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OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES

REPORT OF AN ANNOUNCED INSPECTION OF  
BUNBURY REGIONAL PRISON



## Report of an Announced Inspection of Bunbury Regional Prison

Office of the Inspector of Custodial Services  
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# The Inspector's Overview

## BUNBURY REGIONAL PRISON: A WELL-PERFORMING FACILITY

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The third inspection of Bunbury Regional Prison, undertaken from 10 to 15 August 2008 took place in the shadow of the events of 2005, at which time there had been a serious assault by a prisoner on a member of staff, and a traumatic hostage situation followed by the tragic death of a staff member. But without diminishing the impact of that tragedy, neither the prison nor the inspection team wished to dwell unnecessarily on those events. The focus of the inspection was an assessment of the extent to which Bunbury Prison, historically a well-performing facility, had recovered to its previous level of performance.

In this context it is important to note that the prison had faced a number of disruptions and challenges in the intervening years, not least of which has been an extensive and almost continuous capital works program, including a new 72 bed minimum-security pre-release centre. Also significant has been the changing demographic of the prisoner population, whereby the number of prisoners convicted of sex offences had decreased at the same time as the proportion of violent offenders had increased dramatically. Despite these challenges it is pleasing to report that the Prison is continuing to perform well, and in general the findings of this inspection are positive.

The continued success of the Prison is due in no small part to the stable and experienced leadership team within the prison, including the Senior Officer group, who have a good understanding of the need for and benefits that accrue from a positive culture within the prison. The team at Bunbury are ably supported by pro-active staff and peer (prisoner) support groups. These groups are the most active and successful this Office has encountered across the prison system. In particular, the peer support group, led very capably by the Prison Support Officer, is respected by management, staff and prisoners and contributes greatly to the good management of the prison through an active involvement in reception, orientation, and the management of prisoners at risk.

The main issues of concern at Bunbury Prison are the perennial, systemic short-comings found across the Western Australian prison system. In particular, the short-fall in programs within the prison system, and especially the lack of availability of culturally appropriate programs for Aboriginal prisoners. However, there are also concerns with the generally poor preparation of prisoners for release and reintegration back into the community within the prison system.

Bunbury, like all prisons across the State, has significant gaps in its delivery of rehabilitative programs. The inspection revealed high levels of dissatisfaction from both prisoners and staff with the restricted level of access to programs at the Prison. For example, the Aboriginal prisoners at Bunbury do not have access to cultural learning programs such as those run at Hakea Prison which feature Aboriginal language, dance, art and cooking. Given that Aboriginal prisoners at Bunbury are almost exclusively Nyoongar men from the Perth or South-West region, the prison is well-placed to develop and provide a Nyoongar cultural learning program for this group.

Given the high proportion of violent offenders housed at Bunbury Prison, it was also a concern during the inspection that the only rehabilitative programs available related to sex offending, or drug use. It is therefore pleasing to find that the Department has now commenced delivery of a program for violent offenders at the prison.

The provision of rehabilitative programs, and education and vocational training along with appropriate pre-release services, e.g. links to employment and accommodation providers, are pivotal in preventing return to prison. Bunbury continues to have very limited pre-release services, however, the establishment of a Transitional Manager and Employment Coordinators for Bunbury (and all prisons) and the opening of the pre-release centre are likely to improve this situation. The stated aim of the pre-release centre is to provide “the skill requirements for prisoners to successfully reintegrate into the general community on their release”.

Whilst the Prison continues to function well, pressure on the Department of Corrective Services in relation to programmatic and pre-release services across the prison system will only increase given the projected increase in prisoner numbers due to natural growth, increased police activity, and changes to truth-in-sentencing laws (by some estimates another 1300 prisoners in the next 5 years).

The very significant challenge for the Department, and one in which it has not demonstrated a good track record in the past, is to develop and maintain programmatic and pre-release services commensurate with the growth in prisoner numbers. This Office will continue to closely monitor the provision of these services as the situation with respect to increased prisoner numbers unfolds in coming months.

Barry Cram  
Acting Inspector of Custodial Services  
10 February 2009

# Summary of Findings and Recommendations

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- This is the report of the third inspection of Bunbury Regional Prison, undertaken from 10 August 2008 to 15 August 2008.
- Since the 2005 inspection, the prison had undertaken an extensive program of minor and capital works. This included an extension and refurbishment of the kitchen, construction of a new health centre, an upgrade of the perimeter detection system and construction of a new minimum security pre-release unit next to the main prison.
- The prison had also experienced significant demographic shifts in the prisoner population. In the past, Bunbury accommodated a high number of prisoners convicted of sex offences, typically representing around 40 per cent of the total population. In 2008, this proportion had dropped to 21 per cent. At the same time, the proportion of violent offenders had increased to approximately 55 per cent.
- Despite these challenges, it is pleasing to report that Bunbury Regional Prison continued to perform well. In general, the findings of this inspection are positive, although there are several areas in which opportunities for improvement have been identified.

## SYSTEMS & RESOURCES

- Following the traumatic incidents of 2005, the inspection team examined critical incident recovery and human resources planning particularly closely at the 2005 inspection and ultimately made a number of recommendations in this area.<sup>i</sup> The 2008 inspection offered an opportunity to assess the progress of the Department and the prison against all of these recommendations.
- There had been a substantial increase in the full-time equivalent (FTE) positions allocated to the prison, both custodial and non-custodial. These FTE increases mean that the staffing structure at Bunbury is now sufficient for the prison to operate effectively.
- At the time of the inspection, the Senior Officer Training position at Bunbury was vacant and there was a corresponding lack of direction in the training being delivered. The prison needs to undertake a comprehensive assessment of the training needs of the officer group, particularly given the changing profile of the prisoner population outlined above, and the increasing numbers of new officers on staff.
- Given the continuing influx of new staff to the prison, the need for a formally developed training strategy at Bunbury is heightened. A formal training strategy can play an important role in ensuring that officers have a shared understanding of the desired culture of the prison, and are unified in their attempt to achieve it.

### *Recommendation 1:*

*That the prison assess the training needs of the officer group and develop and implement a training strategy.*

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i Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 33 (June 2006), Recommendations 1-3, 46.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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- Since the 2005 inspection, the number of Staff Support representatives at Bunbury had increased from six to thirteen. Local management valued the contribution of the Staff Support group and described them as ‘extremely active’. In this Office’s assessment, they are the most active group in any prison in the state.
- Since 2005, the Employee Welfare Services Branch within the Department has been expanded. Through the work of the Employee Welfare Services Branch and others in the Strategic Employee Services Directorate, the Department has developed a set of clear policies and procedures for the management of staff involved in critical incidents. This represents good progress within the Department over the last three years from the diminished position staff welfare occupied at the last inspection.
- While recognising the positive progress made, unfortunately the inspection found that the Department’s approach to supporting and assisting staff in the long-term remained under-developed. For staff who were still recovering from the events of 2005, the support options available in 2008 were essentially unchanged. The Department is encouraged to put more resources into the preparation and development of intervention options and build a more comprehensive approach to the management of its staff following critical incidents.

### CARE & WELLBEING

- The inspection found that relationships between staff and prisoners were generally good with acceptable levels of communication to ensure the safety and effective management of prisoners.
- The standard of accommodation available was generally acceptable. However, cell sharing is occurring in 20 cells in C block (10 with bunk beds and 10 with trundle beds). While the Office is prepared to accept the double bunking of prisoners as a short term solution, we have serious reservations about the use of trundle beds, given the size and layout of the cells.

#### *Recommendation 2:*

*That the prison abandon the use of trundle beds in shared cells.*

- Recreation was a topic of complaint for a significant number of prisoners during the inspection. These concerns stem from the fact that the officer responsible for recreation also runs the library, and consequently leaves much of the organisation of active recreation to prisoners. Overall, there is a need for the Activities/Library Officer to be more actively engaged in the physical recreation activities, including the organisation of sporting competitions and equipment issues.
- Bunbury has a particularly strong Prisoner Support Officer (PSO) and peer support group. The peer support group is respected by management, staff and prisoners and delivers great benefits to prisoners through involvement in prisoner service areas such as reception, orientation, and the management of prisoners at risk.



## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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- Aboriginal prisoners make up a comparatively small proportion of the population at Bunbury (around 16 per cent). Although they are well-represented in the peer support group, there were a number of issues raised by Aboriginal prisoners during the inspection including access to traditional foods, attendance at funerals, and the availability of cultural learning programs.
- Given that the Aboriginal prisoners at Bunbury are almost always Nyoongar men from the Perth metropolitan area or South-West WA, the Office believes that the prison has a unique opportunity to develop a Nyoongar cultural learning program.

### *Recommendation 3:*

*That the prison develop and implement a cultural learning program for Nyoongar prisoners.*

- Representatives from the Aboriginal Visitors Scheme (AVS) have not been to Bunbury for nearly two years (since November 2006). The Department needs to examine the AVS and reassess its core business and outcomes. At present the scheme is underperforming at many sites and needs to be refocussed and reinvigorated to ensure it is achieving its goals.

### *Recommendation 4:*

*That the Department re-establish the regular attendance of the Aboriginal Visitors Scheme at Bunbury Regional Prison and ensure that the Aboriginal Visitors Scheme is achieving its outcomes throughout the prison system.*

- The processes and procedures for the management of prisoners at risk and those identified as disturbed or vulnerable were found to be of a very high standard at Bunbury. This was best evidenced by the low prevalence of self-harm at the prison, with no self-harm incidents occurring in the six months prior to the inspection.
- Health Services at Bunbury Prison have been substantially improved by the opening of a new medical centre since the last inspection. Access to specialist services had improved but was still limited and there was still no Aboriginal Health Worker at the prison.
- The prison had not updated its drug strategy since 2005 and the management and treatment of substance abuse at Bunbury was found to be lacking. Although the prison has an energetic security response to the potential misuse of substances by prisoners at Bunbury, it must be recognised that this is only part of an effective drug strategy. In the area of treatment and harm minimisation, Bunbury was underperforming and there was a real need to expand drug and alcohol treatment programs and services.

### *Recommendation 5:*

*That the prison develops a new Drug Strategy.*

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### REHABILITATION

- The establishment of the Coordinator Case Management has given case management at Bunbury the necessary drive and direction, and ensured that the prison is performing well in terms of timeliness and quality of reports. However, this Office will continue to encourage the Department to develop a more comprehensive and holistic model of case management that focuses on the well-being of the prisoner and especially on preparation for release and transition back into the community.
- There are significant gaps in program delivery at the prison. The service is not adequately resourced to deliver a sufficient quantity or a wide enough variety of rehabilitative programs. It is crucial that the Department examine the trends in the population profile at Bunbury and undertake an assessment of the programmatic needs of the prison.

#### *Recommendation 6:*

*That the Department ensure that the rehabilitative programs provided at Bunbury Regional Prison meet the demand and the needs of the prisoner population profile.*

- At the time of the inspection, pre-release services in the prison were not being delivered effectively. However, because the Transitional Manager and Employment Coordinator had only just commenced and the opening of the new pre-release unit was approaching, it was anticipated that this situation would improve quickly.
- The education centre was identified as an area of the prison that was functioning particularly well. The centre had been able to achieve a high number of full qualifications aided by an innovative multi-modal delivery method of teaching and a flexible relationship with the local TAFE.

### REPARATION

- The industries area remained a strength at Bunbury and a number of work areas maintained an excellent throughput of good quality work. However, there was a lack of strategic direction and leadership and a general need to focus more attention and resources on industries. The absence of an Industries Business Plan suggested that insufficient attention was being paid to issues, opportunities, goals and priorities in prison industries and that the prison as a whole lacked vision in this important area.

#### *Recommendation 7:*

*That the prison develops and implements an Industries Business Plan and ensures that sufficient resources are allocated to the strategic management of the industries area.*

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

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### CUSTODY & CONTAINMENT

- Good management and control of prisoners continues to be a feature of the prison. Although the proportion of sex offenders in the prison has dropped significantly, Bunbury still runs successfully without a segregated protection regime. This is possible because of the continued strong management and positive culture of the prison, and staff are to be commended for this achievement. However, the increasing proportion of violent offenders and prevalence of drug use and mental illness will be a challenge for staff into the future.
- Bunbury has maintained the effective dynamic security that was identified at both previous inspections and the interactive relationship between staff and prisoners continues to be one of the strengths of the prison.
- There have been a number of improvements to the custodial infrastructure of the prison since the last inspection, including the introduction of a mobile duress alarm system, the upgrade of the perimeter defence system and the refit of the control room. These projects were well managed and have enhanced the security of the site.



