

**FOLLOW UP HEALTHY PRISON
INSPECTION OF LOTUS GLEN
CORRECTIONAL CENTRE**

2013

OFFICE OF THE CHIEF INSPECTOR

TABLE OF CONTENTS

Executive Summary	4
Introduction	7
Recommendations Directed to the Centre	7
Recommendations Directed to the Agency	11
High Priority Recommendations	12
Recommendation 25	11
Recommendation 27	12
Recommendation 43	12
Other fully implemented recommendations	13
Recommendation 1	13
Recommendation 2	13
Recommendation 3	14
Recommendation 4	15
Recommendation 5	16
Recommendation 6	17
Recommendation 7	17
Recommendation 9	18
Recommendation 10	18
Recommendation 13	19
Recommendation 15	19
Recommendation 16	20
Recommendation 17	20
Recommendation 18	21
Recommendation 19	21
Recommendation 20	22
Recommendation 21	22
Recommendation 23	23
Recommendation 24	23
Recommendation 28	24

Recommendation 29	24
Recommendation 31	25
Recommendation 33	25
Recommendation 35	26
Recommendation 37	27
Recommendation 38	27
Recommendation 40	28
Recommendation 41	28
Recommendation 44	29
Recommendation 45	29
Recommendation 46	30
Recommendation 47	30
Recommendation 49	30
Recommendations only partially implemented	33
Recommendation 14	31
Recommendation 34	31
Recommendation 39	32
Recommendations not implemented	36
Recommendation 8	33
Recommendation 22	34
Recommendation 26	35
Recommendation 32	36
Recommendation 48	37
Recommendation 52	37
The Agency Recommendations	40
Recommendation 11	38
Recommendation 12	40
Recommendation 30	41
Recommendation 36	42
Recommendation 42	43
Recommendation 50	44
Recommendation 51	47

REPORT FOR LOTUS GLEN FOLLOW UP INSPECTION

Executive Summary

1. This is the report of the follow up inspection of the Lotus Glen Correctional Centre (“the Centre”) by the Office of the Chief Inspector. The inspection was undertaken to enable a report on the performance of the Centre and the Agency as a whole in respect of the recommendations contained in the Office of the Chief Inspector Full Announced Healthy Prison Inspection Report in respect of the centre.
2. The original inspection report made a number of recommendations directed to the Centre and the Agency as a whole.
3. It was found that all recommendations directed to the Agency were implemented.
4. It was found that in general the recommendations directed to the Centre were implemented. There were some recommendations that had not been implemented and some that had only been partially implemented. It is recommended that the Agency ensure the implementation of any recommendations that have not yet been fully implemented. Those recommendations are:

	Recommendation	Implementation Status
1.	Recommendation 6 - that the Centre (with the support of the Agency) in consultation with relevant indigenous communities undertake all reasonable endeavours to develop a community contact list so that indigenous prisoners may choose to contact a relevant community contact on the list at the point of reception.	Partial implementation. The only aspect of the recommendation that was not implemented was that the community contact list is not available at the point of reception.
2.	Recommendation 8 - that the Centre ensures its cultural liaison officer is present in the reception store during prisoner receptions into the Centre.	Not implemented due to lack of Agency funding.
3.	Recommendation 14 - that the Centre continues to monitor incidents and data, address strategies arising from cultural issues related to the number of prisoners accommodated within units at one time.	Partial implementation. The Centre response did not address the part of the recommendation that it “address strategies arising from cultural issues related to the number of prisoners accommodated within units at one time.”
4.	Recommendation 22 - that the Centre takes steps to increase its staff	Not implemented. Whilst the Centre provided substantial details showing that it

	capability in relation to challenging inappropriate prisoner conduct.	takes steps to ensure appropriate prisoner conduct, it did not demonstrate that it had put processes in place to “increase staff capability”.
5.	Recommendation 26 - that the Centre uses, upon completion of the re-development, culturally appropriate strategies as part of its intention to facilitate normalisation between at risk and other prisoners.	Not implemented. The Centre noted the completion of its redeveloped quadrangle. However, it stated that the quadrangle is not appropriate for at risk prisoners. No alternative for at risk prisoners was identified.
6.	Recommendation 32 - that the Centre (with the support of the agency) work with other organisations and community groups (and the probation and parole directorate) to maximise the use of video conferencing servers and MOVI (and other cost efficient technologies) in order to enable contact between prisoners and their relatives who live in remote communities.	Not implemented due to the Agency declining the Centre approval to procure the equipment necessary to implement the recommendation.
7.	Recommendation 34 - that the Centre expand and strengthen its drug management strategy.	Partial implementation. In general, this recommendation was implemented. However, part of the recommendation was for the presence of drug and alcohol counsellor in multi-disciplinary drug strategy meetings. The Centre responded that it could not implement this part of the recommendation due to a lack of Agency funding.
8.	Recommendation 39 - that the Centre ensures that prisoners have direct access to legislation and relevant policies and procedures.	Partial implementation. This recommendation was generally implemented. However, the Centre did not implement the part of the recommendation relating to the availability of relevant policies in the Centre library.
9.	Recommendation 48 - that the Centre considers increasing the facilities available for the delivery of the transition program so as to maximise the participation of prisoners in the program.	Not implemented due to a lack of funding.
10.	Recommendation 52 - that the Centre develop a process for identified staff to be responsible for ensuring prisoner management plan goals are prioritised, implemented and achieved.	Not implemented. The Centre’s response focussed on its improvements in meeting targets for the delivery of programs. It did not identify any specific process to ensure that prisoner management plan goals are prioritised, implemented and achieved.

5. The following further recommendations were made:

- a) That the Agency and Centre work together to identify culturally appropriate strategies to facilitate normalisation of at risk prisoners. This relates to the Centre’s response to recommendation 26 that the Centre’s quadrangle is inappropriate for normalisation of at risk prisoners.

- b) That the Agency work with Queensland Police Service to ensure that prisoners are appropriately attired, including with underpants, whilst at the watch house and at Court. This is a matter appropriately addressed at the Agency level. This relates to the Centre's response to recommendation 2. As we set out below, the Centre responded that whilst it can ensure that prisoners are appropriately attired on the way to Court, those prisoners pass into the control of the Queensland Police Service on their arrival at the watch-house.

- c) That the Centre continue to work with the Agency to identify viable means of enabling prisoners' access to video-conferencing with their communities.

- d) That the Agency take appropriate action to ensure prisoners secured in detention unit exercise yards are able to communicate with officers when they need to access toilets or other facilities not available in those yards.

