



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

Response to OICS Draft Report:

**Review into People in Custody Requiring
Crisis Care**

December 2024

Version 1.0

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Response Overview

Introduction

On 8 January 2024, the Office of the Inspector of Custodial Services (OICS) announced the commencement of the *Review into People in Custody Requiring Crisis Care* (the Review).

To assist with the Review, the Department of Justice, Corrective Services (the Department) provided a range of documentation as well as access to systems, custodial facilities, staff and prisoners.

On 6 November 2024, the Department received the draft report which hosted 10 recommendations for review and comment.

Department Comments

The Department is acutely aware of the importance of the Crisis Care Units (CCUs) within custodial facilities and their purpose in keeping people in custody who are at risk of self-harm or suicide safe.

It acknowledges that existing CCUs do not meet best practice design principles as a standard and are inadequate for the current prison population needs. The unprecedented growth in the adult prisoner population compounded by the increasing number of prisoners presenting with mental health issues has created further demand for crisis care cells.

Whilst the Department's ability to retrofit existing CCUs to bring them in line with best practice principles is limited due to the significant funding investment required to undertake the works, all future CCU upgrades and new units constructed are based on best-practice design principles. These principles are being applied to the new CCU currently under construction at Banksia Hill Detention Centre, and the planned CCU upgrades at Casuarina Prison.

As the Review identifies, not all custodial facilities in Western Australia (WA) have CCUs on site and consequently alternative placement options for prisoners requiring crisis care are utilised including safe cells, multipurpose unit cells or transferring prisoners to other facilities.

Significant efforts are made by individual facilities to improve the appearance and make the CCU a safe, therapeutic, and supportive environment through the inclusion of decorative items such as artworks, murals, stained glass windows and comfort style furniture including beanbags, lounges, and recreational items, while focusing on the wellbeing and recovery of offenders placed in these units.

The availability of mental health resourcing to support those placed in crisis care continues to present challenges for the Department. Previous requests to obtain funding for mental health resourcing have been unsuccessful.

The Department was recently successful in securing funding for 15 full time equivalent (FTE) for Hakea Prison of which eleven will be used for clinical positions and four for Psychological Health Services (PHS) staff. Further budget submissions are in progress to address health and mental health challenges across the custodial estate with particular focus on high-risk facilities such as Hakea and Casuarina.

The Department actively monitors the demand for mental health resources across the estate, directing resources to where it is required most to support those who are vulnerable and at risk. The Department will continue to seek funding to increase the level of mental health resources required to meet both current and future projected demand.

The Department supports the development of a single source policy governing the purpose and use of crisis care facilities. Stakeholder consultation to define the scope of the new Commissioner's Operating Policy and Procedure (COPP) will take place in early January 2025. The COPP will be developed taking into consideration best practice therapeutic standards and the policy elements identified through the review.

In response to OICS findings pertaining to the lack of closed-circuit television (CCTV) within Hakea's CCU, all crisis care cells have CCTV installed. Since the review, additional CCTV has also been installed within common areas and hallways, in turn providing better coverage of all areas within the CCU at Hakea.

The Department remains committed to providing people in its care who are at acute risk of self-harm or suicide the best possible care in a safe, supportive, and therapeutic environment and will continue to seek Government support for the appropriate infrastructure and resources required to achieve this.

Response to Recommendations

1 Review existing crisis care units against best practice therapeutic design principles.

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

Response:

The Department acknowledges existing CCUs within WA's custodial facilities are inadequate for the current prison population needs. The rising population compounded by the increasing number of people suffering from mental health illnesses has created further demand for crisis care cells.

While facilities containing CCUs have made efforts to improve conditions within the units by making them as therapeutic as possible through the inclusion of decorative items such as artworks, murals, items of comfort, green spaces etc., facilities are constrained due to the continuous demand for the crisis care cells and limited resources to facilitate any major infrastructure upgrades.