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# Chapter 1

## INTRODUCTION

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- 1.1 The 2008 inspection was the third announced inspection of Bunbury Regional Prison by the Office of the Inspector of Custodial Services (the Office). The last inspection of the prison took place in December 2005 following a number of traumatic incidents earlier that year. As a result, much of the focus for that inspection was on the prison's recovery from those incidents. At the 2008 inspection, while not wishing to dwell on the events of 2005, the inspection team was interested in observing how successfully the prison had been able to move forward in the longer term. Bunbury Prison had historically been a well-functioning facility and the Office was keen to see this level of performance maintained.
- 1.2 The prison had also faced a number of other disruptions and challenges in the intervening years. There have been extensive continuous minor and capital works projects ongoing since the last inspection. Some of the more significant projects included an extension and refurbishment of the kitchen, construction of a new health centre, and an upgrade of the perimeter detection system. By far the largest project, however, was the construction of a new minimum security pre-release unit next to the main prison. The pre-release unit will replace the existing minimum security section located in front of the main prison. All of the works undertaken have been of great benefit to the prison, but have also inevitably disrupted prison operations and placed added pressure on staff.
- 1.3 A further challenge has been presented by the changing demographics of the prisoner population. In the past, Bunbury accommodated a high number of prisoners convicted of sex offences, typically representing around 40 per cent of the total population. At the 2005 inspection, this proportion had decreased to 30 per cent, and in 2008 had dropped further still to 21 per cent. At the same time, the proportion of violent offenders had increased to approximately 55 per cent, and the prison was housing more prisoners with mental health and substance abuse issues. Remandee numbers had also increased over time and now regularly comprise 25 to 30 per cent of the total population. All of these shifts have implications for prisoner management, staff training and program delivery.
- 1.4 Despite these challenges, it is pleasing to report that Bunbury Regional Prison continued to perform well. In general, the findings of this inspection are positive, although there are several areas in which opportunities for improvement have been identified. Some of these are specific to the Bunbury environment, but others have wider implications for the Department of Corrective Services (the Department) and need to be pursued at that higher level.

# Chapter 2

## SYSTEMS AND RESOURCES

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- 2.1 At the last inspection, Bunbury Regional Prison was viewed within the context of the prison's recovery from a number of traumatic incidents occurring in 2005. Historically, Bunbury had been a well performing prison, characterised by good staff/prisoner relations, stability, safety, and the promotion of a rehabilitative environment. The challenge for the Department and the prison in the wake of the events of 2005 was to ensure that staff and the prison as a whole were able to recover, and maintain its good performance.
- 2.2 This Office therefore examined critical incident recovery and human resources planning particularly closely at the last inspection and ultimately recommended:
- that a human resources master plan for Bunbury Regional Prison be developed and a change management process be implemented;<sup>1</sup>
  - that the Department develop clear policies and procedures for the management of staff during critical incidents and guidelines for the management of staff post incident;<sup>2</sup>
  - that the Department instigate research into the individual and systemic coping mechanisms used in prisons and their impact on custodial management;<sup>3</sup> and
  - specifically for Bunbury Prison, that the Department seek expert advice as to coping mechanisms and develop a transition plan, with consideration to the safety issues raised by staff and this Office, to ensure the continuing good functioning of the prison.<sup>4</sup>
- 2.3 While the first of these recommendations relates to Bunbury itself, the remaining three focus more on the Department's support for Bunbury Prison and the other prisons in the state. This inspection offered an opportunity to assess the progress of the Department and the prison against all of these recommendations.

### HUMAN RESOURCES MASTER PLANNING

#### Staffing levels

- 2.4 There has been a substantial increase in the full-time equivalent (FTE) positions allocated to the prison, both custodial and non-custodial. This has included a community corrections officer, transitional manager, employment coordinator, principal officer, senior officer security, senior officer training, purchasing officer and finance officer. These FTE increases will enable a better allocation of workload in the administrative areas and allow the prison to address a number of important gaps in service delivery. Prison management were of the view that with the increased FTE allocations, the staffing structure at Bunbury is now sufficient for the prison to operate effectively.
- 2.5 Unfortunately, the prison had been unable to fill many of these additional FTE positions. In particular, at the time of the inspection up to 16 custodial staffing positions remained vacant. This has resulted in regular shortages in the actual staffing level. The attempt to manage with a significant shortage of staff has resulted in extensive use of overtime, officers being diverted to core security functions and as a last resort the closure of recreation and industries.

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1 Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 33 (June 2006), Recommendation 1, 46.

2 Ibid, Recommendation 2, 46.

3 Ibid, Recommendation 3, 46.

4 Ibid.

The stresses associated with high levels of overtime and shortages of officers on the ground have been further exacerbated by the demands of the extensive capital and minor works programs running almost continuously since the last inspection. Accordingly, responses to the pre-inspection staff survey indicated that staff felt stress levels in the prison were a cause for concern.

- 2.6 Nevertheless, staff at Bunbury appeared to be handling the levels of stress and the demands of overtime work relatively well. Officers remained, on the whole, polite and vigilant in their work and there were few specific complaints made to the inspection team regarding overtime demands. From a review of human resource data and after discussions with staff it appears that, unlike in some prisons, there was a relatively even distribution of overtime across the officer group. This spreading of the burden appears to have been effective in mitigating some of the worse aspects of overtime fatigue seen in some other prisons. However, staff and management still reported that officers were on occasion required to work back to back 12 hour shifts. Regardless of any support systems that are in place to minimise the risks involved, this Office has serious concerns regarding the health and safety aspects of such overtime shifts, which can place both staff and prisoners at significant risk.
- 2.7 In the past, Bunbury has been one of the most stable prisons in the state with a low level of staff turnover. At the 2005 inspection, however, this Office noted a trend towards retirements and warned the Department to expect an increase in transfers.<sup>5</sup> Since that time, almost 60 per cent of staff have left the prison and the Department has been unable to recruit enough officers to cover the losses. It is also significant that of the remaining officers half are approaching retirement age, meaning that staffing issues at Bunbury will need to be addressed by the Department to ensure that further staff shortages are not experienced.
- 2.8 Many staff members who have left since 2005 were experienced officers, including a large number of senior officers. As a result, at the time of the inspection Bunbury had a significant proportion of senior officer positions filled in an acting capacity, although commencement of the permanent appointment process was imminent. The Department is now allowing local prisons to carry out their own senior officer appointments and Bunbury is fortunate enough to have a robust second tier of officers to select from. However, the loss of experienced staff has reduced the capacity of the officer group to support and mentor new staff.
- 2.9 Significantly, at the time of the inspection the prison was expecting the arrival of 21 new custodial staff, some of whom would work in the new pre-release unit. This should alleviate the staffing shortages, and bring the prison close to a full complement of custodial staff. However, officers expressed some concern as to how they would cope with such a major influx of inexperienced officers and what impact this would have on the operations of the prison.

#### Staff training

- 2.10 At the time of the inspection, the Senior Officer Training position at Bunbury was vacant and there was a corresponding lack of direction in the training being delivered. Staff training takes place during a lockdown on Thursday mornings, but this merely addresses the prison's most basic compliance needs, such as training in breathing apparatus, first aid and WorkSafe practices.

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5 Ibid, 17.

The prison needs to undertake a comprehensive assessment of the training needs of the officer group, particularly given the changing profile of the prisoner population outlined above, and the increasing numbers of new officers on staff. On a positive note, management had sent some officers to the training college and facilitated other external training opportunities.

- 2.11 Also positively, and despite the lack of a Senior Officer Training, the prison had a proactive approach to local training provision courtesy of a core group of motivated officers and the senior officers' informal mentoring and feedback system. This system was being developed and implemented at the 2005 inspection but has lost some momentum due to the departure of a number of experienced senior officers. There was also a sense that the informal process had been overwhelmed by the increased throughput of new officers. Thus, while the mentoring system was good, it would benefit from more formality and better support and guidance from prison management.
- 2.12 Given the continuing influx of new staff to the prison, the need for a formally developed training strategy at Bunbury is heightened. There was evidence of variable practice between officers, which is always a great frustration for prisoners. A formal training strategy can play an important role in ensuring that officers have a shared understanding of the desired culture of the prison, and are unified in their attempt to achieve it. It is anticipated that the appointment of a senior officer training and a principal officer for the prison will significantly enhance training at the prison.

*Recommendation 1:*

*That the prison assess the training needs of the officer group and develop and implement a training strategy.*

**Staff support**

- 2.13 Since the 2005 inspection, the number of staff support representatives at Bunbury had increased from six to thirteen. All operational areas within the prison were represented in the staff support group, which appeared cohesive and supportive. Staff support is coordinated through the Department's Employee Welfare Service Branch and Bunbury's Staff Support representatives were vocal in their praise for the support they had received from them. New representatives had received training for their role, and the entire group had also received training earlier in the year. Consequently, they were very aware of their role, and familiar with confidentiality issues and the need to set boundaries around their engagement with staff. The group also reported being well supported by local management. Local management in turn valued the contribution of the Staff Support group and described them as 'extremely active'. Indeed, in this Office's assessment, they are the most active group in any prison in the state.
- 2.14 Over and above the role played by Staff Support, a number of the staff at the prison continued to make use of counselling services provided by the Department. These staff praised the efforts of the Department in this regard and were particularly grateful for the support of local management.



### CRITICAL INCIDENT RECOVERY

- 2.15 Since 2005, the Employee Welfare Services Branch within the Department has been expanded, both in number (from one FTE to three with another to be added later this year) and in scope and influence. Employee Welfare Services coordinates psychological services for staff (through the external provider PRIME), offers some psychological counselling for staff who cannot or do not want to access PRIME, manages the Staff Support representatives in each prison and provides training. At an executive level they provide input into policies and procedures and generally promote the psychological and welfare needs of staff in the Department. The branch receives suitable support at executive level in the Department and has been successful in raising the profile of staff welfare at the local prison level throughout the state. This represents good progress within the Department over the last three years from the diminished position staff welfare occupied at the last inspection.
- 2.16 Through the work of the Employee Welfare Services Branch and others in the Strategic Employee Services Directorate, the Department has developed a set of clear policies and procedures for the management of staff involved in critical incidents. This is a step forward and has been well supported at executive level. However, these policies and procedures are relatively new and it does not appear that staff at the local prison level throughout the state have an appropriate understanding of their importance. This Office has observed that in other prisons, staff welfare, staff support representatives and the Employee Welfare Services Branch do not feature in the training delivered for emergency management. This is a real deficiency because if these services are not involved in training, it is likely that they will be forgotten in a real emergency situation or included as an afterthought.
- 2.17 Importantly, while this is a general criticism of the uptake of the concept of staff welfare in emergency situations throughout the prison system, this was not the case at Bunbury. The Employee Welfare Services Branch has done a lot of work to raise the profile of staff support at Bunbury and it is significant that the Security Manager and security officer were both staff support representatives.
- 2.18 While recognising the positive progress made, unfortunately the inspection found that the Department's approach to supporting and assisting staff in the long-term remained under-developed. For staff who were still recovering from the events of 2005, the support options available in 2008 were essentially unchanged. Importantly, while the Employee Welfare Services Branch had been attempting to collate information within the limited time and resources they have available, the Department had not sponsored any 'research into coping mechanisms used within prison settings and how these can be integrated or countered within a holistic approach to incident management'.<sup>6</sup> The Department is encouraged to put more resources into the preparation and development of intervention options and build a more comprehensive approach to the management of its staff following critical incidents.

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6 OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 33 (June 2006), Recommendation 3, 46.