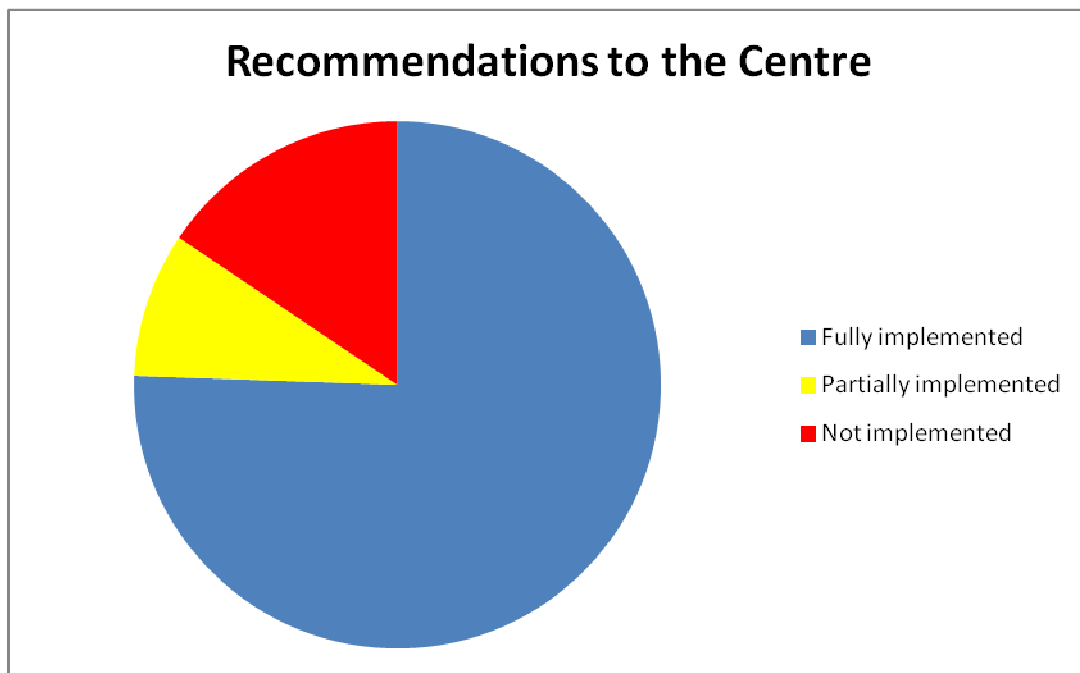
Introduction

6. In 2012 the Office of the Chief Inspector promulgated its report of its inspection of the Centre. The inspection examined the Centre's performance against the Healthy Prisons Standards.
7. We were appointed inspectors under s. 294 of the *Corrective Services Act 2006* to:

“inspect and report upon the centre's performance against the recommendations contained in the latest Office of the Chief Inspector Full Announced Healthy Prison Inspection Report in respect of the centre”.
8. This is our report pursuant to our terms of reference setting out our findings of fact, analysis of critical issues and further comments or recommendations.
9. To assist us in our task, the Centre provided a detailed response to each of the recommendations with four volumes of material as evidence in support of its response.
10. On 16 and 17 June 2013, Inspector Scott inspected the Centre. He was met by the General Manager and Centre staff. Those staff were frank and candid in their response to Inspector Scott's questions. Inspector Scott was impressed with the level of commitment displayed by the General Manager and his staff to providing a fulsome response to the recommendations. He was also greatly assisted by the General Manager and the Centre staff who provided a thorough tour of the Centre and the opportunity to speak with a number of prisoners at the Centre.
11. In addition on 14 August 2013 Inspector Jarro attended the Centre and was met by the General Manager who escorted him around and again provided full and frank responses to the matters raised by the inspector.

Recommendations directed to the Centre

12. The recommendations were ranked in the initial report in order of priority. We found that all recommendations that were given a high priority were implemented. We found that in general the balance of the recommendations were implemented.
13. Below is a chart setting out the proportion of recommendations fully, partially and not implemented.



14. We found that there had not been full compliance with four recommendations:
- a) Recommendation 6 was that the Centre (with the support of the Agency) in consultation with relevant indigenous communities undertake all reasonable endeavours to develop a community contact list so that indigenous prisoners may choose to contact a relevant community contact on the list at the point of reception. We found that this recommendation had been implemented except that the list was not available at the point of reception.

- b) Recommendation 14 was that the Centre continues to monitor incidents and data, address strategies arising from cultural issues related to the number of prisoners accommodated within units at one time. Whilst the Centre's response addressed part of the recommendation, it did not address the part that it "address strategies arising from cultural issues related to the number of prisoners accommodated within units at one time".
- c) Recommendation 34 was that the Centre expand and strengthen its drug management strategy. It was found that this recommendation was generally implemented. However, part of the recommendation was for the involvement of the drug and alcohol counsellor in multi-disciplinary drug strategy meetings. The Centre responded that it cannot implement that part of the recommendation because it is no longer funded for a drug and alcohol counsellor. The Centre's response also did not respond to the part of recommendation 34 that the Centre make contemporary drug and alcohol literature a fixed agenda item in its drug strategy meeting.
- d) Recommendation 39 was that the Centre ensures that prisoners have direct access to legislation and relevant policies and procedures. We found that this recommendation had been generally complied with. However, the Centre did not implement the part of the recommendation relating to the supply of relevant policies to prisoners.

15. We found seven recommendations were not implemented. Of those, three were not implemented due to a lack of funding, namely:

- a) Recommendation 8, that the Centre ensures its cultural liaison officer is present in the reception store during prisoner receptions into the Centre.
- b) Recommendation 48, that the Centre considers increasing the facilities available for the delivery of the transition program so as to maximise the participation of prisoners in the program.

- c) Recommendation 32, that the Centre (with the support of the agency) work with other organisations and community groups (and the probation and parole directorate) to maximise the use of video conferencing servers and MOVI (and other cost efficient technologies) in order to enable contact between prisoners and their relatives who live in remote communities.

16. As to the balance of the recommendations not implemented:

- a) Recommendation 22 was that the Centre takes steps to increase its staff capability in relation to challenging inappropriate prisoner conduct. The Centre provided substantial details showing the steps that it takes to ensure appropriate prisoner conduct. However, this did not squarely address the recommendation which was to “increase staff capability”. We therefore found that this recommendation was not implemented.
- b) Recommendation 26 was that the Centre uses, upon completion of the re-development, culturally appropriate strategies as part of its intention to facilitate normalisation between at risk and other prisoners. The Centre’s response focussed upon the progress of the redevelopment of the Centre quadrangle which is used by the Centre as an activities area and for events such as NAIDOC and the Coming of the Light Festival. The response reported that it was not possible to use the quadrangle for the normalisation of at risk prisoners. No alternative was advanced by the Centre; however the Inspectors appreciate that due to current staffing levels and relevant policies and procedures applicable to at risk prisoners, at risk prisoners cannot be practicably accommodated within the quadrangle.
- c) Recommendation 52 was that the Centre develop a process for identified staff to be responsible for ensuring prisoner management plan goals are prioritised, implemented and achieved. The Centre’s response focussed on the fact that it has improved its meeting of targets for the delivery of programs. It did not specifically address the recommendation that a “process” be developed to identify

responsible staff for ensuring prisoner management plan goals are prioritised, implemented and achieved.

