of a women-centred philosophy.
- The visits centre is wholly inadequate in terms of size and suitability for visits with significant numbers of children.

### *Recommendation 9:*

*That a replacement family visits centre with enhanced capacity, security, amenity, an outdoor area, interview facilities and a more child-friendly design be funded as a high priority.*

## LOOKING OUT FOR DIVERSE GROUPS

- Women on remand could access most structured-day activities, work placements, education, accommodation placements and services available in the prison, and potentially gain placement with young children at Boronia Pre-Release Centre.
- There were no systematic processes at Bandyup for addressing welfare issues for women on remand, and neither were these women case managed. However, RUAH Women's Support Service was recently funded by the Department to provide assistance to women on remand to resettle back into the community. This is viewed as an important new service.
- Establishment of a bail coordinator position based at the Central Law Courts was an excellent initiative that helped reduce numbers of women admitted to Bandyup and the time some spent in custody before bail could be effected.
- Self-represented remandees and appellants were poorly served by the legal resources available in the library and did not have access to information about resources that were available upon request from other prisons.

### *Recommendation 10:*

*That the Department ensure that self-represented remandees and appellants at Bandyup Women's Prison have equitable access to hard-copy and online legal resources and basic assistance in researching their cases or appeals.*

- Remandees suffered discrimination in the level of health care provided in contrast to sentenced prisoners. This situation has become increasingly untenable as lengths of remand have increased.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### *Recommendation 11:*

*That the Department remove discriminatory limitations in health care provision for prisoners on remand status.*

- There had been a marked improvement in the quality of the nursery and arrangements to support resident women and children, following major changes in its operation and resources. These changes included the engagement of a social worker and child educator from Ngala Early Parenting Centre, creation of a nursery portfolio among the health centre nursing team and appointment of a uniformed officer to a pregnancy in prison portfolio.
- Aboriginal prisoners comprised 42 per cent of the Bandyup prison population at the time of the inspection. The prison's administration was sympathetic to the distinct needs of Aboriginal women and staff, in general, treat all women decently. However, the report has touched on areas in which new lines of communication, attitudes and culturally appropriate services need further development.

### *Recommendation 12:*

*That a senior Aboriginal management position be established at Bandyup Women's Prison to facilitate cultural change in the centre and develop services to better meet the needs of Aboriginal women prisoners.*

- Women involved in consensual relationships believed they were managed inconsistently by staff. Staff acknowledged this was a difficult area to manage and that they lacked clear guidance or rules.

### *Recommendation 13:*

*That Women's Corrective Services develop rules and guidelines to facilitate a clear and consistent response to prisoners in relationships and others exploring or engaging in sexual behaviours.*

## PREPARING FOR LIFE IN THE COMMUNITY

- Resource deficiencies for assessment and case management were remedied since the previous inspection with establishment of an extra report writer position, a full-time program assessor and establishment of the position of Case Management Coordinator.
- Case management appeared to be a lost opportunity. While it was operating as required, the Department's case management system takes a minimalist approach, restricted to checking on progress of the Individual Management Plans, and is therefore likely to add little value to the management or support of prisoners.
- While program assessments were now being consistently completed, offender programs had significantly contracted and prisoners were being assessed as needing programs that were no longer available.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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- The Department failed to progress development of the *Reconnections* women-centred offender program since its initial successful trial at Bandyup in 2005, or to provide any dedicated resources to develop and implement the Women's Intervention Model.

### *Recommendation 14:*

*That the Department dedicate particular resources to the development, review and maintenance of the Women's Intervention Model, including programs designed to address offending behaviours as part of their rehabilitation.*

- Bandyup, in conjunction with external agencies, had attempted to fill the gap in departmentally provided rehabilitative programs for women, including a successful *Family Violence Program* and certain of the community programs.
- Most women prisoners acknowledged a problematic history of alcohol or other drug use. However, only 12 of 29 assessed as having high needs for addiction-related offending could access the only evidence-based program designed to substantively reduce their level of risk of reoffending. The only real alternative for many women was relapse-prevention counsellors from external alcohol and other drug services.
- About 50 per cent of prisoners engage in adult education, external education or training each month. The education centre had excellent relationships with a wide range of specialist external organisations that provided a good quality of service.
- The Bandyup structured day maximised personal choice and responsibility on the part of women prisoners, and combinations of work, study, rehabilitative programs and personal development activities were encouraged and rewarded.
- The structured day was structurally and operationally inclusive. Aboriginal women were represented across the six gratuity levels in proportion to their numbers at Bandyup.
- Implementation of weekly payments of gratuities in February 2008 was well handled and included sessions on budgeting for prisoners.
- The prison uses backfilling to increase numbers of prisoners able to access work placements and maintain productive workshops. However, more workshop spaces are needed to provide meaningful work for increased numbers of prisoners.
- Women exiting Bandyup are increasingly well served by agencies able to provide transitional support although the limited availability of accommodation options on release was cited as a particular limitation by the women and agencies alike.

# Chapter 1

## INSPECTING BANDYUP WOMEN'S PRISON

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### INTRODUCTION

- 1.1 This is the record of the third Announced Inspection of Bandyup Women's Prison which was undertaken between Sunday 20 April and Thursday 24 April 2008. The second inspection undertaken in 2005 found that Bandyup 'had achieved a significant turnaround from the unacceptably low performance' found in the 2002 inspection.<sup>2</sup> This inspection identified considerable further gains in some areas and, inevitably, areas in which further improvement was needed.
- 1.2 The inspection was undertaken just six weeks before a new gatehouse for Bandyup was due to be commissioned. The design of the new gatehouse was intended to improve security while providing a more family-friendly entry into the prison. This was to be followed at the end of July 2008 by completion of a new 40-bed self-care unit for which the perimeter fence was extended. This comprises 10 four-bed cottages, in two of which young children may reside with their mothers, subject to approval.
- 1.3 Commitment by the Department of Corrective Services ('the Department') to developing the 40-bed unit reflected an underlying trend of increased numbers of women in prison in Western Australia over the last decade. Actual numbers, however, have reflected general fluctuations in prison numbers and peaked in mid-2007. At that time counts of over 200 were common, although Bandyup Women's Prison had a design capacity of only 147. The new unit will increase the prison's design capacity to 187.

### WOMEN-CENTRED CUSTODIAL MANAGEMENT

- 1.4 As with previous inspections, the question whether Bandyup Women's Prison embodied a women-centred approach to custodial management was a central concern. Both the report of the previous inspection of Bandyup Women's Prison and of the first inspection of Boronia Pre-Release Centre chronicle the history of efforts by the Department, and the role of the Inspectorate, in promoting women-centred custodial management in Western Australia.<sup>3</sup>
- 1.5 The position of Director, Women's Corrective Services and Prison Farms has continued to drive development of a women-centred philosophy of custodial management and its application at Bandyup and other centres at which women prisoners are held. However, in the exit debrief by the Acting Inspector, it was stated:

We don't believe [that] attaching [responsibility for] the Prison Farms to the Director of Women's Corrective Services position is appropriate. To us it seems slightly bizarre and we cannot see the supporting logic. In our view, it dilutes the role, detracts from the required focus on women's custodial matters and sends the wrong signal about the importance of the role.<sup>4</sup>

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

3 Ibid, and OICS, *Report of an Announced Inspection of Boronia Pre-Release Centre*, Report No. 42 (April 2007). The reference to the Department here includes the current Department of Corrective Services and the department formerly responsible for prisons, the Department of Justice.

4 OICS, Exit Debrief – Bandyup Women's Prison Inspection, 21–24 April 2008.

- 1.6 Despite this, the completion of three new draft policies at the time of the inspection was an important indicator of progress on the part of the directorate:
- **Women's Way Forward: Women's Corrective Services Future Directions 2008–2012** provides an overarching philosophical direction for all services for all women in all prisons throughout Western Australia. It includes a vision statement, mission, principles, background information and reasons for a women-centred approach, aims, strategies, priorities and performance indicators.
  - **Women's Treatment and Intervention Model** recognises the distinctive pathways of women to offending and seeks to identify their specific treatment needs to empower women to make choices that help themselves in their rehabilitation efforts.
  - **Strategic Directions 2008–2012: Health Care for Women and Girls** seeks to deliver gender-appropriate care that delivers sustainable improvements in their health and wellbeing, empowers them for change and develops skills to better access services and manage family health after release. This strategy fulfils an inspection recommendation originally made in 2003 after the first inspection of Bandyup and reaffirmed in the subsequent inspection.<sup>5</sup>
- 1.7 As drafts, these documents did not yet have higher-level endorsement within the Department and nor was it contended that the strategies proposed had been implemented. For the most part, however, they codified work done previously as part of the project that led to the establishment of Boronia and the reform project that followed the 2002 inspection at Bandyup. Longer-term women at Bandyup were well aware of the principles of women-centred correctional management that were featured on the wall in the Bandyup board room and reflected in various materials distributed in the centre.

*The policies on the wall are superb, they have strength and compassion behind them, but it's not the reality we experience every day.<sup>6</sup>*

- 1.8 A women-centred approach has also been embodied to a significant degree in the Service Level Agreement and Business Plan for Bandyup Prison.<sup>7</sup> Both documents reflected a recognition of the importance of women-centred custodial practice and outlined a range of issues and services specifically addressed to the needs of women in custody, including the structured day, women's intervention model, accommodation developments, gatehouse project, preventative health services, normalisation of the prison environment to minimise institutionalisation, recognition of family and community responsibilities, and prisoner mothers and their children.

5 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006) Recommendation 5, 39.

6 Comment made by a long-term prisoner during the inspection of Bandyup Women's Prison. Quotes are displayed throughout this report in italics in shaded boxes to provide prisoners' perspectives or experiences of imprisonment, some of which exemplify issues raised with the Inspectorate and others just give a voice to a prisoner's perspective on issues.

7 DCS, *Service Level Agreement between the Superintendent Bandyup Women's Prison and the Deputy Commissioner Adult Custodial, January 2008 – January 2009* (2008); Bandyup Women's Prison, *Annual Business Plan 2007–2008*.

- 1.9 Ultimately, the success of such policies as they evolve will be measured by practical outcomes as experienced by prisoners and the people who work with them. As the prisoner quote suggests, there can sometimes be slippage between policies and practices, so it is essential that implementation of policies is undertaken in accord with sound change-management principles.

#### CODE OF INSPECTION STANDARDS

- 1.10 In common with other third-round inspections, custodial practices at Bandyup were tested against standards from the Inspectorate's *Code of Inspection Standards*.<sup>8</sup> Most of the standards are generic, although they include specific standards on women-centred prison design, access by women to a comprehensive range of prison services, women prisoners with children and women's health care services.
- 1.11 The Code also has numerous references to women in the guidelines that support various standards, including those relating to classification systems, drug-testing, prisoner transport, library services and access to work camps or pre-release centres. Nevertheless, the inspection showed some areas in which the standards need further development, both in their application to women in custody and to the needs of Aboriginal prisoners.<sup>9</sup>

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8 OICS, *Code of Inspection Standards for Adult Custodial Services* (Version 1, April 2007).

9 The OICS has since published its *Inspection Standards for Aboriginal Prisoners* (Version 1, July 2008).



# Chapter 2

## LEADING AND RESOURCING

### MANAGEMENT AND ADMINISTRATION

- 2.1 Compared to other maximum-security and remand facilities in Western Australia, Bandyup management is rather poorly resourced. While Bandyup may accommodate far fewer prisoners than either Hakea or Casuarina, it has to perform the same range of functions as both of these prisons combined. The following table provides a simple comparison in the management structures between Bandyup and these other prisons.<sup>10</sup>
- 2.2 Bandyup also accommodates a prisoner population acknowledged within the system as having a very high demand on services. This, together with the range of functions to be managed at the state's sole maximum-security facility for remanded and sentenced female prisoners, places considerable stress on the relatively small management team.

Casuarina Prison	Hakea Remand and Assessment Centre	Bandyup Women's Prison
<b>Executive Management</b>		
Superintendent	Superintendent	Superintendent
Deputy Superintendent	Deputy Superintendent	–
<b>Prisoner Management</b>		
A/S Prison Management	A/S Regimes	A/S Operations
	Senior Supervisor Regimes	
A/S Special Units	A/S Accommodation	A/S Prison Services
A/S Security	Manager Security	Manager Security
A/S Assessments & Movements	Manager Assessments	Manager Assessments
A/S Case Management	Senior Supervisor Movements	Manager Case Management
<b>Business Management</b>		
Manager Business Services	Manager Business Services	Manager Business Services
	Manager Finance	
	Manager Human Resources	
Manager Industries	Manager Industries & Facilities	
A/S Audit & Standards	Senior Supervisor Audit	S/O Audit & Compliance
	Manager Executive Support	
<b>Offender Services Management</b>		
Manager Offender Services	Manager Offender Services	Manager Offender Services
Manager Education	Manager Education	Manager Education
Manager Health Services	Manager Health Services	Manager Health Services

10 Please note that additional senior supervisors at Hakea, senior officers in all centres assisting these managers and other administration staff are not included in these lists.

## LEADING AND RESOURCING

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- 2.3 The appointment of the Superintendent to her position in January 2008, after acting in the position for 18 months, has added to stability in leadership. However, extended acting appointments for the key positions of Assistant Superintendent Operations, Manager Assessments, and Manager Offender Services had yet to be resolved. It was evident during the inspection that each member of the management team had a clear understanding of their roles and responsibilities. The management group demonstrated good cohesion, teamwork and mutual support.
- 2.4 Administrative support is also limited at Bandyup, with just one administrative officer to support the whole management and administration team. This has been recognised by the Department with the approval of two new administrative positions, which will hopefully improve service delivery.
- 2.5 We found that staff generally, and senior officers and civilian staff in particular, held strong views that management was supportive and had good vision for the prison. The pre-inspection staff survey indicated an overall positive score for the dimensions titled 'attitudes to senior managers' and 'treatment by senior managers': much higher than those recorded in previous inspections either at Hakea or Acacia. However, there were some mixed results within the particular questions used in these dimensions, which indicated that a minority of staff were disgruntled. This picture was reinforced in comments made by some respondents and through interviews during the course of the inspection.

## STAFFING

- 2.6 The Inspectorate's Code of Inspection Standards provides that the 'number and mix of staff should adequately meet the needs of the prison and the prison population', including in its gender mix and ethnicity.<sup>11</sup> In the second half of 2007 (when Bandyup registered a very high prisoner population) the number of staff at Bandyup was insufficient to meet the service delivery demands without extensive use of staff overtime. Uniformed staff had become stressed and were at risk of burnout. Since the beginning of 2008 prisoner numbers had decreased and a significant number of new staff had come on board. In addition, approval had been received for 12 new positions with the opening of the new self-care accommodation and gatehouse including six uniformed officer positions and four vocational support officer positions.
- 2.7 At the time of the inspection, Bandyup was operating with 114 FTE and only one vacancy in the uniformed staff complement. However, only five out of 17 senior officers (SO) were permanent appointments and five SO positions were vacant due to resignations, transfers and secondments. It is essential that the Department ensure all vacant SO positions are properly filled to ensure that good management and morale in the prison are maintained.
- 2.8 Also of particular concern was the impact on prison operations of the very high proportion of inexperienced staff. At the time of the inspection nearly 25 per cent of staff had less than one year of service and nearly 31 per cent had between one and two years of service. Only 28 per cent had more than five years' experience. Another 10 to 12 probationary officers were due to commence shortly after the inspection. Staff with minimal levels of experience were mentoring new staff.

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11 OICS, *Code of Inspection Standards for Adult Custodial Services* (Version 1, April 2007) 141.2–3.

Levels of inexperienced staffing sometimes caused difficulty creating a roster that maintained an appropriate level of safety; for example, in the Management Unit there had been occasions when only the SO had substantial experience.

- 2.9 Another impact of the high level of inexperienced staff was the reported inconsistency of the application of rules by staff. This was to be expected when there were such a large number of new officers but was extremely frustrating to prisoners and to experienced staff, who inevitably had more prisoners coming to them with issues in order to access better help. Experienced staff also acted as mentors to new staff, both formally and informally, and this placed further burden on these officers.
- 2.10 The overall impact was a high level of stress and burnout for experienced staff, who reported that while they did not mind having to help new staff, it was difficult to have to take on such a big additional task. Both experienced and new staff indicated that the training provided at the Corrective Services Academy was inadequate, and there was a consensus that staff were not prepared well enough for the realities of prison when they exited training. It is suggested that the academy review its training process to better meet the needs of trainees and prisons.
- 2.11 A general concern was evident throughout uniformed ranks about how the new gatehouse and accommodation areas would be staffed. Specifically, as the gatehouse would have a permanent staff component (rotating through six-monthly rosters) and that many of the staff who had submitted an expression of interest in working there were the most experienced staff in the prison, what impact would this have? There was concern this could leave even fewer experienced staff in the other operational areas of the prison and compound the pressure on them. Management must consider this when putting together the new gatehouse team and ensure an even spread of experience throughout the prison.
- 2.12 As the Acting Inspector concluded in his exit debrief:
- On the face of it, it seems that Bandyup is being treated as a training prison ... but without the commensurate resources and structures in place to perform the role ... we think that it is not sustainable ... and ... the current mix imposes unacceptable levels of stress on the staff and risk to the prison.
- 2.13 Forty-seven per cent of the uniformed staff at Bandyup were female. Both staff and prisoners felt that this proportion was good and met the needs of all groups involved. Female staff at Bandyup felt supported and valued by their male counterparts and the management team. Because prisoners are female, there are many functions required of prison officers that can only be undertaken by the female staff, such as urine testing and searches of prisoners, which places an additional workload on female staff.