### LEADERSHIP AND DIRECTION

- 2.19 Bunbury Regional Prison has benefited from a stable leadership group with a high level of experience. The senior management group appeared to understand the positive culture that the prison had developed over time and the importance of protecting and fostering that culture. At the last inspection, however, there was a sense of disempowerment in this prison, from management level down.<sup>7</sup> This was no longer the case in 2008. Importantly, the strong anti-management feeling among some groups of staff seen at the last inspection had decreased markedly, with many staff praising how management treated them personally. The management group had improved communication with its various staffing groups in a number of ways. Non-custodial staff are now better included in internal business planning which has resulted in better planning overall, and the Superintendent now briefs staff on the outcomes from the superintendents' conferences.
- 2.20 There was, however, still some need to further develop the relationship between staff and management, with some initiatives proving ineffective. For example, efforts by management to reward staff for their efforts (such as providing a breakfast on Sundays) did not appear to be reaching sufficient numbers of staff and were not valued by staff. In the pre-inspection survey, most staff reported having a good relationship with management, but fewer felt valued by senior managers or felt supported in their work. Given the significant improvements since the 2005 inspection, the Office urges the senior management group at Bunbury to maintain their focus in this area and continue to build on their relationship with staff.

### ENVIRONMENTAL HEALTH ASSESSMENT

- 2.21 As part of the announced inspection our authorised officer carried out the Environmental Health Assessment of the prison, in accordance with the *Health Act 1911* and other relevant legislation. The prison was generally well maintained and management were very cooperative in regard to resolving issues raised. More sustainability programs need to be initiated in accordance with the 2004 WA Government Policy publication of the Sustainability Code of Practice for Government Agencies and there were a number of issues that require further attention.
- 2.22 The four principal categories of concern were as follows:
- Infrastructure – hot water system and wastewater system need urgent upgrade.
  - Vegetable preparation room – needs to be compliant with the Health (Food Hygiene) Regulations 1993 as a matter of urgency.
  - General maintenance and cleanliness of the prison.
  - Training programs – food safe handling and manual handling
- 2.23 A detailed report outlining the specific areas that require attention as identified in the Environmental Health Assessment is being provided to the Department for action. These items will be followed up at subsequent reviews by our authorised officer.

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<sup>7</sup> See OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 33 (June 2006), [2.52], [2.55], [20-21].

# Chapter 3

## CARE AND WELLBEING

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### RESPECT

- 3.1 The Office's *Code of Inspection Standards for Adult Custodial Services* standard 72 states that '[p]risoners must be treated with respect for their inherent dignity as individual human beings'. The standards require that prisoners are treated in a fair and courteous way,<sup>8</sup> and staff are respectful in their relations with prisoners.<sup>9</sup> Ultimately the achievement of these standards is reliant upon the development and maintenance of appropriate relationships and communication between staff and prisoners.
- 3.2 The inspection found that relationships between staff and prisoners were generally good with acceptable levels of communication to ensure the safety and effective management of prisoners. Throughout the course of the inspection, team members observed appropriate levels of interaction between most staff and prisoners. The feedback from prisoners interviewed individually and in focus groups was that the majority of the uniformed staff interacted well with them. As is so often the case, prisoners stated that certain officers treated them worse than others, but there was no sense of widespread mistreatment or tension between staff and prisoners. This led the Acting Inspector to comment in his exit debrief that the overall finding about staff and prisoner interaction was 'very positive'.<sup>10</sup>

### ACCOMMODATION

- 3.3 Bunbury Regional Prison has a design capacity of 187 prisoners, incorporating the maximum-security section, standard accommodation in C block, a self care unit (total of 150 beds) and external minimum-security section (total of 37 beds). In November 2006 the prison increased its approved capacity to 207 through the installation of bunk and trundle beds in 20 cells in C block (increasing that area's accommodation capacity by 30 per cent). The opening of the new pre-release unit in October (about two months after the Inspection) increased the minimum-security capacity of the prison by 35 beds, to a total of 72.
- 3.4 Given the increasing pressure on prisons across the state to absorb the growing prisoner population numbers, Bunbury has undertaken planning for the further expansion of its population in a further two stages; firstly to 242 and then to 288. This would involve double bunking in all accommodation areas – eight in maximum-security, a further eight in C block and 30 in self care. Documentation supplied to the Inspectorate also showed that extensive planning had been undertaken in the identification of recurrent resources and financing that would be required to facilitate these population levels.<sup>11</sup> It is relatively easy to provide extra beds – what is more complex is providing ongoing services required to support the additional prisoners. In any case, the Office views double bunking as only a short term solution to the increase in the prison population. It highlights the importance of the Department's long term strategic vision for the expansion of the prison estate and direction in relation to the 'decent' management of offenders in custody.

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8 Standard 72.1.

9 Standard 72.1.

10 A/Inspector of Custodial Services Barry Cram, *Exit Debrief to an Announced Inspection of Bunbury Regional Prison* (1-15 August 2008), 2.

11 Bunbury Regional Prison, documentation package, *Managing Prisoner Populations* (May 2007).

- 3.5 The inspection found that the current self care accommodation is of an appropriate standard. It provided prisoners a clean and relatively spacious environment in which to live. The maximum security unit should only accommodate prisoners on a relatively short term basis, but from time to time has had to accommodate prisoners for longer periods when there has been no ‘mainstream’ accommodation available. While not ideal as a longer term placement option, as single person accommodation the maximum security cells are acceptable.
- 3.6 The biggest accommodation issue at Bunbury is in relation to C block. This is the oldest mainstream accommodation area in the prison and is showing its age, despite relatively regular painting and other maintenance. As an accommodation option for single prisoners, the cells in C block are acceptable. However, they are too small for the ongoing accommodation of two prisoners, as has been the case in 20 of the cells (10 with bunk beds and 10 with trundle beds) since October 2006. While the Office is prepared to accept the double bunking of prisoners as a short term solution, we have serious reservations about the use of trundle beds, given the size and layout of the cells.
- 3.7 When the trundle is pulled out from under the main bed it takes up all but a small strip of floor in the room. It also results in the person sleeping on the trundle being located directly next to the toilet, making it impossible for the person on the fixed bed to access the toilet during the night without disturbing the prisoner on the trundle. Prisoners who had slept on trundles routinely complained about being woken during the night, being urinated on and suffering from cold drafts coming through the vents and under the doorway.
- 3.8 The trundles have been installed (rather than bunks) due to the configuration of fixed shelving in the cells, which make the fixing of a bunk bed impossible in those rooms. If cell sharing is going to continue at the prison, this Office would like to see the redesign of the cells and relocation of the shelving in order to allow the use of bunk beds rather than trundles.

*Recommendation 2:*

*That the prison abandon the use of trundle beds in shared cells.*

## FOOD

- 3.9 Each accommodation area at Bunbury receives its main evening meal in different ways. The existing minimum-security section and maximum-security area receive meals in pre-dished servings of the same food being served in the main dining room. C block prisoners are served their meal from bain-maries in the prison dining room, which is adjacent to the main kitchen. Prisoners residing in self-care prepare their own meals from rations ordered through the kitchen.
- 3.10 All self-care prisoners interviewed during the inspection were satisfied with their food quantity and quality. The food available for all other prisoners, however, attracted consistently negative comments, more for the quantity of food available rather than the quality.

- 3.11 Prisoners who received their meals by pre-served rations (maximum and minimum) only had access to the single serve that they were provided with from the food trolleys. The vast majority of prisoners interviewed in these areas indicated they were often still hungry after their meal. In some instances this was partly due to the prisoners preferring to eat all the meat provided but leaving most of the vegetables or carbohydrate portion (rice or pasta) provided. In these cases if the prisoner chose to eat a wider variety of food the portion would be more adequate. In some cases, however, the portions were simply not adequate to meet the appetite of the prisoner, and second helpings were not available. In minimum-security, the prisoners conceded that at least they had access to supper each night and this compensated for their hunger in most cases.
- 3.12 C block prisoners who were served from the bain-maries in the dining hall also reported being left still hungry in many cases. Interviews with prisoners revealed allegations of second servings not being offered despite there being large amounts of food remaining. They stated that this was thrown away. Interviews with prisoners working in the kitchen confirmed these allegations. Inspection staff then observed a dinner dish up and found that while the servings of meat, vegetables and rice were fairly generous, many prisoners refused rice and/or vegetables. As soon as all of the prisoners had received their meals, the kitchen shutters came down and the remaining food was cleaned away, and some two to three kilograms of the meat dish was binned and about double that quantity in vegetables. This was a significant amount of waste, especially when some prisoners indicated they would like to have eaten more. Kitchen staff said no seconds were offered because it would be unfair to offer C block prisoners more when minimum prisoners could not be. This fails to recognise that minimum prisoners have supper each night, for which kitchen leftovers are sometimes used.
- 3.13 Many inspections reveal that prisoners generally have a relatively high dissatisfaction with food in prisons; this is almost unavoidable when catering en masse to a tight budget with a population that often has poor eating practices. The main advantage at Bunbury is that its meals are cooked fresh on site, which generally results in a favourable comparison from prisoners who come from other prisons where the cook-chill method of catering is used. While receiving quite a few complaints from prisoners about the quality of the food, the inspection team also ate many of the same meals as the prisoners and found them to be satisfactory.
- 3.14 Bunbury's main kitchen had undergone a major refurbishment since the time of the last inspection. During the refurbishment period, the kitchen was shut down and the equipment transferred to the existing minimum security section where meals were cooked for approximately 20 weeks. The refurbishment was completed at the end of 2007 and involved a complete renovation of the kitchen and dining area on its original site. The refurbishment has resulted in much better working conditions for kitchen staff and enhanced occupational health and safety for the site.
- 3.15 There had previously been two cook instructors working at the prison, but one had left in the past few months. This had put a considerable amount of pressure on the remaining cook instructor who was working weekdays, preparing most of the Saturday meal on Friday and leaving the prisoner workers to prepare the Sunday meal. A new instructor was due to start a few weeks after the inspection.

- 3.16 Twelve or thirteen prisoners generally work in the kitchen, all of whom have a seven day working week. While the prisoners spoken to all enjoyed working in the kitchen and felt they were learning great skills, some expressed that perhaps their hard work could be recognised by allowing them to have one rostered day off every fortnight (or some similar timeframe). This system is in place in other prisons, and is something that the prison should consider as recognition of the continuous nature of the work. Good training opportunities are available in the kitchen, with five workers undertaking traineeships at the time of the inspection. To the credit of the one remaining cook instructor, he had maintained these despite not having the support of another instructor.

#### SPIRITUAL NEEDS

- 3.17 The long-serving Coordinating Chaplain had retired since the last inspection, but the role had been taken up by another chaplain who had been attending the prison for about eight years. As a result, continuity of service had been maintained and the chaplaincy services were continuing to be delivered well. Non-denominational Christian services are conducted every Sunday in the main chapel and a number of representatives from specific denominations attend the prison on a regular basis.
- 3.18 The Chaplain also operates Alcoholics Anonymous, which is attended by approximately 20 prisoners each week. Given the low availability of treatment programs, the Chaplain believes that offering a consistent, stable and recognised program to assist those who are attempting to address their addiction issues is extremely important to prisoners. While not officially recognised as a program that addresses offending behaviour, participation nevertheless reflects positively upon a prisoner and the prison had made arrangements for evidence of attendance to be available to the Prisoners Review Board.

#### RECREATION

- 3.19 Recreation was a topic of complaint for a significant number of prisoners during the inspection. The pre-inspection prisoner surveys revealed that only 37.3 per cent of respondents were satisfied with access to recreation. In particular, the management of active recreational options was a source of widespread discontent.
- 3.20 Recreation takes place between 3.30pm and 5.00pm daily, but the general consensus amongst prisoners was a desire for more access to the oval, especially in the mornings on weekends. At this time of year, football dominated the sporting schedule inside the main prison, with training taking place every weekday afternoon and matches occurring on Saturday afternoon. Sunday afternoon was the only time football was not organised on the oval, making it available for other sports. Passive recreation was mostly individually organised, although some unit competitions were sometimes held in darts, pool, table tennis and badminton. As the gymnasium was lost in the kitchen refurbishment and health centre upgrade, an undercover recreation area with isometric equipment was constructed in C block.

