



# **Response to OICS Draft Report:**

**2024 Inspection of Acacia Prison**

**April 2025**

Version 1.0

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## Response Overview

### Introduction

On 7 June 2024, the Office of the Inspector of Custodial Services (OICS) announced the 2024 Inspection of Acacia Prison (Acacia) - the State's sole privately run prison, operated by Serco, in accordance with the *Acacia Prison Services Agreement* (the Agreement). The on-site inspection took place from 14 – 23 October 2024.

To assist with the inspection, the Department of Justice (the Department) and Serco provided a range of documentation, as well as access to systems, custodial facilities, staff and prisoners.

On 31 March 2025, the Department received the draft inspection report for review, which contained nine recommendations.

Where recommendations are a requirement under the Agreement but are reliant on Serco taking action to address the issues raised by OICS, the Department will monitor Serco's actioning of these recommendations.

Where the Department is not satisfied that the action taken by Serco to address the recommendations is sufficient, the Department will request that additional action is taken, and evidence is produced demonstrating compliance with the requirements under the agreement.

Recommendations 2, 3, 7 and 9 will be actioned by the Department.

## Response to Recommendations

### 1 Investigate and address workplace culture concerns within the staffing group.

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Operational Support

#### Response:

Section 11 of the Agreement requires that Serco:

- *Ensure that its employees do not engage in workplace behaviour in contravention of workplace behaviour policies and Codes of Conduct and provide evidence of compliance with this requirement if requested by the Department to do so;*
- *Develop a process to manage employee grievances and ensure that employee grievances are dealt with promptly;*
- *Perform its obligations in compliance with all applicable laws including the Fair Work Act 2009, which seeks to protect employees from workplace discrimination and harassment.*

Serco maintains a Code of Conduct which is applicable to all employees and is aligned with the Department's Code of Conduct. Under both Codes, all staff have an obligation to report suspected misconduct.

Serco's Integrity Unit and the Department's People, Culture and Standards Division work collaboratively to ensure misconduct is managed appropriately.

The Department will monitor Serco's actioning of this recommendation accordingly.

### 2 Re-introduce body scanning technology at Acacia to minimise potentially retraumatising effects of strip searches.

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Operational Support

#### Response:

It should be noted that while Serco previously utilised millimetre wave scanning technology for searching staff and visitors, this technology was not utilised for searching prisoners to reduce reliance on strip-searching and was limited in that it could only detect items on the surface of a persons body i.e., items hidden in clothing.

Whilst the Department acknowledges the benefits of body scanning technology and has implemented full body low dose x-ray scanning at State operated sites including Casuarina, Hakea and Melaleuca, the further rollout of this technology to the remainder of the custodial estate is still under consideration. Currently, the priority sites for this technology remain the remand and maximum-security facilities.

Although initial information pertaining to the body scanning technology has been provided to Serco, as the introduction of body scanning technology is not a current requirement under the Agreement, the roll out of this technology would be subject to further negotiation and agreement by the Department and Serco.

**3 The Department of Justice develop a contemporary drug replacement/withdrawal treatment program that addresses the demand for treatment beyond opiates.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services

**Response:**

Whilst the Department supports the expansion of substance replacement therapies and treatments, it must be noted that Acacia is a single and privately operated facility who under the agreement are required to deliver substance replacement therapies and treatments.

The Department will request additional resources to expand and address gaps in its service provision of substance replacement therapies and treatments.

**4 Develop and implement a strategic prisoner support plan that identifies need, establishes good governance, and provides transparent operational practice.**

**Level of Acceptance:** Noted  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Operational Support

**Response:**

The Department acknowledges that work is currently underway by Serco to address this recommendation and will continue to monitor Serco's progress against this recommendation.

**5 Finalise the Aboriginal Prisoner Strategy, and develop supporting policies and procedures for its operationalisation, including future reviews to ensure it remains relevant to prisoner and community needs.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Operational Support

**Response:**

Schedule 2, section 2.17(h) of the Agreement requires that Serco:

- *Adopt an integrated strategy, with measurable targets, for the management of all aspects of Aboriginal Prisoner care at the Prison and, in doing so, must liaise with relevant Government Agencies, community groups and organisations, such as the Department of Training and Workforce Development, the Department of Planning, Lands and Heritage, the Department of Communities, the Department of Health, regional employers, NAIDOC, and Aboriginal Prisoners themselves.*

The Department has requested a copy of Serco's finalised Aboriginal Prisoner Strategy and will review the strategy to ensure it meets both the requirements under the agreement, and has appropriate strategies to support First Nations prisoners at Acacia.

## **6 Consider individual meals or supervise mealtime distribution to prevent the uneven allocation of food.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Operational Support

### **Response:**

The Department is working collaboratively with Serco to address this issue.

Acacia Standing Order 6.3, governing prisoner food and nutrition, has been updated to incorporate provisions requiring staff to supervise meal distribution.

In addition, the Department's Operational Compliance Branch have commenced monitoring Serco's compliance with the updated requirement.

## **7 The Department of Justice must commit to significant changes to address the persistent issue of outstanding treatment assessments.**

**Level of Acceptance:** Supported – Current Practice / Project  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services

### **Response:**

The Department resumed responsibility for the completion of Individual Management Plans (IMPs) and Treatment Assessment Reports (TARs) for Acacia prisoners following the previous inspection.

The Department acknowledges that further work is required to reduce the backload of assessments, however the ability to do so relies heavily on the availability of clinical staff to undertake the assessments and meet the demand, accessibility to prisoners identified as requiring an IMP or TAR and the allocation of suitable rooms for interviews and assessments to be conducted.

In November 2022, the IMP Taskforce (the Taskforce) was established, comprised of subject matter experts from sentence management, treatment assessments, clinical governance, and custodial representatives, to track performance, consider current barriers and develop solutions for immediate and sustained improvements to manage overdue IMPs and TARs.

Since inception of the Taskforce, the following advancements have been made:

- Implementation of a triage process to screen out offenders who do not require more comprehensive assessments, enabling faster completion of the TAR process for those who are low risk.
- Suspension of:
  - the requirement to complete a TAR for inclusion within an initial IMP;
  - requirement to complete a TAR for prisoners who are within six months of their Earliest Date of Release (EDR); and
  - Creation of additional treatment assessment positions including supervisors and regional based assessors.

The Department will continue to work through the overdue TARs and IMPs. The Department will include infrastructure and resourcing needs in future budget submissions to improve service delivery in this area.

**8 Improve processes for custodial staff completing case management reports by offering additional training, clearer guidance, and regular support, to streamline report writing.**

**Level of Acceptance:** Supported in Principle  
**Responsible Division:** Corrective Services  
**Responsible Directorate:** Offender Services

**Response:**

Commissioner's Operating Policy and Procedure (COPP) 10.3 - *Case Management (Case Officers)* provides guidance to custodial staff on case management processes.

The Department will work collaboratively with Serco to ensure the expectations under COPP 10.3 are both understood and enshrined within Serco's relevant standing orders.

All other actions required to address this recommendation, including the potential provision of additional training, will be actioned by Serco accordingly.

**9 Examine why First Nations prisoners are more frequently denied parole and less likely to be released at their earliest eligibility date.**

**Level of Acceptance:** Supported  
**Responsible Division:** Strategic Reform  
**Responsible Directorate:** WACSAR

**Response:**

The Western Australia Office of Crime Statistics and Research (WACSAR) will undertake research into the overrepresentation of First Nations people across the custodial estate to identify trends and potential causes. This will include, but not be limited to, factors contributing to the higher rate of parole denials and Aboriginal prisoners remaining in custody beyond their estimated eligible date of release.