

The Inspector's Overview

WANDOO

CONTEXT

This is the report of the first inspection in May 2014 of Wandoo Reintegration Facility ('Wandoo'). Wandoo is a minimum-security prison for males aged 18 to 24 and is Western Australia's second privately operated prison. At the time of the inspection Wandoo had been operating for 18 months. The prison is located on the corner of Murdoch Drive and Bramanti Road in Murdoch, south of Perth.

A TROUBLED BIRTH

In September 2008 the incoming Liberal government promised to 'commence work on a new juvenile prison facility for 18–22 year old offenders.' The Department of Corrective Services ('The Department') immediately started to plan as to how this might be best achieved within the new government's first four-year term. The task was challenging considering that there would not be time to identify, acquire and build on a new site.

In May 2009 the then Minister for Corrective Services, announced that by the end of 2011, the juvenile Rangeview Remand Centre ('Rangeview') would be converted to an 80-bed young adults' prison. All juveniles from Rangeview were to be moved to new facilities within the Banksia Hill Detention Centre ('Banksia Hill').

The Department's analysis of the minimum-security population of young adults in prisons revealed there would be insufficient 18–22 year olds of the appropriate security rating to fill the new 80-bed centre, so the age range was expanded to 24. In November 2011 Serco was announced as the preferred tenderer, and the initial five year contract (with potential renewals having a total value of \$172m over its maximum 15 year life) commenced in March 2012.

Preparations for the transfer of youth from Rangeview to Banksia Hill were significantly delayed, as the construction of the accommodation buildings and supporting infrastructure at Banksia Hill ran 12 months late. The handover of the Rangeview site was consequently delayed a number of times from 1 January 2012 to 15 October 2012. Service commencement was similarly delayed from 1 April 2012 to 1 November 2012. The site preparation time between the Department handing over the site and the prison receiving prisoners had therefore been shortened from three months, to just over a fortnight. Wandoo was gazetted as a prison on 30 October 2012 and received its first residents just two days later.

GENERAL PERFORMANCE

Serco inherited a facility from the Department that had been starved of investment and allowed to run down over a number of years. In addition to aging systems and equipment, graffiti had been a dire problem at Rangeview for many years, with almost all available surfaces covered. In the accommodation units, mirrors were so scratched as to be almost useless, and walls, doors, doorframes, and telephone booths bore the tags of countless detainees. Graffiti was even more apparent inside cells, with some walls literally covered in graffiti. Glass walls and windows were also covered and had to be replaced.

\$4 million was provided by the Department for ‘enabling works’. This included redeveloping and refurbishing the front entrance, visitors’ waiting area, health centre, and prisoner reception. Upgrades and changes were also made to the: visits centre, renovating the cells and units, rewiring electrical systems, changing the distribution of double bunks, and removing the swimming pool. The removal of graffiti during the enabling works (or in the case of glass, the attachment of frosting until the glass could be replaced) had by itself significantly lifted the appearance of the prison, considerably improving the amenity and suitability of the facility for its current purpose. The remediation and removal of the bleak, sensory deprived, and graffiti-strewn physical environment of the Special Purpose Unit that I had described as ‘inhumane’ during our 2011 inspection, completed the process.¹

Despite the prison’s troubled birth, this inspection revealed a good news story, with many examples of good practice. One particular innovation was the importance that Wandoo had placed on restorative justice. Placed front and centre of its operating philosophy this approach had clear and positive implications for how relationship tensions between residents, between residents and staff, and even between staff were handled. The approach also guided the management of residents’ behavioural issues and assisted residents to prepare for their reintegration back into the community through family group conferencing.

The quality of the relationship between staff and residents in general, and the case worker relationship in particular, supported effective dynamic security at Wandoo. This was crucial to reducing the risk of escapes given the number of prisoners working or undertaking programs in the community each day, under section 95 of the *Prisons Act*.

DEFICIENCIES AND CHALLENGES: THE NEED TO FULLY UTILISE THE PRISON

The Office also found areas of weakness in Wandoo’s performance during the inspection. For example some elements of the system of employment, training, and education were undeveloped. Individuals’ progress were also too often hampered by short stays in Wandoo; program commitments; lack of on-site training facilities; and limitations in access to external education, training, and work.

However, the most significant and concerning factor by far was the fact that Wandoo remained well under-capacity some 18 months after commissioning. At the time of the inspection there were only 49 residents at Wandoo, in a facility contracted to hold 80. Running Wandoo was always going to be expensive, and even if filled to capacity the contractual cost of \$370 per person per day would be considerably higher than the average cost of \$290 per person per day across the prison estate. It had been expected that such an investment would be fully recovered over time by a significant reduction in re-offending by Wandoo residents resettled in the community. However, as Wandoo was under-capacity at the time of the inspection, the Department said that the total contractual cost was \$580 per person per day.

i Office of the Inspector of Custodial Services (OICS), *Report of an Announced Inspection of Rangeview Remand Centre*, Report No. 69 (October 2010).