- 3.21 Recreation is the responsibility of the Activities/Library Officer which is a Vocational and Support Officer (VSO) position. Prisoners expressed concern that this role was dominated by the running of the library at the expense of physical recreation. The VSO acts as a facilitator for the active sports but requires the prisoners to take a high level of responsibility for their own activities. The organisation of any active recreation largely falls to two prisoners – one in the main prison and one in the minimum security section – who hold paid positions as sports coordinators. The VSO has systematic monthly meetings with the coordinators to ensure activities are occurring and to provide any assistance required, and is available at any time to help them address any issues they encounter.
- 3.22 While it is positive to have prisoners so closely involved in the organisation of recreation, it was evident that there was a need for greater supervision and support. This was particularly the case where disputes arose between opposing teams or players, as was occurring at the time of the Inspection. Prisoners felt that the resolution of problems was left to the prisoners with minimal staff assistance, placing some in difficult positions where they were perceived to be taking sides, and were further complicated by family relationships and pressures. There were also concerns about the lack of advocacy for the purchase of new sporting equipment and the replacement of old and worn out equipment. Overall, there is a need for the Activities/Library Officer to be more actively engaged in the physical recreation activities, including the organisation of sporting competitions and equipment issues.
- 3.23 Recreation facilities for the existing minimum security section were limited. The area has a basketball half-court, cricket net and some isometric gym equipment within the perimeter fence, plus a small grassed area adjacent to the staff car-park which prisoners are only allowed onto with an officer present. Prisoners in the minimum security section have no access to team sports organised in the main prison, and are not provided with any opportunity for external sport activities to compensate. This is a disincentive for the minimum security prisoners, who should have access to more privileges than those in the main prison.

#### VISITS

- 3.24 At both of the previous inspections, the visits regime at Bunbury was a target for criticism. It is therefore pleasing to report that the prison has made substantial improvements in this area. Significantly, in 2002 the visits regime was the most contentious issue for prisoners and was targeted in the prisoner survey as one of the worst things about the prison.<sup>12</sup> In 2008, a complete turnaround had been achieved with family contact the most highly rated area in the prisoner survey. In addition, the inspection team heard no complaints about visits during the on-site inspection. Relationships between staff and visitors were observed to be polite and professional. Gatehouse procedures such as processing statutory declarations, receiving monies deposited to prisoner accounts and searching procedures were all conducted efficiently.
- 3.25 The physical environment of the visits area includes an indoor room and an outdoor covered area. Both have been improved by the installation of individual visits tables consistent with visits furniture in other Western Australian prisons. Tea and coffee making facilities were another welcome addition. The prison had also created a small children's play area at the back

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12 OICS *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 16 (December 2002).

of the visits room, which included a range of toys and a television that transmits a selection of children's videos during each visits session. There was a selection of prisoner artwork on display in the visits room, giving prisoners the opportunity to show their work to family and friends. All of these changes and initiatives were recognised and appreciated by the prisoner group.

- 3.26 Three visit sessions per week are designated as child-free, and this serves a dual purpose. Firstly, it caters for those prisoners who are excluded from visits with children due to the nature of their offence. Secondly, it allows prisoners to spend time with their visitors without the distraction that can sometimes be imposed by children. Previous difficulties with monitoring behaviour in visits have been simply but effectively addressed by providing new chairs for supervisory staff enabling an elevated view of the room.
- 3.27 There are two non-contact visits booths and two privileged visits booths adjoining the covered outdoor visits area. Prisoners can earn the right to receive a more private visit in one of the privileged visits booths by meeting a range of criteria related to their behaviour and conduct within the prison. These booths are also used for visits with grieving families or other circumstances in which greater privacy is required. As at the 2005 inspection,<sup>13</sup> the two non-contact booths were sometimes not sufficient to meet the demand for non-contact visits and this is only likely to escalate with an increasing prisoner population. Positively, the prison had developed a minor works plan which would increase the number of non-contact booths to four and the number of privileged visits booths to three.<sup>14</sup>
- 3.28 While prisoners in the main prison have access to visits every day of the week, visits for prisoners in the minimum security section are restricted to the weekend. Visit times are not extended nor is any other compensatory measure afforded to minimum security prisoners. This is yet another example of the disadvantage suffered by minimum security prisoners at Bunbury. Notably, access to visits for minimum security prisoners will remain the same even when the new pre-release unit is opened. The stated reason is that all minimum security prisoners should be working full-time and therefore have no time for visits during the week. However, it is unacceptable for minimum security prisoners to be disadvantaged in this way and the prison should consider ways to address this, such as extending the length of visits or introducing evening visit sessions during the week.

#### PEER SUPPORT

- 3.29 Bunbury has a particularly strong Prisoner Support Officer (PSO) and peer support group. The PSO is a respected member of the local community who has been working at the prison for a substantial period of time. He has recruited a strong, stable and diverse peer support group and provides them with good guidance. Very importantly, he is respected within the prison by management, staff and all prisoners, which means he can work effectively for the interests of prisoners.

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13 OICS *Report of an Announced Inspection of Bunbury Regional Prison*, Report No 33 (June 2006).

14 At the time of writing, this minor works plan had been approved and funding secured.



- 3.30 Similarly, the peer support group is respected and delivers great benefits to prisoners through involvement in prisoner service areas such as reception, orientation, and the management of prisoners at risk. In all these cases, the contribution of the peer support group is well managed and adds strength to the processes in place. Officers and other staff involved in the management and operation of these areas acknowledged and appreciated the role that peer support play.

#### ABORIGINAL PRISONERS

- 3.31 Bunbury Regional Prison typically has a comparatively small number of Aboriginal prisoners, and at the time of the inspection Aboriginal prisoners represented around 16 per cent of the total prison population. This level remains constant from the time of the last inspection.
- 3.32 Aboriginal prisoner representation in key areas such as accommodation location, employment and education was fairly proportionate to their overall numbers. As mentioned above, the peer support group at the prison is strong, and Aboriginal prisoners are well represented. Even so, there were a number of issues raised by Aboriginal prisoners during the inspection.
- 3.33 Bunbury has a practice of providing kangaroo meat to prisoners each fortnight on a Saturday, but Aboriginal prisoners claimed that this was no longer happening regularly. This has undoubtedly been affected by the shortage of cook instructors in the kitchen and it is hoped that the impending commencement of a new cook instructor will see the return of regular kangaroo meals. In any event, the prison needs to recommit to this practice and ensure such meals are regularly received.
- 3.34 Another concern for Aboriginal prisoners was their opportunity to attend funerals. Attendance at a funeral is a very important and culturally significant event for Aboriginal people. Being incarcerated makes fulfilling this cultural responsibility difficult and this is a contentious issue for Aboriginal prisoners throughout the prison system. Prisoners are required to make an application and seek approval to attend a funeral, and in many cases the decision is influenced more by the availability of staff and resources than by any notion of cultural sensitivity or appropriateness. Aboriginal prisoners at Bunbury relayed a strong sense of offence at some aspects of the selection process, particularly questions about whether they had been through traditional law. There was also a perception that prison staff had a poor understanding of Aboriginal family relationships. This is an extremely important issue for Aboriginal people, which requires more proactive management. The bottom line is that staffing and resourcing pressures are not appropriate reasons for denying someone the right to farewell their loved one.
- 3.35 Aboriginal prisoners at Bunbury expressed a desire for access to cultural learning and referred to programs run at Hakea Prison in Aboriginal language, dance, art and cooking. Unlike many other prisons, the Aboriginal prisoners at Bunbury are almost always Nyoongar men from the Perth metropolitan area or South-West WA. In this sense, Bunbury is in a rare position to focus specifically on Nyoongar prisoners and has a unique opportunity to develop a Nyoongar cultural learning program. Development of any such program should involve extensive consultation with Aboriginal prisoners, elders and the community. If successful, the program could potentially be expanded to other prisons in the state.

*Recommendation 3:*

*That the prison develop and implement a cultural learning program for Nyoongar prisoners.*

#### ABORIGINAL VISITORS SCHEME

3.36 Representatives from the Aboriginal Visitors Scheme (AVS) have not been to the prison for nearly two years (since November 2006). At the time of the last inspection AVS visitors attended the prison every Monday, Wednesday and Friday. The visitors withdrew their services after some disputes with head office management over how the scheme was being run. Bunbury is not the only location where visitors are now absent, or where there are serious issues between the visitors and their management. At some prisons, the AVS continues to provide a valuable service to Aboriginal prisoners and the Aboriginal community, but there is significant variance in service delivery throughout the state and the situation at Bunbury is entirely unacceptable. The Department needs to examine the AVS and reassess its core business and outcomes. At present the scheme is underperforming at many sites and needs to be refocussed and reinvigorated to ensure it is achieving its goals.

*Recommendation 4:*

*That the Department re-establish the regular attendance of the Aboriginal Visitors Scheme at Bunbury Regional Prison and ensure that the Aboriginal Visitors Scheme is achieving its outcomes throughout the prison system.*

#### MANAGEMENT OF PRISONERS AT RISK

3.37 The processes and procedures for the management of prisoners at risk and those identified as disturbed or vulnerable were found to be of a very high standard at Bunbury. The standards established by this Office require the prison to 'have an effective process to detect and manage prisoners in crisis...[which] should be multidisciplinary and should develop a therapeutic and supportive management regime'.<sup>15</sup> The prison has achieved this and was evidenced by the low prevalence of self-harm at the prison, with no self-harm incidents occurring in the six months prior to the inspection.

3.38 In addition to the At Risk Management System (ARMS) for managing prisoners at risk of self harm, the prison also operates a register of prisoners that have been identified as 'disturbed and vulnerable'. This requires staff to monitor the behaviours and interactions of these prisoners more closely to ensure that they are not at risk from other prisoners and/or themselves.

3.39 The ARMS is managed via the tools established on TOMS, with a file established for each prisoner placed on the ARMS register. The disturbed and vulnerable (D&V) list is a paper-based system with all records being kept on a separate file. The prison anticipates replacing the D&V system in the near future with the new Departmental SAMS<sup>16</sup> system when this is available on TOMS, as the systems are designed to achieve the same outcomes.

15 OICS, *Code of Inspection Standards for Adult Custodial Services*, standard 95.

16 Support and Monitoring Services.

- 3.40 Prisoner Risk Assessment Group (PRAG) meetings are held daily and a discussion of prisoners on the Disturbed and Vulnerable list is conducted at the end of PRAG every Wednesday. A comprehensive range of staff attends the meetings, including the Operations Manager, Nurse Manager, PCS, PSO, Chaplain, programs staff and all unit managers.<sup>17</sup> The group listened to input from all members and the interaction at the meeting showed each person was obviously aware of the issues for each prisoner listed in both PRAG and D&V.
- 3.41 There was evidence of peer support prisoners being used in appropriate circumstances to support vulnerable prisoners. The prison has also had occasion to use the ‘buddy cell’ system, where prisoners at risk are temporarily placed in an accommodation cell with another prisoner to provide support to them. Documentation and interviews with prisoners reflect that this was done appropriately, following consultation with the PRAG and the prisoners involved.
- 3.42 Bunbury’s ARMS manual was comprehensive and up-to-date. Some changes had been made since the last inspection in relation to recording the management of PRAG meetings. In particular, a wider range of staff must sign the minutes to indicate their support of the actions resolved to be taken and the minutes now contain more detail about the performance and behaviour of prisoners on ARMS. This would allow a better review of the decision-making of the group should the need arise.
- 3.43 The PRAG minutes indicated that the prison maintained a very good level of communication with the court custody centre in Bunbury concerning the state of mind of prisoners attending court from the prison. There was also information being passed on from custody centre staff about new prisoners coming to the prison from court. In order to better facilitate and document this exchange of information, the prison was developing a form for the custody centre staff to use in order to record observations and information while prisoners were away at court.<sup>18</sup>

#### HEALTH SERVICES

- 3.44 Health services at Bunbury Prison have been substantially improved by the opening of a new medical centre since the last inspection. The site is now modern and well-equipped, and essentially has the appearance of a community medical centre. The medical centre is open Monday to Friday from 7.30am to 7.30pm and is staffed by nurses with a doctor on-site two days a week. There is no nurse on-site overnight although there is capacity to ‘e-consult’ a doctor if required after standard hours.
- 3.45 Nursing staff reported consternation about the application and recruitment process for permanent posts. At present, the medical centre relies heavily upon competent casual staff, and all efforts should be made to retain and encourage such staff to become full members of the team, especially as requirements expand with the separate medical facility in the new pre-release unit.