Previous recommendations relating to the development of crisis care facilities were unable to be actioned due to budget constraints. A review of the CCUs against design principles is therefore unlikely to result in actual infrastructure upgrades that would be required to retrofit the CCUs across the custodial estate without significant funding.

All future CCU upgrades or construction of new units, however will be based on best-practice design principles as a standard, as is the case for the new CCU being built at Banksia Hill Detention Centre, and the planned CCU upgrades at Casuarina Prison.

In addition, the Department is in the process of assessing FTE requirements across the estate [inclusive of CCUs] to inform a 2025-2026 health and wellbeing budget submission. The funding requested will be in line with best practice principles.

2 Conduct a needs analysis to determine existing and future mental health demand.

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

Response:

The Department is acutely aware of the demand for mental health services across the custodial estate and continues to actively monitor demand within custodial facilities to ensure resources are prioritised at sites housing prisoners with high-risk needs.

The Department conducts regular needs analysis to inform business cases submitted to Treasury, advocating for funding to support additional FTE where demand is apparent or is expected in line with future population projections. Budget submissions in recent years have been mostly unsuccessful in securing the requested funding.

Due to the unprecedented growth in prisoner population across the custodial estate the Department recently sought funding for additional health staff at Hakea. The Department received funding for 15 FTE of which eleven will be for clinical positions and four for PHS staff.

As part of stage two of the Casuarina Expansion, which focuses on the development of a Mental Health Unit and Crisis Care Unit, 25 FTE has been identified as being required through needs analysis to ensure the successful operation of these units. A budget submission will be submitted as part of the 2026-27 budget process to coincide with the construction of the infrastructure.

The Department remains committed to assessing and monitoring mental health demand across the estate and will continue to submit budget submissions seeking recurrent funding for FTE to address challenges in services for health and wellbeing and mental health services across the prison estate.

3 Develop and publish a policy outlining the Department's definition of crisis care as well as its intended vision and purpose.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Operational Support

Response:

The Department accepts a dedicated policy governing the purpose and use of crisis care facilities is required and is currently progressing the development of this Commissioner's Operating Policy and Procedure (COPP). Stakeholder consultation is scheduled to commence in early January 2025 to further define the scope of the COPP.

Preliminary scoping has identified proposed elements for inclusion including but not limited to, definitions surrounding crisis care, specifying which cohorts require, or would benefit, from placement in crisis care, what services must be embedded in CCUs, and how prisoners are managed within CCUs, e.g. minimum standards for time out of cell, recreation, approved items for constructive activities etc.

These elements are not exhaustive and full consideration will be given against all aspects of CCU's operation as the COPP progresses in development.

Once the COPP is finalised and approved, facilities containing CCUs will develop individual Standard Orders localising the COPP to suit their respective facility.

4 Review the use of tear-proof gowns with an emphasis on structural integrity and fitness for purpose.

Level of Acceptance: Supported – Current Practice / Project
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

The Department has taken into consideration the issues highlighted through the Review and in October 2024 initiated a jurisdictional scan on what rip-proof clothing options were utilised by custodial facilities in other States and Territories.

Five jurisdictions responded and provided advice and guidance on rip-proof clothing options available in their respective facilities for males, females, adults and young

people, including testing methods, and advice surrounding the circumstances necessitating the use of rip-proof clothing.

The Department has now endorsed the procurement of rip-proof clothing options utilised in other jurisdictions by Prison Industries to conduct suitability assessments on their use in CCUs and safe cells across the custodial estate.

In recognition of the need to ensure decency is maintained for prisoners residing in units such as the CCU, the Department is exploring alternative 'safe-underwear' options. The underwear option will be selected with due regard to both decency and safety considerations.

5 Increase full time equivalent staffing numbers across mental health, psychological health, and psychiatry streams to meet current and future demand.

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

Response:

As per the response to recommendation 2, the Department has requested funding to increase mental health resources through budget submissions, which have been mostly unsuccessful.