- 2.14 Recommendation 3 from the 2005 inspection was for the prison to appoint a senior staff member as a mentor for new uniformed recruits as part of a structured mentoring system.<sup>12</sup> This inspection found that Bandyup had made acceptable progress towards implementing this recommendation; however, the system put in place had not achieved the desired outcomes and should be reviewed.
- 2.15 The newly appointed position of Senior Officer Training is responsible for the staff mentoring portfolio at Bandyup. The stated philosophy for the process is one which ‘values all employees and supports the development of skills and knowledge’ and it is based around supporting ‘experienced staff to share their skills and experience’.<sup>13</sup> All mentors initially involved in the program received training and Bandyup management reported that this training is expected to be ongoing. It is recommended to management that this should be the case. Since May 2006, 49 probationary officers have commenced at Bandyup and each has been allocated a mentor for their first 12 months of service.
- 2.16 The program allows for each probationary officer to be allocated an experienced senior staff member as their mentor. While in theory this is a good approach, operational practicalities do not allow for the program to work effectively. Both mentors and mentees reported that they could go for long periods without being on the same shift as each other and even if they were on the same shift, they may be rostered in different areas of the prison. This usually resulted in new staff approaching whoever they could to assist them. In the long term it meant that the paired-up officers rarely built the rapport or relationship required for the mentoring program to work well.
- 2.17 There was a mechanism within the mentoring portfolio documentation for a review and evaluation of the program. Given that universal feedback from staff was that the program was not working, it would seem that no effective review had occurred since the program was commenced in May 2006. The newly appointed SO Training had just commenced a process to review the mentoring program, incorporating a staff survey and action plan. The management is encouraged to support this process and work collaboratively to facilitate any changes that may be required to ensure the system is useful to staff, including a consideration of rostering.
- 2.18 Uniformed staff consistently raised concerns about the management of human resources on site at the prison. Most of the issues revolved around the roster, the setting of shifts and applications for leave. An examination of the issues revealed that human resource issues were being managed in a professional and thorough way, with the departmental requirements being properly applied. Discussions with management and the Prison Officers Union evidenced that the rules were, in fact, being applied as written.
- 2.19 In discussing the issues with staff and with those responsible for human resources (HR), it became evident that much of the problem lay in the need for better education about HR issues amongst some staff and improved communication between management and staff. At one time, trainee prison officers were provided with information about their entitlements

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12 OICS, *Report of an Announced Inspection of Bandyup Women’s Prison*, Report No.36 (June 2006) [2.72]–[2.76] and Recommendation 3.

13 J. Davies, *Mentoring Portfolio: Bandyup Women’s Prison* (undated) 1.

## LEADING AND RESOURCING

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during their training period but this is no longer the case. This has resulted in officers now having to rely on word-of-mouth learning from other staff, some of whom may not properly understand the HR guidelines.

- 2.20 Another factor that adversely affected HR management was the already highlighted issue of lack of depth in the management structure. One person is responsible for all aspects of HR on site, and the responsibilities of this position have been increasing in recent times as services that were supposed to be provided by the Office of Shared Services are being pushed back to local prisons. More administrative support would assist and better enable management to spend more time interacting with staff about HR issues.
- 2.21 Management strategies to better communicate with staff to overcome any misunderstandings about HR issues would assist in improving staff attitudes towards this issue. There had been some action in this regard, with a regular session being programmed into the weekly officer training schedule to cover HR issues. This Office encourages the continuation of these training sessions.

### STAFF TRAINING

- 2.22 Prisoners are locked down on Friday mornings to allow uniformed staff to attend regular training. Each training module is offered over three weeks to ensure that all staff have the opportunity to attend that module. The training modules ranged from those required by Worksafe, to those specifically targeted at the needs of women prisoners, to the recently scheduled sessions on human resource issues for staff. The schedule was compiled in consultation with staff.
- 2.23 A positive new development since the 2005 inspection was the appointment of an SO Training, accomplished by prison management without authorisation of head office. While there is now more training on issues directly impacting the management of women offenders, the requirement to deliver Worksafe training means that there is still not enough appropriate training delivered.
- 2.24 As all prisons have an identical requirement to deliver these Worksafe modules and the Corrections Training Academy has taken resources from all prisons to deliver training, it would seem logical for the academy to deliver these compulsory modules (with the Department funding staff attendance offline) in a concentrated format, allowing on-site training to concentrate on the specific requirements of each prison. This would better use the resources of the academy, the on-site training officers and the time of staff. It would also help ensure the better delivery of services to prisoners in each prison.
- 2.25 A significant issue being managed at the time of the inspection was the identified 'gaps in knowledge' of staff coming out of the academy. The lack of a practical component in the recruit training packages made training on site once probationary officers have commenced work much more difficult.
- 2.26 The pre-inspection staff survey indicated relatively low satisfaction rates amongst staff with their access to training over the past three years in most of the surveyed areas. In particular, there was low satisfaction with regard to throughcare, computer use and trade or professional support. The highest area of satisfaction – relating with prisoners – only attracted a satisfaction

rate of 64.5 per cent. Contrasted with this, staff felt at least competent in all areas, although throughcare, trade and professional and first aid training only attracted marginal rates of confidence. It is hoped that with the new SO Training in place, these rates will increase over the next three years.

### INFRASTRUCTURE, CAPITAL WORKS AND MAINTENANCE

- 2.27 The project to replace the gatehouse and extend the perimeter for a 40-bed self-care accommodation unit was well advanced. Unfortunately, delays and burgeoning costs meant that project scope had to be adjusted, with the proposed visits centre being the major casualty. Further submissions had been made in the hope of securing funding for this in 2010–2011. Local projects were in place to commission the new gatehouse and unit, including bids for further staffing, development of new operational procedures and rosters, identification of alternative uses for existing accommodation and a customer service charter for the gatehouse.
- 2.28 Apart from the current capital project, the administration considered that Bandyup had struggled over the years to obtain necessary funding for its building maintenance and equipment requirements. Our Environmental Health Inspections Officer found a number of areas of concern which will be detailed in a separate report. In brief, these centred on inadequate cleaning and maintenance in certain areas, including water damage to ceilings in a number of buildings; cracked tiles, mould and dirt in ablutions facilities; dusty and rusty vents in the accommodation units; mould build up on external walls; and, in the kitchen, uncovered lights, stains and chipped paint on walls and ceiling, with dust and grime on the flywire. The wastewater system also required reassessment, as there were still overflows and odours which presented a significant public health risk.
- 2.29 A replacement policy is being developed to ensure that future budget bids include provisions for equipment repairs and upgrades. The Department has to recognise that money cannot be saved by delaying important maintenance on essential infrastructure. Business cases have also been submitted for a number of small infrastructure upgrades, including fencing of the existing self-care unit to support the hierarchical model, relocation of the video link for better video court operation, conversion of the old gatehouse as a base for security, clay sewer pipe replacement, and relocation of the barista coffee machine to a more appropriate location in education.

### COMMUNITY RELATIONS

- 2.30 The inspection found that Bandyup facilitated a high level of engagement of prisoners with visiting community agencies. Services provided by agencies included recreation, education and training, personal development, religious services, life-skills education, transition support for re-entry preparation, parenting skills and child development, health services, welfare services and therapeutic programs to assist women to deal with their offending behaviour. Many of these providers were engaged by Bandyup management directly in an attempt to compensate for the deficit in departmental offender programs.

- 2.31 While a significant number of external providers come into the prison, the extent to which they were coordinated with a shared sense of purpose and awareness of the overall agenda that the prison is trying to achieve was limited. Each group worked in a vacuum as to what other services were being provided, and there had been limited opportunities for the groups to information share (within confidentiality restrictions of their work) and to become a holistic part of a shared vision for the provision of services to women prisoners.
- 2.32 At a community consultation meeting convened by the Inspectorate, providers expressed a desire for regular opportunities to meet with each other and prison management to discuss issues relating to their service provision at Bandyup. The convening of such forums could be a task for the incoming Transition Manager.
- 2.33 While those providers reporting to managers of health, education and recreation had little difficulty with their visit arrangements, those seeking individual prisoner interviews had to book through the visits booking officer, often with limited success. Many complained that the delay in receiving prisoners for scheduled appointments was excessive, often half an hour or more. Facilities were also of concern, especially the lack of appropriate program space and interview rooms. The most obvious example were the use of transportable dongas as official interview rooms in front of the prison. These were described as ‘hot, crude and very rough’ and provided no sheltered waiting area for prisoners.

# Chapter 3

## SECURING THE WOMEN

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### RECEPTION AND ADMISSION

- 3.1 In the pre-inspection survey of Bandyup prisoners, the dimension relating to *distress on entry into custody* scored very poorly, although this was also the case in other prisons. However, we found that reception staff were very aware of the stress commonly experienced by prisoners upon entering prison, and the need to ease their transition into the custodial environment. Their caring role was acknowledged by prisoners when asked about their experience of reception.
- 3.2 The reception area at Bandyup is normally staffed solely by women, consistent with a women-centred approach to managing the point of entry for new female prisoners. It is generally staffed by two vocational support officers (VSOs) of three dedicated to that area and a prison officer on shift. Officers were well versed in the procedures and challenges relevant to this important area. There was an appropriate balance between security awareness and concern for prisoner welfare. For example, a reception officer explained that when only one prisoner arrived, they would usually not lock her in a holding cell and instead sit her down on a chair in the main reception area to give her a chance to calm down.
- 3.3 After completing admission checklists, at-risk checklists, property forms and a health screen, prisoners were given a package of documents from reception which included a confidential yellow envelope, an information sheet on blood-borne diseases and the *Introduction to Prison Life* orientation booklet.
- 3.4 Rule 92 of the *United Nations Standard Minimum Rules for the Treatment of Prisoners* states that '[A]n untried prisoner shall be allowed to inform immediately his family of his detention'.<sup>14</sup> However, like many prisons in Western Australia, a telephone call is not routinely provided to prisoners as part of the reception process at Bandyup. Prisoners *may* be given a telephone call to family once they reach a unit, but this should take place as part of the reception process.
- 3.5 Reception officers advised that telephone calls are generally only provided to facilitate bail and the prisoner is not permitted to speak themselves. Instead, the reception officer talks on the speakerphone, and the prisoner is allowed to listen. The stated reason for this arrangement is that the reception centre does not have the capacity to record telephone calls. However, failure to install technology to record phone calls is an insufficient excuse to deny prisoners the fundamental right to inform their next of kin of their new place of detainment.
- 3.6 It is essential that on reception at Bandyup all women be afforded the opportunity to talk directly to their next of kin as soon as practicable after their arrival to inform of their detainment or transfer. A record should be made of such calls and whether they were successful. If unsuccessful, a written referral should accompany the detainee to her unit, where every effort should be made to assist in reaching her next of kin or another appropriate person prior to her continued orientation program.

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14 United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Geneva, 1955). The SMR is one of the oldest and most widely endorsed human rights instruments. This requirement has been referenced, reaffirmed and strengthened in subsequent instruments, and generalised for all new prisoners, latterly including the *Standard Guidelines for Corrections in Australia* and the *Code of Inspections Standards* from the OICS.



*Recommendation 1:*

*That Bandyup Women's Prison ensure, that as part of the reception process, whether the prisoner is transferred from court or another prison, each prisoner is provided a personal phone call to their next of kin to inform them of their new place of detainment.*

- 3.7 In the previous inspection report it was recommended that peer support prisoners should be involved in reception processes at Bandyup.<sup>15</sup> The Department responded that peer support prisoners had been resistant to this idea due to the close confines of the current reception centre and the associated lack of privacy. It added that the new reception centre planned for in stage 3 of the Bandyup Master Plan would allow for peer support prisoners to relate more appropriately with prisoners and therefore solve this problem. This construction is planned for 2010–2011 but is not yet funded.
- 3.8 As it stands, the peer support team is still not part of the reception process. If peer support prisoners do not participate in the reception process for new prisoners, their participation in the orientation process becomes even more crucial (see discussion below). Notwithstanding these issues, as stated in the exit debrief by the Acting Inspector, '[r]eception stood out as a well-run area ... that is clearly an area of excellence at the prison' recognising the competent and committed staff team in that area'.

**ORIENTATION**

- 3.9 All newly received prisoners at Bandyup are initially accommodated in A Wing of Unit 1, the designated orientation wing. Standing Order B5 provides for three distinct orientation phases:
- **Module 1 part A** should be delivered in reception and involves completion of an *Immediate Needs Checklist* and receipt of an orientation manual entitled *Introduction to Prison Life* which includes information on warrants, bail conditions, next court appearances, legal aid services, the at-risk management system, visits, sentence details and family assistance.
  - **Module 1 part B** involves an interview with the orientation wing officer in the unit office, going through orientation materials, answering any questions, assisting with identified needs and completing the TOMS orientation checklist.
  - **Module 2** includes a tour of Bandyup by the wing officer and provision of further information about health services, prisoner entitlements, privileges, management systems, daily timetable, discipline, commitments and responsibilities of prisoners, prison staff roles, education, programs, work, cultural and other service providers. This must be completed within three days.
- 3.10 Unfortunately, we found that there were significant differences between these written requirements and the orientation practice. After arriving in the orientation wing, new prisoners are typically given a single meeting with the wing officer. They are taken through

<sup>15</sup> OICS, *Report of Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006) Recommendation 4.

an uninspiring slide presentation of the *Bandyup Women's Prison Orientation Booklet* comprising some 35 slides covering most of the information from both Module 1 and Module 2.

The duration of this meeting is dependent upon the particular prisoner and the level of their previous experience with Bandyup Prison, but at most lasts 30 minutes. Prisoners should have been given the *Introduction to Prison Life* booklet in reception, which is a useful, if limited, resource, especially for those who can read.

- 3.11 There is too much information to comprehend in the short space of time allotted to orientation, particularly given that newly received prisoners will typically be stressed and anxious and may also be suffering the effects of drug use or withdrawal. Prisoners are not commonly given the chance to call their next of kin about their imprisonment until after the interview, so some may be too anxious about their families to concentrate on the presentation. A number of prisoners spoken to recalled going through the orientation process but said they had not taken in much information at the time.

*Our phones are shut off... and I wasn't even told about that. Not enough orientation, never told. They just gave me a slip of paper and said go through this.<sup>16</sup>*

- 3.12 Prisoners spend around three to five days in the orientation unit before transitioning into the mainstream population. While peer support prisoners are available in the unit, they are not officially engaged in the orientation process. Nor are tours of the prison routine for all new prisoners. During conversations with prisoners, it was highlighted that these first few days in custody can be very hectic and stressful. One prisoner in particular spent much of this time at court and was also withdrawing from drugs, and said that she felt entirely unprepared when she was moved into mainstream.

*Recommendation 2:*

*That the Bandyup Women's Prison orientation process be further reformed to ensure that it is effective in providing appropriate information for newly arrived prisoners.*

## SECURITY INFRASTRUCTURE

- 3.13 The external perimeter barriers of the prison met the capacity to deter, detect and delay an escape attempt in order to respond and detain. Signage on the external fence (previously missing) was in place, warning members of the public that the area is a prison and to stay clear. The access road around the external fence and the space between inner and outer fences was clear and well maintained. At the time of the inspection, the only security weaknesses related to the gatehouse and adjacent demountables, which should be resolved by the new gatehouse.

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16 This Bandyup prisoner was from Eastern Goldfields and another prisoner from the same region had lost their phone privileges for talking to common relatives on the same phone call. She meant that she had not been warned during her orientation about the prohibition on 'sharing' phone calls.

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- 3.14 In response to Recommendation 21 from the previous inspection, Bandyup implemented a duress alarm system which provides staff and others entering the prison an enhanced degree of security and safety. Visiting workers were properly instructed in the testing and use of the device.
- 3.15 The main barrier fence consists of three coils of razor wire attached to a steel mesh fence. In the event that a prisoner or intruder becomes entangled in the razor wire, procedures were for a cherry-picker to be organised, with an estimated response time of 45 minutes. A retrieval equipment bag was kept in the recovery vehicle, but staff were not trained in the use of this equipment or how to safely effect a razor wire rescue. Recourse to the Emergency Response Group at Canning Vale would create further delays and risk to life of anyone entangled in the wire. This emergency contingency is entirely unsatisfactory and should be remedied.

