

2025 FOLLOW-UP INSPECTION OF HAKEA PRISON

HAKEA PRISON IS SYMPTOMATIC OF A PRISON SYSTEM IN CRISIS

This is our second report on Hakea Prison in the past 13 months detailing the unacceptable conditions we have seen there.

Following our May 2024 inspection of Hakea, I was so concerned about conditions throughout the prison that I issued the Director General of the Department of Justice with a Show Cause Notice under Section 33A of the *Inspector of Custodial Services Act 2003*. I subsequently referred the Notice to the Minister for Corrective Services. The Notice outlined the basis for my concerns that the men in Hakea were at that time being held in conditions that denied them their basic rights and entitlements as set out in various national and international human rights standards. My advice and recommendation to the Minister was that the problems were so significant that a system level intervention was required.

Since then, we have published the full report from that inspection, providing greater detail around the conditions we observed in May 2024 and the basis for the Show Cause Notice (refer to Report 158 published in April 2025). Subsequently, we have maintained close monitoring of conditions in Hakea and this report provides a contemporary update.

Although conditions have improved slightly, they remain entirely unacceptable. There have been some system and local level improvements, such as increased prison officer recruitment, and the establishment of the Hakea Safer Custody Taskforce comprising senior staff from within the Department, but these are not to the scale required. And despite this, men at Hakea are still being held in conditions that do not meet the basic level of decent treatment required under national and international human rights and standards.

There is limited evidence available to me to show that the significant system level reform and change needed is likely to be achieved. I do not doubt the desire for improvement from those responsible for Hakea, be they in strategic leadership within the Department, in operational leadership in the prison, or the many staff who work there every day. But the problem is much bigger than Hakea. The conditions we are seeing in Hakea are symptomatic of a bigger problem that is impacting every prison in Western Australia.

At the time of writing this overview, seven prisons were over their designated population capacity (Bandyup 115%, Broome 126%, Casuarina 103%, Greenough 108%, Hakea 101%, Pardelup 111%, and West Kimberley 115%) and a further eight were over 95% capacity (Acacia 99.9%, Albany 95%, Boronia 96%, Bunbury 98%, Karnet 98%, Melaleuca 99%, Wandoo 99%, and Wooroloo 99.6%). That leaves only Roebourne at 67% – due to one accommodation unit being closed while the air conditioning is installed – and Eastern Goldfields at 91%.

At the same time 337 men and 34 women are in 'alternative sleeping arrangements', which means they are on a mattress on the floor because a bed was not available for them.

In the first weeks of June 2025 there were all-time record prisoner populations recorded – 7,632 men on 3 June; 920 women on 9 June; and a new total of 8,545 on 3 June.

Simply put, the prison system is full and there is no spare capacity for more prisoners. Likewise, there is no infrastructure capacity available should the need arise in response to a major incident.

All of this has a negative impact on every aspect of prison operations, including staffing levels and staff wellbeing, right through to services and supports for prisoners. These pressures come at an enormous cost to the wellbeing of prisoners and the staff who go to work in prisons every day.

We have highlighted these issues time and time again, whether it be: staff shortages; poor living conditions; inadequate infrastructure; overwhelmed health and mental health services; stretched rehabilitation and reintegration services; lack of employment and recreation opportunities, and the ability to connect with family.

We have yet to see any major reforms that address capacity issues, such as: diversion initiatives to reduce the number of people being sent to prison; or increased rehabilitation services designed to reduce return to prison rates; or major infrastructure upgrades to cope with the expanding population.

This report, while acknowledging some improvement, once again highlights many of these issues and concerns. Perhaps the most important recommendation in this report is Recommendation 1.

Recommendation 1

The Government should undertake a formal inquiry into the operations of Hakea Prison to identify solutions that will restore the rights of prisoners, implement a normal daily routine at the prison, and create a safe working environment for staff.

The Department's response to a draft of this report only 'noted' this recommendation, advising they could not respond as the recommendation was directed to the Government.

The *Inspector of Custodial Services Act 2003* (the Act) requires that I provide a copy of this report to the Speaker of the Legislative Assembly and the President of the Legislative Council for safe keeping (see Section 34). The Act also requires that I send a copy to the Minister, who may prepare a response to the report (see Section 24(b)). By the time this report is published I will have done both.

The response to this recommendation now rests with the Minister and Government.

ACKNOWLEDGMENTS

We had two Independent Prison Visitors for Hakea at the time of our inspection. They are community volunteers appointed by the Minister for Corrective Services, who attended Hakea on a regular basis observing the operations of the prison and providing an opportunity for the men placed there to raise issues and complaints that informs the work of our office. Throughout the year they have continued to advocate strongly for improvements in conditions for the men held there. I acknowledge the importance of the work undertaken and thank them for their contribution to our ongoing monitoring of Hakea.

I also acknowledge the support and cooperation we received throughout the inspection from the Superintendent and staff at Hakea and from key personnel in the Department.

The men living in Hakea who took the time to speak with us and share their perspectives also deserve our acknowledgement and thanks. They also deserve community understanding and support, given the ongoing conditions they must endure as set out in this report.

Finally, I would like to thank the members of the inspection team for their expertise and hard work throughout the inspection. I would also particularly acknowledge and thank Ryan Quinn as principal drafter of this report, and Jim Bryden for his ongoing monitoring of conditions within the prison.

Eamon Ryan

Inspector of Custodial Services

16 June 2025