



OFFICE OF THE INSPECTOR
OF CUSTODIAL SERVICES

2023 INSPECTION OF BUNBURY
REGIONAL PRISON

153

APRIL 2024

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2023 Inspection of Bunbury Regional Prison

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Inspector's Overview

Bunbury Regional Prison should not be defined by recent negative publicity around staff conflicts

Bunbury Regional Prison (Bunbury) has traditionally been seen by the Office of the Inspector of Custodial Services as a positive and productive prison catering to the needs of an increasingly complex cohort of prisoners. During our 2023 inspection many of these attributes were still evident, but it is also fair to say that cracks were starting to appear.

Bunbury is the largest regional prison in Western Australia and the fourth largest across the prison estate. It has a general-purpose capacity for almost 570 medium- and minimum-security men, with the population sitting at around 530 at the time of writing.

It is expected to deliver an increasingly broad range of services to the men sent to live there, including prison employment, education, training, therapeutic programs, external community work, and general reintegration support services. Most recently this has been expanded to include the Djarraly AOD Reintegration Service, which provides support for men with drug and alcohol addictions in preparation for release back into the community. Management and staff at Bunbury have a record of just getting on with the job and making it work. But it is unclear if this is sustainable without greater system level support.

Our report highlights many concerns around staffing and infrastructure that have not kept up with the population and service delivery expansion at Bunbury. The Department has supported all but one of the seven recommendations we made to address these concerns. Most importantly, we recognise the Department's support for the first four recommendations covering the need for a statewide strategic plan for all prisons, a review of Bunbury's leadership structure and positions, an audit of Bunbury's infrastructure needs, and a statewide recruitment and retention strategy for health and mental health staff. These are not immediate short-term solutions and we will monitor progress and implementation with keen interest.

During the inspection we had many opportunities to interact with staff in both structured and informal settings. This included talking with uniformed staff, civilian staff, staff working in support services, and managers and leaders. We also undertook a pre-inspection survey of staff, which had a 30% participation rate. It is fair to say we heard many complaints and concerns about conflicts between some staff, including allegations of bullying behaviour. We also heard concerns about how matters were handled, and the level of communication and support people involved had received.

But it would be unfair to say such negative comments and sentiments define the perspectives of all staff at Bunbury. We also had many positive interactions with staff where they acknowledged the positive support and relationships they had with their peers and colleagues and how this was a positive factor in their enjoyment of working in the prison.

It is not for this Office to determine the merits or otherwise of such complaints, in fact we are specifically prohibited from dealing with individual complaints under our legislation. We can, and do,

use the information to inform our work or make appropriate referrals to other agencies that do have jurisdiction to deal with the substance of such matters.

Our approach to these matters, consistent with our inspection standards, was to consider if there were appropriate mechanisms available for staff to raise grievances and have them resolved; if there were escalation processes; and if there were external mechanisms available to pursue complaints that were not resolved or were of a more serious nature. During the inspection we were satisfied that such processes were available. We made no assessment as to whether the complaints process adequately addressed the specifics of each matter raised, nor should we because to do so would take us outside of our remit.

Suffice to say, any outstanding issues require resolution as soon as possible to minimise the impact on the operation of the prison and to ensure the safety and wellbeing of all staff.

ACKNOWLEDGMENTS

We have two Independent Prison Visitors for Bunbury who are community volunteers appointed by the Minister for Corrective Services. They attend Bunbury on a regular basis providing an opportunity for the men placed there to raise issues and feed back that information to our office. I acknowledge the importance of the work undertaken and thank them for their contribution over several years to our ongoing monitoring of the prison.

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

The men living in Bunbury who took the time to speak with us and share their perspectives also deserve our acknowledgement and thanks.

Finally, I would like to thank the members of the inspection team for their expertise and hard work throughout the inspection. I would particularly acknowledge and thank Liz George for her hard work in planning this inspection and as principal drafter of this report.

Eamon Ryan

Inspector of Custodial Services

18 April 2024

Executive Summary

A historically strong performer, that may not be sustainable

Bunbury Regional Prison (Bunbury) has consistently performed well across the prison estate. But the largest regional prison in Western Australia lacked a strategic plan and relied on a management structure that had not been reviewed for 12 years, despite the prison's growth and increasingly diverse functions. A significant development was the addition of an Alcohol and Other Drugs support and reintegration service for local prisoners. But with expansion comes risk and the cracks were beginning to show.

Infrastructure had not kept pace with expansion

Since Bunbury opened in 1971 with 86 beds, its capacity has increased to accommodate 569 prisoners. Although accommodation units have been added inside and outside the main prison fence, infrastructure was inadequate for the population. This impacted service delivery and working conditions for staff. The Department sourced demountable spaces and prisoners repaired failing buildings but there were no plans to address the shortfalls in the longer term.

Committed staff but some relationships were strained

Most staff were positive about their colleagues and relationships with prisoners and all service providers spoke highly of management. But the pressures of short staffing, redeployment and expansion left some staff feeling frustrated and unsupported, particularly by head office. Like staff, local management were also under pressure to deliver on additional priorities and so they were less available for staff. This fed some staffs' perceptions that leadership was disconnected, a perception strengthened when allegations of bullying and inappropriate behaviours between staff were under review. Such processes are confidential, but a perceived lack of transparency left some staff feeling unheard and with concerns the grievance process lacked rigour.

Declining satisfaction with everyday life, but there were some highlights

Prisoners were less satisfied with the quality of life than in previous inspections. Although lockdowns were less common than in many other prisons, most prisoners reported there were not enough meaningful jobs, or access to programs, recreation and family, so they felt unproductive and disengaged. Food at Bunbury is generally reported as the among the best across the estate, but residents in the pre-release unit thought their household budget was inadequate to keep pace with the increased cost of living.

Stretched prisoner health and wellbeing services

Despite an increased primary health team, many prisoners, particularly those with ongoing or complex health concerns, did not think their health needs were met as there were delays in seeing health professionals. Although there was a purpose-built dental suite, prisoners were waiting even longer for dental care than the average of 13.1 months we reported on in 2021. The counsellors had full caseloads, the psychiatry service had stopped and there was no backfill for either of the two Mental Health Alcohol and other Drugs positions. However, support services, including the peer support team, Aboriginal Visitor Scheme, chaplaincy and management of prisoners at risk, were comprehensive.

Bunbury could not meet the needs of all prisoner groups

Bunbury accommodates a range of cohorts, including older, long term and foreign national prisoners. But while some metropolitan prisons are resourced to meet specific cohorts needs, Bunbury lacked appropriate infrastructure, policy and resourcing. There was little evidence of any age affirming resources, supports for those with illness or mobility limitations or strategies to improve the quality of life for long term prisoners. As we often find, responsibility for foreign national prisoners was not attached to any specific position, so support was ad hoc and variable. Many prisoners with histories of illicit substance use told us it was unlikely they would overcome substance dependence without more therapeutic supports.

Preparations for release worked well, but preparing prisoners for life had challenges

Transitional services ensured prisoners were linked with re-entry providers and prepared for the day of release. But too many prisoners were employed in low skilled unit work or missed out on opportunities to learn trades or earn money to prepare for their release. The population in the pre-release unit had doubled since its opening and so resources and opportunities were stretched thin. Some prisoners reported delays in accessing reintegration activities, such as working or volunteering in the community or starting home leave.

Security was well managed, but not immune to staffing and resource pressures experienced across the prison

Most staff and prisoners felt safe at Bunbury and there were very few incidents involving use of force. But bullying between prisoners was an issue, particularly for people who had sexually offended and the anti-bullying policy could not be properly implemented without additional resources. The security team was proactive but lost some key security positions when the prison was short of staff which reduced supervision of prisoners and work places. Security infrastructure upgrades were required in some areas to mitigate risk.

List of Recommendations

Recommendation	Page	DOJ Response
<p>Recommendation 1</p> <p>The Department should develop a strategic plan that identifies priorities for all prisons, their role within the system and how prisons achieve that vision.</p>	2	Supported
<p>Recommendation 2</p> <p>The Department should review the adequacy of Bunbury's management and leadership positions.</p>	3	Supported
<p>Recommendation 3</p> <p>The Department should audit Bunbury's infrastructure and capacity to meet the needs of its population.</p>	8	Supported
<p>Recommendation 4</p> <p>The Department should develop a statewide recruitment and retention strategy for health and mental health services.</p>	23	Supported
<p>Recommendation 5</p> <p>The Department should develop a statewide policy that establishes basic principles for management of specific cohort of prisoners for example older, long term and foreign national prisoners.</p>	27	Not supported
<p>Recommendation 6</p> <p>Increase reintegration opportunities in both pre-release environments.</p>	35	Supported-Current Practice/Project
<p>Recommendation 7</p> <p>The Department should streamline the process for eligible prisoners to undertake reintegration activities.</p>	35	Supported-Current Practice/Project

FACT PAGE – BUNBURY INSPECTION



NAME OF FACILITY

Bunbury Regional Prison



LOCATION

The prison is located on Noongar land, 183 kilometres south of Perth.



INSPECTION DATE

23-28 July 2023



ROLE OF FACILITY

Bunbury Regional Prison is a mixed-classification prison accommodating sentenced and remanded male prisoners. Most prisoners live inside the main prison, while minimum-security prisoners are accommodated in one of two units located outside the main prison perimeter. Both offer reintegration activities for prisoners approaching release.

In August 2023 a specialist Alcohol and other Drug (AOD) service was launched to support participants with AOD related needs before they return to their community. Bunbury also has a focus on program delivery.

HISTORY

Bunbury Regional Prison opened in 1971 comprising three units with close to 85 beds. A decade later a minimum-security unit was commissioned and then extended to provide 37 beds.

In 2008 a 72-bed pre-release unit opened however with the increase in prison population, bunk-beds were added to cells designed for single occupancy taking the operational capacity of the unit to 144. In 2019, a 160-bed medium-security unit was commissioned for opening.

NUMBER OF PRISONERS HELD AT COMMENCEMENT OF INSPECTION

502



STANDARD ACCOMMODATION

CAPACITY

569



STANDARD ACCOMMODATION



8

SPECIAL PURPOSE ACCOMMODATION

1 A historically strong performer, that may not be sustainable

Bunbury Regional Prison (Bunbury) has been a high achiever in the prison network. Over several inspections, we have found strong leadership, a mostly positive staffing group, and settled, busy prisoners. Over recent years, the prison has been on a journey of construction and expansion. We have seen staff and management make things work with minimal disruption and a commendable approach. But Bunbury is an increasingly complex prison, responsible for multiple areas of service delivery. With the implementation of a new Alcohol and other Drug (AOD) reintegration program and a reduction of 2.46% to its budget, Bunbury is now tasked with doing more with less.

1.1 Bunbury is an increasingly large and complex prison

Bunbury is the largest regional prison in Western Australia and the fourth largest in the state after Acacia, Casuarina, and Hakea prisons. Bunbury is now larger than Casuarina Prison when it first opened but without the range of infrastructure, staff, or management that prison has attracted. Its physical footprint adds further resourcing and logistical complexities as it is split across three sites: the main medium security prison and two external self-contained minimum-security units.

However, with expansion comes risk. We cautioned back in 2017 that Bunbury's expansion might address prison overcrowding but risked overlooking the needs of different prisoner cohorts (OICS, 2017, p. iii). Several years later the cracks are beginning to show. Bunbury is home to several large and distinct groups, including First Nations people, longer term and older prisoners, and prisoners approaching release. Each group has specific needs in terms of programs, resources, environment, and amenities. But Bunbury does not have the capacity to respond to these groups as it would like (see chapter 5).

Bunbury must also deliver on a range of key functions. For example:

- The integration of protection prisoners into general population as there is no protection unit. Bunbury relies instead on positive prisoner–staff engagement and prisoners learning to co-exist despite their differences. This comes with many risks and requires careful management.
- Bunbury is known across the estate as a 'program's' prison and is second only to Acacia in terms of program delivery. As such, they receive, settle, and manage prisoners who only come to Bunbury for a few months to complete a program. This is resource intensive.
- Bunbury has a strong reintegration focus. Prisoners due for release can participate in community-based activities. These programs by their very nature, involve considerable risk mitigation, management, and oversight.