*Recommendation 3:*

*That the Department upgrade its preparedness for a razor-wire rescue at Bandyup Women's Prison.*

**DYNAMIC AND PROCEDURAL SECURITY**

- 3.16 The security portfolio at Bandyup was well managed, with good procedures and information analysis in evidence. Procedural aspects included accurate prisoner counts; a monthly security exercise; area searches rotated and documented; tool registers in workplaces with a daily checklist report; daily restraints equipment check; daily recovery vehicle check; routine use of drug detection dogs for about 80 per cent of visits and analysis of information from unit staff, incident reports and the telephone system.
- 3.17 One significant deficiency was a lack of searches of staff and service providers entering and departing the prison, a breach of the Department's own policies.<sup>17</sup> This was primarily because the existing gatehouse could not accommodate such searches, something that should be remedied when the new gatehouse becomes operational.
- 3.18 Bandyup Women's Prison Drug Strategy Plan 2008–2011 is sound and provides a good balance of supply, demand and harm-reduction strategies. It is linked to both the WA Drug and Alcohol Strategy and the broader Corrective Services Drug Plan while acknowledging the special needs of women in custody. The plan also highlights the impact of alcohol and drug use on offending and the importance of breaking the offending cycle. Significantly, the plan accurately notes that drug treatment works and that it does not need to be voluntary for it to be effective.
- 3.19 Security staff were committed to their work; for example, by developing a drug term dictionary to help staff understand prisoner drug-talk. A recent development had been to utilise a provision under the *Prisons Act* to refer prisoners testing positive for drugs to court. This practice was reserved for prisoners who test positive for the fourth or fifth time. At the time of the inspection, about 10 prisoners had been referred to court. It was also considered that a move of certain high-profile users to the Drug Free Unit had also acted to reduce illicit drug use in the prison.

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17 Department of Corrective Services, Operational Instruction No 17 and Policy Directive No 26.

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- 3.20 In February 2008, 55.25 per cent of the prisoners were drug tested. Of the 91 tests conducted, six were positive and there were three refusals. The positive test return of 4.94 per cent was very low. This is in line with reported results for Bandyup of routine tests (a compilation of random and targeted substance use tests) for the 10 months to April 2008 of 5.64 per cent. This compared with 10.60 per cent for all prisoners for the same period and with the 2006–2007 result for Bandyup of 12.73 per cent. The 2008 results therefore represented a significant improvement in performance.<sup>18</sup>
- 3.21 The Bandyup Women’s Prison Emergency Procedures Manual is a comprehensive set of 15 procedures covering a range of emergencies that may be encountered in a custodial environment.<sup>19</sup> As required by the manual, the Security Manager plans a monthly exercise drill to test the effectiveness of the various procedures. Each exercise is then analysed and risk assessed, and failures or shortfalls are addressed through staff training and/or procedure amendment. These assessments are filed for future reference and compared with the analysis of the next drill testing the same procedure. Through the Security Manager, Bandyup has established strong links with local police and FESA. This has been demonstrated through joint exercises.

#### DISCIPLINE AND PUNISHMENT

- 3.22 The Department’s figures suggest Bandyup has more prisoners charged in proportion to its count than all other prisons.<sup>20</sup> An examination of records indicated there were a number of trivial charges being laid and it was suggested that these stemmed from less-experienced officers. However, there were also claims by prisoners that certain long-term officers used trivial charges to deny privileges or assert control over women who complained about their treatment.
- 3.23 Prison charges are managed efficiently and are heard in the small dayroom area of the Management Unit. This area affords no privacy and proceedings are audible to other prisoners within the unit. While alternative options are scarce, this is clearly an inappropriate venue and the prison must resolve this unsatisfactory situation as soon as possible.
- 3.24 Section 43 of the *Prisons Act* provides that ‘for the purpose of maintaining good government, good order or security in a prison’, the CEO may order that a prisoner be held in separate confinement for up to 30 days. This power is delegated to the Director Women’s Corrective Services, who can renew a section 43 order prior to its expiry for another period. The Minister is to be notified whenever such an order is made. At the time of the Inspection we were told that two women were being held in the Management Unit under this section, and had been there for some months. Both had been involved in serious incidents of assault (and alleged assault) against other prisoners. We were told that these women had been kept in the Management Unit to protect the women in the mainstream population from further assault or bullying.

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18 Department of Corrective Services, *Prisons Monthly Performance Report, April 2008*, Adult Custodial Business Management.

19 Department of Corrective Services, *Bandyup Women’s Prison Emergency Procedures Manual*. Emergency procedure requirements are also well covered in the Service Level Agreement.

20 Department of Corrective Services, *Prisons Monthly Performance Report, April 2008*, Adult Custodial Business Management.

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- 3.25 However, an examination of the unit file found significant gaps in the validity of the orders on which these women were held. One prisoner, for example, had only three orders made in the period from 28 September 2007 until the commencement of the inspection on 20 April 2008, including one commencing only on 14 April 2008. Section 43 orders are only valid for 30 days, but each order was dated for a 31-day period. If one also considers that these orders were signed by the relevant Director up to 14 days after the commencement date, there were valid orders covering only 52 of the 206 days during the period in question.
- 3.26 A section 43 order has legal force and prisoners can only be held in separate confinement for so long as a correctly completed and signed order is current. The bundling of section 43 orders among numerous unnumbered papers in a unit file (as was found upon inspection of the file) also failed to give due prominence to the orders. The TOMS record for these prisoners inadequately reflected the status of the prisoners, indicating requirements for better training, better vetting of data-entry and changes in how TOMS records such information.
- 3.27 While a section 43 regime is less strict than a close confinement regime, these prisoners only have a right to one hour out of cell per day and to associate only with prisoners ‘similarly confined’. It is therefore a highly restrictive regime, especially in the confines of the Management Unit at Bandyup.<sup>21</sup> While it may well be appropriate to protect other prisoners by separating such women from mainstream prisoners, it is inappropriate to maintain prisoners in such a confinement regimen for extended periods.
- 3.28 The situation of these women highlights the lack of placement options in the women’s prison estate for those requiring separation from mainstream whether due to security or behavioural risks to others. If women are to be accommodated in the Bandyup Management Unit for periods beyond an initial period of close confinement, then a far more normal regime should be established, including extended opportunities for recreation and association, and access to education, work and other services beyond the confines of that unit.

*Recommendation 4:*

*That Women’s Corrective Services develop a strategy to better accommodate women requiring separation from the mainstream due to serious identified security or behavioural risks to others and ensure that women are not held inappropriately in close confinement for extended periods of time.*

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21 It is possible to access visits, phone calls, work inside the unit, gratuities, canteen spends, chaplain visits, reading, writing and study materials on a section 43 regime (always separate from other prisoners). Further concessions and supports were provided for one of these prisoners who remained in the Management Unit on a section 43 order for several months after the inspection.

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## COMPLAINTS AND GRIEVANCES

- 3.29 Western Australian prisoners face a bewildering range of choices when pursuing a matter about which they feel aggrieved:
- **Grievances** may be lodged within the unit on the correct form. These are meant to be resolved locally and in good time. However, grievances cannot be lodged in respect of questions of placement and assessments, discipline, or serious allegations against staff. Unit staff register the grievances onto the TOMS system. If not resolved within the unit, grievances are escalated to the Coordinator, Prisoner Grievance at Head Office.
  - **Complaints** can be made in writing to the officer in charge of the prisoner, the Superintendent, a prison visitor, the relevant Director or the Chief Executive Officer. Complaints can also be made by phoning the Offenders-in-Custody Access line of the Department's Complaints Administration Centre. Complaints are also taken verbally by Independent Prison Visitors. Complaints are normally referred to the manager, usually within the prison, best able to deal with the matter. However, matters relating to serious officer misconduct must be referred as appropriate to the Internal Investigation Unit (IIU) or other appropriate agency.
  - **Official complaints** can also be made in writing through the privileged mail system to the Minister, Attorney General, Ombudsman, Office of Health Review, Equal Opportunity Commission and certain other external agencies. Prison staff are forbidden from opening this mail.
- 3.30 Prisoner complaints and grievances were a significant area of contention at Bandyup. Numerous prisoners informed inspection officers that they were actively discouraged by staff from lodging complaints or grievances and at times were threatened with negative treatment or charges for making false complaints. They said that grievance forms and complaint envelopes were often torn up and that prisoners putting in grievances were victimised. Senior officers and administrators thought that prisoners misused the complaints and grievance system as a tool to put pressure on unpopular officers or as a form of payback against staff for perceived unjust actions.

*When you're asking some officer for a grievance form, they say: Do you really want to go through with it ... don't you think it's a bit pathetic?*

- 3.31 There were no pamphlets or posters about the complaints and grievance systems on display in units at Bandyup. During the inspection there were no blank grievance forms on display in the units and we witnessed prisoners asking unit officers for blank forms and yellow envelope to make an official complaint. In the 12 months to 30 April 2008, 42 grievances were logged on TOMS, of which 21 related to allegations of staff misconduct or harassment. Only 17 were resolved within the given timeframe and 14 recorded as having an 'Outcome Achieved' status. Only five of these related to allegations against staff. It was also notable that just five prisoners were responsible for submitting 27 of the recorded grievances.

- 3.32 A sample of complaints responded to by Bandyup prison administration, distributed to relevant managers for their attention, indicated that these were responded to in a timely manner, but there was no tracking system, central recording, review processes or statistics to help highlight trends and issues. Due to IIU workloads, less serious matters are now able to be investigated locally by an SO trained and empowered to undertake such investigations.
- 3.33 Complaints and grievance systems are often problematic in prisons, for staff and prisoners alike. However, the intensity of feeling at Bandyup about the process from prisoners and officers was palpable, and worthy of particular attention. Issues between certain prisoners and certain staff can become quite personalised. Prisoners felt they had to make a stand to protect themselves and others from poor treatment. They acknowledged that many of their grievances are minor, but say because they are powerless, even small things are quite serious to them. Officers felt they were being targeted and that complaints and grievances caused them trouble, and possibly affected their careers.
- 3.34 What was missing was a culture of local complaints and grievances understood as an opportunity for dealing with minor issues before they become bigger issues, and for identifying systemic problems that need to be addressed. It should not be a question of finding fault or blame, but rather a question of acknowledging problems and taking appropriate action to remedy them. Talking with the complainant about their concerns is an important part of the process that is often overlooked, even if only to explain why their expectations cannot be met. In the end it is about treating people fairly, promptly and locally. Of course, serious matters have to be properly investigated, and it is important that prisoners have information and awareness of the most appropriate channels for directing their complaints.

*Recommendation 5:*

*That Bandyup Women's Prison develop a strategy to implement a rather more open, accountable, fair and reconciliatory culture of local response surrounding prisoner complaints and grievances.*

## TRANSPORT

- 3.35 Custodial transport arrangements continued to be a significant cause of concern to women prisoners. The degree of confinement can be confronting even during the relatively short journey from court. Long days at court, often for a very brief appearance and late returns was another common complaint. One prisoner complained that after getting a meagre lunch at court and returning late one night, she was given no meal or drink at the prison. Another complained that during a journey from Bunbury she had passed out three times, due to heat and dehydration.

*Those transport vehicles are disgusting – you get put in one of those cells and you just imagine what the cells at the prison will be like.*

- 3.36 While much care for pregnant women was now provided on site, women still had to go outside the prison for ultrasound scans and specialist appointments if there were complications. While under a previous understanding with the transport provider pregnant women were taken in sedans, they were now being taken in the court van, sometimes taking three hours to get to an appointment.
- 3.37 However, as with other metropolitan prisons, GSL, the Department's transport contractor, was failing to provide a consistent medical escort service to Bandyup Prison.<sup>22</sup> Many appointments were being cancelled because of lack of transport. One woman with a breast lump and a family history of breast cancer had waited since November 2007 for a mammogram having had four cancelled appointments. Another had waited three months and another for one month. Another had a heart attack in September 2007 and still not been seen by a cardiologist.
- 3.38 Recently a number of other prisons have made a practice of calling in staff on overtime to ensure that prisoners get to critical medical appointments when GSL indicated inability to undertake the escort. While a prisoner escort can be safely undertaken in any vehicle, the administration at Bandyup had chosen not to assist with medical escorts, other than for emergencies because it did not have a secure vehicle.
- 3.39 As highlighted during the Inspection exit debrief, this can be a life and death issue, and it is simply unacceptable that prisoners can languish without access to such treatment.<sup>23</sup> The fact that the government has a contract with an external provider to undertake such escorts, does not absolve the Superintendent of the relevant prison, or the Department itself, from their duty-of-care for those in custody. This point was forcefully made during the exit debrief to the prison and in subsequent contact with the Minister for Corrective Services. The outstanding escorts for mammograms proceeded shortly thereafter. A secure escort vehicle for Bandyup Women's Prison is also on order.

*Recommendation 6:*

*That the Superintendent of Bandyup Women's Prison establish a contingency plan to ensure that escorts deemed critical by medical staff proceed, notwithstanding failure by the relevant transport contractor to provide this service.*

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22 This problem has been evident for some years as documented in: OICS, *Report No. 43: Thematic Review of Custodial Transport Services* (2007).

23 OICS, *Exit Debrief – Bandyup Women's Prison Inspection* (29 April 2008).



# Chapter 4

## LOOKING AFTER WOMEN INSIDE

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### STAFF–PRISONER RELATIONS

- 4.1 Pre-inspection surveys suggested that staff and prisoners broadly agreed that positive relations existed between them. Staff rated their relations with prisoners slightly better than prisoners with staff. However, while the ratings by staff were higher than those we found at other prisons (Hakea and Acacia), the prisoner ratings were rather lower. Prisoners rated their level of trust in officers, their sense of being treated as person of value, help by staff to victims of bullying, their treatment in prison, being given reasons for decisions, and privileges being given and taken fairly all at levels well below that which is acceptable within the survey scoring system.<sup>24</sup>
- 4.2 We found that officers, for the most part, treated Bandyup prisoners with respect and courtesy, and made a good effort to address prisoner concerns. The level of interaction with prisoners was satisfactory, although observation and discussion with staff and prisoners in several areas indicated that the daily routine and frequent staff shortages, limited the amount of productive interaction that could be achieved. However, there were a few older officers with unsympathetic attitudes to prisoners, and many newer staff had yet to fully develop a consistent and positive communication style. The net result was that prisoners often interpreted staff responses as dismissive; for example, they reported sometimes being turned away when requesting an officer-initiated call, without being given a chance to explain why it was needed.
- 4.3 In the early 1990s, the position of welfare officer was abolished in Western Australian prisons and responsibility transferred to prison officers. For the most part, this is discharged by assignment of an officer each day as wing officer, who responds to prisoner requests and needs. Much can be achieved by a skilled and sympathetic officer, but the level of service too often falls short. Women often come to prison with family responsibilities that require significant efforts to manage. They certainly have a different, higher level of need than male prisoners, and officers describe this as women being more demanding. Yet they have to make do with the same level of service available in any prison – one wing officer per unit.
- 4.4 The problem was vividly described by some of the women we spoke to. They said the lone wing officer was running all day, and it was often hard to get their attention. Wing officers change from one day to the next and women found it distressing having to tell their stories over and over again, sometimes having to wait for an officer they trusted would help. It can also be confusing for landlords, neighbours, caregivers and others being called on different days by different staff. The fact that prisoners themselves were not allowed to talk directly to that person, meant the officer had to relay messages back and forth, and this made it harder for the women to get the help they needed.

*You talk to the wing officer and pour your heart into it, you might have lost your personal belongings on the outside, even your kids, but the staff just look blank.*

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24 Only the first of these items contributed directly to the broad dimensional score for staff–prisoner relations. Other items contributed respectively to the dimensions of respect, care in custody, frustration (2) and fairness.

- 4.5 We were told that the reason that women were not normally allowed to talk directly to people during officer-assisted calls was because these calls cannot be recorded for security purposes. In other prisons, such calls are simply monitored by an officer present in the same room, if necessary, with the receiver voice on loudspeaker. Security is a valid concern and it is surprising that telephones routinely used to assist prisoners lack a capacity for recording. Nevertheless, the default practice at Bandyup of speaking on behalf of prisoners in addressing their needs is inappropriate and demeaning. The practice is the antithesis of women-centred management practices and should cease, except when specifically requested by the prisoner.

*Recommendation 7:*

*That Bandyup Women's Prison allow prisoners to talk directly to those addressing their welfare needs.*

- 4.6 Welfare services not addressed at unit level may be referred to the Prisoner Support Officer, assessments staff, Bail Officer and others from the prison, and increasingly visiting services such as Ngala (parenting issues), RUAH (remandees, young women) and the chaplains. The increased availability of such services was welcome, and such agencies are often best able to provide a good quality of service in their areas of expertise. But Bandyup still lacked a system to routinely assess welfare needs and plan appropriate interventions.
- 4.7 The notion of welfare was missing from text of the overarching *Women's Way Forward* policy but an attached diagram, depicting the Women's Intervention Model places a *Women's Needs Checklist* at the centre of the prison's response to women which implies a central role for welfare. This checklist could provide a sound basis for documenting prisoner welfare needs on reception to be addressed by referral to units, other prison staff, programs or visiting agencies, but had not yet been implemented.
- 4.8 Women at Bandyup sorely need such a coordinated approach. While the diagram also appropriately indicated that case management has a significant role in brokering with external services, as discussed below, it had no real involvement in welfare services. There should also be close regard paid to how best to deliver welfare services to women at unit level and in particular whether the rotating wing officer system, necessitated by the 12-hour shift system, is due for reform.