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17 In accordance with OICS Inspection Standard 95.

18 The Operations Manager acknowledged that this was being developed based on a similar form that is used by Bandyup Women’s Prison to record information about its prisoners who attend court.

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- 3.46 Prisoners access health services by way of an appointment system; the prisoner places a written request on a green form and posts this in a locked letterbox situated in each unit. The letterboxes are cleared daily by nursing staff, thus protecting the privacy of the prisoner. This contrasts with the previous system which required prisoners to request medical appointments through unit officers. Medical staff and prisoners overwhelmingly preferred the new system, although prisoners with poor literacy might struggle to fill in such forms. The details provided on the form allow the nursing staff to triage the requests and appointments are scheduled for the following day at the latest, depending on the urgency and nature of the problem.
- 3.47 At the 2005 inspection, concerns were raised about delays in prisoners' annual check-ups. Since then, a robust system to resolve this issue has been successfully implemented. In the area of health promotion, a number of commendable initiatives were observed, including the Inside Pit-Stop Men's health program, first run in November 2007, which helped identify individual prisoner health risk factors. Other promotional activities noted were kidney week, heart week and diabetes awareness week, all in line with community initiatives. However, there were no alcohol and drug programs available and a lack of pharmacotherapy expertise in the medical centre. There is no specialist alcohol and drug officer; although at the time of the inspection a co-morbidity position was being advertised.
- 3.48 Certain areas of concern remained from 2005. Access to specialist services has improved but is still limited. Positive developments include visits by a surgeon (at least twice a year) and a physician (quarterly) to the prison, alleviating the need to attend community clinics. Further, ultrasound services are provided three times a year by a visiting radiologist, primarily to assist in the management of liver disease but also for other investigative purposes. Prisoners still require transfer to Casuarina Prison in Perth for specialist medical services which cannot be accessed locally. However, this largely reflects what is available from the public health system in the Bunbury area.
- 3.49 Dental care within the prison was limited to the provision of painkillers and antibiotics. Any further treatment remained dependent upon external public services, with appointment waiting times (for non-emergencies) reaching at least two years. Again, this reflects local community provision.
- 3.50 Problems also remain with mental health care provision despite approximately 20 per cent of the prison population having a substantial psychiatric diagnosis. There is no dedicated mental health nurse, although at least one nurse had received some specific mental health training. Provision of Prison Counselling Services (PCS) has been reduced to one full time counsellor. In 2005 there was a second counsellor on-site two days a week. Given that the prisoner population has increased in size and needs since then, the decline of PCS is concerning. However, this deficiency had been recognised and the prison had advertised to fill a position that would dedicate 0.6 FTE to Prison Counselling Service duties.
- 3.51 There is no Aboriginal health worker at Bunbury although negotiations continue with the South West Aboriginal Medical Service to bring their social and emotional well-being program to the prison. This program would be available to all prisoners, but with a focus on

Aboriginal wellness issues. The Office endorses this move, and encourages local management and head office to provide the necessary support to conclude negotiations promptly. However, while this program is an excellent initiative, it does not alleviate the need for an Aboriginal health worker in the prison. Recruitment of Aboriginal health workers has been challenging for prisons across the state, and the Department must develop a strategy to address this problem. For any prison, the availability of an Aboriginal health worker is crucial to the provision of health services and health promotion to this particularly needy cohort of the prison population.

#### MANAGEMENT AND TREATMENT OF SUBSTANCE ABUSE

- 3.52 The inspection identified a number of deficiencies in the management and treatment of substance abuse at Bunbury. Significantly, the prison had not updated its drug strategy since 2005. The Security Manager had been tasked with its revision, but the competing priorities of other large projects (including the control room refit and the perimeter security upgrade) had prevented any progress. The Security Manager's involvement also reflected the strongly security-focused approach that the prison had taken to the management of substance abuse.
- 3.53 There is a Passive Alert Drug Detection (PADD) dog and handler permanently attached to the prison, representing a valuable tool in the prevention of drug trafficking during visits. The PADD dog is also used within the prison, and the inspection team heard about several successful operations. Together with use of intelligence and dynamic security, the security response in relation to drugs was quite robust. However, a security response can impact only on the supply of substances in a prison, and to a limited degree on demand for substances through punishment and deterrence. The prison also has a responsibility to moderate the desire for substances on the part of prisoners who are addicted, and to minimise harms associated with continued substance abuse. In this area of treatment and harm minimisation, Bunbury was underperforming.
- 3.54 Nurses at Bunbury screen new prisoners for alcohol or other drug detoxification issues upon reception. If withdrawal needs to be managed, prisoners can be offered counselling, prescription drugs and pharmacotherapy where necessary. At the time of the inspection, there were seven prisoners being treated with some form of pharmacotherapy, but the nursing staff had not received any specific training in the administration of pharmacotherapy. In fact, the nursing staff at Bunbury lacked any training at all in alcohol and drug management issues. This sort of training should be provided by the Prisoner Addiction Services Team (PAST), but a PAST Coordinator had not been to the prison for approximately two years. The lack of expertise in alcohol and drug management was a serious shortcoming of the prison.
- 3.55 Newly admitted prisoners were placed on the list to attend the first component of the HIP-HOP program (the HIP or Health in Prison component). As prisoners approach their release date, they are scheduled to participate in the second component (the HOP or Health out of Prison component). The program is designed to provide basic information to help prevent the spread of sexually transmitted diseases, blood-borne viruses and other health consequences of drug use, sex and other risky behaviours. While this is a good general health program, it does not satisfy the need for a focussed education program addressing alcohol and drug issues. The only official treatment program to help prisoners address their substance abuse at

Bunbury is Moving on From Dependency (MOFD)<sup>19</sup>, which is limited to 20 prisoners per year. There is a real need for drug and alcohol treatment programs and services at Bunbury to reach a wider range of the prisoner population.

- 3.56 Although the prison has an energetic security response to the potential misuse of substances by prisoners at Bunbury, it must be recognised that this is only part of an effective drug strategy. The alcohol and other drug treatment services at Bunbury are in serious need of expansion, particularly with the impending opening of the pre-release unit from which many more prisoners will enter the community on a daily basis. It is essential that the Bunbury Prison drug strategy be reformulated and resources identified to ensure an effective, pro-active and holistic response. The involvement of health services, offender services, re-entry services and other relevant internal and external stakeholders will be essential in developing such a strategy.

*Recommendation 5:*

*That the prison develops a new Drug Strategy.*

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19 Further discussion of this program can be found in Chapter 4.

# Chapter 4

## REHABILITATION AND REPARATION

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### REHABILITATION

#### Case Management

- 4.1 At the time of the last inspection, the case management process at Bunbury was not functioning well. There was limited contact between prisoners and their case officers, and the quality and consistency of reporting was lacking. The report duly recommended that management at Bunbury develop a strategy for the rejuvenation of case management.<sup>20</sup>
- 4.2 The establishment of the Coordinator Case Management position at the prison has given this area the drive and direction it needed. The Coordinator Case Management is supported by a senior officer and two assessment writers, but the prison currently lacks a treatment assessor. This has led to delays in treatment assessments which in turn prevent the completion of initial Individual Management Plans (IMPs) and case conference reports. Some time prior to the inspection, a treatment assessor from the metropolitan area had visited Bunbury for one week in order to work through a backlog of 24 prisoners who were waiting for treatment assessments. However, without a treatment assessor on site, this backlog will simply reappear. At the time of the inspection there were six prisoners waiting for treatment assessments. The Department had recognised the importance of an on-site treatment assessor at Bunbury and had advertised to fill a position at the prison that would dedicate 0.4 FTE to treatment assessments and 0.6 FTE to Prison Counselling Service duties.
- 4.3 The prison had no overdue Management and Placement checklists (MAPs), classification reviews, parole reports, or other pre-release reports. This is a significant achievement and testament to the prison's progress in this area. However, due to the aforementioned delay in treatment assessments, there were six overdue initial IMPs.
- 4.4 All prisoners at Bunbury are assigned a case officer from the uniformed staff ranks upon completion of their initial IMP. The Coordinator Case Management ensures that the allocation of prisoners is spread evenly across the officer group. Most full-time prison officers are assigned two prisoners to case manage and part-time officers are assigned one. The Case Management Coordinator monitors the timeliness and quality of reports from case officers and is proactive in following up overdue reports. There is still some resistance to the case management process from some officers, and a number of prisoners stated that contact with their case officers was irregular and they had limited meaningful interaction. The Case Management Coordinator had plans to start rotating officers through the assessments and case management area in order to broaden their knowledge, experience and understanding of the process. This is a good initiative with the potential to promote acceptance and support of the case management process within the officer group.
- 4.5 Case management has undoubtedly moved forward significantly at Bunbury, and there is potential to build on this success. The prison (and the Department) is encouraged to strive towards a more comprehensive and holistic model of case management that focuses on the well-being of the prisoner and especially on preparation for release and transition back into the community. If done well, the case management process should do more than simply monitor the progress of prisoners against their IMPs.

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20 OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 33 (June 2006), Recommendation 7, 46.

## PHOTOGRAPHS

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*The indoor visits area with new tables and children's play area visible. The room also featured several pieces of prisoner artwork, including impressive murals on the walls. The changes to the physical environment have contributed to an improved visits regime at the prison [3.25].*



*A cell in C block with a trundle bed. When the trundle bed is pulled out from under the main bed it takes up most of the remaining space on the floor. This makes it difficult for the person on the fixed bed to access the toilet during the night without disturbing the prisoner on the trundle [3.6] – [3.8].*



## PHOTOGRAPHS

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*A view inside the prison's new medical centre. Health services have been substantially improved by the opening of the new centre, which is modern and well-equipped [3.44].*



*A view from inside the new pre-release unit close to completion. The physical design of the unit resembles a community living environment similar to that seen at Boronia Pre-release Centre for Women [4.16] – [4.17].*

Offender programs

- 4.6 The delivery of programs addressing offending behaviour was one of the most concerning areas at Bunbury, as it is throughout the prison system. While the programs on offer were delivered by dedicated and professional staff, program availability was simply insufficient to meet the needs of the prisoner population. In the pre-inspection prisoner survey, only 48.4 per cent of respondents were satisfied with access to programs. This deficiency was also recognised in the staff survey, with only 40.7 per cent of staff satisfied with prisoner access to programs.
- 4.7 There were four programs officer positions at Bunbury but at the time of the inspection only two of them were staffed. There was also a clinical supervisor on site, but programs staff did not have a manager within the prison. The Manager Offender Services was based in Perth and reported to head office about local service delivery and issues rather than to local management at Bunbury. This meant that Bunbury programs officers had no advocate at management level within the prison, and their support from and engagement with head office management was limited due to their physical distance from the Perth metropolitan area. It had been 10 months since their manager had visited them at the prison. As a result, programs staff at Bunbury felt isolated within both the prison and the Department. This identifies a need for communication with programs staff to improve through regular contact and meetings with their line manager based in Perth, as well as developing closer links with local prison management.
- 4.8 During the inspection, a medium intensity Sex Offender Treatment Program (SOTP) was nearing completion, and a second was scheduled for later in 2008. It was possible to run the medium program twice in one year, but the intensive SOTP takes twice as long and can therefore only be run once per year. Each course is limited to 10 prisoners, meaning the program can only reach between 10 and 20 prisoners per year.
- 4.9 The only other program available was Moving on From Dependency (MOFD) which addresses substance abuse and is delivered by a contractor. This program is offered twice per year to groups containing no more than 10 prisoners. Notably, the clinical supervisor's role was attached to the SOTP, and not MOFD. Monitoring of MOFD by head office is limited to a review of the reports completed by the contractor at the conclusion of the course, which does not amount to effective clinical supervision and represents a serious deficiency.
- 4.10 As has been noted above, the population profile at Bunbury now includes considerably more violent offenders than sex offenders. It was clear to the Inspection Team that there is a pressing need to make a Violent Offender Treatment Program (VOTP) available in the prison.<sup>21</sup> This would reduce the need to transfer prisoners to other locations in the state to undertake the program and allow local prisoners to remain in their home region.
- 4.11 Also noticeably absent was the cognitive skills program, which had not been available at Bunbury for two years due to staffing shortages. Given the lack of specific offender treatment programs available, the cognitive skills course could provide prisoners with valuable assistance in recognising the issues that they may need to address as preparation for life back in the community. It was extremely disappointing to find that the program had been absent from the prison for such an extended period of time.