Bunbury makes the best of what it has, but it should not have to just 'manage'. Otherwise, it risks becoming another large prison warehousing those held there, rather than preparing them for release in better circumstances than when they arrived.

1.2 There was no strategic vision

Effective organisations have clear plans to set their direction. However, like many other prisons across the estate, Bunbury did not have a clear strategic plan or business plan to prioritise its functions and its Business Continuity Plan from 2019 was out of date. This was compounded by the still outstanding

'network design project' the Department of Justice (the Department) has been developing to define the role and purpose of each prison across the wider custodial system.

In the meantime, Bunbury has expanded, its scope has broadened, and in the absence of a future focussed strategic vision, its expansion has been driven by population demands rather than strategic planning. Without this support and oversight, Bunbury's purpose across the estate and local priorities were unclear and management decisions were locally focussed rather than strategically informed.

In 2017 we advised the pending expansion had to be properly managed and resourced (OICS, 2017, p. iii). Although we welcomed the increase to infrastructure and staffing, in our view, there has not been sufficient strategic attention on how the expanded prison would provide a meaningful structured day and adequate prisoner services. Prisoners across the prison said there was less of everything to be shared between everyone which affected staff and prisoner wellbeing (see Chapter 4).

During the inspection, we again identified several areas of focus where Bunbury could improve outcomes for prisoners, including growing the industrial footprint to create more prisoner jobs. In response to a recommendation addressing this issue last inspection, the Department advised that its Long Term Prison Industries Plan would lead strategic planning for prison industries and any implementation would be subject to budgetary consideration (OICS, 2021, p. 58). The response was future focussed, when in our view, this work should have been part of the strategic support before the expansion.

Simply relying on Bunbury's strong performance history as the means of setting a successful course for the future is unwise. Bunbury's purpose and identity in the prison network needs clarification and strategic direction. The same applies to every other facility in the network.

Recommendation 1

The Department should develop a strategic plan that identifies priorities for all prisons, their role within the system and how prisons achieve that vision.

1.3 Management structures need review

Last inspection, we welcomed the creation of two new positions to support the expansion: the Assistant Superintendent Offender Services (ASOS), and the Assistant Superintendent Security, Infrastructure and Emergency Management (ASSIEM) (OICS, 2021, p. v). During this inspection we were told it had been 12 years since the last major review of management structures and roles at Bunbury. The prison has grown and diversified in that time while administrative tasks and expectations have also increased. Some other prisons have been allocated additional management resources, such as deputy superintendent to share administrative responsibilities. But Bunbury has not, and management was strained by the demands made of them.

In the past Bunbury's management have been known for their visibility around the prison and proactivity in addressing prisoners needs. The Superintendent had previously been involved with several prisoner forums to understand their concerns and perspectives. This was good leadership and

prisoner management, but it was changing. The Superintendent no longer attended prison council meetings or had time to convene multidisciplinary case management of prisoners on the Drug Reduction Strategy (DRS), and work had not started on developing policies to manage certain prisoner groups.

We have previously found insufficient staffing at the PRU (OICS, 2021, p. 42). Other minimum-security or reintegration facilities usually have their own management structure, staffing and budget. For example, Wandoo Rehabilitation Prison (Wandoo) with a population of 50 to 60 women has a Superintendent, Assistant Superintendent Operations and Security, and an ASOS. A service manager also oversees the therapeutic community. Wandoo is resourced, focused and, as we noted in our 2023 inspection report, having a positive impact on recidivism rates (OICS, 2023, p. 6).

In contrast, Bunbury had one Assistant Superintendent who oversaw the PRU and Unit 5. But their combined population was three times Wandoo and it had no other management positions to support operations. These units carry significant risk and expectation given their reintegration mandate and community involvement. In our view, this position was stretched across too many responsibilities, as was the Superintendent who had final responsibility.

Another key position under pressure was the Business Manager. Without an industries manager or coordinator, overseeing industries and the associated administration was time consuming and prevented a strategic approach to growing industries' operations.

Given the expansion and increasing complexity of the prison, it may be timely to take stock and review the adequacy of the leadership structure to support the prison into the future.

Recommendation 2

The Department should review the adequacy of the Bunbury management and leadership structure.

The argument for static rostering has increased

Senior officers manage the day-to-day running of units. At Bunbury they are rotated through different areas of the prison. While this allows for upskilling and individual development, it can also create challenges. Staff and prisoners told us not all staff were well suited to the unit they oversaw. Some lacked interest in or motivation to maintain the philosophy of the unit, especially in the minimum-security environments and Unit 2B where more vulnerable prisoners live. We heard some rules and expectations changed when senior staff did which was confusing for prisoners, impacted prisoner management, and led to avoidable tension with staff. With different areas of service delivery, Bunbury may need staff with relevant skills or expertise in the cohort they are overseeing. This is even more relevant with the new AOD service potentially spanning three units. Static rosters in specialist units would also assist staff work within the goals, ethos, or priorities of the prison's service delivery expectations.



SUGGESTION

Review the roster to have more consistent staffing, particularly in specialist units.

1.4 A new area of service delivery is a positive initiative for local men

One of the most significant developments since we last inspected was the addition of the 'Steps towards exiting prison successfully' (STEPS) program, as step down AOD support and reintegration service. Although the introduction of the STEPS program will not increase the prison's population, it has redirected management from other tasks to ready the necessary infrastructure and train staff.

The South West Aboriginal Medical Service and Palmerston Association were awarded the contract to run STEPS with the program set to commence in August 2023. Prisoners due to be released in the region will be prioritised for the program and pre-selection interviews were taking place at the time of the inspection. The program's model of care was developed to address the reasons why people often returned to prison. Key features include:

- Elements of a therapeutic community – Participants share accommodation, act as role models for each other and hold peers accountable for their actions, choices, relapse, and recovery.
- Support for family or significant others – While the participant is in prison, their supporters learn about drug use, relapse, and the value of pro-social community support.
- Voluntary participation – While participation is voluntary, the program offers two years community-based support post release that the participant is expected to engage with.

Since the inspection, program participants have positively reflected about the opportunity to break the cycle of addiction, criminal behaviour, and imprisonment. It is an exciting and innovative program, and we will monitor in the future.

2 Infrastructure had not kept pace with expansion

Bunbury is a crowded and aging jail. It faces an ongoing battle to provide fit for purpose spaces for service delivery, staff, and prisoners. The inspection confirmed that some infrastructure was too small to service the population, while several areas were multifunctional to offset the demand. There were no plans to address the shortfall in infrastructure which was limiting service delivery to prisoners and working conditions for staff.

2.1 Health infrastructure was inadequate for prisoners and staff

The health centre in the main prison was too small and affected service delivery. There were too few consult rooms to see patients if allied health services were on site and insufficient space for the two mental health nurses to see patients at the same time. This meant one clinician was relocated to another area where they had to compete for space with other services. And because the consult rooms were usually full, it took longer to allocate a nurse or doctor appointment to the list of waiting prisoners. The emergency equipment was also inappropriately located in a treatment room which doubled as a consult room.

Both staff lunchrooms were also inadequate. One was too small for the number of staff, the other was multipurpose for storage and waste disposal.



Photo 1: Lunch rooms for health staff were small and multi-purpose (above)

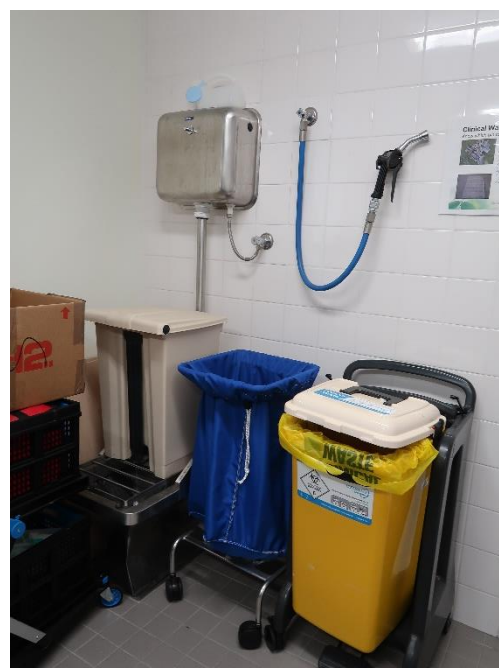


Photo 2: A lunch room was also used for storage and waste disposal (right)

No dedicated, therapeutic space for counsellors to meet patients

The Psychological Health Services (PHS) team were based in a demountable outside the secure perimeter of the main prison which was inaccessible to patients. To attend an appointment, the counsellor passed through the gate house to collect keys and an alarm. This was inefficient and consumed time better used for clinical need. It also created an unnecessary separation between PHS and other health services, who were likely treating the same patients.

Inside the main prison, PHS lacked suitable rooms to meet patients and had to negotiate access to rooms with several other services. Although staff had tried to create a welcoming space for patients, it was not sound proofed between adjoining rooms where programs ran, and officers worked. However, there were few alternatives. Some appointments were offered in prisoner dining rooms or unit interview rooms. But patients were reluctant to meet in public spaces and reported being unlikely to disclose their true emotional state in locations close to where officers were stationed.

No fit for purpose crisis care accommodation for those with poor mental health

There were almost 30 prisoners on the mental health register at the time of the inspection. But there was no therapeutic space for prisoners in acute crisis, or a step-down placement for those being readied for placement in the general population. If someone was assessed as needing a higher level of monitoring, they were placed in a multipurpose (MPC) or safe cell in Unit 1. These were unfurnished, cold, bleak, and not appropriate for a person in distress.

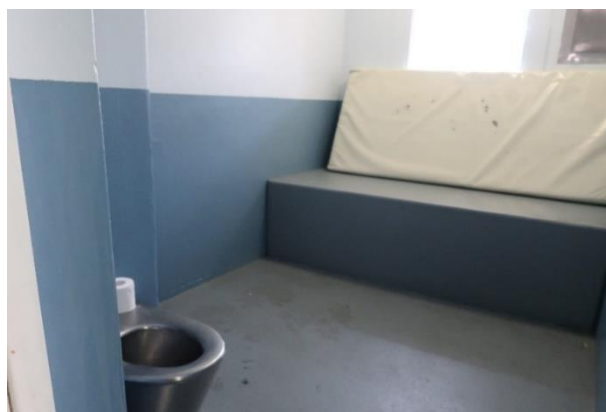


Photo 3: A multi-purpose cell was used as crisis care accommodation

Case study

A man with mental health vulnerabilities was remanded in custody in May 2023. From his admission until our onsite inspection concluded on 28 July 2023, he spent almost 75% of his time in Unit 1, and almost one month in safe cells over that time. He was placed in a different unit on three occasions. However, each time he was returned to Unit 1 shortly afterwards. Staff advised he was unable to cope in a general population environment but without adequate crisis care facilities, there was no alternative, therapeutic placement available.

2.2 Several areas throughout the prison were multipurpose

Much of Bunbury's infrastructure is aged. It was designed for a smaller, more homogeneous prisoner group and a smaller staffing profile. The current staff and prisoner groups have outgrown the space. Consequently, Bunbury had to be resourceful with its spaces, so it had created many areas with dual or even multiple purposes. We saw this in reception where the Senior Officer Reception's office doubled as an interview room, despite being in full view of other prisoners. This could reduce an incoming prisoner's willingness to share personal or sensitive information during their reception. Likewise, the social visits room in Unit 5 was also used for e-visits. However, unlike in the main prison, the terminal was set up without a private, sound proofed cubicle. This meant it could not be used at

the same time as social visits, or at any other time the room was in use, as ambient sounds were picked up by the technology.

Similarly, the video link waiting area was a small area repurposed from a thoroughfare. Its location within a passageway meant it was subject to extreme cold. Although the prison added cushions, a television, and some reading material, it was still not fit for purpose. Video links to court hearings are often delayed and people can be anxious beforehand and distressed afterwards. They should not be held in a corridor at these times. And while some staff had hopes for a new video link facility like the rebuild at Hakea Prison, there was no business case at the time of the inspection.