17. We made the following further recommendations:

- a) That the Agency and Centre work together to identify culturally appropriate strategies to facilitate normalisation of at risk prisoners. This relates to the Centre's response to recommendation 26 that the Centre's quadrangle is inappropriate for normalisation of at risk prisoners.
- b) That the Agency work with Queensland Police Service to ensure that prisoners are appropriately attired, including with underpants, whilst at the watch house and at Court. This is a matter appropriately addressed at the Agency level. This relates to the Centre's response to recommendation 2. As we set out below, the Centre responded that whilst it can ensure that prisoners are appropriately attired on the way to Court, those prisoners pass into the control of the Queensland Police Service on their arrival at the watch-house.
- c) That the Centre continue to work with the Agency to identify viable means of enabling prisoners' access to video-conferencing with their communities.
- d) That the Agency take appropriate action to ensure prisoners secured in detention unit exercise yards are able to communicate with officers when they need to access toilets or other facilities not available in those yards.

18. Set out below are our detailed findings and further recommendations. We have dealt with the recommendations directed to the Agency first. We then deal with the high priority recommendations, the fully implemented recommendations, the partially implemented recommendations and then finally the recommendations that have not been implemented.

Recommendations directed to the Agency

19. Recommendations 11, 12, 30, 36, 42, 50, and 51 were directed to the Agency. We found that all recommendations had been implemented.

High Priority Recommendations

Recommendation 25 – That the Centre educate staff about the importance of raising a notification of concern when a prisoner manifests self-harm or other concerning behaviour (including hunger strikes or similar behaviours of self-sabotage).

20. In its response, the Centre confirmed that 97% of staff have now completed the Agency at risk and mental health training. Training sheets and reports were supplied as evidence. As an example of compliance, the Centre supplied a copy of an email where an administrative officer reported a potential suicide attempt based on outgoing mail.

21. We find this recommendation has been implemented.

Recommendation 27 – That the Centre ensures that its practice of returning prisoners to the detention unit from safety unit complies with section 118 of the Corrective Services Act.

22. On his inspection on 17 July 2013, Inspector Scott was informed by the General Manager that this recommendation related to a former practice of the Centre. The practice was that when a prisoner was moved to the safety unit prior to the completion of an order for separate confinement the order was treated as “stayed” until the prisoner’s period in the safety unit was complete. The General Manager advised that this practice was not consistent with section 118 of the *Corrective Services Act* and as a consequence has now ceased.

23. We find this recommendation has been implemented.

Recommendation 43 – That the Centre provides further training to its staff about the breach process, including about the following principles:

- *Punishment under the breach of process does not exceed 24 hours for minor breaches and 7 days for major breaches;*
- *Staff do not pre-determine breach hearings and outcomes, and consider all of the evidence;*
- *Staff accurately apply section 6 of the Corrective Services Regulation 2006;*
- *Lawful separation orders, as well as separate confinement documentation and electronic records; and*
- *Prisoners subject to a discipline process are provided with more detailed information about the legislation that covers breaches of discipline, including access to the legislation.*

24. In its response, the Centre confirmed that Agency breach training was conducted in June 2012 with a total of 11 Supervisors in attendance. The Centre confirmed that the training addresses each of the matters identified for this recommendation. Details of the training were supplied as evidence. The Centre also noted that the training is now provided as part of the Custodial Officer Entry Program induction.

25. We find this recommendation has been satisfied.

Other fully implemented recommendations

Recommendation 1 – That the Centre implements a process which enables prisoners clothes to be ironed prior to their appearance in Court.

26. The Centre responded that as part of the fit out of the new prisoner processing area an ironing board was installed for use by prisoners in accordance with the recommendation.

27. During his inspection on 17 June 2013, Centre staff confirmed to Inspector Scott that the iron and ironing board is available for use by all prisoners upon completion of a

request form. Centre staff confirmed that in all instances where the iron and ironing board has been sought to be used by prisoners it has been available for their use.

28. We find that this recommendation has been implemented.

Recommendation 2 – That the Centre (with the support of the agency) finds an alternative to the removal of prisoner’s underpants prior to their appearance in Court.

29. The Centre confirmed that it now implements a process whereby all prisoners are sent to Court appropriately attired including with underpants.

30. On his inspection on 17 June 2013, Centre staff informed Inspector Scott that upon a prisoner’s arrival at a watch house the prisoner ceases to be in the custody of the prison and thereby is in the custody of the Queensland Police Service. They explained that they have no control over what happens from that point on until the prisoner is returned to the custody of the centre.

31. We find this recommendation to have been implemented.

32. We note, however, that there remains a question as to the position regarding prisoners who are in the custody of the Queensland Police Service at the watch house. It would be appropriate for the Agency to work with Queensland Police Service to ensure that prisoners are appropriately attired, including with underpants, whilst at the watch house and at Court. This is a matter appropriately addressed at the Agency level.

Recommendation 3 – That the Centre (with the support of the agency) work with relevant organisations to help ensure that prisoners have better access to essential funds and property upon discharge from Court.

33. On his inspection on 17 June 2013, Centre staff explained to Inspector Scott that problems are encountered when a prisoner is released by a Court despite having been

sent to Court by the Centre in the expectation that the prisoner will be returning to the Centre that day. These problems are particularly acute for the Centre because:

- a) The Centre is approximately 1 hour and 20 minutes' drive from Cairns. If the prisoner's property is at the Centre at the time of discharge by a Court in Cairns it is difficult for the prisoner or the prisoner's support network to retrieve that property. This differs from the position with other Centres which are not so remote from the Courts.
 - b) The Centre has a large population of prisoners from the Torres Strait and other remote communities. Upon their discharge, those prisoners require transport to home or overnight accommodation until such transport is available.
34. Compounding these difficulties is the fact that under Agency policy a discharged prisoner does not have immediate access to their trust account funds.
 35. Recommendation 3 is directed to these issues. The Centre has provided details of a range of steps taken by the Centre to address these issues.
 36. First, all prisoners who go to Court, whether or not it is expected that they will be released that day, are sent to Court with their property. A record is kept by the Centre of the prisoner's address so that any other property that is subsequently found is forwarded to that address.
 37. Secondly, the Centre supplied a pamphlet that it has developed to provide prisoners with necessary community contacts on discharge. The pamphlet contains details of contacts for the Agency's Trust Account Department, Centrelink, Probation and Parole, and Community accommodation providers. The pamphlet provides information to prisoners on accessing their property and trust accounts. The pamphlet also explains that the Centre can provide prisoners with travel vouchers and can organise emergency accommodation if applicable. During his inspection on 17 June 2013, Inspector Scott

was informed that the Centre arranges flights for discharged prisoners whose homes are in the Torres Strait or other remote areas. Inspector Scott was also informed that if a flight cannot be arranged until the following day the Centre arranges for emergency overnight accommodation for the prisoner. Same was reiterated on 14 August 2013.

