

MEDIA RELEASE

REVIEW: MANAGEMENT OF PRISONERS REQUIRING PROTECTION

EMBARGOED UNTIL 2:00PM ON TUESDAY 17 MAY 2022

Since 2011 the number of men in Western Australian prisons who sought protective custody increased by 275 per cent, outstripping the growth of the male prisoner population which grew by 42 per cent over the same timeframe. This increase, the reasons why the surge has occurred, and how it has affected the management of protection prisoners are all canvassed in a report released today by the Inspector of Custodial Services.

The report found that the Department of Justice (the Department) was committed to the safety and security of prisoners seeking protection from other prisoners. However, it was plain that the unsustainable growth in numbers was a result of poor assessment practices when protective placement applications were received. This was compounded by subsequent review processes which, in many cases, had become a 'tick and flick' exercise rather than a comprehensive reassessment of whether the protective custody placement was still necessary. As a result, there is concern that some prisoners are being held in protection unnecessarily and, at times, to the detriment of others.

The Inspector, Eamon Ryan, noted that the Department was establishing a new policy which would likely enable more rigorous protection placement assessments and reviews. He said that this will equip the Department with a better understanding of prisoners' risks and needs, particularly as the profile of the protection prisoner cohort was changing. He explained:

"Traditionally, protection prisoners seek protection due to their offences which may put them at risk if they are placed in mainstream. But this has been shifting as an increasing number of mainstream prisoners also seek protective custody. This may be as a result of debts, high-profile cases or gang affiliations including Outlaw Motorcycle Gangs (OMCG). We found the proportion of protection prisoners at risk of OMCGs has increased by five per cent. The data also shows that while on average protection prisoners are older, the age gap between them and mainstream prisoners has been decreasing. Similarly, Aboriginal prisoners are historically underrepresented in protection, yet their numbers are rising."

The report also found that living in protection was often at the expense of the individual's ability to access rehabilitative supports. Effectively living in a prison within a prison, protection prisoners regularly faced barriers to accessing treatment programs, education, employment opportunities, and other activities. Mr Ryan said:

“Most people placed in protection are there for a prolonged period. While there, they should have every opportunity to work towards their rehabilitation and reintegration to the community. But they are marginalised; they have limited access to meaningful employment, and few opportunities for learning and skills development. There are restrictions on when they can recreate, and their limited access to criminogenic programs means that many can reasonably assume their parole will be denied due to unmet treatment needs.

Treatment programs access is largely based on a philosophy of getting the right number of people with the same needs, in the same room, at the same time. This has been a challenge for the Department for the mainstream population. It is even harder for protection prisoners. So, I welcome the Department’s support of our recommendation to investigate opportunities to improve access to criminogenic treatment programs across the board. We are keen to see this followed through urgently.”

Eamon Ryan
Inspector

For further media information:

The Inspector, Mr Eamon Ryan, will be available for comment from 2:00pm on Tuesday 17 May 2022 and can be contacted on 0421 480 925.