External service providers were also affected by the shortage and quality of available work space. They praised the prison for being welcoming and valuing their input, but explained infrastructure limited their contribution and ability to support prisoners. On occasion, service providers cancelled groups or meetings because there was no space for them to run their service. Some programs ran out of a multipurpose room but there was no direct line of sight to officers in the area should anyone in the group need urgent assistance.



Photo 4: Men waiting in a passageway to access video-link

2.3 Unit 6 continued to pose costly concerns

Unit 6 was originally designed as an indoor unit with a roof where cells opened onto an internal dayroom. We heard the indoor-design concept was dropped with an estimated \$600,000 - \$700,000 saving. However, other elements of the build were not altered to reflect the change, so cells opened into an outdoor, open-air environment.

Our last inspection report focussed heavily on Unit 6 and its defects (OICS, 2021, p. 17). The Department supported our recommendation to address the faults, but it was clear when we inspected in 2023, there were ongoing issues.

- Rainwater pooled in the soak wells and prisoners had to sweep the overflow onto the grassed courtyard as the pooled water created a health and safety risk and made it difficult to move around the unit.
- The medical hatches in the doors were not made of marine-grade steel so the hinges seized when exposed to the elements.

We also heard that the unit was very cold in winter as the heating system did not always work. And conversely, many prisoners complained about the heat in summer. The prison tried to manage this by increasing the electrical item allowance to permit two fans per cell and by installing water misters to

cool the unit. Some windows had been painted out to mitigate heat in the dayroom and temporary sails were installed in the summer so men could eat outside undercover if the dayroom was too hot. Further work, including an engineer's assessment for wind resistance was required before a more permanent structure was built.



Photo 5: Pooling water in Unit 6

2.4 Utilities and amenities need attention

The water supply to the prison had not increased proportionately to the prisoner population and so on occasion, there was insufficient water available. Management had sourced a tanker to refill the supply and kept pallets of drinking water to hand but this was a temporary solution to an issue that should have been addressed as part of the expansion.

Staff and prisoners were also concerned about access to amenities and plumbing across the site. Some staff did not have access to bathroom facilities in their work area and the custodial staff amenities area was small and crowded during breaks. It had one bathroom and no end-of-trip facilities. We saw and smelt sewage around some of the units and the Kaya Link demountable during our pre-inspection survey visits. Work is required to identify and address these deficits, so that fit for purpose infrastructure is available.

Recommendation 3

The Department should audit Bunbury's infrastructure and capacity to meet the needs of its population.

3 Committed staff but some relationships were strained

We found most staff wanted to be at Bunbury and were positive about their work. Many reported supportive and positive relationships with colleagues and prisoners. Workplace culture was mostly positive, especially between operational staff who rated quality relationships with co-workers and vocational support officers (VSOs) as some of the most satisfying things about working at Bunbury.

General camaraderie amongst officers.

Generally, staff are easy to get along with.

Awesome team of custodial staff and VSOs.

One of the best prisons I have worked in.

Open-door policy adopted by management.

Quotes from staff in our pre-inspection survey about the positives of working at Bunbury

But the combined pressures of short staffing, redeployment, and expansion had taken a toll. Pockets of staff were dissatisfied with all tiers of management and their handling of sensitive incidents. Staff were stressed by the lack of resources provided to match the additional functions and increased population, and without perceived acknowledgement from the Department. Other measures of staff wellbeing had declined too. Bunbury's staff usually rated their work life higher than the state average, but survey results had fallen since the last inspection.

WORK RELATED STRESS

6.03 / 10 ↑

(5.77 last inspection)

QUALITY OF WORKING LIFE

6.77 / 10 ↓

(7.01 last inspection)

3.1 Many stakeholders agreed the prison's management was an asset

Bunbury had a stable and experienced senior management team. We saw strong leadership and collaboration which was necessary to manage the challenges of the expansion and the interruptions to prison operations arising from the COVID-19 pandemic. Staff reported this was a stressful time and praised management for how it drove the local response and kept essential industries open.

We oversee an Independent Visitors (IV) Service that gives people in prison and detention the opportunity to raise concerns and complaints. Our IVs meet with representatives from management each month when they visit the prison. At Bunbury, they find leadership is engaged, responsive and proactive in resolving the issues they raise.

Service providers were also positive about working relationships with management who they felt were committed to prisoner rehabilitation. They felt supported in the prison and consistently reported that any issues they experienced were systemic and beyond the control of local management.

Prisoners across the estate have also praised Bunbury's approach to prisoner management. In contrast to the large metropolitan prisons where people may feel anonymous, they told us they had appreciated Bunbury's management and felt their wellbeing was a priority when held there.

3.2 Under pressure managers were less available which affected staff morale

Some staff reported decreased engagement with leaders which left them feeling disconnected and fed perceptions that management did not understand staff. Our pre-inspection staff survey results reflected this and although Bunbury remained a strong performer compared with other facilities, reversing the decline needs to be a priority. Management acknowledged it was increasingly difficult to stay engaged and maintain visibility given the time and resourcing constraints they were working under.

We see senior management twice a day when working on the gate.

We get the odd email but there is lots of frustration and distrust towards them.

We hear a decision by email, but we don't have any education or reason why this is the decision.

Quotes from staff during the inspection regarding engagement with management

Adding to the perceived disconnection from management was its response to allegations of bullying and inappropriate behaviours between staff. Management's response resulted in a Performance Improvement Notice (PIN) from WorkSafe and the requirement to address certain workplace practices.

There is no answer from SMT and nothing about the resolution. This reflects on us all, we are all villains.

I feel we are under a cloud of smoke.

There was a PIN from WorkSafe around the toxic work culture, but we have seen nothing happening to remedy the issues.

Quotes from staff during the inspection regarding their concerns

Some staff were frustrated there had been no updates or closure while others expressed feeling isolated and unsupported by head office.

Perceptions of bullying, sexual harassment, and other poor interpersonal relationships had increased in the 2023 staff survey compared to three years ago. Although most allegations were historical, this data suggested the issue was still alive for many, and as such, would take work to repair.

From a human resource management perspective, the processes involved in investigating such issues are diverse, complex, and ongoing. They require confidentiality and privacy for complainants. This limited what management could share with staff and consequently, some staff perceived management's 'silence' as indifference while others felt unheard and marginalised. We encourage head office to be more proactive in supporting Bunbury and its staff through this difficult time and to ensure appropriate information is shared when it is appropriate to do so. This may improve and restore relationships between staff and leaders.

Staff had access to grievance processes, but expressed a lack of trust

Bunbury had four grievance officers to take complaints from staff and to support them through the relevant processes. But some staff expressed distrust with the internal process. They questioned the rigour of some inquiries or investigations and believed there were conflicts of interest and favouritism that made the process unworkable.

Some staff also voiced concerns about engaging with the Department's Professional Standards Division. They expressed dissatisfaction with the time taken to complete investigations, and what they perceived to be a lack of rigour. Ultimately, staff have the right to raise these issues with their union or take complaints to external bodies, such as the Corruption and Crime Commission, the Public Sector Commission, or WorkSafe WA.

We express no view on the merits or otherwise of these claims. During the inspection we applied our Standards to ensure there were appropriate grievance resolution avenues and processes available to staff (OICS, 2020, p. 78). We were satisfied this was the case. If staff believe that has not occurred in their situation, escalation to external bodies was open to them.

3.3 Short staffing impacted prison operations

Bunbury experienced regular and significant staff shortages. We often find low staffing levels are driven by unplanned personal leave. This was not the case at Bunbury. Instead, we heard vacant positions, secondments, and workers compensation were the cause. There had been no increase in custodial staffing since the expansion in 2019 and no review to determine if that increase adequately met demand.

On the first day of our inspection, the prison was running 15 staff short for a roster of 60. On the second day, Bunbury was 12 short. Units ran with reduced staff and there were no escort or orientation officers. The prison was also without a recreation officer, a Section 95 officer, and a duty officer (DO) in education and staff were often redeployed from areas such as industries and recreation. Without enough staff, prisoners were sometimes locked in their units and occasionally in

cells. This was frustrating for prisoners and an added stress for staff who had to manage them. It caused some staff to resent management and head office for not adequately addressing the situation.

But some of the impact was due to vacant VSO positions. Bunbury had 47 VSO positions, but like many regional prisons, could not recruit to all roles. Despite several rounds of recruitment, it seemed that the prison could not compete with private or mining salaries. We were told some positions (Mechanical and Metal Shop VSOs) had been vacant for over two years despite being advertised on several occasions. Some VSOs were frustrated due to regular redeployment which meant they could not do the work they were employed to do and this affected their morale.

3.4 Head office's support, understanding and communication rated poorly

There was a steep decline in surveyed staff's experience of support and communication from head office. Positive ratings for aspects of the relationship had declined to single digits. These results were lower than the state average where 10% of statewide staff respondents were positive about the support provided by head office and 11% thought communication was good.

Many staff told us they felt underappreciated. They expressed frustration with departmental plans to lose 50 staff across the estate and were concerned about how this would impact their ability to manage prisoners. System wide changes to the interpretation and application of human resources agreements led many staff to believe their working conditions were being eroded. Some staff felt head office representatives did not visit the prison frequently enough to understand the local context, instead only visited if there were issues to be managed. This should be a concern for the Department, particularly as we have highlighted similar issues being raised during other prison inspections (OICS, 2022, p. 8; OICS, 2023, p. 7).



8% ↓

of staff felt they received good support from head office, down from **19%** in 2020



5% ↓

of staff felt they received good communication from head office, down from **24%** in 2020

There is a lack of support from the Department of Justice. We feel browbeaten. We are nothing but a number.

Quote from staff member during the inspection regarding support from head office

4 Declining satisfaction with everyday life, but there were some highlights

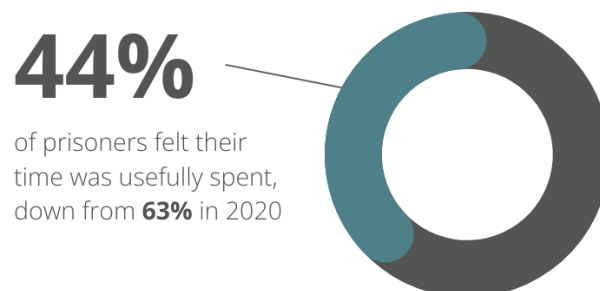
Many prisoners reported a declining quality of life. They were frustrated by the lack of meaningful jobs, and not enough access to family and recreation. Many did not feel they were using their time productively or preparing themselves for release. Several of their concerns went to the heart of what Bunbury was struggling with: the prison had grown, but not all resources had increased commensurately. Despite the downwards trend across many of the measures associated with prisoners' quality of life, most told us they would rather be at Bunbury than any other prison.

4.1 A purposeful day for some, but more people were idle

Time out of cell was maximised

Despite regular custodial staff shortages, prisoners time out of cell was maximised. Average out of cell hours (OOCH) for July 2023 at Bunbury were 11.57 hours each day compared to 9.79 hours for the total adult custodial estate. Only the prison farms, Broome Regional Prison, and Boronia Pre Release Centre recorded more time out of cell. That is not to say lockdowns did not occur. During our inspection, weekend recreation on the oval was cancelled because staff were required to facilitate social visit sessions instead. This meant some prisoners were locked in cells, although the majority were confined to their units.

Prisoners appreciated time away from their units. They could learn new skills, work out and socialise, all of which improves both physical and mental health. But in our pre-inspection survey less than half felt their time was spent doing useful activities.



Great work happened in industries but there were not enough meaningful jobs

Prisoners spoke highly of the opportunity to work in industries. There were essential industry areas such as the kitchen and laundry, as well as mechanical and paint workshops. When we inspected, workers were finalising several projects. The cabinet shop was creating beds for Unit 3 and working on a project for the local surf lifesaving club. Men in metalwork were making BBQ pits for public areas and benches for schools. Vegetables harvested from the market gardens were processed and supplied to other prisons.