38. Thirdly, the Centre has been in ongoing discussions with Centrelink. Centrelink have informed the Centre that they grant discharged prisoners who do not have immediate access to essential funds emergency payments regardless of their trust account balance at that time.
39. Fourthly, the Centre has also raised these issues with the Cairns Magistracy. As a result, bail hearings are now conducted in the morning rather than in the afternoon to avoid the problems associated with a prisoners' discharge occurring in the afternoon.
40. The Centre also reported that it is instigating an association with a major charitable organisation in Cairns that supply and deliver suitable clothing for prisoners to access prior to discharge.
41. We are satisfied that this recommendation has been implemented.

Recommendation 4 – That the Centre implements a process where prisoners receive basic induction information prior to their reception at the centre.

42. The Centre has now implemented a process where prisoners on escort receive a flyer containing basic induction information at the watch house prior to their arrival at the Centre.
43. A copy of the flyer was supplied by the Centre in its response. The flyer is a single page setting out basic information about how the prisoner will be processed into the Centre. It is in bullet point form and drafted in plain English.

44. The Centre has also developed a multi-media induction presentation made by prisoners for prisoners played during a prisoners processing into the Centre.

45. We find that this recommendation has been implemented.

Recommendation 5 – That the Centre implements a structured group induction programme where a minimum but sufficient list of induction information is given to prisoners.

46. Group induction refers to the process where prisoners are inducted into the processes of the prison and the expectations upon them whilst located there. It sets out, for example, what prisoners must do in order to progress.

47. Group induction programmes now occur on a 3 day a week basis. Five prisoners at the Centre have been appointed to a volunteer position called “peer support prisoners”. Their role is to provide support to indigenous prisoners, such as on literacy issues and completing application forms and relevant correspondence. The practice at the Centre is that these prisoners attend all group inductions and provide culturally appropriate induction information at the conclusion of the standard induction process. They also have a weekly booking in the education building where they undertake follow-up sessions in the event that prisoners wish to self-refer for follow up support or raise any concerns or queries.

48. All prisoners are in receipt of induction at unit level within 24 hours of their intake. Unit induction provides an induction that is focused on the particular requirements of the individual unit. The Centre supplied IOMS case notes verifying that unit induction is occurring. Peer support prisoners regularly attend each unit and at that point prisoners have the opportunity to raise any issues or concerns that they may have.

49. We find that this recommendation has been implemented.

Recommendation 6 – That the Centre (with the support of the agency) in consultation with relevant indigenous communities undertake all reasonable endeavours to develop a community contact list so that indigenous prisoners may choose to contact a relevant community contact on the list at the point of reception.

50. The response to this recommendation noted that due to the sensitive nature of prisoners' offences and cultural issues, this "community contact" has to be carefully selected to ensure they are compliant with cultural protocols. The Centre has well established links with a number of the key communities from which the offender population arrive. Contacts with local Tableland and Cairns based elders' and justice groups continue to be strengthened with planned development of the nature of elders visits to approximate with that of chaplaincy visits (such as by access to units). Elders visit at least once a month.
51. The external service provider manual for Far Northern Region is placed in the library and is available to prisoners upon request to staff. Prisoner counsellors also have a copy of the Manual which is continually updated and available to prisoners upon request. The Manual contains contact details of for example the Mossman Men's group and the Torres Strait Islander Justice Groups.
52. We consider that the concerns regarding the sensitivity of community contacts raised by the Centre are reasonable.
53. We find this recommendation has, on balance, been implemented in part except to the extent that the List is not available at the point of reception.

Recommendation 7 – That the Centre take steps to ensure its group inductions are clearer, and more consistent.

54. The Centre staff informed Inspector Scott during his inspection on 17 June 2013 that the procedure applied by the Centre for group inductions is based on the prescribed requirements of the Agency procedure for inductions.
55. The Centre's response to this recommendation identified a number of steps that have been taken to ensure consistency of delivery. Those include that one session plan (based on the Agency procedure) is now used to streamline and ensure consistent delivery. Consistency is also achieved through the use of the same staff for delivering the inductions. When new staff are rostered on they sit in on inductions to learn the content and mode of delivery.
56. Inductions are adapted to ensuring clear and effective delivery to indigenous offenders. They are delivered by the Centre's "cultural liaison officers" who are specifically employed for their knowledge and understanding of indigenous cultural issues. At the end of inductions, peer support prisoners, who act as mentors, repeat much of what has been said during the induction in English in the prisoner's language.
57. We find this recommendation to have been implemented.

Recommendation 9 – That the Centre ensures that all prisoners who are transferred within the Centre receive a unit induction.

58. The Centre response confirmed that the practice now is that all prisoners receive unit induction upon transfer into the unit. This is substantiated by case notes of unit inductions on prisoners moved that were supplied with the response.
59. We find this recommendation to have been implemented.

Recommendation 10 – That the Centre develops a sustainable laundering process for new accommodation of units.

60. During his inspection of the prison on 17 June 2013, Centre staff informed Inspector Scott that this recommendation was made in the context of prisoner concerns that emerged after the opening of the new Secure North Block of the Centre. In accordance with Agency policy, that Block did not have laundries installed in the units located in it. This was new to the prisoners who were accustomed to having laundries in their units.
61. The Centre supplied with their response to the recommendation details of the laundry process and laundry times. The Centre also noted that there have been no complaints or blue letters in respect of this issue.
62. The Centre therefore contended that the issues which have led to this recommendation were the product of the transition to the new system under which prisoners did not have a laundry in their own units. The Centre contended that the absence of any complaints or blue letters since indicated that prisoners were now accustomed to the new system and the issues associated with it had been overcome.
63. Details of the Centre's laundering and linen exchange process setting out regular laundry and linen exchange times were supplied as evidence that the Centre has developed a sustainable laundering process for new accommodation of units as recommended.
64. We find this recommendation to have been satisfied.

Recommendation 13 – That the Centre reviews its process for replacing poor quality pillows, mattresses and beddings.