The obvious remedy to the situation was to increase the number of residents at Wandoo. This is largely in the hands of the Department which manages the assessment and placement system, and which is responsible for the whole prison system. As I have said before, the Department has not done enough in its mainstream prisons (including the privately operated Acacia Prison) to meet the needs of young men and women. Too many of them pass their prison time in idle and unconstructive ways. They are certainly not being ‘skilled up’ as much one would like, either for moving to Wandoo or for release into the community. It is absolutely critical that more specific attention is given to young prisoners throughout the whole prison system.ⁱⁱ

Although Wandoo has become the preferred placement for young men from the greater metropolitan region who manage to attain a minimum-security rating, only a minority of young men will ever attain such a classification. This is because youth counts against prisoners reaching minimum-security as younger prisoners are assessed as posing a higher escape risk.ⁱⁱⁱ While age is a risk factor for escape and public risk does need to be managed, a more nuanced assessment of youth risk would allow more young people to access Wandoo. This was recommended in the Office’s recent review of recidivism rates in WA and the recommendation was supported by the Department.^{iv} Another difficulty in filling the prison is that some of the young men eligible for transfer to Wandoo express a preference to remain in a different prison. Aboriginal prisoners in particular often wish to be in a facility where they have the support of close relatives.

At the time of the inspection, two solutions were being considered to boost numbers. The less radical option was to extend the upper age limit from 24 to 28. This is supportable on the basis that the journey to social and mental maturity for young males extends throughout their 20’s. However, there are both advantages and disadvantages to extending the upper age, including the well documented diminishing return for reducing recidivism as people get older. It would be wise to extend the range gradually, and only as far as needed to utilise capacity at Wandoo, selecting only those motivated to make positive life-changes.

The more radical solution under consideration at the time was to change the venue of the program for young men to a dedicated unit at Acacia Prison, and to turn Wandoo over to a different use (possibly as a prison for women). In a medium-security environment, many more young men would be eligible to participate in programs targeting their specific needs, including more intensive case management, a different approach to programs, education, employment and training, and stronger release preparation and re-entry services. However, this ‘solution’ would not work as it would greatly reduce access to external work, training and other resettlement activities in the metropolitan area. It would also not be possible to replicate and maintain the collaborative relations between staff and residents at Wandoo, and the degree of self-responsibility expected of residents.

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- ii See OICS, *Remodelling corrections for juveniles and young men*, Issues Paper 2 (August 2009); OICS, *Annual Report 2012–2013*, (29 October 2013), 6–9; OICS, *Report of an Announced Inspection of Casuarina Prison*, Report No. 88 (January 2014) vii; OICS, *Recidivism rates and the impact of treatment programs* (September 2014); OICS, *Annual Report 2012–2013*, (30 September 2014) 7–11.
 - iii OICS, *The flow of prisoners to minimum-security, section 95 and work camps in Western Australia*, Audits, Reviews and Thematics (December 2012).
 - iv OICS, *Recidivism rates and the impact of treatment programs*, (September 2014).

Once again, the key to better outcomes, including filling Wandoo, is to focus on better equipping young people in mainstream facilities, to help prepare young people for freedom and to help to identify and prepare those who are suitable to ‘feed’ into Wandoo.

THE CONTRACT

Schedule 6 – Appendix 1 Service Requirements, of the Wandoo contract articulates the operating philosophy for the facility and sets out detailed requirements of all aspects of operations, namely: Throughcare, Care and Wellbeing, Custody and Containment, Facility Management Services, Human Resources and Systems, and Other Requirements. The contract is carefully monitored by the Department to assess whether the service requirements are being met. There will always be differences between public and private sector service provision, however, the approach of setting strong service expectations and monitoring performance is something that should be seriously considered by the Department for its publicly run prisons.

In general, contractual payments are dependent on Serco meeting various requirements. If Serco fails to meet requirements the Department can issue a Performance Improvement Notice (PIN). If Serco does not comply with the PIN it faces financial penalties, or possible a termination of the contract.

The Wandoo contract includes 19 Key Performance Indicators (KPIs). Ten of the KPIs serve as an incentive for Serco to prevent particular events from occurring. The remaining KPIs are used to measure particular aspects of performance and which if not met can reduce the payment that Serco receives from the Department.

Although Wandoo has been penalised for its failure to meet a number of KPIs, Wandoo, Serco and its partner Mission Australia has so far consistently met one of the most demanding performance indicators, and the one most germane to the objectives of the facility, KPI 15, ‘the percentage of prisoners in employment on release’. One hundred per cent performance is the set target for this KPI, although contractually, abatement is triggered only if the contractors fail to exceed above the 75 per cent level. According to the agreed counting rules, a resident taking up a full-time education or training placement on release is counted as meeting the KPI, while residents staying less than three months at Wandoo are excluded from the count.

SUMMARY

The inspection found significant positives, but Wandoo must be filled and its potential maximised. The Department should also ensure that it picks up on cases of good practice from Wandoo. In my most recent report on the inspection of Acacia Prison I noted that:

The aims of establishing a privately operated prison included promoting innovation, efficiencies and cross-fertilisation of good practice ... Over the years, there has been some cross-fertilisation but there is still scope for more learning, both from the private to the public sector and from the public to the private sector.^v

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

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This is especially important given the Department's failure to address the need to provide opportunities for improvement for young men and women in mainstream prison, many of whom are Aboriginal.^{iv} While it will be difficult to provide the sort of opportunities that Wandoo can provide its residents in a maximum or medium environment, there are still learning that can be achieved from Wandoo's successes.

It is promising that the new Commissioner and his team seem intent on spreading the learning between prisons. This should lead to improved continuity, efficiency and effectiveness.

Neil Morgan

11 November 2014

vi OICS, *Report of an Announced Inspection of Casuarina Prison*, Report No. 88 (January 2014) vii.