*Recommendation 8:*

*That Bandyup Women's Prison review its assessment, coordination and delivery of welfare services, with a view to early implementation of the Women's Needs Checklist. The review should address delivery of welfare services in units, staff training needs, the role of assessments staff, the role of case managers, coordinated referrals to external agencies and transition services.*

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## HEALTH SERVICES<sup>25</sup>

- 4.9 Health services at Bandyup was well managed with a clear understanding of its business and challenges. It had a dedicated staff team, although there had been some difficulty in filling nurse vacancies. Local morale was positive, but there are ongoing issues of communication between local staff and Prison Health Services at head office.
- 4.10 On-site services included general nursing, GP, psychiatry, dental, optical, podiatry, mental health nurse and pharmacotherapy. Other key areas included diabetic management and prevention, medication management, diet management, health promotion and pregnancy/nursery care.
- 4.11 In connection with the latter, a new Memorandum of Understanding had been signed with Derbal Yerrigan Health Service for the antenatal management of Aboriginal women, an important reform. However, the service lacked similar agreements with King Edward Memorial Hospital for Women and other facilities. Bandyup health service still lacked an Aboriginal health worker which is surely indicated by a population with a 42 per cent Aboriginal component.
- 4.12 Screening programs utilised for women's health issues represent good practice. Health promotion activities in the prison have also been important including the Women's Checkout health display in May 2007, which involved a number of external agencies, and other promotions aimed at heart health, diabetes prevention, smoking cessation and purple granny day. The question of aging prisoners, including those facing menopause, was one area possibly deserving more attention.
- 4.13 The unsafe design of the medical centre presents a risk to staff which requires further remedial work, perhaps a rebuild. Staff are isolated in multi-purpose consultation rooms hanging off two long corridors, without the secondary exits, screens or other security features which are mandatory in community clinics. Medical beds in the centre are not fit for purpose and used only minimally. Beds in the adjacent Crisis Care Unit (CCU), however, are more appropriately designed for their purpose of crisis intervention.
- 4.14 Regardless of the range and quality of services available at Bandyup, the ability to refer patients to specialist services off site in a timely way, remains an essential component of a prison health service. As discussed previously, the inability to reliably access such services, especially in such critical areas as cancer screening, cardiac consultation and antenatal care is crippling to the reputation of the health service and a major breach of the rights of prisoners to satisfactory health care. The advent of tele-medicine at Bandyup, which will enable some specialist consultations to be undertaken remotely, may obviate the need for some of these external services, but there will always be a requirement to attend some services in person.
- 4.15 While Bandyup had appointed a medical assistant to manage prisoner medication and trial new medication systems, as with other prisons, there was an unacceptable delay in obtaining medicines from the pharmacy at Canning Vale. There were also persistent complaints from prisoners that they had been refused pain relief during the night, despite the presence of a

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25 The Acting Inspector would like to acknowledge the contribution of Dr Adam Brett of Forensic Mental Health Services for his contribution as an expert inspector in this area.

nurse in the centre. Custodial staff took the view that some of these prisoners were just trying to get out of lining up for medication in the evening and tended to ignore requests for pain relief.

- 4.16 Access to medical care and appointments for prisoners appeared to be better managed than at some prisons, although there were certainly some complaints. Indeed the highest number of complaints by prisoners to the Inspectorate's Independent Visitors (IVs) were about the health services and around half of these related to inadequate pain management. Prisoners told IVs that requests for pain-management medications are perceived as drug seeking behaviour. One prisoner alleged that it was five days before she could see a doctor, despite severe pain for which she was given only Panadol – she was diagnosed with gallstones and required immediate hospital care.
- 4.17 In relation to the question of pain relief, the Office of Health Review reported they had received several calls from Bandyup prisoners about the reduction in the number of Panadeine Forte issued. This followed adjustment of Prisoner Health Services policy in line with the community standard – the PBS only allows 20 Panadeine Forte without a further prescription.<sup>26</sup>
- 4.18 While basic dental care is normally available at Bandyup, there was an unfortunate cessation of service almost three months prior to the inspection when the dental nurse left and processes to replace her were protracted. Physiotherapy is one service not regularly available to patients at Bandyup.

#### HEALTH SERVICES TO ALCOHOL AND OTHER DRUG USERS

- 4.19 In a 2005 Department of Corrective Services survey of women prisoners, 77 per cent of those surveyed reported frequent alcohol and drug use in the six months prior to arrest. Our pre-inspection survey found 65.7 per cent reported a problem with alcohol, other drugs or both before entry with 32.8 per cent saying they needed to detoxify on entry to prison.
- 4.20 Bandyup health centre treats and manages prisoners affected by alcohol and other drugs, including those identified as requiring detoxification on admission. Eight out of ten nurses had Hepatitis C training, but only one had specific alcohol and drug training. Prison Addiction Service Team (PAST) services are covered seven days per week. While the PAST nurse on duty lacked specific training, it was clear that methadone patients were well managed and appreciative of the supportive approach of staff.
- 4.21 It is a requirement of the Department's Drug Plan that all prisoners attend the HIP HOP program, which provides education to prevent transmission of blood-borne viruses. At Bandyup HIP HOP was run every Monday as part of the community program and all prisoners were required to attend as soon as practical after admission.
- 4.22 Bandyup also had an excellent strategy to address smoking. Prisoners were able to enrol in a 12-week structured QUIT program that offered a counselling session with the nurse, access to nicotine replacement therapy free of charge and weekly support groups. Although the program had only been in operation for a few weeks uptake had been very positive. In the first week nine prisoners joined the program and this rapidly grew to 22 potential participants.

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26 Letter from Anne Donaldson, Director, Office of Health Review, 28 February 2008.

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## MENTAL HEALTH CARE

- 4.23 Mental health care is provided by the health centre through psychiatry and the mental health nurse together with the Prisoner Counselling Service (PCS). The location of PCS within the health centre facilitates good communication, but as in the prison system generally, there were questions whether greater integration would be more effective. It was found that a medical model prevailed in the health centre, which means an over-reliance on medication, inconsistent with the model of care in the community provided by a multidisciplinary team. The centre had difficulty getting women admitted into the Frankland Forensic Mental Health Facility. Crisis care at Bandyup was satisfactory for crisis intervention, but there was no capacity for extended care and rehabilitation.
- 4.24 The Prisoner Counselling Service has a reputation as a stable and professional service at Bandyup, contributing positively to management of at-risk prisoners through prisoner assessments and crisis intervention, participation in the systems used to manage at-risk and vulnerable prisoners, advice to custodial staff and counselling to prisoners in need of support or therapy.<sup>27</sup> However, there was significant staff turnover at the time of the inspection with two staff about to act in other roles and another on maternity leave. The service was stretched when prisoner populations were high in 2007 and has also had to take responsibility for counselling at Boronia.
- 4.25 The local Manager Offender Services had a staff management role for PCS but no say in clinical decisions. Neither was supervision or support provided from Offender Services centrally. Few training opportunities were provided for professional staff and only \$400 per annum per head was budgeted for their training needs. Offender Services from head office were conducting a review of PCS at Bandyup. Bandyup PCS have an unusually high number of ongoing counselling clients, which PCS considered a necessary support for long-term prisoners. Nevertheless, the coordinator claimed they were also able to undertake any counselling that was asked of them and Aboriginal women engaged readily, except for traditional women, who were rarely, in any case, on ARMS/PRAG.
- 4.26 The Department reviewer had indicated that PCS counsellors may be required to maintain treatment plans, and that counsellors may be 'offered' opportunities to also become involved in offender program facilitation. While skilled people are sorely needed to provide programs, this approach risks reducing capacity in prisoner counselling services, which have provided an effective and essential service to date.
- 4.27 Nevertheless, it was acknowledged that opportunities existed to extend the effectiveness of counselling services through closer involvement with external agencies, including Aboriginal agencies, to improve prospects on release. There would also be gains for clients if closer collaboration could be developed with other agencies involved in drug counselling, trauma counselling and re-entry support.

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27 ARMS/PRAG/SAMS are the systems used to manage at-risk and vulnerable prisoners.

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## PRISONER SUPPORT

- 4.28 Bandyup had two Prisoner Support Officers (PSOs), who provided support and welfare assistance to prisoners, and facilitated the Peer Support program. PSOs had particular involvement in referrals to the Bail Coordinator and to the Transitional Accommodation Support Services (TASS) program for people approaching their release date. The Peer Support program was found to be operating effectively, with good membership from different units, backgrounds, regions and age groups. They continued to receive Gatekeeper training to provide basic counselling and support skills as part of the suicide prevention strategy. They are meant to be involved in orientation, both through provision of laundry kits to new prisoners and provision of additional information and support; however, they were not necessarily informed when new prisoners arrived in the orientation wing, which tended to make the process somewhat ad hoc.
- 4.29 The Aboriginal Visitors' Scheme (AVS) continued to visit Bandyup three days per week, to provide support and community contact for Aboriginal prisoners. AVS volunteers walked freely throughout most of the prison and were welcomed by staff and prisoners alike, although they could not always access the Crisis Care Unit and Management Unit. They liaised closely with the PSOs and reported to the Assistant Superintendent on exit.

## CHAPLAINCY SERVICES AND SPIRITUALITY

- 4.30 Bandyup was well covered by chaplains from mainstream denominations who visited at least weekly and provided support, spiritual guidance and Sunday services on a rotational basis. A Buddhist nun provided weekly meditation sessions in the sanctuary and an Aboriginal pastor visited once a month on a Saturday to join prisoners involved in their weekly prison fellowship meeting. Information about these services was provided on posters and in the orientation booklet. People of other faiths could request visits from an appropriate representative. Religious artefacts and literature could also be received by a prisoner by request through unit staff, although we were told that material for cults would be excluded. Of course, this begs the question how this line is drawn.
- 4.31 Some Aboriginal prisoners benefit from the monthly visit of the Aboriginal pastor, and other Aboriginal leaders and elders can be requested to perform a smoking ceremony for cleansing or other spiritual needs. However, there was frustration by regional prisoners that their elders were not brought in, despite several elders and culturally important people staying at Allawah Aboriginal Hostel, fairly close to the prison.

## FOOD AND NUTRITION

- 4.32 Widespread dissatisfaction with the food at Bandyup was reported in the 2005 inspection,<sup>28</sup> and similar unsatisfactory results were recorded in the pre-inspection survey for 2008, with only 48.5 per cent of respondents satisfied with food quality and 58 per cent satisfied with food quantity. Despite this, complaints about food during the inspection itself were surprisingly few. A number of prisoners even stated that the food was good.

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28 OICS, *Report of Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006) 61.

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- 4.33 The quantity and quality of the food provided to prisoners at Bandyup was observed to be satisfactory. However, there was no evidence that prisoners were consulted on the menus, as recommended in the previous report, though they could complain by submitting a white form signed by the SO or raise food as an item to discuss in unit meetings. Prisoners also had the option of adding canteen purchases to their diet. The canteen had a fair range of healthy options, as well as the usual assortment of snack foods.
- 4.34 While in general the kitchen presented as clean and well ordered, specific directions were made by the Environmental Health Inspector in relation to certain matters.<sup>29</sup> Kitchen workers were all given appropriate training on food hygiene, and all were observed to be wearing appropriate protective clothing and headwear while in the kitchen. Cook instructors were also responsible for monitoring food hygiene in the self-care units and other unit kitchens.
- 4.35 Bandyup provides special diets in recognition of health, religious and cultural needs. Vegetarian diets are available to prisoners once they have completed a form, signed by an SO. Halal meat has been provided when requested and prisoners of Asian background can request additional rice. However, Aboriginal prisoners were quite dissatisfied that traditional foods were only made available during annual NAIDOC celebrations, although damper is sometimes made on Sundays. We were told that custodial staff stopped women being able to make their own damper in the units because of the mess, something that deserved a more sympathetic response.<sup>30</sup>
- 4.36 In the previous inspection report, it was noted that pregnant women had no special dietary options available to them, and this was seen as particular evidence that Bandyup lacked a women-centred approach to the provision of appropriate dietary choices.<sup>31</sup> In a positive development, Bandyup now offers pregnant women a diet exempt of processed foods, and also issues them with fruit and a sandwich to be consumed in their cells after the lockdown meal. Other special diets, such as the low fat or diabetic menus, are provided on issuance of a medical certificate.

## RECREATION

- 4.37 Recreation presented as a particularly successful aspect of the prison. The structured day and new gratuity model have encouraged greater participation in recreation by rewarding prisoners for taking part in community programs and physical activities. As noted in the Acting Inspector's exit debrief this approach represents good women-centred practice by giving them the choice to self-select not only for work, education and training, but also for personal development and recreation activities.
- 4.38 The range of recreational programs available at Bandyup included a mix of active and passive activities. Structured physical recreation programs included walking, high and low intensity aerobics, yoga (normal and gentle) and tai chi. Less active options included classes in art, crafts, music and meditation. Such structured recreational activities, referred to within the prison as 'community programs', were run between 9.00 am and 11.30 am and between 1.00 pm and 3.30 pm on weekdays. External tutors ran many of the classes, but there were also a number of

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29 These are contained in a separate Environment Health Assessment Report provided to the prison and Department.

30 The question of Aboriginal food is further discussed in a later section on Aboriginal women prisoners.

31 OICS, *Report of Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006) 62.

prisoners who had taken up the opportunity to be peer tutors in fitness training and art and craft. All prisoners who ran classes had relevant accreditation. In this regard, recreation links with education and training to assist in the assessment of prisoners working towards accreditation.

- 4.39 Prisoners also had unstructured recreation time between 4.00 pm and 5.30 pm on weekday afternoons. During this time they had access to the exercise machines and weight-lifting equipment in the gym, and also the opportunity to play ball sports such as tennis, basketball, volleyball and soccer. On weekends prisoners were essentially permitted to recreate all day. The recreation officer ran a regular quiz on Saturday afternoon and other regular activities on the weekend included bingo and karaoke. The lack of a running track or oval was identified by staff and prisoners alike as the major weakness in physical recreation options at Bandyup. An existing walking track could be extended and resurfaced to be made suitable for running.
- 4.40 The library was a well-utilised service, with high rates of borrowing reported for both books and videos. The library seemed to be competently run by two prisoners employed as library workers, but was perhaps lacking in drive and direction from the recreation officer. It was anticipated that this would improve once the recreation officer received more support (see discussion below).
- 4.41 In September 2007 one of the two VSOs working in recreation at Bandyup left the prison and since that time there has only been one recreation officer. The workload of the remaining recreation officer at Bandyup was unreasonable, with responsibility for managing the gymnasium, canteen, and library and community program. While a commendable job had been done, much more could have been achieved with normal staffing. Prison administration informed that a recruitment process was underway, not only for the second VSO, but for an additional newly established position.
- 4.42 Recreation did not have an allocated budget so any spending required an application to the Assistant Superintendent Prisoner Services (ASPS). The recreation officer reported no problems with approval for small items, but larger projects such as a proposal to renovate and extend the art room had been denied.
- 4.43 Recently some suppliers for the canteen had declined orders due to non-payment of invoices. Casual tutors had also been greatly inconvenienced by failure to receive payments for extended periods of time; one had not been paid since August 2007. Some had declined to continue with classes for this reason. Prison staff attributed these issues to a transfer of responsibility for purchasing and invoice payments to the Office of Shared Services.

#### CANTEEN SPENDS

- 4.44 Gratuities at Bandyup were credited on a weekly basis. However, prisoners could still access the canteen six days a week and request transfers into their phone account on any day. There were special opening times twice per week for protection prisoners, and an alternative time was available each day for others from the nursery, CCU, management unit and those working during regular canteen hours. Women prevented from attending in person could order canteen items which were bagged and delivered.



- 4.45 Prisoner access to and from the canteen was monitored by staff, with extra attention for those susceptible to being bullied. Prisoners thought staff had done a good job at preventing bullying relating to canteen spends, and stated that it rarely occurred for long without being detected and dealt with.
- 4.46 The canteen had previously carried a large variety of snack foods often including a range of brands; this had been cut back somewhat to make room for sugar-free products. The Department was also in the process of unifying the products sold in all prison canteens. It remained to be seen whether sufficient account would be taken of the distinct needs of women in this process. Prisoners expressed concern that access to traditional cola and other sugary items was being restricted and distrusted artificial sweeteners used in other products. While they received Healthy Choices education, they felt they were denied choice in the canteen.

#### VISITS AND COMMUNICATIONS

- 4.47 The Department acknowledges the general importance of facilitating the maintenance and development of relationships between prisoners and their families (or significant others). This is done through the allowance of regular social visits, telephone contact and written contact, the general practice of not removing a prisoner's entitlement to visits without very good reason, and the use of extra visits such as family days.
- 4.48 A women-centred philosophy towards imprisonment should go further than this, however, and recognise the different role that women generally play in the family, the multitude of roles that women often undertake within family units and the different definitions of 'family' that are often relevant for women. Women in prison are frequently the sole caregiver to children, not only their own.
- 4.49 Given that the histories of many women prisoners include being the victims of abuse (as adults and/or children) and separation from their own parents in childhood,<sup>32</sup> and that around half of the women in custody are Aboriginal and therefore have a different cultural understanding of family, the Department should formulate and implement its policy and procedures around visits to ensure these factors are taken into account. Because of these complex histories and experiences, women often form close bonds with individuals outside their traditional family units, and consider those with whom they have chosen to develop these close bonds their 'real' family.

#### GENERAL SOCIAL VISITS

- 4.50 The inspection found that Bandyup went some way to recognising the different roles and needs of women in maintaining family relationships, but not to the extent that would be expected within the context of a women-centred philosophy. Access to general social visits for prisoners at Bandyup was identical to those found in most maximum- or medium-security facilities in Western Australia. The general provision for the number and duration of visits permitted each week for sentenced and remand prisoners conformed to the standard permitted by the Department.