There were less workers engaged in 20 work locations compared to our last inspection, but this is countered by 12 areas that had seen gains. We understand the availability and redeployment of VSOs drove the reductions. Fewer staff meant reduced capacity to supervise prisoners and tools. Each industry area could take around 12 to 15 prisoners if supervised by one VSO, but that amount could be doubled if there were two.



Photo 6: Artworks created by prisoners

With fewer employment opportunities many prisoners had little to do and were spending time idle in their units. Many prisoners were given jobs as unit workers to fill the gaps, but they felt unproductive. Prison management was sympathetic, but there were simply not enough opportunities to keep more men meaningfully engaged. This is a risk as bored and frustrated prisoners can be more difficult for staff to manage.

Many comments from prisoners in our pre-inspection survey referenced the lack of employment.

Work is not available to everyone.

The wait for jobs (is the worst thing about Bunbury).

There is a lack of work in industries.

Quotes from prisoners about a lack of work in our pre-inspection survey

Surveyed staff felt the same way with only 24% rating meaningful employment as acceptable. This appears to be a fair assessment given unemployment rates had more than tripled to 12.5% this inspection compared to only 3.5% at the time of our last inspection.

They increased our prisoner numbers but did nothing to increase things for prisoners to do, activities, programs, employment.

Quote from staff member in our pre-inspection survey

Prisoner education had staffing challenges, but they delivered a high quality service

The Bunbury education centre experienced vacancies in key positions over the preceding two years. Both Prison Education Coordinator (PEC) roles were vacant at the time of our inspection and the Aboriginal Education Worker had been appointed to a Prison Support Officer (PSO) position. The

centre also struggled to find casual tutors. One of the barriers to recruitment was the requirement for teaching staff to hold a Certificate IV in Training and Assessment.

Like many other areas, the education centre was affected by custodial staffing shortages, frequently resulting in only one DO stationed in education rather than two. This halved the maximum capacity of the centre from 70 prisoners to 35. However, the education staffing vacancies meant they typically had only 25–30 prisoners attend per day.

Student contact hours (SCH) for TAFE to deliver education and training courses to prisoners had been reduced to 16,000 hours from 35,000 two years ago. TAFE did not have staff to deliver certain courses and understandably prioritised their own on-site service over delivering in the prison. With two PEC positions vacant, the Campus Manager had less capacity to pursue and drive SCH delivery. This meant prisoners missed education and training opportunities while education staff were frustrated they could not meet demand or offer the services prisoners wanted.

We spoke with prisoners who were engaged in education in the main prison. They valued the opportunity and gave positive feedback about education staff. Several men were keen to show their work and speak about the impact education would have on their future outside prison.

In our prisoner survey and in conversations during the inspection, many prisoners commented on limited access to education, especially in the minimum-security units. Despite prisoners' negative perceptions on access to education, data indicated that short course delivery in the PRU was higher than in the main prison. In 2022, 168 prisoners in the PRU completed a short course compared to 89 prisoners in the main prison.



Photo 7: A numeracy class in education



Photo 8: Art activities in education

4.2 Program delivery remained high but there were some gaps

Bunbury continued to be a programs hub for the prison system. Since 2021, 29 programs had been completed:

- 17 Pathways Programs
- five Medium Intensity Program (General Offending)
- four Sex Offending Medium Programs

- two Sex Offending Intensive Programs
- one Sex Offending Deniers Programs.

Up to six programs had been running at any given time, although this had been disrupted in 2022 by COVID-19. There were few programs scheduled to start in the first quarter of 2023, the only exception was the Pathways Program which was delivered under contract with Accordwest.

Requirements under the Accordwest contract had dropped from eight programs per year in 2021 and 2022 to only four in 2023. We understand this was largely based on available funding. In data provided by the Department, a service gap analysis from April 2023 showed that there were already six prisoners at Bunbury who would not access a required Pathways Program before the end of their sentence. It follows that reducing delivery would increase the number of prisoners unable to access to the program before their sentence ends.

16%

of prisoner programs were unavailable prior to their release



The other significant gap at Bunbury was in programs addressing violent offences. As of April 2023, there were 24 prisoners who would not have access to a required violent offending program. There were plans to address this in 2023 with the introduction of the Violence Prevention Program but this had not started by the time of our inspection in July. There was also no family violence program available at Bunbury. We spoke to several prisoners who were unhappy that they would have to transfer to a different prison to complete this program.

All of this may account for the negative views and feedback we received from some prisoners about program availability.

Concerns previously raised about program efficacy had still not been addressed by the Department

One way for prisoners to address the drivers of their offending behaviour, is through participation in the Department's programs and interventions. This should reduce the risk of reoffending and improve community safety. The proviso here is that the program actually has the ability to produce the desired results.

But we have in previous reports expressed concerns about the efficacy of some of the Department's suite of programs (OICS, 2022, p. 14; OICS, 2021, p. 36). And the Department's response to one of our 2020 recommendations stated no 'sex offender program training' had been provided to staff because these programs were outdated and under review (OICS, 2021, pp. 56-57). The Bunbury programs team noted three years later, they were still awaiting a new treatment program for people with sexual offences. They were aware of reviews and evaluations that had questioned the efficacy of the existing programs but to date had resulted in no action (Tyler, 2019).

We have also expressed concern the Pathways Program is outdated and requires a level of literacy that make it potentially inappropriate for the prisoner population (OICS, 2022, p. 49). Both facilitators and participants said it required significant adaptation to make it more contemporary and relevant to

the Australian, as well as First Nations context. However, this was countered somewhat by the positive feedback we received from recent participants at Bunbury.

At the time of our inspection, the Department was undertaking another review of programs so it is likely any action would be delayed until that was complete.

Training for the programs team was still a critical concern

In our 2020 inspection report, we made a recommendation to 'provide adequate training and support for all programs staff to ensure confidence in, and the integrity of, the programs being delivered' (OICS, 2021, p. 37). The Department supported the recommendation but stated that programs staff were already provided with adequate training.

Programs staff told us the training referred to was exaggerated or misrepresented. They still felt training was severely lacking. Some Senior Program Officers (SPOs) were facilitating programs without completing group work training, which they considered a minimum requirement. They pointed out they were delivering very complex programs to very complex participants and felt the lack of training reflected the lack of value for programs within the Department. They acknowledged strong local support from the Superintendent and ASOS. But overall, they felt isolated within the prison and from the Offender Programs Branch at head office.

They acknowledged they were receiving two half-days of training during the week of our inspection on working with people with sexual offences. But they said this was unusual.

The Department has plans for a comprehensive six-week induction process for programs staff which should address some of these training deficits. But this had not yet been implemented. The Bunbury team had sound local processes for ensuring new programs staff were supported. For example, a new SPO was required to co-facilitate a lower intensity program with an experienced SPO before delivering a high intensity program. But the lack of system-level policy around induction and training for programs staff was a gap that created risks for both the Department and its staff.

4.3 Satisfaction across other dimensions of daily life had decreased

The cancellation of the weekend morning visits session frustrated prisoners, despite a solid rationale for the decision

In the main prison, weekend morning visits had been cancelled due to short staffing. Previously, visits sessions and recreation were scheduled at the same time but when resources were short, staff were redeployed to cover visits and recreation was cancelled. The prison amended the weekend routine hoping to ensure recreation could still go ahead in the mornings while visits sessions occurred in the afternoon. However, prisoners were frustrated about the reduced visits sessions and some told us they missed out as sessions booked out quickly. But it appeared to be a reasonable solution that seemed to work.

During visits we saw good interactions between prisoners and their families and friends. Child-friendly amenities were available and special visits were often approved for visitors with special needs or circumstances. Staff were respectful and security processes did not unduly impact the interactions.

Food was good, but PRU residents were unhappy with the allocated house budgets

Food at Bunbury is generally considered to be among the best in the custodial estate. We found the quality of the food was good, the menu was varied, and special dietary requirements were accommodated. However, only 58% of surveyed prisoners said the amount of food was good compared to 71% last inspection.

Some of this reduction could be explained by dissatisfaction in the PRU. Many PRU residents complained the house budget was inadequate, and this had the potential to cause conflict. Each house, with a maximum capacity of 12 residents, received around \$61.00 per person per week in the budget. Depending on the number of residents per house, the purchase capacity was less when there were fewer residents. This was further reduced because some men had to provide their own lunch when attending prison employment. This led to conflict and financial strain because some houses used their communal budgets for workplace meals while others did not. Several prisoners said they did not take lunch to work and went without, rather than deplete house resources.



SUGGESTION

Review the household budget in the PRU in line with cost of living to mitigate risks such as bullying and stand overs.

Like elsewhere in the community, cost-of-living pressures has increased purchase costs but residents said the house budget had not increased for some time. Management at Bunbury confirmed the house budget was determined by the Department's catering division, and it had not been reviewed in more than three years. Regular review of the budget can mitigate potential risks such as bullying and stand overs.

The food budget for minimum is not enough to feed everyone in the house so it creates bullying/stand overs for food and people that can't afford to buy their own food suffer.

The cost of food has gone up, but the house budget has stayed the same. It is hard to feed everyone on a small budget.

Food is good but the budget in Unit 4 [PRU] is too low.

Quotes from PRU residents about food in our pre-inspection survey

A range of recreation activities were available, but redeployment reduced access

In addition to a well-maintained oval, a multipurpose hard court, and an extensive library, a variety of recreation options were also available in each unit. We saw isometric equipment and exercise bikes in standard living units, with prisoners in Units 3, 5 and the PRU able to access smaller undercover gymnasiums. There was a volleyball court in Unit 2B and prisoners in Unit 6 had access to a half

basketball court and table tennis tables. Minimum-security sites were well equipped for strength and cardio training. Overall, unit-based recreation options were of a higher standard than we have seen in many other facilities.

Some prisoners in the PRU and Unit 5 were also approved for external recreation trips as part of their reintegration processes. A football match with prisoners from Karnet Prison Farm took place during the 2023 NAIDOC week, and we understand there were plans for more matches which would be a positive step.

However, prisoner satisfaction with all forms of recreation had dropped. Prisoners said they were not getting to the oval frequently, and the library was often closed or lockdowns meant prisoners missed their allocated time. Recreation staff explained they had lost about 200 hours per month in the last two years due to COVID-19 restrictions and redeployments. Recreation is an important outlet to support mental health and set personal goals. Many prisoners like routine and structure and most felt frustrated and unsettled when recreation was reduced.



Photo 9: Prisoners recreating in Unit 6

5 Stretched prisoner health and wellbeing services

Prisoners expressed dissatisfaction with an overburdened health service. Although the primary health team had increased, prisoners experienced delays in seeing health professionals and had concerns their complex health needs were not met. The dental team also worked in the community and so the purpose-built dental suit at the prison was underutilised. The psychiatry service has stopped, counsellors had full caseloads and there was no backfill for either of the two Mental Health Alcohol and other Drugs positions. Support services were comprehensive and well received by prisoners.

5.1 Key services, resources and teams were strained

An increased health services team could not meet demand

Last inspection we found more resources were required if health services were to deliver the level of service to which they aspired (OICS, 2021, p. 29). Since then, a substantive clinical nurse manager (CNM) has been appointed, General Practitioner (GP) coverage has increased, including offering clinics for two days per week in the PRU and Unit 5, and nursing coverage had increased in the main prison clinic and the PRU. When we inspected, we met a committed and hardworking team, focussed on meeting prisoners' needs.

Despite these increases, many prisoners still did not think their health needs were being adequately met, particularly older prisoners and those with ongoing or complex health concerns. Prisoners mainly complained to us about lengthy delays to see a doctor, which we were told by health staff could be between eight and 12 weeks in the main prison. Surveyed staff agreed, with 21% rating prisoners' access to in-prison health services as 'unacceptable' compared to nine per cent last inspection.

Nurse led clinics were busy seeing up to 20 prisoners a day in the main prison. As most clinic time was used for daily appointments, nurses told us there was not enough time to focus on other responsibilities such as chronic disease management or health promotion activities. This mostly happened opportunistically during daily clinic appointments.

