

Inspector's Overview

The adult prison system in Western Australia is facing enormous and unsustainable pressure.

The word crisis is often overused. It is defined as a '*decisive moment*' or '*a time of danger or great difficulty*' (Oxford University Press, 2017). Describing the conditions we are currently seeing across most Western Australian prisons as a crisis is an apt use of the word.

We have not arrived at this position unexpectedly; it has been building for several years and is something we have consistently raised in our published reports.

Critically, the population has been rising at an unsustainable rate over the last three to four years, with a 37% increase in the average daily population between January 2023 and February 2026. Despite some additional accommodation within the system, the pace of population growth has far outstripped capacity expansion. Throughout 2026 the adult prison system had been operating at over 100% of its general-purpose bed capacity, with up to 200 prisoners held under 'alternative sleeping arrangements for population management purposes'. In other words, they are sleeping on a mattress on the floor, despite a program of triple-bunking over 250 cells.

The impact of population growth is compounded by chronic staffing shortfalls across the system in both custodial and non-custodial staffing groups. We see daily shortfalls of custodial staff in almost every prison we visit and inspect, despite active recruitment and training of new officers. Staff attrition often leads to the replacement of experienced staff with inexperienced staff, limiting the capacity for essential on the job mentoring and support of new staff. Where increases in non-custodial staffing have been approved, prisons have struggled to recruit appropriately skilled staff. Our 2025 review into Non-Custodial Staffing Shortages identified vacancy rates of 20% in health and wellbeing roles and 25% in rehabilitation and reintegration roles (OICS, 2025b).

The population growth has also stretched prison infrastructure beyond capacity. This is much more than bed capacity and impacts support infrastructure such as kitchens, health centres, workshops, and staff amenities. Significant impacts are also seen in welfare and rehabilitation support infrastructure, for example, inadequate program and education rooms, recreation spaces, visits capacity, and crisis care facilities.

In this environment, we increased our system-wide monitoring activities beyond our mandated cycle of inspections and announced reviews of custodial services. This led us to focus on three facilities where the pressures are most acutely felt: Melaleuca Women's Prison (Melaleuca), Casuarina Prison (Casuarina) and Hakea Prison (Hakea).

Again, this was not unexpected.

In May 2024 we identified that conditions in Hakea had deteriorated to the point where we suspected that prisoners were being held in conditions that were cruel, inhuman or degrading. At that time, I took the extraordinary step of issuing the Director General of the Department of Justice with a Show Cause Notice under the *Inspector of Custodial Services Act 2003* (the ICS Act). Following

consideration of the Director General's response, the Show Cause Notice was referred to the Minister for Corrective Services in June 2024.

We subsequently published two inspection reports detailing the conditions in Hakea. The first report was published in April 2025 (Report 158) and the second follow-up report was published in July 2025 (Report 162). Both reports highlighted significant concerns about the unacceptable conditions in Hakea (OICS, 2025; OICS, 2025a)

These reports contained recommendations aimed at achieving strategic reforms, including a cross-government taskforce to address the systemic justice system failures driving the poor conditions (Report 158), and a recommendation for the Government to establish a formal inquiry into the operation of Hakea (Report 162). Neither recommendation has been implemented to the size or scale necessary to achieve the systemic reforms required.

Almost two years after the Show Cause Notice was issued in respect of Hakea, conditions have not materially improved and, in fact, similar conditions are now evident in both Melaleuca and Casuarina.

On 11 March 2026 I formed a suspicion that there was a serious risk to the security, control, safety, care and welfare of prisoners in Hakea, Melaleuca and Casuarina; and that prisoners were being subjected to cruel, inhuman and degrading treatment. Accordingly, I issued a Show Cause Notice under section 33A(2) of the ICS Act to the Director General, together with a draft of this report, requiring them to show cause why I should not refer these concerns to the Minister for Corrective Services. The background, analysis, and justification for issuing the Show Cause Notice are set out in this report, which includes a copy of the original Show Cause Notice, the Director General's response, and the referral letter to the Minister.

Our draft report included just one recommendation:

Recommendation 1

The Government must formally commit to and fund the system-level reforms required to address the concerns identified at Hakea, Melaleuca and Casuarina prisons, and across the adult custodial system more broadly.

Within six months of the tabling of this report, the Department must develop, approve, and publicly release a comprehensive, costed reform implementation plan, endorsed by Government.

This plan must:

- finalise and clearly articulate short-, medium- and long-term reform initiatives, including operational, workforce, infrastructure and governance reforms;
- identify which initiatives have been approved by Government and fully resourced, including recurrent and capital funding allocations;
- specify a clear and time-bound implementation schedule for each reform, including commencement and completion dates; and
- assign accountable senior officers for delivery of each reform initiative.

The implementation plan must be tabled in Parliament and provide public progress reports at six-monthly intervals until all reforms are completed, including explanations for any delays, funding variations, or departures from the approved plan.

The Department's response did not specifically address this recommendation, noting that the recommendation was directed to Government for consideration.

Following consideration of the Director General's response, the Show Cause Notice was referred to the Minister for Corrective Services on 8 April 2026.

At the time of lodging this report with the Speaker of the Legislative Assembly and the President of the Legislative Council (who are required by sections 34 and 35 of the ICS Act to hold the report for 30 days prior to tabling it in each House of Parliament), I also delivered a copy to the Minister for Corrective Services who may prepare a response to the report as outlined in sub-section 34(1)(b) of the ICS Act.

The response to our recommendation is now for the Minister and Government.

As noted at the outset, this is a decisive moment and a time of danger and great difficulty. The problems we are seeing in the Western Australian prison system are such that system level reform can no longer be delayed or deferred and must be urgently addressed with clear and measurable reforms.

ACKNOWLEDGEMENTS

I am grateful for the cooperation received throughout the review from key personnel at Hakea, Melaleuca and Casuarina and in the Department of Justice. I saw genuine commitment from the Director General and Commissioner to address the issues raised in the Show Cause Notice and accompanying report.

I acknowledge the contribution and hard work of the team in our office who were involved in undertaking this review. I would particularly acknowledge and thank Ryan Quinn and Kelly Jackson for their work in leading this review and as principal analysts and drafters of this report.

Eamon Ryan

Inspector of Custodial Services

14 April 2026