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32 Department of Justice, Community and Juvenile Justice Division, *Profile of Women in Prison* (2002) contains statistics to support these statements.

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- 4.51 The atmosphere and attitude of the visits sessions were generally very relaxed and staff were respectful of visitors. Some recognition of the role of prisoners as mothers was evident in the fact that at each individual visit up to three adults and three children could attend, and up to five children could participate in a single visit if all of the children were the prisoner's 'own'. However, this fails to recognise children that the prisoner may consider to be her own (by the fact she has raised them) but who are not biologically or legally hers.
- 4.52 Women were permitted to hug their children on arrival and hold them during visits, but the prisoners reported that this sometimes depended on which officers were supervising. As a maximum-security facility, a balance between security and the fostering of family relationships must be struck, but it is unreasonable to expect a child not to want to be physically close to its mother and for a mother to be able to maintain strong bonds with children with only very limited physical contact. The management stated that it expected staff to allow reasonable contact between mothers and their children. This expectation should be better communicated to ensure a consistent approach.
- 4.53 Both the 2002 and 2005 inspection reports commented on the inadequacy of the visits facility and, in particular, on its lack of appropriateness for visits with children. Descriptions from the reports included that the visits facility was 'small and sterile', 'not at all child friendly', 'oppressive' and 'cramped'. Unfortunately little had changed in the intervening three years.
- 4.54 The visits area could only accommodate 14 visits at each session and this resulted in a cramped and noisy environment. Despite efforts to separate visits that include children from those that do not, space limitations meant that these groups inevitably became mixed and annoyance sometimes results at the disruption and noise children can create. Comments from prisoners and visitors, as well as direct observation during the inspection, indicated that the furniture in the centre is uncomfortable and awkward to use. There was very little ability to cater for a play area for children and there is no outside visits area or play area. Again, this is a poor operational reflection of the women-centred philosophy for custodial management.
- 4.55 The inadequacy of the facility has long been acknowledged by the Department.<sup>33</sup> A new visits centre has been on the Department's agenda for some years and was originally planned for inclusion in the current series of works incorporating the gatehouse and accommodation units. At the time of the last inspection the Inspectorate was assured that visits were a priority for the project but the report stated it was not entirely convinced of this.<sup>34</sup>
- 4.56 Prioritising after funding restrictions meant that a new visits facility was dropped off scope from the current project, and relegated to an unfunded 'stage three'. This inspection found, therefore, that there had been inadequate action in relation to recommendation 7 of the previous inspection report relating to the prioritising of a new visits facility at Bandyup. The Department says it anticipates funding to commence stage three in 2010–2011.

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33 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006) [2.129].

34 *Ibid.*, [2.130].

*Recommendation 9:*

*That a replacement family visits centre with enhanced capacity, security, amenity, an outdoor area, interview facilities and a more child-friendly design be funded as a high priority.*

- 4.57 Outcare continued to provide very supportive services to families of prisoners through their external visitors centre. The staff at the centre guided new visitors through the process of applying for visitors' identification and answered questions about the process of visits once inside. A childcare worker was also available to care for children within the centre.
- 4.58 A women-centred philosophy should dictate that contact between women and their children be at the forefront in decision-making regarding the authorisation of visits by staff and the officers in charge of the prison during visits sessions. Except for very good reasons, any discretion surrounding permission for visits should be exercised in favour of a child visiting its mother.
- 4.59 Whilst on site, Inspectorate staff witnessed an incident in which discretion was not exercised in this way. A woman had travelled from a town about three hours from Perth to visit her sister and had originally booked to bring her own son with her. He fell ill that morning and so the woman opted to take the prisoner's 14 year-old daughter with her instead. She had tried to ring the prison to change her booking but calls were not answered and she had not wanted to use the 'emergency' number provided as she did not think this qualified as an emergency. Upon arrival, Outcare contacted staff inside the prison, who denied the child access to a visit with her mother. The child was understandably extremely upset and angry.
- 4.60 The general rule is that all visits must be booked in advance for organisational and security reasons. In this case, the child was not taking up an additional place and from a security perspective there was no identified risk. The discretion of the SO in charge was exercised to deny the visit based on the fact the child was old enough (at 14) to stay in the car outside by herself. This is not acceptable. The facilitation of a visit between a child and its mother, especially given the child had travelled some distance, had only seen the mother once since her incarceration and had not previously tried to visit without a booking was also relevant. Above all, the lack of application of the women-centred philosophy was disappointing. Management should make it known to staff that there is an expectation that such discretion should be exercised in the favour of the child and visiting mother.

## PHOTOGRAPHS

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*While goodwill and consideration was evident on the part of prison management and most staff, Aboriginal prisoners at Bandyup still expressed a sense of alienation. While some consultation had been undertaken in the development of a new cultural meeting place, prisoners stated that it was not recognised or used by Aboriginal prisoners as a meeting place at all and did not enhance identity or community among Aboriginals [5.28].*



*Facilities for professional service providers, such as external counsellors and lawyers, were of concern, especially the lack of appropriate program space and interview rooms. The most obvious example were the use of transportable dongas as official interview rooms in front of the prison. These were described as ‘hot, crude and very rough’ and provided no sheltered waiting area for prisoners and compromised privacy [2.27].*

## PHOTOGRAPHS

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*The old gatehouse facility created a number of obstacles to the implementation of some security measures within the prison, not least the fact that the perimeter had to be breached before staff could confirm the identity of visitors and their purpose for being at the prison. It also prevented the searching of staff and service providers entering and departing the prison, a breach of the Department's own policies. These should all be remedied when the new gatehouse becomes operational [3.17].*



*Significant advances had been made in meeting the needs of prisoners as mothers. This included improvement within the nursery, the engagement of Ngala on site daily and the appointment of an officer to a nursery portfolio. Inevitably, demand for day visits with children outstrips ability to supply, but the facility provided to prisoners for this purpose had improved since the last inspection ([5.17]-[5.23]).*

## PHOTOGRAPHS

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*Bandyup had struggled over the years to obtain necessary funding for building maintenance and equipment. Our Environmental Health Inspection found a number of areas of concern including lack of general maintenance schedules; water damage to numerous ceilings; cracked tiles, mould and dirt in ablutions facilities; dusty and rusty vents; and mould build up on external walls [2.28].*



*The community hall is where most of the prison's recreation program occurs, and was a particularly successful aspect of the prison. The structured day and new gratuity model have encouraged greater participation in recreation by rewarding prisoners for taking part in community programs and physical activities [4.37].*

## PHOTOGRAPHS

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*An urgently needed new visits centre has been a constant casualty of funding shortfalls in infrastructure projects. The previous two inspections of Bandyup have both recommended new facilities, in particular due to its inappropriateness for visits with children.*



*The visits area could only accommodate 14 visits per session, which results in a cramped and noisy environment. Despite efforts to separate visits that include children from those that do not, space limitations meant that these groups inevitably became mixed. There was very little ability to cater for a play area for children and there is no outside visits area or play area ([4.50]-[4.60]).*

# Chapter 5

## LOOKING OUT FOR DIVERSE GROUPS

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### WOMEN ON REMAND

- 5.1 Bandyup is the only maximum-security metropolitan women's prison, and women on remand are not separated from sentenced women, notwithstanding international human rights covenants to which Australia is a signatory.<sup>35</sup> Nor are there many aspects of their treatment which are distinctive, barring access to daily visits, a right which had to be reduced to three visits per week when the centre was severely overcrowded during part of 2007.
- 5.2 More positively, it means that women on remand can access most structured-day activities, work placements, education, accommodation placements and other services available in the centre. The fact that women on remand longer than a few days are assessed for their security rating means they can potentially even be transferred to Boronia Pre-Release Centre, especially important if they have young children.
- 5.3 Remand women are especially dependent on particular services including reception, orientation, external communication, bail support, family visits, official visits, counselling support, welfare support, court escorts, court video links and the legal library. Some of these work well for women on remand and others not so well.
- 5.4 We have already discussed that while reception functions well, women cannot normally access a phone-call from there. Once placed in the orientation unit, it can take some days to get phone numbers approved for contact with family and friends. During this time remandees are dependent on officers for all calls; however, staff are often very busy and some women may not be assertive enough to seek telephone calls, while others may still be coming to terms with their new environment. There was evidence that some women could not contact anyone in their family for some days after reception. Orientation for remandees is sometimes overlooked or shortened due to an initial short remand, or for a repeat admission.
- 5.5 Like many other newly arrived prisoners, remand prisoners often needed to make calls to organise their bail or defence and sort out personal issues. It fell to wing officers to attempt to address these fundamental welfare needs, but it often proved impossible for women to access the calls they need. Again, these calls have to be made by officers, who would either do all the speaking on behalf of the prisoner or pass on messages.
- 5.6 Welfare issues may be raised by new prisoners variously to reception staff, orientation officers, other wing officers, assessment officers, Prisoner Counselling Service staff or Prisoner Support Officers, but there were no systematic processes for recording or addressing such issues and any assistance provided was essentially ad hoc. Nor had newly established case management systems been extended to women on remand, regardless of how long their stay may be.
- 5.7 In 2007–2008 RUAH was funded under the Re-Entry Link program to provide support to women on remand. The RUAH worker provides personal support, assistance in sorting out the prisoner's personal affairs and in engaging with services they may need to assist in resettling back into the community. As such, it provides an essential complement to inadequate welfare support available from prison staff.

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35 United Nations, International Covenant on Civil and Political Rights, Article 10(2)(a).



- 5.8 The establishment in 2007 of a bail coordinator for women, based at the Central Law Courts, was an excellent initiative that appeared to be working to prevent many unnecessary admissions to Bandyup and to have assisted in helping more women received at the prison give effect to their bail at an early stage.
- 5.9 Self-represented prisoners and appellants at Bandyup were not well served by the legal resources available in the library. Resources were limited to two small shelves containing outdated legal textbooks, legal dictionaries, information kits provided by Legal Aid and copies of just three Acts: the *Prisons Act 1981*, *Prison Regulations 1982* and *Sentencing Act 1995*. Absent from this were the *Criminal Code 1913* and the *Sentence Administration Act 2003*, both of which are required to be made available according to Policy Directive 21 (PD 21). There was no access to the considerable body of caselaw required to undertake any serious legal activity, today mostly available only through on-line subscription services.
- 5.10 PD 21 allows for self-represented prisoners to request legal materials including case law from the Appellant Librarian at Casuarina, a service often utilised in male prisons but never at Bandyup. This service depends on the prisoner knowing exactly what to ask for, almost certainly impossible for a person at Bandyup. This policy directive was unknown to the recreation officer who staffed the library, and by prisoner workers stationed there. This suggested that a woman seeking to run her own defence or appeal would simply be unable to do so, and indeed one woman told us she had tried but found it far too difficult.
- 5.11 While women at Bandyup rarely consult the legal library, it is incumbent on the Department to ensure that sufficient resources are available at Bandyup to make it possible for those who so choose. It is recognised that a level of expertise has developed among those staffing libraries at Hakea and Casuarina and this expertise should also be made available at Bandyup, whether by regular visits by experienced library staff or by a direct inquiry line. It is essential that Bandyup provides access to the legal resources required by women researching their own cases and basic assistance to enable them to use these resources effectively.

*Recommendation 10:*

*That the Department ensure that self-represented remandees and appellants at Bandyup Women's Prison have equitable access to hard-copy and online legal resources and basic assistance in researching their cases or appeals.*

- 5.12 Remand prisoners at Bandyup complained that they were unable to access the same level of health services as others in prison. An example was given of a woman having to have a tooth extracted because fillings were not available for remandees. This form of discrimination, practised throughout the Western Australian prison system, has become increasingly untenable as lengths of remand have increased and prisoners are unable to access their usual medical care providers in the community.

*Recommendation 11:*

*That the Department remove discriminatory limitations in health care provision for prisoners on remand status.*

**VULNERABLE WOMEN**

- 5.13 Protection prisoners are held together with any ‘disturbed and vulnerable’ prisoners in part of the A Wing of Unit 1, which features a small courtyard with lawn and plants. While staff are located nearby, the area itself lacks an officer or observation post. Regimes of the prison are modified slightly to accommodate the protection prisoners and there is a concerted effort to reintegrate protection prisoners back into the mainstream population where possible. Numbers held in protection are typically small, with only two accommodated there during the inspection.
- 5.14 Protection prisoners have restricted access to activities and employment. If required, they are escorted daily to Jacaranda Park to use the walking track, beach volleyball area and gazebo; to the recreation centre each Saturday and Sunday for an hour to utilise the library, canteen, gym equipment, art room and visit the hairdresser; or to attend a community program chosen by the group on Friday morning. Of course, protection prisoners are always escorted when outside their unit.
- 5.15 Recreation staff can provide additional recreational activities within the unit and peer tutors conduct craft classes twice per week. An education officer attends the unit on a weekly basis to provide study material and make arrangements for any new students. Protection prisoners have their own daily visit times, and are also permitted to have child visits on Tuesdays and Thursdays during normal child visits times.
- 5.16 Consideration has been given to accommodating such vulnerable women in one of the existing self-care units after commissioning of the new 40-bed self-care unit, which would be a more pleasant and open environment. However, the question of officer observation and support would need careful consideration.

**PREGNANT WOMEN AND MOTHERS WITH INFANTS OR SMALL CHILDREN**

- 5.17 Previous inspection reports have been critical of the capacity and quality of Bandyup’s facilities for mothers caring for children. The capacity of the nursery was found to be unchanged in 2008, with only four rooms available for residential or overnight stays. While there was only one mother with baby at the time of the inspection, there had recently been occasions when pregnant women were faced with the possibility of not being able to keep custody of their newborns due to lack of capacity in the nursery. It was also found that overnight stays of children with their mothers had effectively ceased. A plan to accommodate mothers with babies in the soon-to-be commissioned self-care homes, will increase residential capacity, increase the quality of accommodation and allow the existing nursery to be used for children’s overnight stays.

- 5.18 Questions of capacity aside, there had been a marked improvement in the quality of the nursery and arrangements to support resident women and children, following major changes in nursery operation and resources. On this inspection we found that the nursery was clean, bright and well equipped. It presented a natural and stimulating home environment, which allowed mothers a greater degree of control over their living area.
- 5.19 Reforms relating to the nursery since the last inspection included:
- Engagement of *Ngala Early Parenting Centre* to provide support, information and instruction to mothers and advise centre management. A social worker attends the nursery daily and a child educator runs four sessions per week.
  - Creation of a *nursery portfolio* among the health centre nursing team to oversee health care services to mothers and babies.
  - Creation of a *pregnancy in prison portfolio* from the complement of uniformed officers. This was initially focussed on improving the nursery environment, but at the time of the inspection it included monthly meetings with residents and liaison with management regarding residents' needs.
- 5.20 Ngala's involvement extended to any prisoners needing information, advice and support in relation to parenting issues. A parenting course for interested prisoners had been provided on a trial basis, and will be offered three times per year, alternating with a protective behaviours course. The social worker also liaises with the Department of Child Protection (DCP) in relation to mothers with issues regarding care or contact with their children and in planning for release.
- 5.21 Women are invited to disclose their pregnancy status to health staff on admission. Pregnant women are placed on a register for health care, with notifications to the kitchen and movements.<sup>36</sup> The health centre provides an excellent and well-received guide to all pregnant women: *Pregnancy Care at Bandyup Women's Prison*.<sup>37</sup> Care is provided collaboratively with King Edward Memorial Hospital and Derbal Yerrigan Health Service. In a routine pregnancy, much antenatal care is provided on site, obviating issues relating to transport, but certain external appointments are inevitable. Serious concerns about transport to external medical appointments are discussed in an earlier chapter of this report
- 5.22 The progress of each pregnant woman is discussed in a monthly meeting involving the Superintendent, ASPM, Nurse Manager, Ngala Social Worker, Nursery Portfolio Nurse and the Pregnant Prisoner Portfolio Officer. This important initiative ensures that the needs of the prisoner are met holistically and coherently.
- 5.23 The Pregnant Prisoner Portfolio Officer was appointed in 2006 to provide support to prisoners in the nursery and to act as a means of educating other officers about the needs and importance of the nursery within a women's prison. The inaugural portfolio holder continued to hold the position at the time of the inspection, despite having been seconded to a head office position. This had been in part because of her dedication to the role, but also because there had been no success in attracting another officer to the role.

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36 The question of diet is discussed above in the section on Food and Nutrition.