We heard some First Nations prisoners needed extra support or encouragement to better manage their health, such as regularly taking prescribed medication. But there was no Aboriginal health or liaison worker to help build connections between First Nations prisoners and prison health services. This is an important target of the Closing the Gap strategy and may lead to better health outcomes and life expectancy for some Aboriginal people (Joint Council on Closing the Gap, 2023).

Primary health managed the gaps left by other services

The primary health care team was stretched but took on patients waiting to be seen by other services. While this may be commendable, it was probably unsustainable.

For example, there was limited mental health service when we inspected. To counter this, the GP had taken on some mental health patients, and primary health nurses had been told they would be the first point of contact for a prisoner experiencing mental health issues like anxiety, depression, or a situational crisis. Although this arrangement sought to address a service gap, primary health nurses

would require training in mental health assessments, at a time when there were already additional demands on their time due to the increased population.

Another example was medical staff having to treat prisoners with dental issues. Staff advised around one third of medical appointments were related to managing dental pain in patients waiting for a dental appointment. During this wait time, a minor issue left untreated could easily become more serious and require medical intervention.

Prisoners had lengthy waits for dental care, so some paid for private treatment

Despite a purpose-built dental suit in the health centre and a dental service scheduled to run for two mornings each week, many prisoners were frustrated with the level of dental care. Prisoners have frequently raised their lack of access to dental services with our IVs and during liaison visits. And almost three quarters of surveyed prisoners reported they had not seen a dentist compared to just over half last inspection. Only 3% of respondents said the service was good, compared to 12% last inspection. This was in part because the dentist servicing Bunbury also worked within the community and community services were prioritised above the prison.

We have been concerned about prisoners' access to dental care for some time. In our 2021 review into prisoner access to dental care, we found the average wait time to see a dentist at Bunbury was 13.1 months (OICS, 2021). In 2023, staff and prisoners told us the situation was worse and the wait time had increased to 18 months with approximately 120 prisoners on the waitlist.

Dental is very bad. I had an abscess on my tooth and there was a 2-year waiting list. The dentist attempted to pull my tooth out, snapped it off in the gum, I waited 22 months to see [a] dental surgeon.

Having an 18-month waiting period to see the dentist is ridiculous. People in absolute agony should be able to see a dentist immediately, not have to wait.

Quotes from prisoners about dental care

Bunbury had taken the unusual step of waiving transport and escort fees if a prisoner could pay for their own private dental treatment. Fifteen prisoners had taken up this opportunity, but it was costly and not an option for many prisoners. It also placed additional demands on the already strained transport services that struggled to keep pace with current demands.

36 of 58
dental clinics
cancelled
between January
and July 2023



106
patients seen
instead of
potential 232

Counsellors were under resourced but still offered a preventative service

Bunbury's PHS counsellors worked hard and were committed to their work despite facing workload challenges. Although there were three funded counsellor positions, one had been vacant for 18 months leading to a three to four week wait list at the time of our inspection. The clinical supervisors took on full counselling caseloads to help manage the wait list.

The ratio of PHS staff to prisoners at Bunbury had worsened since our review in 2021 (OICS, 2022). We found in that 2021 review that, across the system, the average PHS staff to prisoner ratio was one counsellor to 142 prisoners, but in Bunbury it was 1:159. With Bunbury's population having increased since then, the PHS staff to prisoner ratio had increased to 1:167.

Mental health provision was inadequate

Although Bunbury was resourced for two Mental Health Alcohol and other Drugs (MHAOD) positions, at the time we inspected one MHAOD nurse had retired, the other was on extended leave and there was no back fill for either position. These positions were responsible for case managing prisoners on the Opiate Treatment Program, those with mental health illnesses, and people who were acutely unwell. They also supported at-risk and vulnerable prisoners. Peer support prisoners confirmed some prisoners were struggling with their mental health or substance dependence. A mental health telehealth service ran out of the prison and although this was intended for other regional prisons, the position offered a limited service to local prisoners to try to fill the gap.

After the inspection, a primary health care nurse stepped into an MHAOD role and has received some support as part of her training.

According to departmental data which records prisoners with diagnosed or suspected mental health conditions, in July 2023 three men at Bunbury were rated as 'priority 2', meaning they had significant ongoing psychiatric conditions requiring psychiatric treatment and another four had a suspected psychiatric condition requiring assessment. We have been told by our experts that priority 2 rated prisoners have complex needs and require consistent, ongoing psychiatric care. Those awaiting assessment and experiencing an unknown level of mental illness also require ongoing clinical attention and supervision. But there had been no on-site psychiatry service for months prior to our inspection, a fortnightly telehealth psychiatry clinic had been cancelled, and there was uncertainty around whether these services would resume. This situation was unacceptable and exposed staff and prisoners to significant risk.

People with mental ill health are known to be overrepresented in prisons (AIHW, 2023; OICS, 2023), and we are increasingly concerned about the state of mental health services available to them. We understand there are challenges in the recruitment and retention of staff but as a safeguard for some of the most vulnerable prisoners, we urge the Department to find a solution.

Recommendation 4

The Department should develop a statewide recruitment and retention strategy for health and mental health services.

5.2 Support services were solid

Two committed PSOs led a solid team consisting of 16 employed and voluntary peer support prisoners. Bunbury also had an Aboriginal Visitor Scheme (AVS) officer who worked closely with the peer support team. The peer support team included representatives from all units and prisoner groups, including out of country First Nations prisoners, foreign national prisoners and LGBTQI prisoners. Members were actively engaged in prison activities and were visible around the prison and in different units, including leading orientation tours for new arrivals.

The team were based at Kaya Link which Aboriginal prisoners understood was a safe and cultural place for people to meet, but everyone was welcome. Prisoners said Kaya Link was good but was often crowded and should be bigger.

[It's a place to] talk about problems if you're not coping well.

[You can] yarn with the brothers.

[Staff are] good at listening especially when there had been a loss with family.

Quotes from prisoners about the benefits of Kaya Link

PSOs had arranged for their peer support workers to receive training covering disability awareness and how to assist prisoners writing parole plans. They were also waiting for Gatekeeper training, or something similar, to support their ongoing work with at-risk prisoners.

At-risk management processes were thorough

Prisoners identified at risk of self-harm were managed through the At-Risk Management System (ARMS). The Prisoner Risk Assessment Group (PRAG) decided upon the placement and management of these prisoners as well as those cared for through the Support and Monitoring System (SAMS).

PRAG was chaired by the ASOPS and included representatives from senior custodial staff, PHS, and PSOs. One of the chaplains also attended so they could follow-up and provide after care to prisoners identified as needing extra support. It was clear from our observations of the PRAG processes those representatives had knowledge of individual prisoner's circumstances, as well as the cultural and protective factors of the prisoners that they were discussing.

Deliberations of the Bunbury PRAG team included considering the benefits of protective factors of prisoners being in units around family supports and being able to socialise with others. Where an accommodation placement was deemed necessary, Unit 2B was an option used for some prisoners on SAMS or ARMS. This was in line with the aim of reducing unnecessary placement in safe cells which while under camera, are stark and isolating.

Chaplaincy was a well-established and embedded service

The chaplaincy team at Bunbury functioned well and was integrated into many aspects of prison operations. This increased their ability to support prisoners with emotional and spiritual wellbeing. Three chaplains provided seven-day coverage, including one-on-one support, counselling and pastoral care, Bible study groups twice a week, Sunday services in both the PRU and the main prison, and memorial services as required.

Since our previous inspection, a technology upgrade in the chapel had allowed livestreaming of funeral services from the community. The chaplains also facilitated services for other denominations and religions and had established arrangements with visiting chaplains from other faiths.

One chaplain was involved in convening Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) meetings. This was a valuable and popular service, with about 50 prisoners involved at any given time.

6 Bunbury could not meet the needs of all prisoner groups

Bunbury holds a diverse range of prisoners, which is not unusual across the custodial estate. Each cohort often have common needs that are distinct to other prisoner groups. Some metropolitan prisons have dedicated infrastructure, policies, services, and initiatives to meet the needs of different prisoner cohorts. But Bunbury lacked specialised accommodation, policy guidance and resources to adequately address the needs of several different prisoner groups.

6.1 A strategic policy framework to improve standards and services for older prisoners was missing

Older prisoners felt unseen

In our 2021 Older Prisoners review we looked at how the Department was planning for the needs of the growing population of older prisoners (OICS, 2021). The first recommendation from that review was to create a strategic policy framework to address the age-related needs of older prisoners. The Department gave in principle support for this recommendation but stated it would require "...extensive research, nationally and internationally, to determine a future model that will provide optimal solutions to accommodating older prisoners." The Department also stated it was committed to undertaking such research.

The Department commissioned a research report in response to our review. The recommendations arising from the Department's research called for further research into the aging population's needs and for improvements to infrastructure, care, programming, and staff training.

The Commissioner's Operating Policy and Procedure 6.2 (COPP) approved in November 2022 provides guidance on supporting prisoners with a terminal medical condition, but illness is only one aspect of aging and beyond this little progress seems to have been achieved since our review. At that time we looked forward to specific guidance for older prisoners and the progression of the Department's recommendations.

Two years on, we found there was little evidence of specific support for Bunbury's older prisoners or for the aging prison population more broadly. Our review defined an 'older' prisoner as someone over 50. At that time 15.7% of prisoners at Bunbury were in this category. In July 2023, the proportion had increased to approximately 20%; Bunbury's oldest prisoner was 84 and six prisoners were aged 70 or older.

While many older prisoners will not need additional support or assistance to carry out daily tasks, some will have a variety of age-related concerns that affect their mobility, cognition, and daily functioning. For this group, the prison environment can be a difficult place to live. In Bunbury we met a group of older prisoners many of whom fit within this category. Some had cancer, mobility limitations, and heard some prisoners had early signs of dementia. However, they advised us there were no age-affirming initiatives at Bunbury:

- There were limited suitable recreation options. Most, but not all, had little interest in the isometric gym equipment due to their mobility or physical restrictions.

- There was no reliable access to the dayroom in Unit 2B, a space protected from the elements. Access would allow men to socialise and engage in a range of passive activities such as art, board games or cards.
- There was no geriatric-specific accommodation with mobility modified cells or bathroom facilities. Although we understand providing ligature-minimised environments may limit the infrastructure modifications that can be made. But some prisoners told us they struggled to shower themselves and they were worried about slipping and falling.
- There was no 24-hour on-site medical service which may better serve some elderly prisoners. More frequent health and dental reviews were necessary, including education on how to manage age-related decline.

Bunbury did not have the specialist placement options or medical resources to properly support frail and infirm prisoners. As such, some people were transferred to a facility more suitable for their needs, but away from their community. This prospect made some older prisoners quite anxious.

Long-term prisoners wanted living conditions that mitigated lengthy sentences

In 2023, there were 37 long-term prisoners at Bunbury. We have previously defined long-term prisoners are those with sentences of 10 or more years to serve (OICS, 2021, p. 24). It was the third highest long-term population in Western Australia's prisons (male and female), behind Acacia and Casuarina. The group made up around 10% of the total life sentence population in custody.

In 2020, long-term prisoners at Bunbury reported a decline in their quality of life (OICS, 2021, pp. 24-25). The Department supported our recommendation to develop and implement a strategy for long-term prisoners. However, in its latest update, it advised there had been no progress in establishing a plan due to the impact of COVID-19.

Most long-term prisoners at Bunbury lived in self-care accommodation in Unit 3. But the growing prisoner population statewide meant they had to share cells. Many had become accustomed to their own cell at other prisons and found it difficult to share a space with others, particularly those who would be released from prison soon. Like the older prisoners, long-term prisoners wanted a dedicated unit so they could live among people with the same worries and concerns and offer each other support.

Some staff suggested long-term prisoners could be offered annual leave from employment and better-quality equipment in cells to improve their quality of life especially as single cell accommodation was usually not available.

We understand Bunbury cannot provide a dedicated living area for older or long-term prisoners. Nor can it offer dedicated staff. There are too many demands on overburdened infrastructure and time. To resource one group, would mean another group lose out. But a policy framework would go some way to identifying the specific need of these groups and allow a more tailored standard of care.

