

DERBY — SHORT TERM INDIGENOUS ACCOMMODATION

5118. Hon Giz Watson to the Minister for Finance representing the Minister for Corrective Services

I refer to the December 2011 edition of the Department of Corrective Services' newsletter *West Kimberley Regional Prison News*, and I ask —

- (1) Regarding the statement at page 2 of the newsletter that the prison will guarantee the location of Aboriginal prisoners close to their supports of land and family, and noting also the assertions in the February 2008 'Short Term Indigenous Visitor Accommodation Feasibility Study' commissioned by the Shire of Derby West Kimberley and the Department of Indigenous Affairs that —
 - (a) 1676 people from remote Aboriginal communities utilise Derby as a service centre;
 - (b) lack of suitable and affordable short term accommodation means that most visitors stay with family and friends (placing a burden on resident families resulting in overcrowding, violent and disruptive behaviour and tenuous tenancies) or sleep rough on the marsh;
 - (c) the prison will further exacerbate the urgent need for short term Indigenous visitor accommodation in Derby, and will also increase demand for medium and long term accommodation needs; and I ask —
 - (d) how specifically (please provide full details) will the prison guarantee Aboriginal prisoners will be close to family support, particularly from family members who do not predominantly live in Derby?
- (2) Will the Minister please table the social needs analysis referred to at page 3 of the 'Short Term Indigenous Visitor Accommodation Feasibility Study'?
- (3) If no to (2), why not?
- (4) What influx of prisoners' families is expected in Derby as a result of the prison?
- (5) What arrangements are in place to avoid the problems listed at (1)(b) that were identified by the 'Short Term Indigenous Visitor Accommodation Feasibility Study'?
- (6) How specifically (please provide full details) will the prison recognise and respect traditional law and cultural obligations, and provide support to Aboriginal prisoners with maintaining and fulfilling their cultural obligations and responsibilities, as stated at page 2 of the newsletter?
- (7) How specifically (please provide full details) will the prison recognise and accept the cultural and spiritual connection of prisoners to their country, and recognise that they have custodial rights and interests, as stated at page 2 of the newsletter?
- (8) How specifically (please provide full details) will the prison recognise and accept that familial responsibilities are central to the fabric of Aboriginal society and critical to the wellbeing of the community and the individual, and that there is recognition and acceptance of customary protocols that link kinship ties with reciprocal obligations, as stated at page 2 of the newsletter?
- (9) Regarding the statement at page 2 of the newsletter, that the Aboriginal community recognises and accepts responsibility to address issues identified by Aboriginal people, and issues such as substance abuse and other anti-social behaviour and the development of skills to assist prisoners after release are necessary to promote the social and economic well-being and independence of Aboriginal people in the Kimberley —
 - (a) what are the expectations of Aboriginal services to provide services and programs for prisoners at the prison —
 - (i) pre-release;
 - (ii) post-release;
 - (b) what funding will be made available to deliver on those expectations;
 - (c) what are the expectations of the Kimberley alcohol and other drug services sector to provide rehabilitation programs for prisoners at the prison —
 - (i) pre-release;
 - (ii) post-release; and
 - (d) what funding will be made available to deliver on those expectations?

- (10) Regarding the statement at page 3 that stage one of the fill plan will commence in 2012 with a mix of male and female offenders of minimum and medium security ratings, how will these prisoners be selected?
- (11) Of the remaining 60 male prisoners and six female prisoners to be selected under stage 2 of the fill plan from early 2013 —
 - (a) how many male prisoners of maximum security rating are intended to be selected;
 - (b) how many female prisoners of maximum security rating are intended to be selected; and
 - (c) how will the prisoners be selected?
- (12) Regarding the statement at page 3 that more than 50 applications have been received from Kimberley residents interested in working as a prison officer for the prison, how many applications were received from Aboriginal people?
- (13) Regarding the article at page 4 'Self-care accommodation supports philosophy and life skills' —
 - (a) will the Minister please describe, or table details of, the seven different self-care unit housing types; and
 - (b) how many mothers with babies can be accommodated?
- (14) How many meetings of the Cultural Reference Group have been held?
- (15) How many of the recommendations from the Cultural Reference Group have been adopted or implemented so far?

Hon SIMON O'BRIEN replied:

- (1) (a)–(d) The newsletter does not stipulate that the West Kimberley Regional Prison (WKRP) could guarantee the placement of Aboriginal prisoners close to their supports of land and family. The newsletter states that the WKRP will be based on the five guiding principles which support the Kimberley Custodial Plan. A key objective of the WKRP was to provide additional bed capacity in the Kimberley region that would allow local prisoners to remain close to family and land. However, there remains a number of Kimberley prisoners who are from Broome or the eastern Kimberley regions and will therefore remain out of country. To facilitate this matter, prisoners will be able to apply for temporary transfers to Broome (to enable visits) and permanent transfers to Wyndham Work Camp (where eligible). Prisoners and their families will also have access to a number of audio visual technologies through WA Community Resource Network Locations to enable video conferencing and internet based programmes such as Skype.
- (2) No.
- (3) The Department does not have permission to disseminate the report as it was commissioned by the Department of Housing and Works who are now Building Management and Works within the Department of Finance.
- (4) The report A Socio-Economic Impact Study for a Proposed West Kimberley Regional Prison recently concluded that additional visitors are unlikely to have a significant impact on facilities and services in Derby.
- (5) The Department does not have a mandate within its legislative controls to address these problems. The local government has responsibility for the provision of accommodation to avoid such problems.
- (6) The development and operational framework of the WKRP incorporated the following five philosophical statements that supported the Kimberley Custodial Plan:
 - Custodial proximity to land
 - Cultural responsibilities
 - Spiritual relationship to land, sea and waterways
 - Kinship and family responsibilities
 - Community responsibilities

These considerations were evident from the outset when the Department of Corrective Services (the Department) consulted with local elders and also undertook an ethnographic survey of the land to ensure that Aboriginal interests, including any potential sacred sites were considered in respect of WKRP site. In addition to this and to commemorate the opening of WKRP, local elders from the

Kimberley Aboriginal Law and Cultural Centre will be invited to undertake a cultural (smoking) ceremony and to perform welcome to country.