65. In its response to this recommendation the Centre stated that weekly cell inspections identifies shortfalls in this area and a systematic process of replacement of mattresses and other bedding is now in place. Management now attend Centre inspections on a

Thursday weekly basis. Evidence was provided confirming that regular replacement of bedding is being implemented.

66. We find that this recommendation has been implemented.

Recommendation 15 – That the Centre implements a training programme for prisoner carers.

67. The Centre reported that its request to undertake Certificate 1 in Community Services was declined by the Agency due to insufficient hours and an inability to locate a suitable training provider to undertake the training in the main centre.

68. The Centre reported, however, that current training modules for carers include a certificate in First Aid.

69. We consider that the Centre's explanation for its inability to provide the recommended training to be reasonable. We are satisfied that the Centre has taken all the steps open to it to provide necessary training for carers.

70. We are satisfied that there has been substantial compliance with this recommendation.

Recommendation 16 – That the Centre's local procedure code white requires staff to identify disabled prisoners in each unit, as well as the evacuation process for such prisoners.

71. In its response the Centre indicated that a draft standard operating procedure has been prepared. During his inspection on 17 June 2013 centre staff informed Inspector Scott that the draft standard operating procedure has not been able to be progressed because agency policy now prohibits local procedures and requires instead implementation of Agency procedures.

72. The Centre reported that it implements the Agency Code White Procedure. As evidence, the Centre supplied a record of a code white contingency that was undertaken by the Centre on 3 May 2013.

73. The Centre also provided evidence of its processes for managing disabled prisoners. This included a written staff briefing on disabled prisoners which the Centre advised are regularly provided to staff and a record of a case conference with respect to a disabled prisoner.

74. We find this recommendation has been satisfied.

Recommendation 17 – That the Centre take active steps to encourage a higher representation of indigenous prisoner advisory groups.

75. The Centre explained that during the initial inspection of the Centre internal Inspectors attended a Prisoner Advisor Committee (“PAC”) meeting and at that meeting attendees were substantially if not entirely white. The Centre advised Inspector Scott during his 16 June 2013 inspection that this was an aberration. The Centre reported that:

- a) the last PAC meeting appeared to be 60% indigenous prisoners in attendance and participating as PAC representatives;
- b) the peer support group consists of 100% indigenous prisoners;
- c) the prisoner newsletter group consists of 100% indigenous prisoners or the relay for life group consists of 70% indigenous prisoners;
- d) NAIDOC planning is conducted by the cultural team involving Aboriginal and Torres Strait Islander prisoners in the centre.

76. We find this recommendation has been satisfied.

Recommendation 18 – That the Centre issues prisoners the same number of clothing items as the agency’s minimum standard.

77. The Centre confirmed that this recommendation has been implemented. We are satisfied that it has.

Recommendation 19 – That the Centre considers giving prisoners access to hot water in their cells.

78. In its response the Centre explained this recommendation was not supported due to recent incidents around prisoner safety. During his inspection on 17 June 2013 Inspector Scott was informed by the General Manager that there had been recent incidents involving indigenous prisoners using boiling water as a form of punishment against other prisoners. The General Manager explained that prisoners are therefore not given access to boiling water if they are housed in the secure areas of the prison. Instead, they are given access to hot water. Inspector Scott tested the water and satisfied himself that the water is sufficiently hot for use by prisoners. Inspector Scott also attended the residential areas of the prison and saw that prisoners located there have access to boiling water.

79. We find this recommendation to have been implemented.

Recommendation 20 – That the Centre delivers cultural competency training to all staff including training on effective role modelling and communication.

80. During his inspection on 17 June 2013 Inspector Scott was informed by the General Manager that the Centre developed a training module called “Fire Stick Training” directed to this recommendation. The course outline was supplied by the Centre. Subjects covered include Aboriginal Countries, Aboriginal Lore versus Law, Gender business, Communication, Torres Strait Islander Lingo, Aboriginal vocabulary, Community and Culture protocols, sorry business, and smoking ceremony. This training has been delivered to approximately 97% of all staff.

81. It was ascertained on 14 August 2013 that the Centre contracted an indigenous supplier to look at the demographic of the prison population at the Centre and develop a training module. The indigenous supplier ran the first four sessions until the Centre was proficient enough through their own indigenous staff to run the module. The Centre makes the module available to Queensland Health and Probation and Parole.
82. We are satisfied that this recommendation has been implemented.

Recommendation 21 – That the Centre implements a process to ensure that prisoners can have better access to their case notes without having to make an application under the Right to Information Act 2009 or the Information Privacy Act 2009.

83. At his inspection on 17 June 2013, Inspector Scott was informed by the General Manager that the Centre now implements the Agency policy regarding access to prisoner information. The process is as follows:
- a) an application is received and information is gathered for General Manager consideration;
 - b) the information is reviewed and any staff names and third party offender names are blacked out;
 - c) the supervisor of the area where the offender is incarcerated reads the offender the information;
 - d) on completion of the offender reading the information, the information is stored in the offender's property at the reception store;
 - e) the offender can make application to have the information read to him again.
84. We are satisfied that this recommendation has been implemented.

Recommendation 23 – That the Centre implements a process to facilitate the following qualify case management practices (including recording of the practices on ions):

- *Case management specific to the individual prisoner (not a generic template);*
- *Case management is linked to targeted goals and behaviours for the individual prisoner;*
- *Case management is reflective of both positive and negative interactions and conduct;*
- *Case management encourages purposeful activity;*
- *Case management is discussed with a prisoner thereby ensuring engagement between staff and prisoners.*

85. At his inspection on 17 June 2013, the General Manager informed Inspector Scott that the Centre had implemented the Agency case management procedure. He confirmed that the Agency procedure addresses each of the bullet points under this recommendation. Supplied as evidence were individual management plans for high profile and youthful prisoners outlining target behaviours, behavioural objectives, case management strategies and provision for regular review by way of case conference.

86. We find this recommendation has been satisfied.

Recommendation 24 – That the Centre ensures it has a written violence reduction strategy.

87. The Centre responded that it has implemented the Agency Staff Assault Reduction Strategy (“STARS”). Supplied with the Centre’s response was the General Manager’s performance agreement which identifies the implementation of STARS as a performance objective. Implementation of the STARS was also included in the Regional Plan for the Far Northern Region. A presentation from the Operational Performance Review for the Far Northern Region was supplied which appears to indicate a substantial reduction in the number of assaults on staff at the Centre.

88. We are satisfied that this recommendation has been implemented.

Recommendation 28 – That the Centre updates its induction material so as to remove the reference to a 45 minute visit session.