Foreign national prisoners were still unsupported

There were 37 foreign national prisoners at Bunbury during our inspection (7% of the total population). Of these, 12 had their visa revoked on character grounds, another 19 were under

consideration for visa revocation and the remaining six were on remand. Some, but not all may face deportation or be transferred to an immigration detention facility towards the end of their sentence.

Prisoners have a legal right to appeal the revocation of their visa. But conversations with these prisoners revealed many had low awareness of immigration processes and did not know where to go for information or assistance. And even those who did, had limited ability to contact support services. As is the case at the majority of prisons we visit, the needs of this group do not fall within the remit of any specific position. Support is ad hoc and variable leaving many prisoners anxious, and uncertain about their future.

Foreign national prisoners missed out in many other ways. Those who had made it to the PRU were ineligible to work or recreate in the community like their peers, because they were seen as a flight risk. Nor could they join many general rehabilitation programs, such as education or training, because their citizenship status precluded them from participation.

After our previous inspection, we recommended more support and opportunities for this group. This was not supported by the Department (OICS, 2021, p. 55). In our view, there should be a strategy or more policy guidance to outline how the Department can and should support these prisoners. Although they are referenced in several policies, more explicit guidance is needed. This could bring natural justice to the appeals process and options in how to manage the perceived risks associated with this group.

Recommendation 5

The Department should develop a statewide policy that establishes basic principles for the management of specific cohort of prisoners for example older, long term and foreign national prisoners.

6.2 Prisoners wanted more support to manage addictions

There are many people with histories of illicit substance use in the prison population. Often they will require help to manage their addictions and this could be through participation in a program, drug therapy or counselling. But many prisoners at Bunbury said it was hard accessing the criminogenic treatment programs the Department delivered. Sixty per-cent of survey respondents said they relied upon voluntary programs to manage their addictions instead.

They do have a drug program but there's never any room for new people on it, so it makes prisoners seek drugs elsewhere.

Quote from prisoner about programs addressing substance use

Former Pathways participants told us they were motivated to change their dependence on drugs and alcohol because of what they had learned. They had hope for their future and were optimistic they

would remain substance free while in prison. Other prisoners chose to self-fund their participation in a treatment program and engaged online with The Whitehaven Clinic's addiction and recovery course.

The Drug Reduction Strategy was punitive and did not reflect policy intent

Prisoners caught using illicit drugs or failing to provide a sample for urinalysis drug testing were put onto the DRS, a cornerstone of Bunbury's drug management strategy. It ran out of Unit 2A, the least amenable of the units. The DRS was supposed to provide a therapeutic environment where prisoners could address their addictions. However, staff told us this was not happening because there were too many competing demands on resources and so the therapeutic elements of the DRS had fallen away.

Although unpopular, prisoners understood the consequences of drug activity included:

- a two-month placement for a first offence in Unit 2A
- limited interaction with other prisoners
- non-contact social visits for a minimum of two months
- loss of personal electrical items
- reduced earnings and spending.

Some prisoners struggled with the punitive nature of the DRS without the therapeutic and supportive elements. They explained they had not received pharmacotherapy support which led to their ongoing substance use while others complained about the lack of treatment programs. They valued the voluntary group run by the chaplain although this was inconsistent because of short staffing. There was also no MHAOD nurse to provide case management support when we inspected. Monthly multi-disciplinary case conferences attended by the prisoner and management were supposed to increase personal accountability and ensure appropriate support. But meetings were inconsistent or cancelled because committee members were busy with other priorities. Management was dissatisfied the approach relied on punitive measures. But without the space and expertise needed to implement the strategy, it is unlikely that prisoners will overcome substance dependence through the sanctions-based approach.

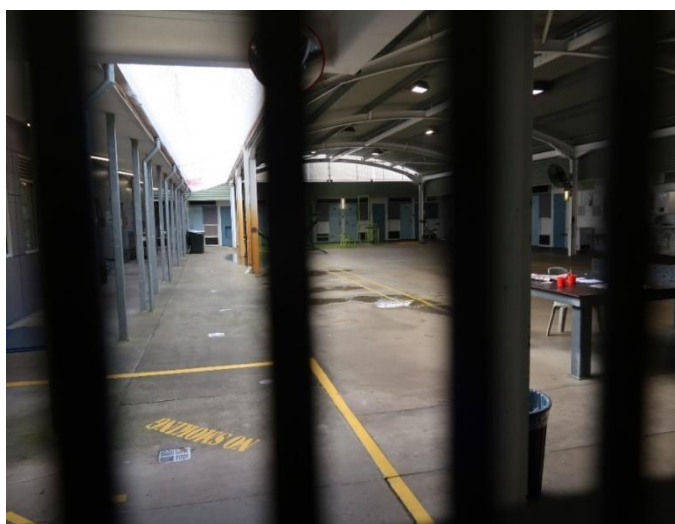


Photo 10: Looking into Unit 2A from where the Drug Reduction Strategy ran

6.3 Positive initiatives for some groups, with scope to do better

First Nations prisoners were well considered in some areas

Bunbury ran a range of initiatives to promote First Nations prisoners' participation in prison life. Kaya Link was accessible to all prisoners and a place to celebrate culture. The team put on 'Out of Country'

morning teas to introduce regional men to each other. They had supported all Aboriginal prisoners to apply for Medicare cards and birth certificates at no cost. Education staff ran a voluntary art program to encourage First Nations prisoners to engage with other education courses and young Aboriginal students were prioritised. The Department has also provided an electronic reader pen to convert text to speech to ensure a First Nations participant with low literacy could fully participate in a program. And First Nations men were proportionately represented in programs with 78 participants (28% of the total program participants) and 67 successfully completing programs (86% completion rate).

Bunbury has two PSOs and an AVS officer, as well as a handful of First Nations administrative staff. But only six officers identified as Aboriginal. Having more First Nations staff in the officer group would add value to the cultural work of the support staff. Thirty-two per cent of prisoner respondents thought staff respected their culture. This was higher than last inspection and above the state average, but fewer surveyed prisoners thought staff understood their culture. This highlights the gap for First Nations prisoners who often look to Aboriginal staff for cultural support at times of loss or family issues.

The Aboriginal Services Committee (ASC) is a forum to provide leadership on improving outcomes for First Nations prisoners. Bunbury's ASC complied with quarterly reporting requirements but overall had a low profile. The minutes from ASC meetings confirmed what some staff had told us, that the focus appeared to be on collating and reporting statistics rather than driving change at a local level. Experience elsewhere has shown that more involvement from community members and external agencies adds depth to this process.



SUGGESTION
Involve community members and external agencies to add depth to the work of the ASC.

Disparities in employment and gratuities

First Nations prisoners comprised around 25% of the population when we inspected. And as was the case in 2020, Aboriginal prisoners were overrepresented in the lower ranges across several indicators and underrepresented in some of the more desirable aspects of prison life (OICS, 2021, p. 41).

Of those First Nations prisoners who were working, a third (33%) were employed as unit workers compared to only one quarter (25%) of the non-Aboriginal population. We regard unit work as underemployment because it often involves limited skill, effort, or opportunity for development (OICS, 2021, p. 21).



40% of Aboriginal prisoners were unemployed

However, there was a higher percentage of First Nations workers in recreation (89%) which is popular work and reflected Bunbury's commitment to promote Aboriginal participation in the life of the prison.

Gratuities are paid to prisoners to reflect the level of skill, trust and responsibility attached to their work position. Level 23 is the highest gratuity level, followed by Level 1. Level 5 payments are the lowest. But we noticed a higher representation of First Nation's prisoners received lower gratuities than non-Aboriginal prisoners.

While the gratuities profile reflected the overall lack of meaningful employment opportunities, this disparity in earnings and should be addressed.

42% - Aboriginal prisoners paid Level 5 gratuities

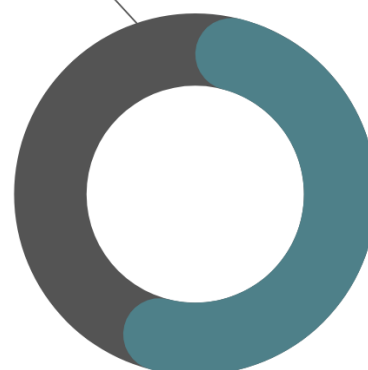


Figure 1: Despite representing only 25% of the population, 42% of Aboriginal prisoners received the lowest level of gratuities.

Remand prisoners had some supports, but there were gaps

As was the case in our previous inspection, people on remand reported feeling inadequately supported (OICS, 2021, p. 23). They said there were not enough voluntary programs while they spent time in custody. For some, this could be a lengthy wait without constructive activity. While remand prisoners cannot be assessed for criminogenic programs, voluntary programs could begin to address some of their underlying behaviours or needs. About 10 remand prisoners were involved in Journey Ways, a voluntary Aboriginal restorative rehabilitation program. But with remand numbers equating to about 15% of Bunbury's total population, this was not enough.

Re-entry support is often only available to sentenced prisoners. Yet at Bunbury, Accordwest's services extended assistance to remand prisoners, helping them complete Centrelink forms, handle fines expirations and providing advice and information in anticipation of potential sentencing. This initiative was well received by the men who were able to access the service.

Access to legal resources could also be improved. There were limited legal reference books in the main prison library and none in the PRU library. Prisoners do not always exercise their right to access legal materials but should have the option to do so. Although the absence of legal material in the PRU library may be understandable in some respects, given the unit's intended role and function, but remand prisoners can be accommodated there so this is a missed opportunity for support.

Similarly, phone contact with legal representatives presented an issue. Service providers told us the phone number for prisoners to contact Legal Aid was Perth based leading to prisoners' call time being consumed by rerouting calls to the Bunbury office. The prison was aware of this and was actively seeking a solution.

Orientation processes were good, although some new arrivals missed out

Bunbury usually runs a comprehensive orientation each week for newly arrived prisoners. This assisted prisoners to settle in, learn the site specific rules, find out about the supports available from transitional and reintegration services, peer support, chaplaincy, and education. Peer support prisoners said this process generally worked well. However, at the time of the inspection there was no orientation being run because the Orientation Officer was on leave and the position had not been covered. This may explain a fall in prisoner satisfaction with the information they received on arrival (from 49% in 2020 to 28% in 2023).

As an important step in the reception process, prisoners were given an Orientation Handbook. Although it had been updated in April 2023, it required further revision, particularly with the reduction of visit entitlements for remand prisoners following amendments to the *Prisons Regulations 1982*. Another concern is that the handbook required strong literacy skills (OICS, 2021) and would benefit from a revision process that looks at literacy and accessibility considerations.



SUGGESTION

Review the Orientation Handbook for important inclusions as well as literacy and accessibility considerations.

7 Preparations for release worked well, but preparing prisoners for life had challenges

Effective transitional services are key to prisoners' successful release back to the community. When working well, this can lead to a reduction in recidivism rates because people have supports to ease their return. We heard positive feedback about these services in Bunbury. But some staff and prisoners were less positive about how effectively the pre-release facilities readied people for life after prison. The wait time to approve prisoners for reintegrative activities in society was an issue for many, as was the lack of meaningful work opportunities.

7.1 Sentenced prisoners were well supported by transitional services

Transitional services performed well, despite the demands of a high pre-release population, with most prisoners having a plan for their immediate needs on release. Prisoners could engage with re-entry supports six months before their release date and receive assistance with a range of tasks such as sourcing identity documents, connecting with community services, and finding accommodation.

Bunbury had a dedicated transitional and employment team described by several service providers as the 'heroes' of the prison. Two prisoners were employed as transitional clerks to promote the services across the prison and were an asset to the team. This was complemented by Accordwest which provides comprehensive re-entry service to prisoners leaving Bunbury. They also met eligible prisoners to identify the supports that may be required and offered 12 months post release support. Access to suitable accommodation is often a barrier to release and one of the common reasons for parole denial. But Accordwest had access to four three-bedroom transitional properties. Released prisoners could remain in a house for around three months before having to move to other accommodation. Several prisoners who had been referred to Accordwest for support gave positive feedback about the service.


