

MEDIA RELEASE – EMBARGOED UNTIL 12NOON ON THURSDAY 9TH JUNE 2016

Report No. 102 – Hakea Prison

In launching a report on the most recent inspection of Hakea Remand Prison, the Acting Inspector of Custodial Services, Eamon Ryan, lamented that the prison housing those who are so far innocent and unconvicted of crimes is actually one of the most grossly crowded and suffers from some of the worst conditions in WA.

Mr Ryan said that urgent action to replace the out-dated and overflowing prison was essential. This would ensure those who were yet to face trial were housed in facilities suitable for unconvicted individuals preparing for court. The facilities at Hakea are woefully short of meeting modern standards and expectations for remand prisoners.

Since the last inspection in 2012 Hakea has undergone a period of immense change and pressure, including:

- the accommodation of juvenile offenders in two units following riots at Banksia Hill
- the permanent loss of two units to allow construction of a new women's facility
- the turnover of new management teams, not once but twice, in three years
- high levels of conflict between management and the union
- unprecedented levels of crowding that has resulted in Hakea being unable to solely perform its function as the state's remand facility

'Hakea is a prison under enormous pressure and we see little on the horizon to suggest this situation is likely to change soon. The total prison population is rising at an alarming rate across the entire estate (an increase of 66% in total population over the past 9 years) and the remand population is growing at almost double that rate (129% in the same period). Hakea is chronically full, and every week they are having to pass more remand and sentenced prisoners onto other facilities, primarily Casuarina Prison, to make space for anticipated court receivals. It is also severely crowded, with a large majority of cells designed for one but shared by two,' Mr Ryan said.

The extent of crowding had resulted in many areas of substandard service delivery, and the report contains a concerning number of findings relating to fundamental human and legal rights. These include a failure to ensure that all prisoners are given an adequate opportunity to: call loved ones on being received into custody; uphold prisoner rights to privacy and dignity; provide quality contact with prisoner's children; prepare one's legal defence; and practice religious expression.

There are also aspects of Hakea's infrastructure that are unacceptable including: the crowded accommodation, the management unit, the video-link facility, and the lack of interview rooms for counsellors managing a-risk prisoners.

The Acting Inspector noted that staff were generally doing their best under very trying conditions: 'We absolutely acknowledge the effective work undertaken by staff at Hakea to receive and manage a diverse group of people placed into custodial care, some of whom are troubled or difficult to manage. Yet the circumstances under which staff have been working made them increasingly negative about their workplace, prison management, and the Department. Many staff told us that things were the worst they had ever been,' Mr Ryan said.

Findings were also made in a number of aspects of prisoner health and welfare. 'We were especially concerned at the continuing failure to reduce the high risk of transmission of blood-borne viruses,' Mr Ryan said. 'This was mainly through sharing of needles and other sharp instruments used for drug use and tattoos, something also raised in the 2012 inspection. The reality is that drugs are used in prison, sharps are shared and disease is spread firstly within the prisoner population and then potentially to the community on release. Rather than address this reality with preventative health initiatives, such as the provision of a safe and appropriate cleaning fluid, a crackdown on supply is the main solution being proposed.' Both, together with diversion strategies, are necessary if there is to be meaningful change.

Most concerning for the Inspector, however, was the apparent lack of acceptance and engagement shown by the Department to the findings and recommendations contained in the report.

'While all but three recommendations received a response of 'supported' none prompted any specific or time-framed action on the part of the Department. It was clear in many cases that the Department did not take seriously the findings of this inspection. Failing to address the issues – many of which involve little or no financial cost – will increase risks and reduce the capacity of Hakea, and the prison system as a whole, to achieve improved efficiencies and performance,' Mr Ryan said.

The response that policies or initiatives already existed to address some of the recommendations failed to address the fundamental issue that it was these exact policies or initiatives that were failing on the ground, and needed to be dealt with.

'Merely having a policy or initiative is, of itself, not enough. It must be implemented, reviewed for effectiveness and outcomes, and resourced properly to allow for implementation. This was not occurring in many cases.'

The Acting Inspector stated that unless major initiatives were taken to divert people from prisons, the need for commissioning a major new metropolitan facility for men was undeniable.

'There is a need for a remand facility that embeds a regime based on the particular rights and needs of people who are as yet unconvicted of a crime including: accommodation requirements; welfare needs; safety concerns; visit requirements and facilities; video link facilities; legal library resources; education, work, and recreation opportunities. Right now Hakea simply cannot meet this designated role itself with hundreds of remandees housed at Casuarina.'

Eamon Ryan
Acting Inspector

For more detail, please see the Inspector's Overview to the Report and Key Findings (copies attached).

For Further Media Information

The Acting Inspector, Mr Eamon Ryan, will be available for comment from 12 noon on Thursday 9th June 2016 and can be contacted on 0421 480 925.

The full report will be available on the Inspector's website (www.oics.wa.gov.au).