89. In its response, the Centre confirmed that this recommendation has been implemented.

90. We find this recommendation has been implemented.

Recommendation 29 – That the Centre considers other ways of communicating visits related information to visitors so that the information is properly understood by visitors.

91. During his inspection on 17 June 2013, Inspector Scott was informed by Centre staff that visits are booked by telephone. The Visits Processing Officers provide all necessary information in an understandable manner. Those Officers and the Officers who supervise the visits have received Firestick Training and are therefore able to ensure that the information is provided in a culturally sensitive and understandable manner to indigenous people.

92. Evidence was supplied by way of thank you letters and emails regarding the level of professionalism through communication of information by the Visits Processing Officers of the Centre. As an example, one such email stated:

“I have recently had the unfortunate experience of needing to visit my sibling at Lotus Glen. It has been an incredibly difficult and emotional time for my family especially as we reside in Brisbane. I am writing this letter, on behalf of the 3 of us who visited on the weekend.

We wish to compliment your staff at Lotus Glen and to provide you an insight as to the difference they have made in our dealings with this tough and sensitive time. Picking up the phone and calling Lotus Glen to ask how to visit a family member is something I would not wish towards anyone, it is a daunting and sad feeling and I felt very nervous.

However, from the moment your employee Yvette Ramscar answered the phone I was treated with kindness and a “can do” attitude that instantly put myself and my families nerves at ease.

Yvette showed such sympathy and professionalism throughout the course of booking our visit, which in turn has assisted in calming our nerves and fears of the unknown!

My relatives and I then flew to Cairns to make the visit. It was a long day and again the nerves began to rise. Upon arriving at Lotus Glen we felt very sad and definitely a bit worried and fearful. However once again your staff were so friendly and light hearted that our qualms were quickly eased. It is not a nice process to go through and I certainly hope never to again, yet the staff at Lotus Glen and their calm and respectful approach made a very uncomfortable situation just that little bit easier.”

93. We are satisfied that this recommendation has been implemented.

Recommendation 31 – That the Centre provides visitors with the opportunity to purchase or access further refreshments during visit sessions.

94. The Centre’s response stated that this matter has been reviewed and because of security reasons, the opportunity to purchase or access further refreshments during visits is not supported. The Centre will maintain its current process of allowing prisoners to purchase refreshments and food items from the town purchase system and take an amount to their visit sessions to share with family members.

95. Whilst this recommendation has not been complied with to the letter, we are satisfied that the Centre has taken all reasonable steps to allow visitors refreshments by way of the process outlined above. We accept that there would be genuine security reasons for visitors not being permitted to buy refreshments directly.

Recommendation 33 – That the Centre implements a process where it regularly analyses complaint trends.

96. In its response the Centre advised that the General Manager reviews prisoner complaints on a monthly basis to monitor trends. Each month a register of complaints is given to the General Manager to review. Supplied as evidence were the March 2013 and April 2013 registers. We find that this recommendation has been satisfied.

Recommendation 35 – That the Centre undertakes (and implements the cost effective findings) of a needs analysis assimilation to purposeful activities (including physical activities) for prisoners (including indigenous prisoners).

97. During his inspections on 16 and 17 June 2013, Inspector Scott was informed by staff that the Centre's ability to deliver purposeful activities was substantially hamstrung by the recent re-development. This appeared to be substantiated when Inspector Scott spoke to one prisoner in the residential accommodation area of the prison who reported a substantial increase in the range of available activities upon completion of the re-development. Inspector Scott was shown the new facilities available to prisoners including the two new libraries and the new football field.
98. In the information and evidence supplied by the Centre, it was evident that the Centre places a strong emphasis on delivering purposeful activities for indigenous offenders. Centre staff noted that during NAIDOC week all prisoners participate in celebrations with visitors on the centre quadrangle. Centre staff advised that this has been a practice engaged in for the past 20 years at the Centre. The recent NAIDOC celebrations witnessed the attendance of 75 Elders and 450 prisoners.
99. Inspector Scott visited the residential block of the Centre during his Inspection on 17 June 2013. The residential block is part of the Centre's progression model. Prisoners are accommodated there when they have sufficiently demonstrated appropriate behaviour. Inspector Scott noted that prisoners in the residential block are permitted to engage in a range of purposeful activities.
100. Inspector Scott was also provided a "Capability Profile" that had been developed by the Centre to promote its industries to the private sector. Inspector Scott was informed that substantial efforts were being undertaken to engage the private sector to rebuild demand for the Centre's industries. The Centre's industries lost approximately 40% of their work during the redevelopment and the consequent diminution in its capability to meet demand. Inspector Scott was impressed that the Centre is clearly focussed on providing purposeful activities through its industries.

101. This recommendation was for a “needs analysis” of purposeful activities for prisoners. We interpret this to refer to a formal and documented analysis of the needs of prisoners in respect of such activities. We were provided no such document by the Centre. We were impressed that the Centre has a genuine, substantial and practical focus on providing purposeful activities to prisoners. We are therefore satisfied that this recommendation has been substantially complied with.

Recommendation 37 – That the Centre makes the library and educational block available to more prisoners and, in the event that there are genuine safety or security issues that prevent access to an individual group of prisoners, that more appropriate library resources are made available to them.

102. In its response the Centre advised that upon completion of the re-development two new libraries will be made available. The Centre advised that since the re-development, all accommodation units attend the library once a week as per the activities roster. The prisoners accommodated in the detention unit are afforded library visits under escort with an officer whilst the library and education areas are closed to other prisoners.

103. We are satisfied that this recommendation has been implemented.

Recommendation 38 – That the Centre conducts a needs analysis in relation to library resources required by prisoners.

104. A suggestion book is being kept by the librarian and viewed weekly by the education officer. The Centre supplied evidence of substantial book purchases. It was difficult to ascertain the precise value of the new acquisitions. Some staff identified a figure of \$20,000. Others identified a figure of \$15,000. In a memorandum dated 15 January 2013 supplied by the Centre, a list of books purchased valued at over \$6,000 was identified. The list included a significant range of indigenous titles.

105. We find this recommendation has been satisfied.

Recommendation 40 – That the Centre implements a process to ensure that there is regular promotion of physical, art, craft and hobby activities (including structured group activities) and that there is cost effective expansion of a range of in unit and in cell activities available for prisoners.

106. In its response, the Centre supplied as evidence records of a range of activities purchases by the Centre, such as board-games and sports and musical equipment. During the inspections Inspectors saw the football field. We were informed that recently a local rugby league team visited the Centre and played a game of touch football with the prisoners.

107. The Centre reported having appointed a third activities officer whom the Centre anticipated would afford the Centre increased capacity to deliver art and hobby activities to prisoners.

108. We find there has been substantial compliance with this recommendation.

Recommendation 41 – That the Centre takes steps to increase its level of administrative compliance in relation to management safety orders.