Bunbury also convened the 'Inside-out' expo which was an opportunity for prisoners to connect with community services and for agencies to showcase the assistance available. Prisoners could link with employment services, financial counsellors, AOD supports, and health providers. Prisoners and service providers valued the expo and said it was well organised and useful.

7.2 The pre-release unit was a good place to live but had lost its identity

The PRU is a minimum-security facility which sits outside the main prison. Twelve cottages were originally designed to hold six men each. Through double bunking, the PRU now has a capacity of 144, twice that of its original design. The unit is usually settled and has low incident levels. Prisoners live communally and as part of the transition back to community, some prisoners had learned to plan meals and cook. Approved prisoners could leave the prison to undertake work, recreate and participate in a resocialisation program to re-engage long term prisoners with the community. People who were learning new skills, identifying work opportunities and rebuilding relationships with loved ones were positive about the future. Overall, men reported a good sense of community and camaraderie in this unit.

But prisoners and staff thought the PRU did not live up to its name. It had lost much of its identity and many prisoners felt under prepared for release and concerned they would reoffend. There was little difference between the PRU and many other minimum-security facilities we visit, particularly with the population having doubled and resources and opportunities stretched so thin. If the Department wants the PRU to deliver a successful pre-release opportunity, it will need to address the factors that are undermining its identity.

Too many men in the PRU were underemployed. Leading up to release, prisoners should be developing skills to reintegrate into the community. But there were not enough meaningful jobs and almost 40% of the men in the PRU were unit workers. Routine low skilled work did not prepare men for release nor was it in keeping with the vision of a pre-release unit. Opportunities may exist to expand the various employment positions in the PRU, for example the PRU library, which does not currently employ workers.



SUGGESTION
Identify additional employment opportunities in the PRU, for example in the library.

Low skilled work attracts a lower gratuity payment and three quarters of PRU residents earned level 3 or 4 gratuities, which is just above the rate paid to unemployed prisoners. This highlights the lack of meaningful work available in the PRU. We acknowledge some prisoners will choose jobs requiring fewer hours, but there were many who told us they were bored or earning too little to have any savings for their release.

There were also missed opportunities to link prison work to skill development and employability upon release. Some prisoners worked up to six days per week in the market gardens outside the prison's fence. They were frustrated their jobs had no links to training or certificates in horticulture which would have added value to the hours spent working.

The population pressures also undermined the PRU's function. The pressure to find minimum-security beds meant some minimum-security prisoners were in the PRU despite not being on a release pathway. For example, prisoners at risk of deportation were placed in the unit but were unable to engage with many pre-release activities. Other men were transferred to the PRU several years before their release date. Several wanted access to tertiary education, but the PRU was never intended to meet the needs of those with long term placements. They felt they were wasting time and living unproductive lives.

Most eligible prisoners will be assessed early in their prison journey to identify treatment needs. Unassessed prisoners risk longer periods in prison or returning to the community without having addressed the underlying causes of their offending. We met several prisoners in the PRU who had not had a treatment assessment. As such, they could not do treatment programs and some said they had been denied parole due to their unmet treatment needs. Many more prisoners have raised this issue with our IVs. Staff confirmed that prisoners in a pre-



Photo 11: Well cared for gardens in the pre-release unit

release environment should have been assessed and completed programs before being placed there. We understand a Pathways Program was due to start in the PRU and while this will address some prisoners' treatment needs, those who are yet to be assessed will not be eligible to participate.

We heard that Bunbury has had an extra treatment assessor position since November 2022, but regular redeployment across the prison offset this gain.

Education and training performed well given there was only one PEC to provide for up to 144 men. Education delivery in the PRU has always been focused on short courses that contribute to employability such as Working at Heights, White Card, and Infection Control. But some staff were concerned they were not teaching the prisoners the skills they needed to be competitive in the current job market. Changes to funding arrangements now mean Bunbury must fund these courses within its already stretched budget.

7.3 Unit 5 offered independence, but the full reintegration experience was not always available

Unit 5 is another externally located minimum-security unit and, at the time of our inspection, served as the last stop in the prison journey for individuals approved for work outside the prison under Section 95 (*Prisons Act 1981*), and those participating in the Prisoner Employment Program (PEP), or seeking home leave. Up to 37 men lived in the single cell accommodation, which was highly regarded, and two prisoner cooks prepared meals which were served in a communal dining room.

Section 95 was valuable work, appreciated by the community and by prisoners. There were three Section 95 VSOs who took workers out to a range of community projects to clean, restore or tidy local areas. Almost 1,200 hours of work to the value of around \$25,000 had been completed by the teams in June 2023 alone. But VSO absence and redeployment reduced the work which was disappointing for those who had to remain in the unit.

Bunbury offers places in the PEP for some of its pre-release prisoners at a rate higher than we find at most prisons. However, we would expect to see these numbers even higher for a prison with two dedicated pre-release units. Some prisoners said that PEP opportunities were not maximised, and several staff supported this view. Approvals for PEP and home leave went through head office and we heard several applications were pending but approvals took a long time and were often inconsistently granted. Prisoners were frustrated this reduced their time to seek work, earn money, or reconnect with loved ones. Efforts were also hampered locally because there was only one vehicle to take men out. To maximise these important opportunities, routine approvals could be



Photo 12: The shared courtyard in Unit 5 for minimum-security assessed prisoners

delegated to the Superintendent or alternatively head office should improve its processes while maintaining the rigour of the assessment process.

Recommendation 6

Increase reintegration opportunities in both pre-release environments.

Recommendation 7

The Department should streamline the process for eligible prisoners to undertake reintegration activities.

8 Security was well managed, but not immune to staffing and resource pressures experienced across the prison

Prisons rely upon several different strategies to maintain a safe and secure site. Physical security includes infrastructure and barriers such as the gate house, control room and perimeter fence. Procedural security refers to the controls in place, for example the drug detection dog and searching of prisoners, their property, and the grounds. Relational or dynamic security requires positive staff-prisoner relationships built on trust and respect where staff understand issues affecting prisoners. Good dynamic security can improve safety and security outcomes for the entire prison community. At Bunbury, we found a proactive security team, who although under pressure, worked hard to ensure all the different elements were functioning well.

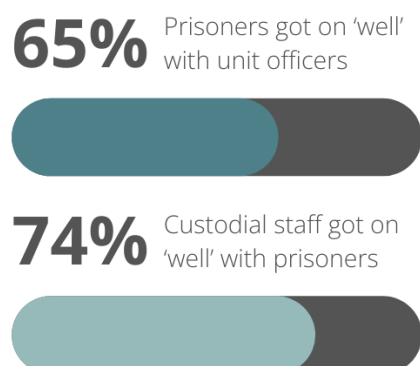


Figure 2: Prisoners and custodial staff generally had good relationships

Surveyed staff and prisoners told us that Bunbury does things differently to many other secure facilities. They referenced friendly and respectful staff and the positive attitude of many prisoners. Our observations during the inspection supported this. So does departmental data indicating only 23 incidents involving use of force occurred at Bunbury between March 2021 and March 2022. This suggests staff use strategies other than force to manage prisoners. It is a credit to the expectations of management and the willingness of staff to maintain a focus on dynamic security rather than more securitised approaches. Well organised and supported staff training contributed to this. Bunbury stands out from many other facilities, where staff shortages and population pressures can lead to increased reliance on lockdowns and barrier controls. However, during the inspection some staff reflected that these responses often made prisoner management more difficult, rather than safer. And staff identified several areas of risk that if mitigated, would benefit the prison community.

8.1 Most staff and prisoners felt safe

Ninety-one per cent of surveyed staff almost always, or mostly felt safe at work. This is higher than the previous inspection (87%) and the state average (78%). It is worth noting that the prison population is much larger than last inspection and the demographics have changed to include more men with histories of violence. It is positive and significant that Bunbury has achieved this without increasing the security capabilities of officers.

Most prisoners also reported feeling safe with their general perceptions of safety unchanged (84%) compared 2020 (83%). This level of safety usually indicates good staff-prisoner relationships. Most surveyed prisoners said that custodial staff made them feel safe and were quick to respond to requests. We saw positive interactions between staff and prisoners, particularly in industries, where employers referred to prisoners as their 'workers'. In Unit 6



SUGGESTION

Encourage all staff to use 'count' to increase cultural safety for some prisoners.

we saw prisoners and staff interacting well during a unit-based recreation session. We noticed several staff used the term 'count' instead of 'muster', a term many prisoners told us was offensive. In contrast, there were also comments from prisoners about a minority of staff who they reported as unhelpful and sarcastic.

Some prisoners felt targeted but the anti-bullying policy was unworkable with existing resources

Survey results indicated both staff and prisoners recognised bullying between prisoners was an issue. But there were also multiple comments saying bullying was not tolerated and was dealt with quickly by staff. It was difficult to determine the scale of the problem from this feedback. However, when asked about the worst things at Bunbury, many prisoner respondents used derogatory terms to identify people who had sexually offended. At Bunbury, this group mix with the rest of the prisoner population unlike most male prisons where they are segregated in protection units. Overall, this seemed to work well for the majority, but added another layer of complexity to prisoner management.

Some prisoners with sexual offences said they experienced verbal abuse, intimidation, and physical aggression. They felt excluded from social groups and certain parts of the prison (particularly exercise areas). This supported previous reports from prisoners that they were 'easy' targets. They felt there were no repercussions or sanctions for bullying. We often hear bullied prisoners are reluctant to raise this issue for fear of reprisals. Instead, they look to staff to be more proactive.

In the PRU it's not so bad because most are worried about being kicked out.

The bullying more takes the form of being excluded socially or pushed out of the gym.

In the main prison, you always worry that your property is going to be stolen from your cell or tampered with.

Quotes from prisoners who had sexually offended about feeling unsafe

Bunbury's Anti-Bullying Committee had high level prison representation. It was supposed to hold quarterly strategic meetings and regular meetings as required to manage reported cases of bullying. However, it was not functional. Bunbury had no capacity within existing resources to follow anti-bullying processes as outlined in its policy. Allegations of bullying were instead referred to the security team who tried to manage each case in accordance with the policy. But the level of senior management oversight envisaged by the policy was not achievable. Bunbury would benefit from a more strategic approach to manage bullying. However, this was not realistic without additional resources.

8.2 Security was a prison wide responsibility, but there were gaps

Committed to delivering a high-quality service, the busy security team was led by a motivated Security Manager and together they viewed security as a whole site responsibility. This was evident with the flow of information to and from the team. They shared examples of good security practice, risks, and initiatives with staff, and staff gave them good intelligence and context around unit dynamics.

Emergency Management was also tracking well. More planned emergency exercises had taken place than were required and with involvement from the Department of Fire and Emergency Services and the police so they would be familiar with the prison if a real emergency arose. It was positive to find a full evacuation plan was in place.

Key security positions were redeployed

Some security positions were redeployed when the prison was short of staff. This concerned some staff as it exposed their colleagues to potential risks. It also fed perceptions that prisoner wellbeing was put before staff safety.

DOs are drawn from custodial staff ranks and provide a level of security and oversight to particular areas like industries or education. But we heard they were often redeployed to cover unit vacancies, leaving some staff working alone and some workplaces and prisoners with reduced supervision. We heard the DO for industries was often redeployed and there were few patrols through the area on some days. VSOs said that prisoners noticed these absences.

We heard that often there was no DO supervising the video link area where several prisoners could be secured in a small corridor waiting for their court appearance. Prisoners can be anxious at this time, which may elevate the risk to themselves, others and staff working in the area. Video link staff should not be left alone to manage the flow, containment, and behaviour of prisoners.

Under the *Prisons Act 1981* prisoners can be charged with a range of minor or more serious prison offences. Charges are prepared by a prosecutor and two of Bunbury's four prosecutors were sharing the position when we inspected. But their work was hampered by redeployment and infrastructure limitations. There were not enough appropriate cells to accommodate a prisoner found guilty because the MPCs were used for many other prisoner groups, including the vulnerable, unwell, or volatile. Staff told us there was a backlog of almost 30 charges with one dated back 12 months. This led some staff to view the disciplinary process as ineffective.

