

LEGISLATIVE COUNCIL
Question Without Notice

Wednesday, 20 May 2020

C521. Hon Robin Chapple to the Minister for Environment representing the Minister for Corrective Services

I refer to the report ‘*2019 Inspection of Roebourne Regional Prison*’, and to the ABC article *WA’s Roebourne prison ‘infested’ with snakes and rats, report finds, and prisoner health at risk*”, published 15 May 2020, and *United Nations Standard Minimum Rules for the Treatment of Prisoners (‘The Nelson Mandela Rules’)*, and I ask:

- (1) Is the Minister aware that the conditions at Roebourne prison are in defiance of those conditions prescribed by ‘*The Nelson Mandela Rules*’; rule(s) 13, 19, 35, 42, 58.1.a?
- (2) Can the Minister offer any justification for women being ineligible for offender-programmes at Roebourne prison?
- (3) Given that ‘*The Nelson Mandela Rules*’, Rule 35.1 outlines the responsibilities of the prison director vis-à-vis recommendations, can the Minister explain why recommendations from the 2016 report were not fully implemented by the time of the 2019 inspection?
- (4) As rule 13 of the above ‘*Nelson Mandela Rules*’, states a “*All accommodation provided for the use of prisoners... shall meet all requirements of health, due regard being paid to climatic conditions*” can the Minister please explain why this does not apply to Roebourne prison?

Answer

(1 – 4) [Please see tabled paper no.]




QUESTION	ANSWER
1.	<p>The 2019 Inspection of Roebourne Regional Prison acknowledges the improvement made at Roebourne since its last inspection in 2016 and credits much of this to the stable management team and staff. In particular, it is noted that:</p> <ul style="list-style-type: none"> ○ Prisoner’s opinion of food quality and quantity had improved dramatically since the last report with 54% rating the quality as good and 49% rated the quantity as good. This puts Roebourne slightly ahead of the state average for quality and equal for quantity. ○ Each prisoner is issued 4 complete sets of clothing including shorts, shirts, recreation singlets and underwear. These items are laundered in an industrial laundry each week day and bedding is mandatorily collected and washed once per week. Pillows and Mattresses are replaced on a six monthly basis. ○ All prisoners at Roebourne are entitled to send unlimited written letters for free and an additional seven prisoner telephones have been installed. ○ Overall there are 16 prisoner telephones located throughout the prison. Skype visits have been available since April 2020 and offered through a booking system daily. ○ In the previous 11 years there have been no incidents of a snake being discovered or reported in a cell. Staff are trained snake catchers, as wildlife, including snakes, are evident throughout the Pilbara region. Reptiles are no more prevalent in the prison as they are in any other residence in this area. <p>Nelson Mandela Rule 13 - <i>All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.</i></p> <p>All cells contain floor to ceiling windows to maximise natural air flow, high insulated ceilings, ceiling fans, inner and outer verandas to limit sun and allow airflow. Multi cells are dormitory styled large cells.</p> <p>Nelson Mandela Rule 19 -</p> <ol style="list-style-type: none"> 1. <i>Every prisoner who is not allowed to wear his or her own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him or her in good health. Such clothing shall in no manner be degrading or humiliating.</i> 2. <i>All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene.</i> 3. <i>In exceptional circumstances, whenever a prisoner is removed outside the prison for an authorized purpose, he or she shall be allowed to wear his or her own clothing or other inconspicuous clothing.</i>

Each prisoner is issued 4 complete sets of clothing including shorts, shirts, recreation singlets and underwear. They are able to have these items laundered in an industrial laundry Monday - Friday. Bedding is mandatorily collected and washed once per week. Pillow and Mattresses are replaced on a 6 monthly basis.

Nelson Mandela Rule 35- 1. *The physician or competent public health body shall regularly inspect and advise the prison director on:*

- (a) The quantity, quality, preparation and service of food;*
- (b) The hygiene and cleanliness of the institution and the prisoners;*
- (c) The sanitation, temperature, lighting and ventilation of the prison;*
- (d) The suitability and cleanliness of the prisoners' clothing and bedding;*
- (e) The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities.*

In WA, The Office of the Inspector of Custodial Services, preforms structured, regular reviews to ensure the wellbeing of prisoners in the state custodial services.

Nelson Mandela Rule 42 - *General living conditions addressed in these rules, including those related to light, ventilation, temperature, sanitation, nutrition, drinking water, access to open air and physical exercise, personal hygiene, health care and adequate personal space, shall apply to all prisoners without exception.*

Prisoners have access to renovated dayrooms that include, fridges, freezers, chilled water fountains. Industrial ice machines are installed throughout the prison.

Nelson Mandela Rule 58 1 (a) - *Prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals:*

- (a) By corresponding in writing and using, where available, telecommunication, electronic, digital and other means;*

All prisoners at Roebourne are entitled to send unlimited written letters for free.

An additional 7 Prisoner telephones (PTS) have been installed. There are 16 PTS located throughout the prison. Skype visits have been installed since April and offered through a booking system daily.

2.

Female Prisoners are eligible for offender programmes at Roebourne. There are currently 10 sentenced females at Roebourne of which 3 have been assessed as requiring criminogenic treatment programs. This program is facilitated in a group work format (10 participants), and is facilitated at Bandyup, and Boronia. The next program will be scheduled prior to 30 June 2020.

3.	<p>The Department completed a review of its programs in February 2020 and is implementing the recommendations. This will include exploring options to deliver effective interventions to prisoners in regional areas via remote delivery.</p> <p>Following the inspection, the Department has:</p> <ul style="list-style-type: none"> • transferred a Senior Program Officer to Roebourne, increasing Offender Program staff, available for program facilitation and treatment assessments. One of these Senior Program Officers identifies as Aboriginal, providing responsive assessment and treatment to Aboriginal offenders at Roebourne. • contracted an NGO to provide Family Domestic Violence programs at regional prisons, including Roebourne.
4.	<p>A number of effective controls to manage the heat risk have been implemented at Roebourne. These include:</p> <ul style="list-style-type: none"> ○ All cells contain floor to ceiling windows to maximise natural air flow, high insulated ceilings, ceiling fans, inner and outer verandas to limit sun and allow airflow. Multi cells are dormitory styled large cells. ○ A number of areas of the prison are air-conditioned (recreation hall, library, education centre) and prisoners rotate through for various activities. Prisoners are not locked in cells during the day and are free to shower or use water in the recreation areas. ○ Transition cells (air-conditioned) used for workers who are engaged in full day outdoor physical activities for project work. ○ The installation of additional shaded external dining areas in Wings 1 & 2. ○ Air-conditioned cells used as required for medical conditions as directed by the medical centre. ○ Flexible routines which are adjusted to heat conditions. ○ Prisoners have access to renovated dayrooms that include, fridges, freezers, chilled water fountains. Industrial ice machines are installed throughout the prison: and ○ Preference is given to retaining prisoners who are from and are acclimatised to the local conditions of the region. Prisoners who are not from the region are prioritised for transfer.