109. During his inspection on 17 June 2013, Inspector Scott was informed by the General Manager that safety orders are checked over and reported to the General Manager briefing daily Monday to Friday by the manager of Secure North. Supplied as evidence were records of these regular briefings.

110. The Centre supplied the Agency’s “Governance and Accountability Framework” and referred to page seven of that document which refers to safety order oversight. That states the matters that must be checked when reviewing safety orders namely:

- a) all safety orders have been recorded appropriately in the safety order register;

- b) any item in a status of 'draft' is progressed by the relevant delegate for endorsement;
- c) any item in a status of 'pending approval' is endorsed by the relevant delegate;
- d) any review requirements are undertaken in accordance with procedural requirements; and
- e) any item with actions identified as overdue are progressed by the relevant delegate.

111. In an email dated 18 September 2013, the General Manager confirmed that the Centre's regular reviews of safety orders meets these requirements.

112. We find this recommendation has been implemented.

Recommendation 44 – That the Centre refine its employment process empanelled by:

- *having the unit officer provide a summary of case notes prior to the panel screening requests;*
- *having the employment recommendation and the rehabilitation needs assessment included in the assessment process; and*
- *creating a written document (whether that be a local procedure within the prisoner information booklet) that clearly outlined each stage of the employment process (recruitment, selection, transfer, suspension and termination programme), including information about a prisoner's ability to request a review of an employment decision.*

113. Evidence was supplied by the Centre of the employment assessment process showing that it now complies with this recommendation. During his inspection on 17 June 2013, Inspector Scott was informed by centre staff that the matters recommended are now included in the induction booklet.

114. We find this recommendation has been implemented.

Recommendation 45 – That the Centre publishes a schedule in respect of (and promotes) employment opportunities for prisoners.

115. In its response the Centre reported that opportunities for employment are listed within the Centre induction booklet and the prisoner newsletter and flyers.

116. We find this recommendation has been implemented.

Recommendation 46 – That the store’s supervisor regularly attends the prisoner advisory committee meetings at least on a quarterly basis.

117. In its response the Centre supplied Prisoner Advisory Committee minutes that state the store supervisor was present for the months of June, August, November 2013 and April 2013. The Centre further advised that the store supervisor is requested to attend the Prisoner Advisory Committee meetings on a quarterly basis at minimum.

118. We find this recommendation has been implemented.

Recommendation 47 – That the Centre implements a practice which provides:

- *each reception prisoner with a reception buy up; and*
- *access to a remote buy up where the prisoner’s buy up was not forwarded in time due to issues such as Court attendance.*

119. In its response the Centre advised that it had implemented a process where the prisoner is to receive a buy up on reception or a last buy up if need be.

120. We find this recommendation has been implemented.

Recommendation 49 – That the Centre takes steps to ensure that the Transitions Programme is delivered in a way that is understood by its indigenous population.

121. In its response and through its staff during Inspector Scott’s inspection on 17 June 2013 Centre staff were at pains to point out that the transitions programme is not culturally specific and that therefore limitations to the capacity to make it directed to indigenous prisoners. This was also evident on 14 August 2013. However, in its response the Centre pointed out that one of the transitions co-ordinators is an indigenous staff member and that all staff receive Firestick training. The Centre staff informed Inspector Scott during his inspection on 17 June 2013 that steps are taken to ensure that the transition programme is delivered in a culturally appropriate way for indigenous prisoners for instance by using narrative and pictorial modes of delivery.

122. We find that there is substantial compliance with this recommendation.

Recommendations only partially implemented

Recommendation 14 – That the Centre continues to monitor incidents and data, and address strategies arising from cultural issues related to the number of prisoners accommodated within units at one time.

123. In its response the Centre stated that the intelligence section at Lotus Glen reports all incidents to senior management meeting every week. The data is analysed and trends or emerging trends are presented and proactive strategies are implemented to minimise risk. The intelligence section reports an overview of all incidents to the weekly senior management presentation for perusal and comment. Additional data is collected through human sources, Queensland Police in remote communities, probation and parole intelligence, mail and the prisoner telephone system and recorded in the intelligence advisor diary. The data is analysed and disseminated through the daily morning intelligence briefing.

124. We find this recommendation has generally been satisfied.

125. However, the Centre’s response did not address the part of the recommendation that the Centre “*address strategies arising from cultural issues related to the number of prisoners accommodated within units at one time*”. We have been unable to be satisfied that this part of the recommendation has been implemented.

Recommendation 34 – That the Centre expand and strengthens its drug management strategy via:

- *involving the drug and alcohol counsellor in multi-disciplinary drug strategy meetings;*
- *making contemporary drug and alcohol literature as a fixed agenda item in the drug strategy meeting; and*
- *delivering substance abuse intervention when a prisoner tests positive to a urine analysis test.*

126. This recommendation was made in relation to section 12.9 of the Standard which requires “effective intelligence and security measures are in place to guard against the trafficking of drugs or alcohol”. It was found that:

“the centre operates a very strong model of barrier detection and intelligence-driven drug analysis. The operational drug strategy within centre is managed by the Intelligence office, and includes traditional operational positions...”

127. It is evident from the material supplied by the Centre that it has maintained this strong model. Details of the delivery of the “Stepping Up” and “Gunja” programs were supplied by the Centre. The Centre provided its written drug strategy and evidence of its implementation. Evidence of the implementation of the Queensland Opioid Therapy Program was also supplied.

128. However, the Centre reported that it was unable to implement the recommendation in respect of the drug and alcohol counsellor because it is no longer funded for such a counsellor.

129. We also note that no evidence or response was supplied of implementation of the recommendation that contemporary drug and alcohol literature be made a fixed agenda item in the drug strategy meeting.

130. With the exception of the failure to make contemporary drug and alcohol literature a fixed agenda item in the drug strategy meeting, we find that there has been substantial compliance with this recommendation.

Recommendation 39 – That the Centre ensures that prisoners have direct access to legislation and relevant policies and procedures.

131. On his inspection of the Centre on 17 June 2013, Inspector Scott viewed the area of the education block made available for prisoners representing themselves in legal matters. Such prisoners have access to a laptop computer which includes nine essential legislative materials, a photocopier and a printer. Prisoners are required to pay for photocopying and printing. A significant range of legal hard copy resources are also provided, such as the *Carters Criminal Law* looseleaf service and the *Queensland Law Handbook*.

132. The Centre did not implement the part of the recommendation relating to the provision of relevant policies to prisoners. In an email dated 18 September 2013 the General Manager stated that:

“Correctional Centres do not supply copy’s of the QCS Policies and Procedures (due to some containing safety and security elements, incident management etc) I provide the PAC or individual prisoner’s copies of QCS Policies and Procedures which I consider on a case by case basis.”