37 Bandyup Women's Prison, *Pregnancy Care at Bandyup Women's Prison* (November 2006).

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ABORIGINAL WOMEN<sup>38</sup>

- 5.24 At the time of the inspection about 42 per cent of Bandyup prisoners were Aboriginal; while most were from Perth and the South-West, there were groups from every region of Western Australia. A number of recommendations made following the 2005 inspection touched on the management of Aboriginal prisoners, including the need for increased cultural awareness and anti-racism staff training, recruitment of Aboriginal staff, addressing the gap in culturally appropriate services including diet, health, increased access to the cultural meeting place and increased representation of Aboriginal women in the Drug Free Unit.<sup>39</sup>
- 5.25 In responding to these recommendations, and in line with Recommendation 87 of the 2005 Mahoney Inquiry,<sup>40</sup> Bandyup had established an Indigenous Services Committee, chaired by the Assistant Superintendent Operations. However, this committee was still quite new and only met every two months, so it was not yet clear what its plans and priorities would be. Cross-cultural training for operational staff was conducted at Bandyup in November 2006 and had been included in new recruit training since then, but there was no plan for further staff training in this regard.
- 5.26 While goodwill and consideration was evident on the part of prison management and most staff, Aboriginal prisoners at Bandyup still expressed a sense of alienation. While we were told that Aboriginal elders attended the prison to conduct ceremonies, yarn with the women and assist the prison in the development of a new cultural meeting place and cultural awareness, we found that these visits had been rare and were confined to individuals of standing only within sections of the Aboriginal community, for example, those strongly associated with particular church or family groups.
- 5.27 Like the chaplains, Aboriginal elders from various areas and families should be regularly involved in the life of the prison, not just brought in on an occasional basis. Sorry time, after a loved one has passed away, is a time when elders and family are especially needed. Prisoners from regional areas in particular would benefit from cultural visitors from their own regions. As a very high proportion of Aboriginal women prisoners have a history of family violence and abuse, it was emphasised that visiting elders have awareness of such issues and the need for recovery and healing.
- 5.28 The Aboriginal meeting place in Jacaranda Park was developed to replace the one demolished while building the new gatehouse, but merely comprised of some Aboriginal art set into the narrow terraces, without adequate seating, space, shade, fireplace or privacy. It was not recognised or used by Aboriginal prisoners as a meeting place at all and certainly did not enhance identity or community among Aboriginals.

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38 The Acting Inspector acknowledges the contribution of expert inspector Ms Hannah McGlade in the examination of the issues facing Aboriginal women at Bandyup Women's Prison.

39 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006), Recommendations 4, 29, 25 and 26.

40 Mahoney, DL, *Inquiry into the Management of Offenders in Custody and in the Community* (Government of Western Australia, Perth, 2005).

## LOOKING OUT FOR DIVERSE GROUPS

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- 5.29 Aboriginal prisoners were keen to see Noongar language instruction reintroduced to the prison; it was introduced at one stage but only lasted a couple of weeks as the teacher was unable to continue. The comment below from the Aboriginal education worker is especially poignant in this regard. The education centre had commenced an art, storytelling and healing program, an important cultural and educational program that incorporated a limited language component.

*If a lot of the girls were to learn their own language I think their lives would change.*

- 5.30 The lack of access to traditional Aboriginal food was raised consistently throughout the inspection. The women wanted kangaroo meat and damper on a regular basis, not just in the annual NAIDOC week; even then it was said that a non-Aboriginal person was brought into the prison to prepare it. Management said the prison had a policy of providing bush tucker on prisoner request, but neither staff (including the Aboriginal Prisoner Support Officers and cook instructor) nor prisoners were aware of this and nor was it mentioned in orientation materials.
- 5.31 There were also complaints about the lack of Aboriginal counsellors. While some were comfortable talking with Prison Counselling Services and other counsellors, others clearly were not. Bandyup should explore engaging Aboriginal counsellors from the Yorgum, Dumbartung, or the Bringing Them Home counselling services for these women.
- 5.32 The lack of Aboriginal health staff generally was likewise a barrier for some of the women, who expressed difficulty in communicating their needs to non-Aboriginal staff. The Inspectorate has long recommended that Prison Health Services employ Aboriginal health workers and other health professionals; there would be few health facilities in communities with significant Aboriginal populations today without such staffing. There may also be opportunities in partnerships with external Aboriginal health agencies such as the Aboriginal Alcohol and Drug Service and Derbal Yerrigan Health Services. In this respect, the recent conclusion of a Memorandum of Understanding with Derbal Yerrigan to provide culturally appropriate antenatal health care to pregnant women was a welcome reform.
- 5.33 A lack of Aboriginal staffing generally at Bandyup was a major concern to Aboriginal women. The only Aboriginal female prison officer was away on maternity leave, and the only Aboriginal male officer was engaged in a security capacity. The recommendation relating to Aboriginal staff recruitment following the last inspection clearly had not been adequately progressed. Aboriginal prisoners considered they were therefore reliant on Prison Support Officers and AVS for support. The part-time Aboriginal education worker was also a valuable resource to women involved in education.
- 5.34 Some Aboriginal women said they felt that custodial staff were unsympathetic. Women from the Kimberley region alleged that custodial officers had reacted negatively to the women using their own language when talking amongst themselves and told them to speak English. The women were quite offended by this. They thought that officers were more tolerant of prisoners from ethnic backgrounds using their own languages.

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*What are you talking about? You're talking about us... speak English!*

- 5.35 Some Aboriginal women complained that the lack of Aboriginals resident in self-care was discriminatory, saying: 'we want to go to self-care too'. There was only two Aboriginal women in self-care at the time of the inspection; this was partly explained by the smaller proportion of Aboriginal women who had longer sentences, but it was also claimed they were excluded due to their behavioural record.<sup>41</sup> The prisoners believe it is essential that there be a group of Aboriginal women there together to resist the complaints they say non-Aboriginal women make about them.
- 5.36 Aboriginal women expressed frustration at the rules surrounding family visits, in which a maximum of four visitors was allowed. This excluded whole of family visits and was especially troubling during times of bereavement, although there were instances in which the prison did make exceptions at such a time. Many children were in the care of the Department of Child Protection and therefore a worker was required to bring the children in to visit their mothers. Some women had missed out on visits with children for months due to apparent lack of worker availability.
- 5.37 Aboriginal women from remote regions said that they were only rarely allowed to return to prisons in their home regions for visits, and that there was little time to actually see family before having to return south on the road transport. Phone calls at STD rates were prohibitively expensive and discouraged contact. Little effort was made to promote use of the videoconference facility for family visits. It was also difficult for families to drive into centres where calls could be received at the other end.
- 5.38 On the positive side, Bandyup had recently created two positions for Aboriginal women in the canteen, creating an excellent work and training opportunity and improving customer service for Aboriginal prisoners. Education also impressed as able to engage significant numbers of Aboriginal students with some 55 women enrolled in 15 courses, supported by a part-time Aboriginal education worker.
- 5.39 The prison's administration were sympathetic to the distinct needs of Aboriginal women and staff in general treated all women decently, but the Inspection identified areas where new lines of communication, attitudes and culturally appropriate services needed further development. Indigenous cultural awareness training should continue for all staff, not just recruits, and renewed efforts should be made to recruit Aboriginal officers.
- 5.40 Indigenous issues and needs are appropriately highlighted in (mainly draft) policy documents such as the overarching *Women's Way Forward, Women's Intervention Model, Strategic Directions: Health Care for Women and Girls* and part six of the Bandyup Women's Prison Service Level Agreement, but the test of success will lie in the implementation of such policies. The Indigenous Services Committee should be a key vehicle for this and needs to increase its activity level.

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41 As discussed below, there was also a small number of Aboriginal prisoners in the Drug Free Unit for similar reasons.

- 5.41 The Inspectorate strongly emphasises the need for Aboriginal people to be represented in senior management to champion cultural change in custodial facilities to better meet the needs of Aboriginal prisoners, and it is clear that this is very much required at Bandyup Women's Prison. This requirement has been formalised as one of a set of standards pertaining to the custodial management of Aboriginal prisoners, which are commended for attention by Bandyup prison authorities and more generally for the women's custodial estate in Western Australia.<sup>42</sup>

*Recommendation 12:*

*That a senior Aboriginal management position be established at Bandyup Women's Prison to facilitate cultural change in the centre and develop services to better meet the needs of Aboriginal women prisoners.*

**WOMEN IN RELATIONSHIPS**

- 5.42 Issues relating to consensual relations among women in prison on the one hand, and sexual aggression by some on the other, have been long recognised in literature and in relation to Bandyup Women's Prison. A former Bandyup manager wrote in a conference paper in 2000 that:

From my experiences as a manager of women in prison, I consider that homosexual relationships that develop behind bars can pose a number of significant issues for management. That is, the health issues, predatory behaviour, jealousy, co-dependency and sexual activities that occur ... Even more of a dilemma for management is the many different ways in which staff respond to overt demonstrations of intimacy arising from these relationships.<sup>43</sup>

- 5.43 The matter also arose forcefully in our 2002 inspection of Bandyup, when it was found that 'the prison appears to have done little or nothing to address it [sexual predation] and protect the victims'.<sup>44</sup> It recommended the prison develop 'codes of conduct and adopt disciplinary responses that identify and sanction offenders' engaging in sexual predation and aggression.<sup>45</sup> However, it was noted that 'this particular problem is not addressed by increasing vigilance over consensual sexual behaviour'.<sup>46</sup>
- 5.44 The prison has subsequently put in place educative measures to reduce bullying and other aggressive behaviours and has responded robustly to instances of sexual aggression when they have come to light. Victims are appropriately given the opportunity to make a complaint to the Western Australia Police about such crimes. Women had been held in the Management Unit for an extended period due to their alleged participation in such predatory behaviour.

42 OICS, *Inspection Standards for Aboriginal Prisoners* (Version 1, July 2008).

43 Bennett, Lyn, *Managing Sexual Relationships in a Female Prison*, paper presented at the Women in Corrections: Staff and Clients Conference convened by the Australian Institute of Criminology in conjunction with the Department for Correctional Services SA, Adelaide, 31 October – 1 November 2000, 2.

44 OICS, *Report of an Announced Inspection of Bandyup Women's Prison – June 2002*, Report No. 13 (March 2003) 100.

45 *Ibid.*, Recommendation 7, 106.

46 *Ibid.*, 100.

## LOOKING OUT FOR DIVERSE GROUPS

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- 5.45 The issue arose in the present inspection because women involved in consensual relations believed staff managed them inconsistently. Holding hands, kissing or cuddling was tolerated for some prisoners by some staff, but not for others by other staff. Some were allowed to live in the same wings or even to share cells, a privilege denied to others. It was claimed that homophobia by certain staff led to any behaviours of lesbian women being unfairly construed as resulting from their relationship or their sexual preference. Conflict with other women, for example, was interpreted as jealousy or predatory behaviour.
- 5.46 Staff themselves acknowledged this was a difficult area to manage and that they lacked clear guidance or rules. The availability of both condoms and dental dams in the prison at least recognised the reality of sexual contact among prisoners, and an acceptance of the need to minimise health risks in this regard.
- 5.47 Women in relationships accepted there had to be limits on how their relationship could be expressed in prison, for example, it was not contended they should be allowed to share cells. However, they believed there were certain rights they should be allowed to assert, at least in the case of long-term partners. For example, they would like to be able to have joint visits with family members, who accept their relationship and know both partners, something which would seem eminently reasonable.
- 5.48 In developing appropriate rules or guidelines for application at Bandyup, and potentially at other prisons, the Department would have much to gain by consulting both custodial staff and relevant prisoners. To ensure sensitive and consistent application of new rules and guidelines, staff will need support and training to better understand the issues involved and recognise and manage their own thoughts and feelings about homosexual behaviours in prison.

### *Recommendation 13:*

*That Women's Corrective Services develop rules and guidelines to facilitate a clear and consistent response to prisoners in relationships and others exploring or engaging in sexual behaviours.*



# Chapter 6

## PREPARING FOR LIFE IN THE COMMUNITY

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### ASSESSMENT AND CASE MANAGEMENT

- 6.1 Prisoner assessments should ascertain the particular needs and risks associated with each person, which should determine their security classification, their potential accommodation placements and how their offending issues and other needs should best be addressed. Done properly, assessments should provide an essential indicator for prison management on regimes, programs and services that must be provided. Case management is the administration and review of management plans for each individual throughout their stay, including security classifications, placements, interventions, release preparation and other identified issues. Ideally, each prisoner should be allocated a case manager, who should explain, consult and support the prisoner at each stage of the prisoner management and release process.
- 6.2 In the Western Australian prison system, after a Management and Placement (MAP) assessment on entry to determine the prisoner's initial security rating and placement, a full Individual Management Plan (IMP) is prepared for sentenced prisoners with an effective custodial period over six months. Formal reviews are undertaken six-monthly or annually depending on the length of their time in custody. Parole reports are prepared for those requiring consideration by the Prisoner's Review Board.
- 6.3 This system at Bandyup was found to be in disarray during our inspection in 2005, with only one third of those requiring an IMP completed and no system of case management. This reflected insufficient resources for report writing, program assessments and case management. Prisoners were effectively denied programs and other services which they needed. It was recommended that the Department urgently resource this area.<sup>47</sup>
- 6.4 Resource deficiencies had been remedied in the intervening period with the establishment of an extra report writer position and full-time program assessor. This meant that assessments in 2008 were found to be on track, with MAPs (including for remand prisoners) and IMPs being completed in a timely manner and reviews also undertaken as required. The assessments team impressed as professional and stable, despite the incumbent Manager Assessments having acted in another role for much of the intervening period. Ironically, while program assessments were now being consistently completed, offender programs had significantly contracted, and prisoners were being assessed as needing programs that were no longer available.
- 6.5 Long moribund in most Western Australian prisons, case management was revitalised following recommendations in the Mahoney Inquiry, by the creation of Level 6 Case Management Coordinator positions in most prisons, including Bandyup.<sup>48</sup> The position was established in early 2007 and filled substantively in December 2007. However, the Department's official case management system takes a minimalist approach likely to add little value to management or support of prisoners. To start with, only prisoners with IMPs are case managed. Prison officers are allocated to prisoners and expected to meet with the prisoner just once in every six months in the case of medium-term prisoners, or once per year in the case of longer-term

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47 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006) Recommendation 10, 58.

48 Mahoney, DL, *Inquiry into the Management of Offenders in Custody and in the Community* (Government of Western Australia, Perth, 2005).

prisoners, halfway between IMP reviews. The scope was restricted to sentence management, meaning checking on progress of the IMPs; there is no expectation that officers will touch on other needs or issues in the life of the prisoner.

- 6.6 This form of case management had effectively been established at Bandyup, with officers duly allocated to prisoners and trained for their role. Meetings with prisoners were occurring and being logged on to the TOMS/AIPR electronic system. However, to date, it was hard to see the point of these activities. Few women were able to recall who their case manager was or whether they had had an interview with that person. Some who remembered their interview found it pointless as the officer seemed unclear what it was all about and unable to answer any questions, while others were happy to have the opportunity to talk with someone about their situation.
- 6.7 So far, case management at Bandyup appeared to be a lost opportunity. The heart of effective case management and indeed of women-centred custodial practice is a supportive and professional relationship between the case manager and prisoner. It should also be holistic, in the sense that any areas of concern can be expressed, acknowledged, and addressed where appropriate and practical. This may include what may be called welfare issues, relationship issues, health issues, mental health issues and re-entry planning. It should not be restricted only to sentence management.
- 6.8 The Coordinator Case Management appreciated there were difficulties with the current model and hoped to make changes if permitted by local management and head office, not least to build release planning into the process. It was also acknowledged that engaging so many officers as case managers with infrequent prisoner contact meant it was difficult to maintain any real knowledge of a prisoner, especially if working away from their unit. It is also difficult to build and maintain a sufficient level of expertise in case management. A smaller pool of staff, each with a number of allocated prisoners, would develop better knowledge and skills and provide a good base to draw on future assessment staff.
- 6.9 There also appeared a significant structural issue with the implementation of case management at Bandyup, with the assessment and case management areas each having separate managers. This is an unnatural separation, particularly in such a relatively small prison. The case management system on the existing model clearly did not require a full-time senior manager, and the incumbent was being given unrelated duties on an ad hoc basis to extend his responsibilities.
- 6.10 A Transition Manager was due to be appointed for Bandyup Women's Prison, as part of a new departmental initiative. This position would answer initially to a coordinator at head office. Care should be taken to ensure that this role is closely integrated with assessment and case management systems at Bandyup.