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21 At the time of writing a medium intensity Violent Offender Treatment Program was scheduled to commence at Bunbury Regional Prison in 2009.

- 4.12 There are significant gaps in program delivery at the prison. The service is not adequately resourced to deliver a sufficient quantity or a wide enough variety of rehabilitative programs. It is crucial that the Department examine the trends in the population profile at Bunbury and undertake an assessment of the programmatic needs of the prison.

*Recommendation 6:*

*That the Department ensure that the rehabilitative programs provided at Bunbury Regional Prison meet the demand and the needs of the prisoner population profile.*

Preparation for release

- 4.13 At the 2005 inspection, pre-release preparation was not being delivered effectively at Bunbury.<sup>22</sup> The community providers involved in pre-release programs had temporarily withdrawn their services following the critical incident earlier that year, and no replacement programs had been provided.<sup>23</sup> Although this situation was expected to improve as community providers returned to the prison, the 2008 inspection unfortunately found that pre-release services at Bunbury were still limited.
- 4.14 In the intervening years there had been advances in this area, with several employment and accommodation agencies and other community organisations regularly attending the prison. During the pre-inspection community consultation meeting, this Office made contact with a number of these service providers and observed that there was a lack of co-ordination of these services from within the prison. A number of the providers had been co-ordinating their services through the representative from Agencies for South-West Accommodation (ASWA) and were under the misapprehension that he was an employee of the prison when in fact he was simply another service provider. The dangers of this arrangement were clearly illustrated during the inspection when it was found that ASWA had recently stopped coming to the prison, and as a result all other pre-release services had also ceased. Community service providers are an indispensable resource in the delivery of pre-release services, but it is inappropriate for the prison to be reliant on a community service provider to drive the pre-release program. The impetus for these services must come from within the prison.
- 4.15 It was therefore positive that the prison had recently recruited a Transitional Manager and Employment Coordinator. These positions, introduced to prisons state-wide, are specifically intended to improve prisoners' preparation for release. The Transitional Manager makes contact with prisoners six months prior to release and links them with a wide variety of government and non-government agencies with the goal of assisting them in their transition back to the community. The Employment Coordinator, as part of the Prisoner Employment Program, gives prisoners the opportunity to undertake paid employment, work experience, vocational training and education in the community in the twelve months prior to release. These are both very promising initiatives which the Office strongly supports. The Transitional Manager had only been in the role for one month and the Employment Coordinator commenced during

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22 OICS, *Report of an Announced Inspection of Bunbury Regional Prison*, Report No. 33 (June 2006) 37.

23 Ibid.

the week of the inspection so it was too early to assess their effectiveness. However, the introduction of these positions is undoubtedly a positive development for pre-release services at Bunbury.

- 4.16 Another significant development for pre-release preparation at Bunbury was the construction of the new pre-release unit. The pre-release unit will provide accommodation for 72 minimum security prisoners, replacing the existing 37 bed minimum security unit. At the time of the inspection the pre-release unit remained unfinished with completion scheduled for October 2008.<sup>24</sup> The physical design of the unit was certainly very impressive and resembled a community living environment similar to that seen at Boronia Pre-release Centre for Women. The guiding philosophy and policy behind the unit is also very encouraging.
- 4.17 The stated aim of the unit is to provide ‘the skill requirements for prisoners to successfully reintegrate into the general community on their release’.<sup>25</sup> It is intended that every prisoner at the pre-release unit will have developed a release plan with heavy involvement from education staff, the Transitional Manager, the Employment Coordinator and any other relevant staff. The prison has also developed a Community Transition Program that will address issues such as alcohol and drug use, housing availability and affordability, financial planning, relationship dynamics and employment prospects. Although it has not yet been put into practice, this program sounds extremely beneficial, particularly given the current glaring lack of similar services at Bunbury. There was, however, a sense that all initiatives were dependent upon the opening of the new unit, and all progress had been put on hold until then. It was disappointing that the minimum security prisoners in the existing unit continued to live in an impoverished and disadvantaged environment, and little progress had been made in that regard since 2005. Nevertheless, the living conditions and privileges of minimum security prisoners at Bunbury will unquestionably be substantially improved by the opening of the new unit, and this is a very positive development for the prison.

#### Education

- 4.18 The education centre was identified as an area of the prison that was functioning particularly well. Bunbury reports a higher literacy profile than many prisons, and this has allowed the centre to be more ambitious with its education program. Seventy one per cent of Bunbury inmates assessed as at June 2008 were reported as having sound or functional levels of literacy skills. At the time of the inspection, there were 38 full time students enrolled, representing 19 per cent of the prisoner population.
- 4.19 There was active adult basic education in operation although there were only three students taking part. A larger group of 11 were enrolled in the Gaining Access to Training and Education (GATE) course. It was pleasing to see a music program available as a non-accredited program delivered by prisoners, and also to see that the art program is thriving. Aboriginal students in particular were highly engaged in these courses and some were studying art at a tertiary level. Minimum security prisoners have adequate opportunities and it is anticipated that this will be improve once the new pre-release unit opens.

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24 The pre-release unit was officially opened on 30 October 2008 and accepted its first prisoners on 3 November 2008.

25 Bunbury Regional Prison Pre Release Unit, *Guiding Philosophy* (undated).

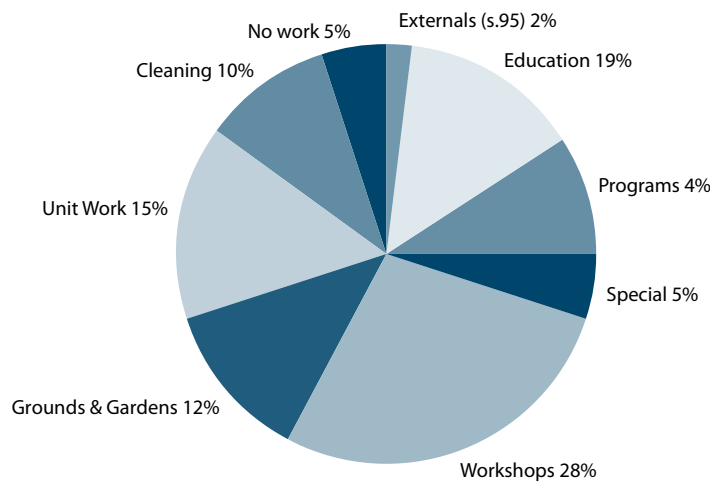
- 4.20 A very wide range of vocational training was on offer. Given the smaller size of the prison, it is remarkable that the education centre is able to offer most of the courses available in much larger prisons. Training is integrated well into industries and prison operations. At the time of the inspection, there were 20 trainees in five different industry areas. In 2007, 36 traineeships were completed. Unfortunately, there have been instances where traineeships have had to be discontinued due to lack of officers in the industry area.
- 4.21 The most outstanding feature of the Bunbury education centre was its achievement of full qualifications rather than just units. In 2007, 197 full qualifications were earned. About 50 per cent of all students who studied at the centre achieved a full qualification. While it would be unrealistic to expect similar results from other prisons with very different populations, this is an exciting achievement which the Department should document and celebrate. Other centres could learn from both the strategies used to achieve these full course completions and also the simple way these achievements are celebrated locally (in the education centre there is an honour wall of students who completed courses along with the name of the staff member who taught them).
- 4.22 A second feature of the prison's education and training is the delivery strategy used for many of the programs especially the information technology and business courses. The open learning model used relies on several modes of delivery which add up to a full time program. Students have face to face tuition for part of the week; their program is planned, assessments of competency made, and direct teaching of core skills provided in this time. For the remainder of their program, students self-access learning materials and assessments from a database stored on the class computer system. This system records their participation and a manual record of attendance is also kept. Education staff are available to help as are peer tutors (both formal and informal). This system is good practice and largely explains the excellent completions and wide range of programs offered at Bunbury. The innovative delivery methods mean that prisoners are not restricted to those programs that are popular enough to attract full classes.
- 4.23 The Bunbury education centre has also negotiated a unique relationship with TAFE which allows for very flexible staffing arrangements. The centre uses a combination of custodial staff on overtime shifts, casual staff, visiting TAFE staff, and full-time education staff to deliver their program. The Bunbury education centre essentially operates as a satellite TAFE campus, with TAFE providing funding for salaries directly to the centre then charging for the hours worked by TAFE staff. Under this arrangement the Bunbury education centre has an extra \$120,000 available in its budget.
- 4.24 The education centre and staff are strongly supported by local management and the education campus manager is well integrated into prison management meetings and debriefs. Education staff were particularly aware and appreciative of the superintendent's support for education in the prison.
- 4.25 The relationship with head office management was more problematic. Education staff were concerned that head office do not support the different practices instituted at Bunbury. However, it is these innovative practices that have enabled the Bunbury education centre to achieve such outstanding results.

REPARATION

Employment

4.26 Bunbury Regional Prison boasted an average 95.18 per cent employment rate for the months July 2007 to March 2008 and an average of 7.13 hours of work allocated to prisoners per day.<sup>26</sup> An example of work assignments for the prisoners at Bunbury during the inspection is shown below.

BUNBURY WORK ASSIGNMENTS – 12/08/2008



4.27 Although the high level of prisoner employment is impressive, these figures simply reflect the number of prisoners given a pay-point in the electronic gratuity system, and do not take into account the work required in any particular role or the actual work performance by any particular prisoner. Unit work, for example, notoriously requires very little effort by prisoners. The structured day limits most workplaces to a 5.5 hour maximum, but the actual time spent at work is often less than that due to inevitable time losses at the beginning and end of the day and before and after the lunch break.

4.28 During the week of the inspection, there were days when up to four work areas were closed due to Vocational Support Officer (VSO) absences. In the 12 months prior to the inspection, a TAFE instructor had been delivering bricklaying courses out of the skills workshop. However, the prison had been unable to permanently fill the VSO position in the skills workshop for two years, primarily because the pay rate is not competitive. Other areas rarely worked to capacity due to a lack of staff. In the interests of accountability, the prison should be maintaining a more complete record of workplace closures than it currently does. The wastage of human energy is all too endemic in prison life, and setting work requirements at a low level does a disservice to prisoners by under-preparing them for life and work in the community.

4.29 More positive was the recognition of intensive program participation and education as work. However, the structured day at Bunbury does not readily facilitate opportunities to combine work with education or program participation. The structured day model created for Bandyup Women’s Prison has proven capable of maintaining a more realistic record of

26 Department of Community Services, *Prison Performance Management System Report* (March 2008).

prisoner participation in work, education (not limited to work-related vocational training), programs, and other personal development activities. It would be beneficial for Bunbury and other prisons to implement similar systems.

### Industries

- 4.30 The industries area remained a strength at Bunbury and a number of work areas maintained an excellent throughput of good quality work. The cabinet and metal shops had both made major contributions to building furniture and other effects for the new pre-release unit as well as maintaining significant external contracts. The nursery continued to supply plants for the revegetation of Rottnest Island, for the prison generally and more recently for the pre-release unit. The market garden supplies vegetables for the prison system and the vegetable preparation workshop for a number of prisons in WA and an impressive number of businesses and non-government agencies in the South-West. The kitchen and bakery was another productive area.
- 4.31 The prison's program of work in the community (conducted under section 95 of the *Prisons Act 1981* (WA)) has also been impressive over the years. This includes work on the Bibbulmun Track, Munda Biddi Trail, and Cape to Cape Track and caves infrastructure, along with river restoration work for the Shire of Capel, restoration work at small museums and assistance with setting up the annual Bunbury Seniors Expo. In this way, the prison achieves reparative outcomes both through direct benefit to the community and by reducing the costs of the prison system.
- 4.32 There was good integration between most work areas and the education centre to ensure that prisoners could access relevant training. The cabinet shop for example, set aside each Friday for training purposes. Friday was also the day that kitchen trainees could cook the specific things required for their courses. In the laundry, prisoners had made changes to processes through implementation of new skills and knowledge from their training. In this respect a reasonable balance between production and training had been struck, although more prisoners would have this opportunity if the skills workshop was reopened and other workshops were fully staffed.
- 4.33 The management of industries and industrial officers is part of the Business Manager's role at Bunbury, and his main focus in this respect has necessarily been on managing staff shortages and staff recruitment. At the time of the inspection it was anticipated that staffing pressure would soon be alleviated by the impending appointment of a number of VSOs.
- 4.34 However, the demands of managing these staffing pressures had resulted in the industries area remaining under-developed. There was a lack of strategic direction and leadership and a general need to focus more attention and resources on industries. The workload of the Business Manager was soon to be alleviated by the introduction of a Finance Officer and a Purchasing Officer, and supervision of the section 95 program would also transfer to the Manager Pre Release Unit. It is therefore anticipated that the Business Manager will have more time to devote to the development of industries. This must be recognised as a key responsibility of the role.