The WKRP will provide a range of services to support the fundamental requirements of Aboriginal prisoners, for example in terms of their cultural obligations, custodial rights and interests and kinship ties. Some of these are outlined below:

- There will be more opportunity for prisoners to attend funerals in the West Kimberley region.
- The funeral application will be improved through engagement with WKRP's Aboriginal Services Group and the Visiting Elder's Program.
- The prisoners will have access to a number of Aboriginal spiritual and cultural areas.
- The prison will provide traditional healing as a primary therapy to maintain good health.
- The prisoners will have the option to eat traditional foods sourced from their lands.
- The Department have specifically designed the perimeter fence so that prisoners can view the surrounding land.
- The buildings have been built using a material which allows prisoners to see outside the confines of their accommodation.
- Group housing accommodation will place Aboriginal prisoners together (where possible) who share language or cultural ties.
- A Parenting Advice Support program is in development to provide support and education to male and female parents and potential parents in prison and in the community after leaving prison.
- Continual engagement with the local community to unify cultural obligations.
- All staff at WKRP will undergo localised cultural awareness training to gain a greater understanding of how to apply and recognise kinship ties.
- The establishment of an Aboriginal Services Group and a Visiting Elders program at WKRP.
- WKRP will maintain considerable vegetation at the prison to reduce the feeling of confinement and improve Aboriginal wellness.
- The design of the visitors centre will at WKRP will enable large family groups to visit prisoners of the same cultural ties, kinship or language.

(7)–(8) Please refer to part (6).

- (9) (a) (i) The provision of:
- Re-entry services (RES) to assist prisoners to make preparations for transition back into the community.
 - A Visiting Elders Programme which involves engagement with Aboriginal Elders through the Kimberley Aboriginal Law and Cultural Centre to provide Elders with assistance for transport and accommodation.
- (ii) The provision of:
- Transport Options Programme (TOP). TOP provides transportation upon release back to their communities.
 - Parenting Advice Support Services to both male and female prisoners (program is currently in tender)
 - Transitional Accommodation Support Service (TASS). TASS is a multi-agency approach to provide supported accommodation to prisoners once released from prison (in development).
- (b) The Department has identified specific funding of approximately \$1.5 million for the services mentioned above (excluding the accommodation program).
- (c) (i) Partnerships with local entities will be developed and determined based on the cohort of the prisoner population and their case management requirements.
- (ii)–(iii) Please refer to (9)(c)(i).
- (d) Please refer to (9)(b).
- (10) The Department will use its case management processes to select the prisoners for transfer to WKRP.

- (11) (a)–(b) Nil.
(c) Please refer to (10).
- (12) There were 12 applicants who declared an Indigenous Australian background. However, it should be noted that this is an optional question when applying for a position with the corrective services and not all applicants provided a response. Three of the 12 applicants with an Indigenous background were successful in obtaining employment as prison officers.
- (13) (a)–(b) Plans will not be tabled due to security considerations. However, the housing type accommodation at WKRP is described as below:
- 5 units containing four single rooms and one triple shared room, each with a secured “sleep-out”, a kitchen/dining area, a secured living room and bathrooms accessible via a secured corridor;
 - 8 units as above but with no secured “sleep-out”;
 - 3 units containing five single rooms and one double shared room, a kitchen/dining area, a secured living room, toilet facilities in each room but shower facilities separate to the cells;
 - 1 unit which is wheelchair accessible and contains four single rooms and one triple shared room, a kitchen/dining area, a secured living room and bathrooms accessed via a secured corridor;
 - 1 unit which contains two single rooms and three double shared rooms, each with a secured “sleep-out” a kitchen/dining area, a secured living room and bathrooms accessed via a secured corridor;
 - 3 units contain two single rooms and two double shared rooms, each with a secured “sleep-out” a kitchen/dining area, a secured living room and bathrooms accessed via a secured corridor. These are located in the female section of the prison;
 - 1 unit which is wheelchair accessible containing two single rooms and two double shared rooms. The unit also contains a bench with a trough to assist in washing babies and a washing machine for washing babies’ clothes and is located in the female section of the prison.
- There are 10 rooms suitable for female prisoners and their children. A maximum of 30 women can be housed but this is concurrent with the number of children there are, for example 30 female prisoners means capacity for 0 children, 29 female prisoners means capacity for one child.
- (14) There have been several reference groups engaged at various stages to provide advice and guidance in both the design and operation of the WKRP.
- Kimberley Aboriginal Reference Group (2005)
 - Kimberley cultural Advisory Group (2008–2009)
 - Derby Community Reference Group (2008 — ongoing)
 - Aboriginal Services Group (commences 2012)
- (15) The purpose of the above groups is not to make recommendations. Their role is to provide advice and guidance in design and operation of the facility and provide linkage to local community resources.