## REHABILITATIVE PROGRAMS

- 6.11 Offender programs have long been recognised as an important component of prisoner rehabilitation. However, as with other prisons inspected in the current round, offender programs at Bandyup were generally at a low point, with only the Moving on from Dependency alcohol and other drug program (MOFD) and the Think First Cognitive Skills program occurring on

a somewhat regular basis. No longer offered at Bandyup was the Legal and Social Awareness (LASA) program (targeted at offenders with recognised or borderline cognitive impairment), the Female Group program (an alcohol and other drug program which engaged motivated Aboriginal women), the Women's Anger Management program or the NASAS Alcohol and Substance Use Program (also for Aboriginal Women).<sup>49</sup>

- 6.12 No real progress had been made on Reconnections since it was trialled at Bandyup in late 2005 and shortly thereafter at Boronia. This was the 'Women-Centred Program' trumpeted as the Department's response to criticism by this office and others that most programs were all essentially parts of programs designed for male offenders. Continued development of Reconnections faltered partly because planned external evaluation had not occurred.<sup>50</sup> Offender Services had failed to provide any dedicated resources to support continued development not only of Reconnections, but also more generally of the Women's Intervention Model.
- 6.13 A lack of continuity in the position of the Manager Offender Services (a position with responsibility for Bandyup, Boronia and the women's estate generally) had been a significant factor in the collapse of programs at Bandyup, as had the lack of programs officers dedicated by head office to the development and delivery of programs for women. The Manager Offender Services who was present during the inspection had only acted in the position for a short time and was only allowed to continue there for another few weeks before being transferred back to Offender Services at head office. Nevertheless, she hoped to complete development of the Reconnections program.
- 6.14 Both MOFD and Think First are fine programs, and women spoken to for the most part were full of praise for the difference these programs had made in their lives so far. Particularly interesting was an Aboriginal woman from a remote area who had participated in MOFD. She was glad there were a couple of other Aboriginal women in the group. She said it took some weeks before she was able to involve herself in the discussion, but it really helped her and she said it was 'a source of hope' for her.
- 6.15 Interestingly, Think First continues to be funded and supported not through Offender Services, but through the Adult Custodial section of the Department. It is delivered at Bandyup by a custodial officer, working alone. While others had previously been trained to run this program, their skills were not current, and it was quite concerning that no one else was trained. It was also unfortunate that the Department hadn't extended this program to more women at Bandyup, including through versions adapted at other prisons for remandees and Aboriginal prisoners.
- 6.16 Another program that was operating effectively during our previous inspection in 2005 was the Brief Intervention Services program, a 10-hour program provided over two weeks with Perth Women's Centre Inc (PWC). This was subsequently cancelled, but at the time of the

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49 The Women's Anger Management program had previously been run in house by Offender Services program staff, but in face of falling program staff numbers, was run once in 2007 on a trial basis by Relationships Australia. While this was successful, there has been no decision to continue this program. NASAS initially fell away due to internal issues and has since re-established as the Aboriginal Alcohol and Drug Service.

50 Although a brief evaluation by programs staff based on feedback from participants indicated that the trials were quite successful.

present inspection a new contract with PWC had been funded through Adult Custodial, for an extended 10-week program. While the program continues to target short-term sentenced prisoners and remandees, few of the latter are likely to be included due to the length of the program. Indeed only four BIS programs will operate each year, engaging far fewer women than before. A few extra women, unsuitable for the group components, can be included in the art therapy component.

- 6.17 Another key initiative in 2007 was a pilot Family Violence Program initiated and facilitated by certain Bandyup staff in conjunction with coordinators from women's support agencies in the community. Four such programs were completed in 2007, two had begun at the time of the inspection and three more were planned for 2008. The program was well supported by management, other staff in the prison and prisoners and initial funding was from the elder's program. It is hoped to secure continued funding either through Adult Custodial or Offender Services.
- 6.18 It should also be noted that aspects of several of the community programs provided as part of the structured day, could be said to be therapeutic, and that various other external agencies provide rehabilitative programs, counselling or other support to women, especially as they neared release (see below). Thus, as Offender Services have increasingly failed to sustain and develop rehabilitative programs for women, custodial staff and external agencies have stepped up and attempted to fill the gap.
- 6.19 Nonetheless, while many of these programs and activities were considered worthwhile, few had any foundation in evidence-based program practice as being rehabilitative for their participants. In the absence of specific programs to reduce their risk of reoffending, the Prisoner's Review Board have simply had to take into account any rehabilitative activities, programs or supports a woman has had the opportunity to undertake during her imprisonment. This is a less than ideal situation.

*Recommendation 14:*

*That the Department dedicate particular resources to the development, review and maintenance of the Women's Intervention Model, including programs designed to address offending behaviours as part of their rehabilitation.*

#### ALCOHOL AND OTHER DRUG SERVICES<sup>51</sup>

- 6.20 As noted previously, the majority of women prisoners acknowledge a problematic history of alcohol or other drug use. Of 70 prisoners with IMPs, 33 were assessed as having addiction-related offending; of these, 29 prisoners were assessed as having high needs. The highest level of program intervention is Moving on from Dependency (MOFD), but due to limited availability, only 12 of the 29 high needs prisoners could be booked for the program before their parole dates. In the end, less than half of case-managed prisoners could access the only evidence-based program designed to substantively reduce their level of risk of reoffending.

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51 The Acting Inspector would like to acknowledge the contribution of Ms Dace Tomsons of the Drug and Alcohol Office for her contribution as an expert inspector in this area.

- 6.21 Some of the others would gain a benefit from participation in the aforementioned Think First Cognitive Skills or the Brief Intervention Services programs, but due to low numbers of available places, many would miss these as well. Other programs have been offered on occasions. For example, the pharmacotherapy (PAST) nurse took the initiative to run an alcohol and drug issues workshop. Education services also ran a one-off drug awareness program.
- 6.22 However, the only real alternative for many women are counsellors from external alcohol and other drug services that regularly visit the prison, including Holyoake, Cyrenian House and the Perth Women's Centre. Such counsellors typically engage with prisoners two to three months prior to release and provide an essential support after release. It was observed that women participating in Case Conference were encouraged to sign up to such programs as this would be regarded favourably by the Prisoners Review Board if unable to participate in a drug or alcohol program.<sup>52</sup>
- 6.23 Like certain other prisons, Bandyup offers placement in a Drug Free Unit (DFU), which offers privileges to women choosing to live without abusing substances. A drug use history was not a prerequisite to eligibility for the DFU. It was also positive that people on methadone were eligible to be accommodated within the unit. The low number of Aboriginal prisoners using the unit was noted in the 2005 inspection, and it was recommended that strategies be implemented to increase their access to the unit.<sup>53</sup> With just seven Aboriginal prisoners in the unit at the time of the present inspection, there was little evidence that any real effort had been made to attract or retain more Aboriginal prisoners in the DFU.
- 6.24 A comprehensive review of prison DFUs by the Crime Research Centre was released in July 2007 and found that under-representation of Aboriginal people was common. In the case of Bandyup, this was because Aboriginal women mainly served short sentences, they preferred to stay in units with friends and family, they did not value self-care as an incentive and traditional women preferred cells that open to the outdoors.<sup>54</sup> Nevertheless, the application process for the DFU was found to be fair and people consulted generally believed that the level of drug use in the DFU was low.
- 6.25 Problems with the Bandyup DFU, as with others, included a lack of programs, a lack of training in alcohol and drug issues for staff working in the unit and a lack of adequate access to transitional support back into the community. Some of the women have very long drug use histories associated with few positive supports in the community, lack of employable skills, poor life skills and few material resources, including housing. These needs are acute and without appropriate transition support the chances of remaining drug free are very poor.

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52 Case Conference is the formal meeting at which a prisoner's IMP is discussed and finalised.

53 OICS, *Report of an Announced Inspection of Bandyup Women's Prison*, Report No. 36 (June 2006) Recommendation 26, 76.

54 Crime Research Centre, University of Western Australia, *Final Report: Outcome Evaluation of Drug Free Units for the Department of Corrective Services* (31 July 2007).

## EDUCATION

- 6.26 The Bandyup education centre was found to provide an excellent service to prisoners. We were informed that 249 students accessed the centre in 2007, 46 per cent of whom were Aboriginal. About 50 per cent of all prisoners were involved in some educational activity each month, including:
- **Adult education:** Inmates have access to a range of adult education options. The recreation centre offers non-accredited art and recreation activities which result in significant informal learning. The education centre extends this into interesting activities as part of accredited programs. There is also a strong adult literacy language and numeracy program.
  - **External education:** The education centre has a dedicated private study area which offers a model facility for students studying externally. Many of these students have to access learning materials downloaded from the internet. Special conditions were negotiated with centre management to allow the Prisoner Education Coordinator responsible for flexible learning to have a flash drive to use for this purpose. Eight computers are available for these students.
  - **Vocational training and traineeships:** At the time of the inspection, 84 students were listed as involved in vocation-specific training. Training is offered in the industry areas in conjunction with VSOs. There were also nine trainees in four different traineeships at Bandyup.
- 6.27 The education centre impressed in its capacity to evaluate its program delivery and make any necessary modifications. The centre contracted with a wide range of external providers to deliver different courses and in most cases the centre had selected organisations that offered good quality services. However, infrastructure limited the centre's capacity to engage more prisoners and diversify courses on offer. For example, while the need for a life-skills program for Aboriginal women had been identified, without a kitchen this cannot be provided. A dedicated art room and more computers to support adult education were also required.
- 6.28 The centre engages a part-time Aboriginal education worker which is an important support for Indigenous students. These students are often starting with much lower literacy levels: 42 per cent of Aboriginal students assessed at Bandyup were at sub-functional literacy levels (benchmark levels C and D), compared with 13 per cent of non-Aboriginal students. Their custodial stays are also shorter, which means that 38 per cent exit to freedom before completing their units, compared to 18 per cent for non-Aboriginal students and only 38 per cent end up completing their course, compared to 63 per cent for non-Aboriginals.
- 6.29 Two other matters were identified which require attention: firstly, the unsafe storage of chemicals in an internal room in the education centre without air exchange; and secondly, the cumbersome process of paying bills which affects students trying to access books and distracts Prisoner Education Coordinators from their educational role.

**THE BANDYUP STRUCTURED DAY AND GRATUITIES MODEL**

6.30 The structured day at Bandyup is a five-hour day, from 9.00 am to 11.30 am and then from 1.00 pm to 3.30 pm. The overall system comprises 14 sessions per week, two per day over a seven-day week. Women were not, however, required to work seven days per week. Rather the 'level of gratuity paid will be driven entirely by the prisoner making the effort to fill 10 of her 14 weekly sessions from the full range of activities on offer'.<sup>55</sup>

6.31 The activities available for women at Bandyup are diverse and include work, education, offending behaviour programs, community programs and recreation, as shown in the following table. Education, programs and industrial activities are found in other facilities but the community program is unique to the women's custodial estate and is a key operational element of the women-centred philosophy. It provides the women with opportunities for personal development, and is designed to reflect the interests of women in general in the community. The incentive for women at Bandyup to engage in community program activities is that participation in these is recognised within the gratuity system.

<b>Education</b>	<b>Programs</b>	<b>Community Program</b>	<b>Industries</b>
Certificate 1 in Information Technology	Think First (cognitive skills)	Get fit	Gardens
Introduction to General Education	RUAH (living skills program)	Painting	Kitchen
Certificate 1 in Business	HIP-HOP Program (health promotion)	Drawing	Laundry
Occupational Health and Safety	MOFD (drug and alcohol program)	Dynamic yoga	Skills workshop
New Opportunities for Women	Words of Peace (pastoral program)	Gentle yoga	Textiles
Maths for Living program	Ngala parenting	Papier mache	Cleaning party
Visual Art	Theraplay (domestic violence program)	Keeping fit	Maintenance
Traditional Indigenous Society	Holyoake (drug and alcohol program)	Animal art	Recreation/ Canteen
English for living	PAST (drug and alcohol program)	Meditation	Unit Cleaning
NOW Computing			
Certificate 2 in Business			
Creative Writing			

55 Bandyup Women's Prison, *Prisoner Gratuities* (January 2007).

- 6.32 The Bandyup structured day maximises personal choice and responsibility on the part of women prisoners, each having her own activity plan, distributed once a week on a Sunday.<sup>56</sup> Initial plans are developed by the Industries Officer after interviewing each person. They are waitlisted for employment or activity areas that are full, but many are able to be placed in their preferred choices. Remandees are included in the structured day and access most placements, except for programs reserved for women who are sentenced.
- 6.33 The inspection team looked closely at the question whether Aboriginal women or other groups were disadvantaged in their access to favourable structured day placements or positions attracting higher gratuity levels. While it is appropriately the case that longer-term prisoners who have proven themselves are placed in positions that require trust or decision-making responsibility, the prison had reserved two canteen positions for Aboriginal women. It was also found that Aboriginal women were represented across the six gratuity levels, including at the highest level, in proportion to their numbers at Bandyup.
- 6.34 The Acting Inspector in his exit debrief commented that the structured day at Bandyup Women's Prison was:
- structurally and operationally inclusive. Whenever we walk around the prison we always hear stories about some group of prisoners or another being advantaged or disadvantaged in terms of what activity they have been involved in, but we have looked into this very thoroughly and we think it is very balanced in terms of access and equity across the site and activities that the women are engaged in.
- 6.35 Unlike other public prisons, Bandyup pays gratuities on a weekly basis, based on attendance in activities during the previous week. The weekly payment system is more in keeping with community practices, requiring people to manage their resources across the week. Implementation of this model in February 2008 was well handled and included sessions on budgeting for prisoners. While there were initially some complaints, the system has since gained broad acceptance by staff and prisoners alike.

## INDUSTRIES AND EMPLOYMENT

- 6.36 Information provided before the inspection showed that 116 work placements were available for prisoners at Bandyup. This included 25 unit cleaning positions, a role requiring little time or effort. In concert with education and other areas under the structured day, prison management estimated that approximately 167 full-time work/activity placements were available.
- 6.37 At the time of the inspection the population count was around 150, significantly less than the peak number of 220 in 2007, so few women were unemployed. When numbers were high, the prison used backfilling to increase effective placement numbers. This meant that if a woman was sick or attending court, then someone else could take her place for the day.

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56 A special module has been created for the Bandyup structured day in the TOMS computer system, through which custodial counts are also managed.



- 6.38 There was ambivalence about backfilling from Vocational Support Officers (VSOs) who staff areas such as carpentry, metalwork and textiles in which significant skills and application are required. The prison rotates a core group of prisoners through some positions to gain skills and experience in those roles and make them more productive when backfilling those positions. The community program also has significant potential to increase activities when numbers are high, for example, through offering concurrent activities.
- 6.39 Despite these innovative practices, it was clear that the prison would struggle to fully employ all prisoners should numbers return to high levels, a prospect envisaged in establishing the new 40-bed self-care unit. There was no space in the existing industry footprint for extra employment places and until recently, planning for expansion was effectively overlooked. However, the prison submitted a business case in February 2008 with a high priority to create a new workshop for screen-printing and other ‘cottage’ industries.<sup>57</sup> This included a \$200,000 option to build a workshop along the back wall of the existing industries workshops, divided into three separate work areas and a \$400,000 option to install a demountable with one large open work area and two small offices. The forward thinking approach reflected in this business case was encouraging and this Office is supportive of the expansion of industries to incorporate further women-centred employment opportunities for the women at Bandyup Women’s Prison.

#### PREPARATION FOR RELEASE

- 6.40 The sum total of all experiences within a prison contributes to the preparation for a prisoner’s return to the community. However, gains made can be quickly undone if a person simply returns to the same lifestyle which led to their former criminal activities. Transitional support services therefore play a critical role in prisoner rehabilitation.
- 6.41 Some prisoners are eligible for release on parole, in which case it is incumbent on a prison officer, and in many cases a Community Corrections Officer (CCO) to prepare a report for the Prisoners Review Board about living plans, supports and supervision arrangements. A senior CCO was based at Bandyup to assist those serving life and other indeterminate sentences on their resocialisation, re-entry and home-leave reports. He increasingly had to do more parole reports and pre-sentence reports for other prisoners, due to workload issues in Community Justice Services.
- 6.42 Prisoners not involved with Community Justice Services, and many who are, choose to engage with RUAH Women’s Support Service, a Catholic agency funded by the Department to provide pre- and post-release counselling, support, information, advocacy, referrals and transitional accommodation. Funding was recently extended to additional services to women on remand, and a higher intensity service for young women under 30 years of age. More funds have also been promised in 2008–2009 to extend their mainstream re-entry link services.
- 6.43 As noted above, certain other agencies provide pre- and post-counselling support for problems with alcohol and other drugs, an essential service for many. Certain agencies like Cyrenian House and Esther House have residential services which can accept former prisoners.

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57 Bandyup Women’s Prison, *Proposal for the Expansion of Industries Workshops Area at Bandyup Women’s Prison* (February 2008).

A number of other agencies also have contact with women at Bandyup in different ways including, for example, the Perth Women's Centre which runs the Brief Intervention Services program, Ngala for mothers of young children, refuge workers involved in the Domestic Violence Program and chaplains from religious groups. Those released in Perth can potentially seek services from such agencies once released.

- 6.44 In general, women exiting Bandyup are increasingly well served by agencies able to provide transitional support although the limited availability of accommodation options on release was cited as a particular limitation by the women and agencies alike. Only nine accommodation units are available through RUAH under the Transitional Accommodation and Support Service (TASS) funded by the Department, although beds can also be made available through Outcare or certain regional TASS providers.<sup>58</sup> Few other agencies accept or have suitable accommodation for women prisoners returning to the community. While a number of otherwise homeless women benefited from such services, many others despaired about having to return to unsatisfactory circumstances with abusive or unsympathetic relatives, and other anti-social environments.
- 6.45 Access to transitional support services also depended on the initiative of the women to request an appointment with the relevant agency. While information about re-entry services is included in the orientation booklet, and word of mouth is strong, there were others who need such services, but fail to access them. In this respect, the anticipated placement of a Transition Manager at Bandyup in the second half of 2008 offers a major opportunity to ensure all women have the opportunity to access such support services and are referred to those best able to assist with their particular needs.

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58 Another agency was funded under TASS to provide transitional accommodation and support for women with mental health issues; however, there was a recent indication that the agency was unwilling continue this service.