- 4.35 The absence of an Industries Business Plan suggested that insufficient attention was being paid to issues, opportunities, goals and priorities in prison industries and that the prison as a whole lacked vision in this important area. There is also a need to review the structured day in the prison in order to improve productive engagement of prisoners in beneficial employment, training, programs, education and other personal development activities. A good Industries Business Plan should state the place of industries employment within the structured day and set goals for prisoner employment and training, and goals for production. It should also identify issues and opportunities, and strategies, priorities and resource requirements for the future.

*Recommendation 7:*

*That the prison develops and implements an Industries Business Plan and ensures that sufficient resources are allocated to the strategic management of the industries area.*



# Chapter 5

## CUSTODY AND CONTAINMENT

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### PRISONER MANAGEMENT

- 5.1 Bunbury Regional Prison has earned a reputation for good prisoner management and control. Prisoners who would ordinarily be in segregated protection regimes at other prisons are managed within the mainstream prisoner population at Bunbury. This reputation stems from the fact that Bunbury historically accommodated a high proportion of sex offenders, and these prisoners felt safer within the prison because of their numbers.
- 5.2 Since then, the profile of the prisoner population has changed substantially and sex offenders no longer maintain a 'critical mass', yet Bunbury still runs successfully without a segregated protection regime. This is possible because of the continued strong management and positive culture of the prison, and staff are to be commended for this achievement. The atmosphere of the prison was calm and there were no indications of any significant tension between different groups of the prisoner population. The pre-inspection prisoner surveys indicated that prisoners generally felt safe and there were no concerns in this regard raised during the inspection.
- 5.3 Prison management and staff are aware that the stability of the prison will be tested by the changing prisoner population. The increasing proportion of violent offenders and prevalence of drug use and mental illness will be a challenge for staff into the future.

### RECEPTION

- 5.4 Prisoner reception at Bunbury was a well functioning part of the prison. The reception area is an open plan environment with small rooms leading off the main section. It is a non-intimidating space and in this sense is an appropriate introduction to the prison for new prisoners.
- 5.5 The procedures in the reception area were generally good, although several issues were noted during the inspection. For example, the number of unsecured items in the reception sally port was identified as a health and safety risk and the failure to lock the holding room during the reception process was likewise recognised as a security risk. For the most part, however, the work practices in the reception area were efficient and effective, and this was largely attributable to the experience and stability of the reception staff. Interaction between reception staff and prisoners was decent and respectful, with staff displaying good awareness of the stress commonly experienced by prisoners upon entering prison, and the need to ease their transition into the custodial environment.
- 5.6 Prisoners are typically anxious to contact their families upon arrival in prison and this Office expects that prisoners will be given this opportunity as soon as practicable.<sup>27</sup> Unfortunately, new prisoners at Bunbury cannot make a telephone call during the reception process because the telephones in the reception area are not monitored and recorded. Their first opportunity to do so is when they reach their accommodation unit. While this is not unique to Bunbury, the Office strongly encourages Bunbury (and other prisons) to ensure that prisoners have the opportunity to make a telephone call upon arrival.

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27 OICS, *Code of Inspection Standards for Adult Custodial Services*, standard 4.

## CUSTODY AND CONTAINMENT

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- 5.7 Two prisoners work in the reception carrying out laundry, cleaning and general duties to assist staff with the daily operation of the area, and are a valued part of the reception team. While prisoners who are members of the official peer support group are not incorporated into the reception process, the two prisoners who work in the area provide a valuable substitute as a small introduction to prisoners for those newly arriving and can be used by the staff when required (and appropriate) to assist prisoners in distress.
- 5.8 Despite the solid operation of the reception area, there were some concerns identified about the distribution of duties between staff. Certain staff were performing tasks that did not fit into the responsibilities of their role. This was particularly the case for the warrants officer and the orientation officer. This situation had developed because staff in the reception area were keen to support each other during busy periods, but had begun to impact on their other duties. It is suggested that a comprehensive review of work allocations in the reception area would resolve these issues.

## ORIENTATION

- 5.9 There have been significant improvements in the orientation processes at Bunbury Regional Prison since the time of the last inspection. The role of orientation officer has become a Vocational Support Officer (VSO) position, with 0.5 FTE dedicated to orientation and the other 0.5 FTE to supervision of afternoon visits. This officer also facilitates video visits as one of his official duties. Unofficially, because he is based in reception, he also assists the reception officers when they are particularly busy (usually on Wednesday when the prisoner transport vehicle arrives from Perth).
- 5.10 The main rationale for converting the role to a VSO position was to enhance the consistency, quality and timeliness of the orientation process and this goal has largely been achieved. The requirements for Bunbury Regional Prison's orientation process are contained in Standing Order B5,<sup>28</sup> which details a comprehensive process divided into four 'modules'. This process as outlined should ensure that prisoners are made aware of their rights and responsibilities at the prison. The stated timeframes for delivery of each module are appropriate, with prisoners' most immediate needs dealt with immediately upon arrival and other information provided in stages over the first week in the prison. At the completion of each module the orientation officer and the prisoner are required to sign confirmation that the stage has been completed, and this becomes part of the prisoner's unit file. The various modules of the orientation process are delivered by different people in the prison including the reception officer, orientation officer, Prisoner Support Officer and Peer Support team and case management officer.
- 5.11 Despite the overall improvements, the orientation officer was concerned about his capacity to achieve the timeliness requirements of the orientation process. The time available for orientating prisoners is limited by his access to prisoners and the competing priorities of his other duties. This situation is not helped by the fact that he regularly assists in the reception process, which falls outside of his official responsibilities. Ten unit files examined at random showed that two prisoners were not orientated within the required timeframes, but the process

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28 Compliant with the requirements of DCS Policy Directive 18.

was completed within a further 24 hours. Prison management rejected the proposition that orientation resources were not adequate, but a more extensive analysis would need to be undertaken to confirm the extent of the issue. This is further reason for the prison to undertake a review of the work allocation within the reception area as discussed above.<sup>29</sup>

### COMPLAINTS AND GRIEVANCES

- 5.12 Similar to most other inspections, prisoners at Bunbury stated that they had little faith in the complaints and grievances system, and the inspection team heard allegations of complaints being ignored or discarded by staff. This view was reflected in the pre-inspection prisoner survey in which only 23.7 per cent of respondents had ever used the grievance system. Such allegations are difficult to substantiate or refute, but regardless of the truth it is clear that the prison (and the Department) needs to improve prisoners' perception of the grievance system.
- 5.13 Although the blue mailboxes for confidential mail were placed appropriately within the various accommodation units of the prison, the confidential yellow envelopes were only on display and freely accessible to prisoners in the self-care unit. In all other units, prisoners were required to ask officers for an envelope which undermines the confidentiality of the process. Prisoners should have access to the yellow envelopes without having to ask staff.
- 5.14 In contrast with prisoner's poor view of the system, the prison's records indicate that complaints and grievances are dealt with in a timely manner, and are not ignored or trivialised. The inspection team was satisfied that the prison made genuine efforts to resolve prisoner's issues.
- 5.15 The prison provides prisoners with another opportunity to have their concerns addressed through a daily process known as the "I want" parade. Each morning, prisoners have access to a designated officer who transcribes their issues and requests onto a standard unit interview form. This allows even those with limited literacy skills to raise matters. The process promotes positive interaction between officers and prisoners and to some extent reduces demand on the other available complaints and grievances systems. It was well utilised by both Aboriginal and non-Aboriginal prisoners, and they expressed satisfaction with the process and the way in which their issues were dealt with. Overall, the "I want" parade is an effective mechanism for addressing prisoners' needs and one that could potentially be adopted in other prisons throughout the state.

### DISCIPLINARY OFFENCES

- 5.16 Both before and during the inspection, prisoners at Bunbury complained repeatedly about the handling of charges for some disciplinary offences at the prison. It is common practice across most other prisons in the state for aggravated prison offences (under section 70 of the *Prisons Act 1981*) to be heard within the prison by a Visiting Justice. At Bunbury, however, prisoners claim that these matters are frequently referred to be heard in open court in front of a magistrate. This is a particular concern for prisoners because a magistrate has the authority to impose harsher penalties than a Visiting Justice.

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29 [5.8].

- 5.17 Importantly, this course of action is entirely permissible under the relevant legislation. The *Prisons Act 1981* states that a Visiting Justice can refer a matter to be heard in open court in front of a magistrate. At Bunbury, the local magistrate takes an active role in the hearing of these charges. The magistrate's advice to the Visiting Justices who attend the prison is that if they think that the penalty they are able to impose is not sufficient, then they should refer the matter to be heard in open court, particularly for drug offences. Although all cases are considered on an individual basis, the Visiting Justices have a 'three strikes rule' as an informal guideline; if a prisoner is facing a third charge for a drug offence then the matter is referred to external court.
- 5.18 Prisoners may be unhappy with this situation, but there is nothing improper about the practice. The inspection also found that the actual number of matters referred to open court is not large. Between January 2008 and the inspection in August there had been 51 minor prison charges and 53 aggravated charges with only five of those charges referred to an open court. In 2007 there were a total of 16 charges referred to an open court.

## SECURITY

### Custodial infrastructure

- 5.19 There have been a number of improvements to the custodial infrastructure of the prison since the last inspection, including the introduction of a mobile duress alarm system, and the installation of an additional PTZ<sup>30</sup> camera to address a previously identified weakness in the fence line. The most significant changes, however, relate to the upgrade of the perimeter defence system and the refit of the control room.
- 5.20 Problems with the previous 'De Fence' perimeter detection system had been identified at the 2005 inspection. Ongoing failures of the ageing technology and the unavailability of spare parts ultimately resulted in approval for the system to be replaced with three more advanced technologies consisting of an external Microphonic Fence disturbance system and Microwave and Omnitrax systems complemented by Pulse Active Infra-Red beams providing internal perimeter security. The project commenced in April 2008 and was scheduled for completion in October 2008. The potential for disruption to prison operations was high, but the project has been very well managed. A project manager was appointed for the duration of the project and a series of risk assessments was undertaken, ensuring that all identified risks were monitored and managed. This has included the development of comprehensive emergency management procedures relating to the project. The Department's Manager State-wide Security has been attending the prison on a fortnightly basis and his participation in risk workshops has provided valuable experience and knowledge in security and emergency management.
- 5.21 Following the 2005 inspection, it was recommended that the Department urgently commence a project to re-design and refit the central control room at Bunbury Regional Prison. At the time of the 2008 inspection, this project was almost finished but final completion was dependent upon installation of the new perimeter defence system. The new control room is a considerable improvement; however, the placement of surveillance monitors is not ideal and represents an occupational health and safety risk. There are 13 monitors situated above the windows along

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30 Pan Tilt Zoom.

## CUSTODY AND CONTAINMENT

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the front and right hand wall of the control room. They are placed above eye level, meaning the officer must raise his or her head to view them. There are also too many monitors to fit into the officer's field of vision, requiring the officer to continually turn his or her head. It would be preferable to use larger monitors with split screen capabilities located so as to allow observation with minimal movement (as seen for example at Eastern Goldfields Regional Prison).

- 5.22 There were also some concerns identified around the condition of the radios in the prison. Local management has recognised the need to replace the radios, but are reluctant to do so because the Department's Security Directorate has plans to introduce new radios across the state in the near future. In the meantime, however, the poor functioning of the current radios represents a serious risk to staff.