Procedural security was not consistently followed

Prisoners at Bunbury were frequently searched. Departmental data showed over 25,000 prisoner searches were performed in the year before the inspection, most of which were not targeted, or intelligence led. Pat downs were the most frequent, followed by strip searches. But we were advised searches were not consistently performed due to staff shortages and we saw prisoners entering and exiting high risk areas without being searched.

The functionality of the front gate had improved allowing for a better flow of people in and out of the prison. Staff were checked after they walked through the metal detector and if indicated, were also

subject to a pat down search. Items such as bags and folders were always passed through the x-ray machine, but the diligence of those checks could be improved. These lapses in procedural security will need to be addressed to reduce the risk of issues arising in the first place.

Case study

Prior to the inspection there were incidents of prisoners concealing medication and trafficking it to other prisoners. We heard Bunbury changed its processes to prevent this from re-occurring. During the inspection we observed the medical parade and saw several staff including an officer either side of the dispensing window and more staff controlling the flow of prisoners. However, a prisoner was not challenged when he only partially opened his mouth to show staff he had swallowed his medication. Good processes are only good when they are followed.

8.3 Some security infrastructure required upgrades

Although works had taken place to upgrade some of Bunbury's physical security infrastructure, staff identified other areas for improvement, that if implemented, could address outstanding risks. Work to upgrade the technology in the Incident Control Facility (ICF) had been completed, but the location of the ICF within the prison perimeter was not secure. Ideally, there should be a fall back external ICF in the event of a major incident, and without plans to remove the ICF from its current location, the area needs reinforcing. Consideration should be given to establishing an alternative outside the prison's perimeter.

A prison control room can be a challenging place to work. Staff need a high level of vigilance and concentration to monitor activity, movement, alarms, and camera views. Staff often worked long shifts, sometimes by themselves. We saw a new monitor with vision of nine cameras across the site. But the screen was very busy and small. Staff said they would prefer a four-camera display or a larger monitor which would be beneficial to improving visibility and ability to identify persons involved in incidents. During our onsite observations, operations were interrupted several times as alarms rang and faults were identified and monitored. This was distracting but well managed in the circumstances.

Staff across the three sites were concerned not all areas of the prison had adequate technical surveillance. We heard additional cameras were needed in certain units, high traffic areas, on the perimeter and in some prisoner work areas. We understand there are environmental concerns relating to some locations, however, additional cameras or perhaps body scanning technology could improve prisoner management and detect incoming contraband which would support the entire prison community.



SUGGESTION

Increase the size of the monitor or provide an additional monitor to improve visibility for control room staff.

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Appendix B Acronyms

Term	Expansion of Abbreviation
AOD	Alcohol and other Drugs
ARMS	At-risk Management System
ASC	Aboriginal Services Committee
ASOS	Assistant Superintendent Offender Services
ASSIEM	Assistant Superintendent Security, Infrastructure and Emergency Management
AVS	Aboriginal Visitor Scheme
CNM	Clinical Nurse Manager
COPP	Commissioner's Operating Policy and Procedure
COVID-19	Coronavirus disease
DO	Duty Officer
DOJ	Department of Justice
DRS	Drug Reduction Strategy
GP	General Practitioner
ICF	Incident Control Facility
IV	Independent Visitor
MHAOD	Mental Health Alcohol and Other Drugs
MPC	Multi-Purpose cell
OICS	Office of the Inspector of Custodial Services
PEC	Prison Education Coordinator
PEP	Prisoner Employment Program
PHS	Psychological Health Services
PIN	Performance Improvement Notice
PRAG	Prisoner Risk Assessment Group
PRU	Pre-release unit
PSO	Prison Support Officer

SAMS	Support and Monitoring System
SPO	Senior Program Officer
VSO	Vocational Support Officer



Government of **Western Australia**
Department of **Justice**
Corrective **Services**

Response to OICS Draft Report:

2023 Inspection of Bunbury Regional Prison

February 2024

Version 1.0

Response Overview

Introduction

On 15 March 2023, the Office of the Inspector of Custodial Services (OICS) announced the 2023 Inspection of the Bunbury Regional Prison (Bunbury), to occur between 23 and 28 July 2023.

To assist with the inspection, the Department of Justice (the Department) facilitated the provision of a wide range of documentation, including policies, procedures and statistics, as well as access to systems, custodial facilities, staff and prisoners upon request from OICS for the purpose of the inspection.

On 31 January 2024, the Department received the draft inspection report for review and comment.

The Department has reviewed the draft report and provides further context, comments and responses to the seven recommendations made following the inspection.

Appendix A contains comments linked to sections in the draft report for the Inspector's consideration when finalising the report.

Department Comments

As acknowledged by OICS, Bunbury is one of the Department's high achieving prisons in Western Australia's prison network. For much of its operational life, Bunbury is an adult male custodial facility accommodating minimum and medium-security prisoners, with capacity to accommodate maximum-security remand prisoners.

Through multiple expansions, Bunbury has become the largest regional prison in WA and the needs of the people in its care have grown in complexity. The prison offers a number of rehabilitative and reintegration opportunities including criminogenic programs, vocational education and training, employment through section 95 work and resocialisation via the pre-release unit (PRU).

In addition to its existing functions and service delivery, Bunbury became the first regional prison to launch a second Alcohol and Other Drug (AOD) therapeutic program for sentenced males within the prison estate after the Mallee Unit at Casuarina Prison.

The service supports the State's Methamphetamine Action Plan, specifically recommendation 40 that the Department expands AOD through-care services to sentenced prisoners in regional prisons.

On 28 August 2023, Bunbury commenced the *Djarraly AOD Reintegration Service* to help men address their substance abuse or addiction using a 'staged approach'. It incentivises participants to progress through the hierarchy of prison security ratings for potential placement into an accommodation unit where they can access self-management recovery programs and in-reach and out-reach family counselling services. They can also transition to section 95 activities, which involve community and charitable work that enables them to gain employment skills in support of their reconnection and reintegration into their community.

The Department acknowledges Bunbury is an aging facility. Through the establishment of the *Djarraly AOD Reintegration Service*, a number of security and safety enhancements have been made, including to Bunbury's physical security infrastructure, upgrades to the Incident Control Facility (ICF), the installation of additional CCTV, improvements to the front gate and other upgrades in the canteen,

main visits and e-visits areas. The water supply and infrastructure issues raised in the OICS report are being investigated and remedial works undertaken as appropriate.

Staffing and resourcing constraints have impacted prison operations across the custodial estate, with Bunbury no exception. Despite this, it is pleasing to note positive comments by OICS about the prison's experienced senior management team as they worked through challenges, particularly during the prison expansions and the interruptions to operations arising from the COVID-19 pandemic.

The Department has commenced a staffing review through the Prison Services Evaluation (PSE) project to develop a new staffing model that aims to be operationally flexible, fit for purpose and deliver optimal services to people in custody.

The competing demands on skilled resources Statewide, including the ability to compete with private or mining salaries, poses a constant challenge for the Department in recruiting skilled Vocational Support Officers (VSOs). Several strategies are underway to improve this situation including the recruitment of displaced Alcoa employees following the shutting down of its Kwinana plant; offering people who can demonstrate industry experience but do not have the required Cert III qualification an opportunity to RPL their qualifications; bulk recruitment; and advertising through various channels including social and local media.

A lack of mental health resources that OICS identified is not isolated to Bunbury or indeed Corrections. The Department has launched a Statewide recruitment and retention strategy in collaboration with the relevant stakeholders across the Department. As part of the strategy, the Clinical Workforce Committee (CWC) has been established to examine the issues affecting the recruitment and retention of clinical staff and identify and implement sustainable solutions to address them.

Despite the challenges, the Department recognises the efforts of senior management and staff at Bunbury in maintaining a high standard of operations and is heartened to note that prisoners have indicated they would rather be at Bunbury than any other prison.

The Department acknowledges the findings in the draft report and will work with Bunbury to improve all aspects of its operations to provide the best possible care for the people at the facility.

Response to Recommendations

1 The Department should develop a strategic plan that identifies priorities for all prisons, their role within the system and how prisons achieve that vision.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

Corrective Services has commenced the development of a strategic plan that will set the direction and priorities for the division and identify the role and purpose of each prison across the custodial estate.

2 The Department should review the adequacy of Bunbury's management and leadership positions.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

The Department will take into consideration the findings relating to Bunbury's management structure and commits to undertake a review to assess the adequacy of the management and leadership positions.

3 The Department should audit Bunbury's infrastructure and capacity to meet the needs of its population.

Level of Acceptance: Supported
Responsible Division: Corporate Services
Responsible Directorate: Procurement, Infrastructure and Contracted Services

Response:

The water supply and infrastructure issues raised in the inspection report have been flagged with the Department's Infrastructure branch and will be investigated. Remedial works will be undertaken, subject to funding and prioritisation against other maintenance and capital works.

4 The Department should develop a statewide recruitment and retention strategy for health and mental health services.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Offender Services

Response:

The Department has launched a Statewide recruitment and retention strategy for clinical staff, including the establishment of the Clinical Workforce Committee (CWC), chaired by the Deputy Commissioner Offender Services and includes senior staff from relevant business areas.

The CWC will examine all aspects of the Department's clinical staffing to identify solutions to address the critical skills shortages and issues affecting staff retention.

5 The Department should develop a statewide policy that establishes basic principles for management of specific cohorts of prisoners, for example older, long-term and foreign national prisoners.

Level of Acceptance: Not Supported
Responsible Division: Corrective Services
Responsible Directorate: Operational Support

Response:

The Department is not supportive of implementing a strategy for the management of long-term prisoners, who continue to be managed in accordance with existing operational policies and procedures, and whose needs are assessed on the risk and safety to themselves, and the good order and security of the facility.

In relation to older prisoners, the Department implemented Health Services Procedure PM42 – Management of Older Prisoners in August 2023 which provides guiding principles on the management of prisoners aged 50 years or over. In addition, all new infrastructure builds, including the Bindi Bindi Unit at Bandyup Women's Prison and the planned aged-care unit at Casuarina Prison, incorporate designs to maximise accessibility while also allowing for safety requirements such as ligature minimisation.

Permitting foreign national prisoners to participate in external activities poses a risk for the Department and the community as this cohort is generally considered to be a flight risk, as noted in the report findings.

6 Increase reintegration opportunities in both pre-release environments.

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

Response:

An additional Transitional Manager (TM) position has been established at Bunbury as part of the AOD expansion project. The new TM will co-ordinate the Prisoner Employment Program (PEP) and other employment planning services to AOD participants housed within the pre-release unit (PRU).

The existing TM will continue to provide reintegration services to other prisoners housed within the PRU and other designated pre-release living quarters.

7 The Department should streamline the process for eligible prisoners to undertake reintegration activities.

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

Response:

The backlog of PEP assessments at the time of the inspection has since been resolved following improvements made to both the intelligence assessment process and PEP procedures.

As at February 2024, all PEP applications awaiting head office assessment were up to date.

Appendix D Inspection Details

Previous inspection		
18 March - 5 April 2019		
Activity since previous inspection		
Liaison visits to Bunbury Regional Prison	8 visits	
Independent Visitor visits	27 visits	
Surveys		
Prisoner survey	16 – 17 May 2023	203 responses (39%)
Staff survey (online)	4 May – 25 May 2023	74 responses (30%)
Inspection team		
Inspector	Eamon Ryan	
A/Deputy Inspector	Natalie Gibson	
A/Director Operations	Christine Wyatt	
Principal Inspections and Research Officer	Liz George	
Inspections and Research Officer	Jim Bryden	
Inspections and Research Officer	Kieran Artelaris	
Community Liaison Officer	Joseph Wallam	
Independent Visitor Coordinator	Ann Mianulli	
Social Work Student	Briony Bonnet	

Key dates	
Inspection announced	20 March 2023
Dates of on-site inspection	23 – 28 July 2023
Presentation of preliminary findings	18 August 2023
Draft report sent to Department of Justice	31 January 2024
Draft response received from Department of Justice	3 April 2024
Declaration of prepared report	18 April 2024

*Inspection of prisons, court custody centres, prescribed lock-ups,
youth detention centres, and review of custodial services in Western Australia*



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