# Appendix 1

## THE DEPARTMENT'S RESPONSE TO THE 2008 RECOMMENDATIONS

<b>Recommendation</b>	<b>Acceptance Level/Risk Rating/Response</b>
<p><b>Human Rights</b></p> <p>1. That Bandyup Women's Prison ensure that, as part of the reception process whether from Court or another prison, each prisoner is provided a personal phone call to their next of kin to inform them of their new place of detainment.</p>	<p><b>Supported / Low</b></p> <p>A Superintendents Notice has been distributed to staff outlining the procedure whereby new arrivals make a phone call from the reception area and women transferring in, where time and resources permit, will make a phone call from reception area or in the Orientation Unit upon their admission. Action Complete.</p>
<p><b>Custody and Security</b></p> <p>2. That the Bandyup Women's Prison orientation processes be further reformed to ensure that it is effective in providing appropriate information for newly arrived prisoners.</p>	<p><b>Supported / Low</b></p> <p>Bandyup Women's Prison intends to review the orientation process to identify any opportunities for improvement upon commissioning of the new 40 beds. This will enable Bandyup to have greater flexibility within the Orientation Unit.</p>
<p><b>Custody and Security</b></p> <p>3. That the Department upgrade its preparedness for a razor-wire rescue at Bandyup Women's Prison.</p>	<p><b>Supported in principle, subject to funding / High</b></p> <p>The Department recognises this as a key issue at Bandyup and around the State and continues to investigate suitable systems and processes in order to be prepared in the event that a razor wire rescue is required.</p>
<p><b>Custody and Security</b></p> <p>4. That Women's Corrective Services develop a strategy to better accommodate women requiring separation from the mainstream due to serious identified security or behavioural risks to others and ensure that women are not held inappropriately in close confinement for extended periods of time.</p>	<p><b>Supported in principle / Low</b></p> <p>Bandyup has a ten cell management unit where women who require separation from the mainstream due to serious identified security issues, or their own behavioural issues, can be accommodated to protect staff and other prisoners. Authorisation to place these women in separate confinement is granted under specific sections of the Prisons Act 1981. Whilst Bandyup considers it has adequate processes to ensure appropriate placement, the commissioning of the new 40 beds will provide an opportunity to examine other placement options such as those for women requiring protection and close supervision. The Department's Standards and Review branch will also conduct an independent review of the close confinement regime at Bandyup in 2009 as part of their regular review cycle.</p>

<b>Recommendation</b>	<b>Acceptance Level/Risk Rating/Response</b>
<p><b>Administration and Accountability</b></p> <p>5. That Bandyup Women's Prison develop a strategy to implement a more open, accountable, fair and reconciliatory culture of local response surrounding prisoner complaints and grievances.</p>	<p><b>Not supported / Low</b></p> <p>The Department has a well developed process to accommodate prisoner complaints and grievances. The Access team professionally assesses and registers a complaint before allocating it to the appropriate area within the Department for attention. Access then monitors the progress of the issue and, in the case of complaints, ensures that a high standard resolution is provided within accepted timeframes. On 21 January 2008, Access established a separate telephone line dedicated solely for adult prisoners in custody. This line was established just for prisoners, for their use only via the Prisoner Telephone System. Prisoners have free telephone access to a number of external regulatory agencies and also have use of confidential yellow envelopes which can be mailed to specified external regulatory agencies. Staff at Bandyup endeavour to resolve prisoner issues at the local level in accordance with Director General Rule 5 - Requests, Complaints and Grievances by Prisoners before they escalate into a formal grievance. Early intervention is a priority for staff. Prisoners have independent freedom to progress complaints as above.</p>
<p><b>Care and Wellbeing</b></p> <p>6. That the Superintendent of Bandyup Women's Prison establish a contingency plan to ensure that escorts deemed critical by medical staff proceed, notwithstanding failure by the relevant transport contractor to provide this service.</p>	<p><b>Supported subject to funding / Low</b></p> <p>Whilst the Department expects that the contracted service is able to meet the demand, Bandyup has made submission for the acquisition of a secure escort vehicle. For those prisoners who are unable to be taken to their medical appointments because of a lack of transport, medical advice is sought before rescheduling the appointment or calling an ambulance.</p>
<p><b>Human Rights</b></p> <p>7. That Bandyup Prison allow prisoners to talk directly to those addressing their welfare needs.</p>	<p><b>Supported / Low</b></p> <p>The Superintendent will ensure that Bandyup staff are reminded that all welfare calls initiated by an officer will be managed by the NEC system consistent with PD 36. This will ensure women can talk to their caller themselves and in privacy.</p>

<b>Recommendation</b>	<b>Acceptance Level/Risk Rating/Response</b>
<p><b>Care and Wellbeing</b></p> <p>8. That Bandyup Women's Prison review its assessment, coordination and delivery of welfare services, with a view to early implementation of a Women's Needs Checklist. The review should address delivery of welfare services in units, staff training needs, the role of assessments staff, the role of case managers, coordinated referrals to external agencies and transition services.</p>	<p><b>Supported / Low</b></p> <p>The Women's Corrective Services Directorate has been driving this body of work prior to the inspection of Bandyup. It now forms collaborative work between the Women's Corrective Services Directorate and Offender Management and Professional Development (OMPD) particularly in light of the review of OMPD and the Assessment and Classification review conducted jointly by OICS and the Department. It is intended to progress this initiative with a view to incorporating the issues outlined in this recommendation along with the interface between the newly created Transition Officer and other roles in the prison.</p>
<p><b>Rehabilitation</b></p> <p>9. That a replacement family visits centre with enhanced capacity, security, amenity, an outdoor area, interview facilities and a more child-friendly design be funded as a high priority.</p>	<p><b>Supported subject to funding / Moderate</b></p> <p>The Department has included the next stage of the Bandyup development, including visits, in the Capital Investment Plan for the last two years and will do so again this year. When the Government provides the funding for these works, it will proceed.</p>
<p><b>Human Rights</b></p> <p>10. That the Department ensure that self-represented remandees and appellants at Bandyup Women's Prison have equitable access to legal resources and basic assistance in researching their cases or appeals.</p>	<p><b>Supported / Low</b></p> <p>As recommended Bandyup will purchase one Case Based Law CD (Case Law) and One Time Based CD (Renewed Legislation WA, Commonwealth and QLD) which provides legal information for self representing appellants. Bandyup will ensure copies of the Criminal Code 1913 and Sentencing Administration Act 2003 are also provided. This strategy will align Bandyup with the central library at Casuarina.</p>
<p><b>Health</b></p> <p>11. That the Department remove discriminatory limitations in health care provision for prisoners on remand status.</p>	<p><b>Supported in part / Acceptable</b></p> <p>Qualifying times in prison have been removed from Health Services Optical and Dental care policies. Patients should be provided with appropriate care within six months of entering prison according to clinical acuity and the availability of appointments on the public health wait list. As a result of changes to the Health Services policies, amendments will be made to Policy Directive 20.</p>

<b>Recommendation</b>	<b>Acceptance Level/Risk Rating/Response</b>
<p><b>Racism, Aboriginality and Equity</b></p> <p>12. That a senior Aboriginal management position be established at Bandyup Women's Prison to facilitate cultural change in the centre and develop services to better meet the needs of Aboriginal women prisoners.</p>	<p><b>Not Supported / Low</b></p> <p>Adequate controls have been established at Bandyup with the employment of two Aboriginal women as Prison Support Officers, the establishment of an Indigenous Services Committee and the engagement of three senior Aboriginal women as part of the prisoners Community Program. The Prison Support Officers work closely with their prison officer colleagues and are seen an integral contributor to prison life providing an invaluable service. Their interactions, the impact of the Indigenous services committee, and the contribution the senior Aboriginal women make to the prisoners community program, all provide positive opportunities for staff to become more culturally aware and competent. Cultural change at the prison has occurred and the Department is confident that it will continue to develop into the future.</p> <p>In addition to Aboriginal representation at the prison level, the Women's Directorates External Reference Group includes representation from the Indigenous Women's Congress. It is anticipated that their membership to the Group will serve to better inform the development of services to meet the needs of Indigenous women in custody.</p>
<p><b>Human Rights</b></p> <p>13. That Women's Corrective Services develop rules and guidelines to facilitate a clear and consistent response to prisoners in relationships and others exploring or engaging in sexual behaviours.</p>	<p><b>Supported in Part / Low</b></p> <p>Bandyup's Code of Conduct (May, 2008) clearly states the expected behaviour of women whilst in custody. The Superintendent will ensure that the Code of Conduct is included in the orientation package provided to all prisoners during the orientation process. Further, given the inexperience of some recent staff at Bandyup the Superintendent will ensure that refresher training is provided to Officers on the expected behaviours of prisoners. Infractions of the Code of Conduct are dealt consistent with Anti-bullying policy. Allegations of sexual assault are referred to the Western Australian police.</p>

Recommendation	Acceptance Level/Risk Rating/Response
<p><b>Rehabilitation</b></p> <p>14. That the Department dedicate particular resources to the development, review and maintenance of the Women's Intervention Model, including programs designed to address offending behaviours as part of their rehabilitation.</p>	<p><b>Supported / Low</b></p> <p>The Director Women's Corrective Services and Prison Farms is coordinating the development of the Women's Intervention Model through the Women's Services Working Group. This group comprises of the women's prisons Superintendents, Health Services, Education and Vocational Training Unit, Offender Services and the Manager Offender Services Women's Custodial Services (MOSWC). The MOSWC now has a dual reporting role and works directly with the Director Women's Corrective Services and Prison Farms to progress this model. An independent consultant has been contracted to work on the Reconnections Program with a Steering Group meeting fortnightly to discuss progress. This involves a review/update of current literature on working with female offenders and making relevant changes/updates to the Reconnections Program. It has also been suggested that a maintenance program be developed for the Reconnections Program and this is in discussions at present. The Reconnections Program is planned to run at Bandyup as a pilot in March 2009.</p>

## Appendix 2

### SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2006 RECOMMENDATIONS

Recommendation Number	By type of Recommendation / Duration	Assessment of the Department's implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
1.	<p><b>Administration and Accountability</b></p> <p>The Department must continue to support and adequately resource the Women's Custodial Services Directorate. Further, the Department should appoint a suitable substantive Director to the Directorate on a permanent basis as soon as possible.</p>			•		
2.	<p><b>Staffing Issues</b></p> <p>Training and awareness raising about the implications of an abusive past for female prisoners' reaction to being searched should be included as a specific component in the recruit training school, and should be consistently provided to all staff at Bandyup as part of Bandyup's staff training package, in keeping with Bandyup's new women-centred philosophy.</p>			•		
3.	<p><b>Staffing Issues</b></p> <p>A senior staff member at Bandyup Women's Prison should be appointed as a mentor for new uniformed recruits entering Bandyup as part of a structured mentoring system.</p>		•			
4.	<p><b>Racism, Aboriginality and Equity</b></p> <p>Given the increasing proportion of Aboriginal women represented in Bandyup's population, the level and extent of cross-cultural awareness and anti-racism training provided to staff working at Bandyup should be increased and formally provided on an ongoing basis.</p>			•		
5.	<p><b>Health</b></p> <p>The development of the overall women's health strategy as recommended by this Office in 2003 should be progressed urgently. All relevant policy documents (such as the Local Drug Action Plan) should be incorporated within the comprehensive women's health strategy in keeping with a holistic approach to managing the health needs of incarcerated women.</p>				•	



SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2006  
RECOMMENDATIONS

Recommendation Number	By type of Recommendation / Duration	Assessment of the Department's implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
6.	<b>Custody and Security</b> The Women's Custodial Services Director should undertake a review of the use of restraints on all women prisoners with a view to developing policies on use of restraints that are appropriate (women-centred) and govern AIMS policies.			•		
7.	<b>Care and Wellbeing</b> That the Inspectorate's outstanding recommendations in relation to the establishment of an outdoor visits centre and the refurbishment of the visits centre to make it more child friendly be addressed as a matter of priority.	•				
8.	<b>Care and Wellbeing</b> In instances where a mother or primary carer and her child or children are both incarcerated at different facilities, video linkups between the two facilities should be available on a needs basis.	•				
9.	<b>Care and Wellbeing</b> Separate systems should be established to manage court and social visit video linkups. The social visit linkups should be treated as a real visit and be located in an appropriate area of the visits centre with designated supervisory staff.	•				
10.	<b>Rehabilitation</b> The Department should urgently resource implementation of case management at Bandyup.			•		
11.	<b>Rehabilitation</b> The Department should develop a more holistic framework for case management and welfare services for women, including short term prisoners and prisoners on remand.		•			
12.	<b>Staffing Issues</b> The Department must take urgent steps to review staffing needs for treatment assessment and report writing to clear up the backlog and ensure timely completion of requisite Individual Management Plans, other assessments and reviews.				•	

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2006  
RECOMMENDATIONS

Recommendation Number	By type of Recommendation / Duration	Assessment of the Department's implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
13.	<b>Staffing Issues</b> The role of the Prisoner Support Officers and the peer support group should be clearly defined and communicated across the entire prison, including prisoners, staff and management.			•		
14.	<b>Care and Wellbeing</b> Peer support group prisoners should be involved in reception processes at Bandyup.		•			
15.	<b>Care and Wellbeing</b> Women at Bandyup should be consulted and involved in the process of developing the menu, and there should be formal systems in place to obtain feedback from the women about the menu and the quality of the food.		•			
16.	<b>Health</b> A diet specifically addressing the needs of pregnant women should be developed (in consultation with relevant prisoners) and offered as a matter of course to pregnant women at Bandyup.			•		
17.	<b>Rehabilitation</b> That a clear framework be developed that not only links education and training activities to employment opportunities within the prison, particularly in relation to prison industries, but maximises the opportunity for women at Bandyup to have their vocational skills formally recognised.			•		
18.	<b>Staffing Issues</b> That the roles of all relevant staff, including vocational support officers, education workers and prison officers who are involved in the provision or support of education and training programs be clearly defined so as to support the above framework and that these roles be actively promoted throughout the prison regime.			•		

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2006  
RECOMMENDATIONS

Recommendation Number	By type of Recommendation / Duration	Assessment of the Department's implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
19.	<b>Correctional Value for Money</b> Adequate resources (staff and financial) be allocated for the development, implementation and management of the above framework.			•		
20.	<b>Staffing Issues</b> The Department implement a recruitment campaign specifically to recruit Aboriginal staff for Bandyup.		•			
21.	<b>Staffing Issues</b> Bandyup must develop and implement a robust strategy for ensuring the safety of all staff working within the prison. The Department should support Bandyup in this initiative.			•		
22.	<b>Care and Wellbeing</b> A comprehensive strategy for managing pregnant prisoners should be formalised and put in place at Bandyup Women's Prison in keeping with good women-centred practice.				•	
23.	<b>Care and Wellbeing</b> There should be dedicated staff responsible for supervising mothers and babies in the nursery who are specifically trained to work in that environment.				•	
24.	<b>Rehabilitation</b> Bandyup Women's Prison should provide some form of public transport for visitors, which includes scheduled collection and drop-off times at a central location with ongoing connections to public transport.			•		
25.	<b>Racism, Aboriginality and Equity</b> Bandyup Women's Prison must urgently address the gap in the provision of culturally appropriate services for Aboriginal women incarcerated there. This includes the provision of culturally appropriate activities and services, including diet, health services, and increased accessibility in relation to the cultural meeting place.		•			

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2006  
RECOMMENDATIONS

Recommendation Number	By type of Recommendation / Duration	Assessment of the Department's implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
26.	<b>Racism, Aboriginality and Equity</b> Strategies to increase the representation of Aboriginal women in the Drug Free Unit should be implemented, in keeping with the recommendation for improved culturally appropriate services generally for Aboriginal women residing at Bandyup.		•			
27.	<b>Custody and Security</b> Bandyup should reassess the criteria for the utilisation of various disciplinary interventions.			•		
28.	<b>Custody and Security</b> A comprehensive orientation process should be implemented to adequately prepare women for life at Boronia. This orientation process should not be separate from the initial orientation the women receive on entering Bandyup. This process must include appropriate use of the Transition Unit.			•		

## Appendix 3

### THE INSPECTION TEAM

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Barry Cram	Acting Inspector of Custodial Services
Natalie Gibson	Director Operations
Kieran Artelaris	Acting Inspections and Research Officer
Jim Bryden	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Pieter Holwerda	Inspections and Research Officer
Lauren Netto	Inspections and Research Officer
Elizabeth Re	Environmental Health and Sustainability Inspections Officer
Joseph Wallam	Community Liaison Officer
Dace Tomsons	Expert Adviser (Alcohol and Other Drugs)
Cheryl Wiltshire	Expert Adviser (Education and Training)
Dr Adam Brett	Expert Adviser (Health and Mental Health)
Hannah McGlade	Expert Adviser (Aboriginal Women in Custody)
Jenny Langford	Expert Adviser (Office of Health Review)
Maxine Drake	Expert Adviser (Consumer Health Council)
Toni Hunt/Craig Hancock	Guest Observers (ACT Corrective Services)

## Appendix 4

### KEY DATES

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Notice of inspection	21 December 2007
Prisoner Survey	3 March 2008
Community consultation	18 March 2008
Briefing by Department of Corrective Services	7 April 2008
Start of on-site phase	20 April 2008
Completion of on-site phase	24 April 2008
Inspection exit debrief	28 April 2008
Draft Report sent to the Department of Corrective Services	7 October 2008
Draft report returned by the Department of Corrective Services	24 November 2008
Declaration of Prepared Report	3 December 2008



OFFICE OF THE INSPECTOR  
OF CUSTODIAL SERVICES

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