The Department has recently been successful in obtaining funding to bolster resources at Hakea through the 2024-2025 budget. The Department is receiving funding for 15 FTE to better service Hakea Prison. The funding will cover salaries for the below positions:

- 1 x Clinical Supervisor
- 2 x Prison Counsellors
- 1 x Prison Counsellor
- 11 x Clinical positions

As part of Casuarina Expansion, 25 FTE has been identified as required and will be formally requested through the 2026-27 Budget process to coincide with the construction of the infrastructure.

The Department will continue to submit budget submissions seeking recurrent funding for FTE in services for health and well being and rehabilitation and reintegration services across the prison estate to address identified challenges as well as projected requirements.

6 Provide prisoners in crisis care units with meaningful activities, including leisure and recreational items.

Level of Acceptance: Supported
Responsible Division: Corrective Services
Responsible Directorate: Operational Support

Response:

As per the response to recommendation 3, the development of a dedicated COPP on CCUs will consider the inclusion of items authorised for use by prisoners in CCUs for constructive and recreational activities. Stakeholder consultation for the development of the COPP is scheduled to occur in early January 2025.

Additional policy parameters will also be considered to give Superintendents the discretion to approve non-standardised items for use by individual prisoners in CCUs where risks have been assessed and documented.

7 Install closed circuit television cameras within the crisis care unit at Hakea Prison.

Level of Acceptance: Supported – Current Practice / Project
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

All cells within Hakea's CCU have CCTV installed. Furthermore, following OICS' review, CCTV has also been installed within the hallways and common areas providing better CCTV coverage within the CCU as a whole.

In relation to OICS' findings pertaining to inaccurate record-keeping, in early January 2025, a Deputy Commissioner broadcast was issued to all facilities across the custodial estate reminding staff of the importance of accurate record-keeping within prison logs. Compliance with the broadcast will be monitored accordingly.

8 Increase closed circuit television coverage of the crisis care unit at Casuarina Prison by installing cameras down the wing.

Level of Acceptance: Supported – Current Practice / Project
Responsible Division: Corrective Services
Responsible Directorate: Adult Male Prisons

Response:

Upgrades to the Casuarina CCU, including CCTV, is included in the program of works for the Casuarina Expansion Project under Tranche 2, Phase 2.

The CCU upgrades will occur alongside refurbishment of the Casuarina infirmary and are expected to commence in February 2026. While these works are long-term, construction of the high needs care and assisted living units under Phase 1 must be completed first to provide temporary placement of CCU and infirmary prisoners while those units are refurbished under Phase 2.

Per the response to recommendation 7, in early January 2025, a Deputy Commissioner Broadcast was disseminated to all staff [including Casuarina staff], reminding them of the need to ensure notations within prison records are accurate.

9 Install green spaces, where possible, in recreation yards.

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

Response:

Corrective Services will review all CCU recreation spaces in collaboration with Offender Services, Infrastructure Services, Peer Support Teams, and Prison Industries to determine what improvements can be facilitated to provide additional green spaces, noting any major works proposed will be subject to availability of funding and resources per facility.

Facilities requiring significant upgrades to provide a green space in their CCU recreation yard, as is the case with Acacia which contains no soil or other garden infrastructure, will have these works captured within the Department's Long-Term Custodial Infrastructure Plan 2025 – 2035 and will be subject to prioritisation and funding.

10 Modify the recreation yard at Bandyup Women's Prison so women can access fresh air.

Level of Acceptance: Supported in Principle
Responsible Division: Corrective Services
Responsible Directorate: Adult Women's Prisons

Response:

CCU prisoners at Bandyup are not confined to the dayroom indefinitely.

Where staffing levels permit, CCU prisoners are provided with opportunities to access the recreation yard under officer supervision.

The Bandyup Superintendent, in consultation with the Infrastructure and Environment Directorate, are currently assessing the cost to modify the CCU recreation yard to be more secure, allowing prisoner access without the need for supervision by officers.

Once the necessary works have been determined, Bandyup will prepare a business case to seek the funding required to facilitate these works.