### Dynamic security

- 5.23 The positive relationship between staff and prisoners has been a consistent feature of Bunbury Prison, and has always contributed to a high standard of dynamic security. At the 2005 inspection, the prison's interactive dynamic security was recognised as 'its best security and safety asset'.<sup>31</sup> This continues to be the case, with the Security Manager an advocate for proactive interaction between staff and prisoners. The inspection team heard specific examples of valuable information being obtained by staff through interaction with prisoners, and saw evidence of such intelligence being analysed and disseminated appropriately.
- 5.24 It was observed, however, that relationships between staff and prisoners were not consistently strong across the prison. Interaction was especially good in the self care unit and the workshop areas. In contrast, some officers in C block were less inclined to walk around the unit and make conversation with the prisoners and preferred instead to remain in the unit office observing the prisoners from this vantage point.
- 5.25 Nevertheless, Bunbury has maintained the effective dynamic security that was identified at both previous inspections and the interactive relationship between staff and prisoners continues to be one of the strengths of the prison.

## EMERGENCY MANAGEMENT

- 5.26 During the inspection, a desk top exercise was conducted to assess the prison's capacity to deal with an emergency situation and it clearly showed that the prison has developed strong response capabilities. The Security Manager and his team clearly had good understanding of the security issues associated with their prison, and it was encouraging to see how well they worked together during the exercise.
- 5.27 The introduction of breathing apparatus equipment and associated training for staff has strengthened the prison's ability to respond to fire emergencies. The second floor above the prison Gatehouse has been converted into a storage area for the prison's Breathing Apparatus (BA) and emergency equipment. A lockable caged room has been created to house this equipment and it is all clearly labelled, with equipment registers as well as a log book in which all movements in and out of this room are recorded. In addition to the three BA sets kept here, two full sets of BA equipment are located within the prison for rapid deployment as needed in case of fire.

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31 OICS *Report of an Announced Inspection of Bunbury Regional Prison*, Report No 33 (June 2006), 41, [4.1].

## CUSTODY AND CONTAINMENT

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- 5.28 In acknowledgment of the fact that the Department's specialised services provider, the metropolitan based Emergency Support Group are several hours distant in the event of an emergency, Bunbury Prison has developed strong links with local police, ambulance and fire and emergency services. These local links should ensure that specialist services can be rapidly deployed as necessary for emergency management. Regular training and joint exercises with these specialist services should be undertaken to ensure this prison maintains an adequate emergency response capability.
- 5.29 As noted in the previous inspection report<sup>32</sup> however, regular scenario training at the prison is lacking. An operational skills training exercise conducted in April 2008 highlighted that if the prison is to improve its fundamental emergency response skills, training needs to occur on a regular basis.

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32 OICS *Report of an Inspection of Bunbury Regional Prison*, Report No 33 (June 2006), [4.18]

# Appendix 1

## THE DEPARTMENT'S RESPONSE TO THE 2008 RECOMMENDATIONS

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<b>Recommendation</b>	<b>Acceptance Level/Risk Rating/Response</b>
<b>Staffing Issues</b> 1. That the prison assess the training needs of the officer group and develop and implement a training strategy.	<b>Supported / Acceptable</b> The Satellite Training Section augments existing staff development services by providing an integral, on-site capability to prisons. In partnership with the Academy, the section contributes to ensuring that business needs of the Department, Divisions and prison are met, by developing relevant on-site service delivery strategies for designated client groups. In conjunction with the Academy the Satellite Trainer facilitates on site delivery, evaluation and validation of training for staff within their allocated prison. Working in partnership with local management the position advises, promotes and coordinates training within a customised delivery schedule.
<b>Human Rights</b> 2. That the prison abandon the use of trundle beds in shared cells.	<b>Supported in Principle, Subject to Funding / Low</b> The Department is progressing with arrangements to increase beds at Bunbury Regional Prison. As part of this process trundle beds will be phased out, however trundle beds may need to be utilised as a last resort. The Department will develop a forward position in regard to increasing bed capacity.
<b>Care and Wellbeing</b> 3. That the prison develop and implement a cultural learning program for Nyoongar prisoners.	<b>Supported in part / Acceptable</b> The Department acknowledges the significant work being done with Aboriginal prisoners at Bunbury as reflected in the report. The Department is willing to consult more broadly to enhance the current cultural activities at Bunbury with a view to implementing the intent of the recommendation.
<b>Care and Wellbeing</b> 4. That the Department re-establish the regular attendance of the Aboriginal Visitors Scheme at Bunbury Regional Prison and ensure that the Aboriginal Visitors Scheme is achieving its outcomes throughout the prison system.	<b>Supported / Moderate</b> The Department acknowledges the importance and benefit of the Aboriginal Visitors Scheme (AVS) and note that frameworks are already established. AVS has recently successfully recruited two community people to work at the Prison and will continue to identify suitable and interested applicants as a back up for when current employees are unavailable.

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Recommendation	Acceptance Level/Risk Rating/Response
<p><b>Health</b></p>	<p><b>Supported / Low</b></p>
<p>5. That the prison develops a new Drug Strategy.</p>	<p>Bunbury Regional Prison updated their local drug strategy in August 2008. The focus of the prison drug strategy is as its first priority to stop illicit drugs and contraband entering the prison environment. Demand and harm reduction strategies are incorporated in the local drug strategy to provide a holistic approach to offender drug misuse, including pharmacotherapies, programs and support. A DCS Drug Strategy 2009-13 is currently being developed under the framework of the WA Drug and Alcohol Strategy which will be the blue print for the Department's approach to managing drug and alcohol problems.</p>
<p><b>Rehabilitation</b></p>	<p><b>Supported in Principle / Low</b></p>
<p>6. That the Department ensure that the rehabilitative programs provided at Bunbury Regional Prison meet the demand and the needs of the prisoner population profile.</p>	<p>The process of identifying the existing controls for treatment needs at Bunbury Regional Prison are as follows: Once an offender has been sentenced, a treatment assessment is conducted. This assessment will identify the treatment need, matched to the relevant program for each offender based on their current offences. The offender will then be placed in the appropriate treatment program at an appropriate prison. Identification of treatment needs for the offending population in Bunbury have changed over the last few years from predominately sex offenders to an increased number of violent offenders. This has given rise to the need for a Medium Violent Offending Treatment Program (MVOTP). The introduction of the MVOTP facilitated by an external agency has been implemented. The recruitment process of staff for existing programs (Moving on from Dependency, Sex Offending Treatment Program - intensive &amp; medium) has been completed and Bunbury has a full complement of program facilitators to cater to these programs.</p>
	<p>A need for an Indigenous Family Violence program has been identified and will be facilitated by the Indigenous Programs Unit within the Offender Service Branch.</p>



THE DEPARTMENT'S RESPONSE TO THE 2008 RECOMMENDATIONS

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<b>Recommendation</b>	<b>Acceptance Level/Risk Rating/Response</b>
<b>Reparation</b> 7. That the prison develops and implements an Industries Business Plan and ensures that sufficient resources are allocated to the strategic management of the industries area.	<b>Supported / Acceptable</b> The Department is committed to gaining corporate recognition of the value of industries. To that end a dedicated review of the area will be conducted to maximise the potential of industries and strategically position itself for growth in the future and gain corporate endorsement for connectivity of industries with other areas in the Department such as the transitional programs. The review will include full consultation with other jurisdictions and a review of their practice in this area.

# Appendix 2

## SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE 2006 RECOMMENDATIONS

Recommendation Number	Report No. 33, <i>Report of an Announced Inspection of Bunbury Regional Prison.</i>  By type of Recommendation / Duration	Assessment of the Department's Implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
1.	<p><b>Staffing issues</b></p> <p>That a human resources master plan for Bunbury Regional Prison be developed and a change management process implemented to address among other issues:</p> <ul style="list-style-type: none"> <li>• bullying;</li> <li>• improve communication between local management and staff;</li> <li>• local recruitment of a more diverse (females and Aboriginal) prison officer group;</li> <li>• OH&amp;S management plans linked to risk and the functioning of the OH&amp;S process;</li> <li>• staff training needs; and</li> <li>• performance management.</li> </ul>		•			
2.	<p><b>Staffing issues</b></p> <p>That the Department develop clear policies and procedures for the management of staff during critical incidents and guidelines for the management of staff post incident. This should include direction to local prison and Head Office management.</p>			•		
3.	<p><b>Staffing Issues</b></p> <p>That the Department instigate research into the individual and systemic coping mechanisms used in their prisons and their impact on custodial management and specifically for Bunbury Prison, the Department seek expert advice as to the coping mechanisms and develop a transition plan, with consideration to the safety issues raised by staff and this Office, to ensure the ongoing continuation of the good functioning of the prison.</p>		•			
4.	<p><b>Care and Wellbeing</b></p> <p>That the Department review the processes and systems for the decision-making relating to the double-bunking of prisoners in Western Australia with the view to the creation of a simple but accountable documented system.</p>			•		

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE  
2006 RECOMMENDATIONS

Recommendation Number	Report No. 33, <i>Report of an Announced Inspection of Bunbury Regional Prison.</i>  By type of Recommendation / Duration	Assessment of the Department's Implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
5.	<b>Care and Wellbeing</b> The prison review and implement changes to its visits facilities, policies and procedures with a view to providing an environment more conducive to the maintenance of family relationships and more friendly to children, as well as achieving better safety for visitors and securing desired security outcomes.				•	
6.	<b>Health</b> That the Department improve health services through: a) the re-establishment of a formal relationship with relevant external providers specifically for Aboriginal prisoners; and b) the investigation of opportunities for the provision of specialist health services from the local community to eliminate the need for the transfer of prisoners to the metropolitan area to receive treatment.			•		
7.	<b>Rehabilitation</b> That the prison management develop a strategy for the rejuvenation of the case management process at Bunbury.			•		
8.	<b>Rehabilitation</b> That the prison develops and implements a strategy for the improvement of pre-release programs delivered to prisoners at Bunbury Regional Prison.				•	
9.	<b>Care and Wellbeing</b> That an assessment be made of the services and incentives provided to minimum-security prisoners at Bunbury Regional Prison and that strategies be developed and implemented to ensure that prisoners are not disadvantaged by a transfer to the external minimum-security facility at the prison. <sup>#</sup>  <sup>#</sup> The new Pre-Release Unit was not operational at the time of the inspection so progress against this recommendation was assessed with reference to the existing minimum security facility.		•			

SCORECARD ASSESSMENT OF THE PROGRESS AGAINST THE  
2006 RECOMMENDATIONS

Recommendation Number	Report No. 33, <i>Report of an Announced Inspection of Bunbury Regional Prison.</i>  By type of Recommendation / Duration	Assessment of the Department's Implementations				
		Poor	Less than Acceptable	Acceptable	More than Acceptable	Excellent
10.	<b>Custody and Security</b> That the Department urgently commence a project to re-design and refit the control room at Bunbury Regional Prison.				•	
11.	<b>Custody and Security</b> The prison should better define the role of the Security Manager at the prison to ensure that it focuses more on the core duties expected of that role and is more consistent with that at other medium-security prisons.			•		

## Appendix 3

### THE INSPECTION TEAM

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Barry Cram	Acting Inspector of Custodial Services
Natalie Gibson	Director Operations
John Acres	Acting Director of Strategy and Research
Kieran Artelaris	Inspections and Research Officer
Jim Bryden	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Pieter Holwerda	Inspections and Research Officer
Joseph Wallam	Community Liaison Officer
Heon Jeong	Observer, Corrections Bureau, Ministry of Justice, Korea
Dr Mike Jordan	Expert Adviser, Department of Health
Cheryl Wiltshire	Expert Adviser, Department of Education & Training

## Appendix 4

### KEY DATES

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Formal notification of announced inspection	10 April 2008
Pre-inspection community consultation	12 June 2008
Start of on-site phase	10 August 2008
Completion of on-site phase	15 August 2008
Inspection exit debrief	15 August 2008
Draft Report sent to the Department of Corrective Services	10 December 2008
Draft Report returned by the Department of Corrective Services	4 February 2009
Declaration of Prepared Report	10 February 2009





OFFICE OF THE INSPECTOR  
OF CUSTODIAL SERVICES

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