

# Inspector's Overview

## ACACIA HAS TRANSITIONED TO THE NEW CONTRACT AND MUST NOW RETURN TO THE STABILITY AND PERFORMANCE LEVELS WE HAVE SEEN IN THE PAST

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Acacia has been through a turbulent few years. By the time of our inspection in November 2021, Serco had been awarded a new contract to operate Acacia for a five-year term, with two extension options. During the inspection we heard first hand of the impact the bid process had, in terms of time and resource commitments, on key members of the prison leadership. Once the contract was awarded, attention then shifted to developing an implementation plan to transition to the requirements of the new contract. Once operational readiness was acknowledged in May 2021, Acacia could start looking for greater stability and return to normal operations.

But towards the end of our inspection we heard that a new Superintendent would commence at the end of the year. And further instability was evident with three key members of the leadership team about to leave or having recently left the prison.

It was not surprising then, that we found many areas in Acacia to be less settled and not performing to the standards we had seen in past inspections.

One of the most striking aspects of the inspection was a constant and loud complaint from uniformed staff about staff shortages and the impacts of regular cross-deployments. Our first recommendation was directed at addressing this issue, but it was not supported by either the Department or Serco. Both disputed that there were staff shortages and pointed to compliance with the agreed contractual terms for staffing levels to operate Acacia. Serco also noted that it had run several training schools for new custodial officers. This later point is noteworthy, as we heard during the inspection that this was one issue that had perhaps been missed during the bid and transition process (i.e. ongoing recruitment of staff to deal with day-to-day attrition rates). Regardless of which view is accepted as correct, the concerns we heard from staff were real and we felt worthy of attention. Only time will tell whether the additional recruitment fixes the problem.

Acacia generally has a population comprising of medium-security prisoners serving varied terms of imprisonment. At the time of our inspection approximately 37 per cent of these identified as Aboriginal men. Yet only 12 staff had self-identified as Aboriginal. We have observed in several previous inspections of Acacia the importance of having more proportional representation of Aboriginal staff across all work groups in the prison. Our reports, and not just for Acacia, have documented the benefits of offering culturally responsive services, with skilled Aboriginal staff across all areas, but particularly in custodial, education, health, programs, employment, and welfare support. This report is no different and again contains commentary and recommendations along the lines we have made previously. In the past, initiatives to generate improvement across these areas have been tried, but ultimately were not that successful.

It is noteworthy that the new operations contract contains specific initiatives to improve Aboriginal workforce participation and cultural awareness training for all staff. It also includes initiatives to improve culturally appropriate support, rehabilitation, accommodation, and health services for Aboriginal prisoners. Given that these are now specific contracted deliverables, we hope to see real progress in services and supports for Aboriginal men.

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At the time of the inspection we heard of significant disruption to the health centre arising from changes to the staffing model. Several vacancies existed in both the general health team and the mental health team. Our expert assessed that these vacancies were having an overall negative impact on the delivery of clinical care to prisoners.

We have previously documented concerns about dysfunction and disruption in health services at Acacia. Following our 2016 inspection recommendation, Serco undertook an independent review of health services and made structural and staffing changes. In 2019, we noted improvements in health services as a result of those changes, particularly the initiative to bring the alcohol and other drugs (AOD) and mental health teams together. But in 2021 we again saw significant disruption, most notably to the staffing model and the decision to separate AOD from mental health. These changes appeared to be having a negative impact on the morale of staff and a reduction of services to prisoners.

Acacia has been dealing with the impacts and consequences of recent deaths in custody and we understand that these matters are still before the Coroner for determination. But it was surprising to hear that only one of two Prison Support Officer positions had been filled and the remaining officer had been on extended absence for some time before our inspection. It is fair to acknowledge however, that Serco's response to our draft report noted that the second position had been filled. Our report also documents concerns that only 10 of the 24 allocated Peer Support Worker positions had been filled. We also understand that the Aboriginal Visitor Service was not providing a service to Acacia. All of these are vital welfare supports for all prisoners, not just Aboriginal prisoners, who may be struggling and need constant attention and vigilance to ensure they are operating at an optimal level.

Things became even more complicated for Acacia in the months following our inspection. On 27 February 2022, a major disturbance occurred in the residential Kilo Block, resulting in staff being under significant attack, and extensive physical and fire damage to the block. During the riot, which went for several hours, prisoners obtained access to parts of Romeo Block, the heavy industries complex located next to Kilo Block, and caused significant fire damage. After several hours, the Department's Special Operations Group and Serco's Centre Emergency Response Team, with assistance from the Western Australian Police Force, the Department of Fire and Emergency Services, and other support agencies brought the riot under control.

The damage caused to both Kilo Block and Romeo Block will require significant remediation and reconstruction work. We understand that for a variety of reasons, including a dispute over insurance coverage, these works have not yet commenced. The overall result is more uncertainty with significant disruption to the industry workshops impacted by the damage. This will no doubt affect many of the plans that we had been told were being put in place to extend employment opportunities for the men.

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Acacia will continue to be disrupted once the actual reconstruction work commences so there is likely to be some ongoing uncertainty, particularly around the employment options that can be offered in the interim. We will continue to monitor progress and return to full scale normal operations.

### ACKNOWLEDGMENTS

We have three Independent Prison Visitors who are community volunteers appointed by the Minister for Corrective Services. They attend Acacia on a regular basis providing an opportunity for the men to raise issues and feedback that information to our office. I acknowledge the importance of their work and thank them for the contribution they have made to our ongoing monitoring of Acacia.

It is important to also acknowledge the support and cooperation we received throughout the inspection from the Superintendent and staff at Acacia and from key personnel in the Department. The men at Acacia who took the time to speak with us and share their perspective also deserve our acknowledgement and thanks.

I want to acknowledge and thank our three independent experts, Dr Natalie Pyszora, Ms Janet Connor and Mr Colin Campbell, their expertise and contribution to our inspection has been immensely valuable.

Finally, I would like to thank the members of the inspection team for their expertise and hard work throughout the inspection. I would particularly acknowledge and thank Jim Bryden for his hard work in planning this inspection and as principal drafter of this report.

### **Eamon Ryan**

Inspector of Custodial Services

3 November 2022