

# Inspector's Overview

## INADEQUATE SERVICES AND POOR PLANNING IMPACT ON WEST KIMBERLEY REGIONAL PRISON

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### THE NEW PRISON WAS UNDER STRAIN

West Kimberley Regional Prison (WGRP) opened in late 2012. Built in Derby, the prison's ethos was to have an innovative Aboriginal focus. It aimed to keep Kimberley Aboriginal people in country with family, and uphold cultural and kinship responsibilities. It also aimed to develop prisoners' independent living skills and to improve their chances of not returning to prison. This inspection, conducted at the end of March, was our second inspection of the prison.

Our first (2014) inspection found WGRP had achieved what could reasonably have been expected. In many respects it had exceeded expectations. Its founding Superintendent Mr Mike McFarlane was a Noongar Aboriginal man who had held senior roles in NT Corrections. He had overseen the development of an excellent balance of safety, security, and purposeful activity. The conditions and regime for prisoners were good, and were aligned with WGRP's unique philosophy. Prisoners were being given positive rehabilitative opportunities and were positively grasping them. However, Mr McFarlane left in 2016 for a position in Queensland.

In March 2017, the prison was under some strain. We were particularly concerned to find 47 prisoners sleeping on mattresses on the floor. This was on top of grossly overcrowded and degrading conditions at the same time in Broome Regional Prison (OICS, 2017c). Additional beds were due to be installed at WGRP immediately after the inspection, but it is simply not acceptable that the Department allowed conditions to slip before taking remedial action. The fact that Kimberley Aboriginal people are generally compliant and want to stay in country is no excuse.

WGRP is modelled on prisoners living in shared 'houses'. With increased numbers, the houses had become increasingly crowded. Coupled with a growing number of remandees, staff shortages, and the lack of a life-skills officer, the prison's successful self-care model was under serious threat.

Serious and chronic short staffing for both prison officer and vocational support officers (VSOs) was undermining many of the prison's previous strengths, including participation in education, work, training, and recreation. Offender programs were not meeting demand and were not well-matched to prisoners' needs. The prison had generally been safe and secure, but staff were concerned about the impact of short staffing.

Importantly, given the ethos of WGRP, prisoners felt there was less opportunity to express their culture, and that staff did not always understand or respect it. There were fewer opportunities for positive supervised interaction between men and women, previously an area of excellent practice. We also found many instances when head office refused to approve applications to attend funerals, despite the prison supporting attendance for compelling kinship and cultural reasons.

### **THERE HAVE BEEN IMPROVEMENTS SINCE THE INSPECTION, BUT PRESSURES REMAIN**

At the end of an inspection we brief local and head office staff on our initial findings. These findings are then provided to the Minister, the Department and the Public Administration Committee.

I am pleased to report that, after hearing our concerns, the Department moved quickly to address many of the matters. Actions taken to ensure the continued success of the prison's self-care model include:

- appointing a new life-skills officer and creating new prisoner positions to help
- installing bigger stoves and purchasing additional whitegoods
- training has been provided to ensure VSOs have completed their initial Essential Level Training Program, a requirement that had been allowed to lapse over the previous two years
- vacant VSO positions have been progressively filled
- an Aboriginal Programs Officer commenced, making program facilitation more manageable.

In response to our draft report, the prison says it has also sought to increase opportunities for male and female prisoner interaction through program and education participation, and is pursuing strategies to enhance cultural services [see Appendix 3]. These strategies include establishing an Aboriginal Services Committee, cultural competency training conducted by a local Aboriginal Corporation, and the NAIDOC week launch of prison radio broadcasts.

We conduct regular monitoring visits to prisons. Visits to WKRP since March indicate that staff shortages are less severe, and the prison appears to be running more normally. However, more prison officers are transferring out than in, so shortages may recur. In addition WKRP remains dependent on several unfunded positions, which must be filled by overtime. This will need careful ongoing management by all concerned.

### **THE WYNDHAM WORK CAMP IS BETTER-USED, AND MONEY HAS BEEN ALLOCATED TO IMPROVE BROOME REGIONAL PRISON, BUT THE KIMBERLEY STILL NEEDS A PLAN**

Despite increasing numbers at WKRP and re-establishing Broome prison as a separate facility, only around 50 per cent of Kimberley prisoners are being accommodated in their home region.

Those from the East Kimberley have been especially disadvantaged. In 2005, this office and the Kimberley Aboriginal Reference Group recommended the development of new prisons in both the East and West Kimberley. Government did not proceed with an East Kimberley prison, but did develop the Wyndham Work Camp.

Wyndham is an excellent and costly physical facility, and it needs to be fully utilised. It has a capacity of 40 but at the time of the inspection, the Department had allowed

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numbers to dwindle to 10, and later only six. It had also mothballed another excellent regional work camp at Warburton (OICS, 2017b). I am pleased to report that numbers at Wyndham are now over 20 and that Warburton has re-opened (OICS, 2017c)

I am also pleased that the government has recently committed \$2.7 million to improve conditions at Broome (Logan, 2017d). However, this is only a stop-gap measure and the Kimberley still needs a clear, long-term custodial plan. Our concerns date back many years. In our last report on Broome and WKRP (OICS, 2015b) I recommended that:

The Department must finalise its planning for the closure of Broome Regional Prison and for the future of custodial corrections in the Kimberley, including genuine consultation with stakeholders and communication with its staff (Recommendation 19).

The Department claimed it was already addressing the matter. But three years on, there is still no plan. As a result, people are still housed in inhumane conditions in Broome, large amounts of money are spent flying prisoners from the East Kimberley to Broome, often for short stays, and the Wyndham Work Camp remains under-used. We have therefore recommended that the Department:

Develop a regional plan for the Kimberley region, consulting with corrections staff and relevant community stakeholders, particularly in the East Kimberley (Recommendation 19).

The Department has again supported the recommendation. Time will tell whether, this time, there is a positive outcome.

Neil Morgan  
16 October 2017