133. Whilst we agree that in some instances there are genuine reasons relating to the good order and security of correctional centres that prisoners should not be allowed access to policies and procedures, that is not always the case. We note, for example, that there are numerous examples of Agency policies and procedures publicly available on the Agency’s website.

134. We find that this recommendation has been partially satisfied.

Recommendations not implemented

Recommendation 8 – That the Centre ensures that a cultural liaison officer is present in the reception store during prisoner receptions to the centre.

135. In its response, the Centre reported that current staffing levels of cultural liaison officers do not permit this recommendation to be implemented. The Centre reported that it is not funded to employ a further cultural liaison officer. It is noted that the four cultural liaison officers' capacities are fully utilised to attend to other indigenous related matters such as escorts to funerals, Sorry Business, organising NAIDOC and Coming of the Light festivals and general attendance upon indigenous prisoners.

136. We find this recommendation has not been implemented.

Recommendation 22 – That the Centre take steps to increase its staff capability in relation to challenging inappropriate prisoner conduct, namely behaviours or attitudes which may lead to more serious or ongoing behavioural management issues.

137. It is necessary to refer here to the findings upon which this recommendation is based:

“During the inspection, the Inspectors cited situations where inappropriate prisoner conduct was challenged. Furthermore, the Inspectors observed that ongoing inappropriate behaviour was escalated by a Unit Officer to a counselling session between the prisoner and a Correctional Supervisor. Inspectors observed that Correctional Supervisors were willing (and able) to address poor prisoner behaviours, and that such a behavioural standard was communicated to staff.

IOMS case notes however, do not evidence a high level of challenging of inappropriate behaviour. It was suggested to Inspectors that this may be the result of a failure of record keeping. However, Inspectors are of the view that that lack of documented evidence of challenging inappropriate behaviour may also be indicative of failure to address potential behavioural issues before they get out of hand. In this regard, it is important for the Centre to educate and training its staff in relation to challenging inappropriate conduct.”

138. Hence, the recommendation was that the Centre take steps to “*increase its staff capability in relation to challenging inappropriate prisoner conduct*”. The recommendation was directed to the Centre training its staff to increase staff capability.
139. The Centre’s response supplied substantial details and evidence of the processes it applies to secure appropriate prisoner behaviour. The evidence included detailed individual management plans, supervisors’ meeting agendas, and records of breaches.
140. During his inspection on 16 and 17 June 2013, Inspector Scott was informed by the General Manager that the Centre employs “push-pull” strategies which involve a combination of encouraging appropriate prisoner behaviour with challenging of inappropriate prisoner behaviour. As examples, the General Manager cited a recent visit by a local rugby league team, the monthly bar-b-q for the cleanest unit, and the prisoner newsletter. A block Olympics is to be organised which will require use of the Centre’s two gyms and fields.
141. Inspector Scott met with one prisoner accommodated in the Centre’s residential unit who verified that substantial efforts are undertaken by the Centre to reinforce appropriate prisoner behaviour. Inspector Scott was impressed with the prisoner’s focus on appropriate behaviour and his understanding of its connection with progression.
142. The General Manager also identified that the Centre has placed greater emphasis with staff on employing low level breaches as a means of addressing inappropriate behaviour before it escalates to more serious bad conduct. In its response, the Centre identified that the Operational Performance Review indicated that the Centre is now the highest in utilising the disciplinary process and has had a drastic reduction in antisocial behaviour. The Centre also reported that it has introduced training for staff on mental health issues.

143. However, we note that the recommendation was to “increase...staff capability” in relation to “challenging inappropriate behaviour” and that it was made in the context of an absence of records of challenging behaviour in the IOMS case notes. No evidence was supplied by the Centre of an increase of recorded challenging behaviour or of staff training specifically directed to that issue.
144. Whilst we note that substantial positive steps have been taken by the Centre to address inappropriate prisoner behaviour, we are unable to find that this recommendation has been implemented.

Recommendation 26 – That the Centre uses, upon completion of the re-development, culturally appropriate strategies (eg meeting in the glassed area) as part of its intention to facilitate normalisation between at risk and other prisoners.

145. On the inspections, we viewed the quadrangle which has completed stage 1 of its re-development. The top centre of the quadrangle has a circular dirt area surrounded by black boys and gravel boomerangs. The second stage of the project, which will include a pergola, is due to be completed next year. The quadrangle will be used for indigenous celebrations.
146. The General Manager advised that Agency policy prohibits placement of at risk prisoners in locations where staff cannot control the environment. He stated that the quadrangle is not suitable for at risk prisoners because the environment in which those prisoners are in the quadrangle cannot be controlled and therefore those prisoners cannot be placed there consistently with Agency procedure.
147. We find this recommendation has not been implemented and note that this recommendation was based on standard 7.5 which requires “prisoners at risk of suicide and self-harm are held in a supportive environment”. We recommend that the Agency and Centre work together to identify culturally appropriate strategies to facilitate normalisation of at risk prisoners.

Recommendation 32 – That the Centre (with the support of the agency) work with other organisations and community groups (and the probation and parole directorate) to maximise the use of video conferencing servers and MOVI (and other cost efficient technologies) in order to enable contact between prisoners and their relatives who live in remote communities.

148. On his inspection on 16 and 17 June 2013, Inspector Scott was informed by Centre staff that probation and parole in the Torres Strait now has the facilities to enable video conferencing in their education building. The Centre has ordered two laptops to enable video conferencing. Same was confirmed on 14 August 2013.

149. However after the inspections, the General Manager provided the following information by email dated 22 August 2013:

“The Centre ordered two laptops to enable video conferencing however this request has been refused by the Director IOMS Support & Reporting.

Until the procurement issue is resolved recommendation 35 will not proceed.”

150. In light of this most recent information, we find that this recommendation has not been implemented.

151. We recommend that the Centre continue to work with the Agency to identify viable means of enabling prisoners’ access to video-conferencing with their communities. Ensuring maintenance of prisoners’ connections with their communities is an important rehabilitation tool, particularly for indigenous offenders who make up a large proportion of the Lotus Glen catchment. Recommendation 32 was not limited to any particular form of technology. Implementation of the recommendation should include exploration of all possible available technologies, including by way of existing infrastructure through probation and parole offices. It should include as many communities within the Lotus Glen catchment as possible.

Recommendation 48 – That the Centre considers increasing the facilities available for the delivery of the Transition Program so as to maximise the participation of prisoners in the program.

152. In its response the Centre reported that it is unable to increase the delivery of the Transitions Program because it is not funded to do so. It reported that the program is funded by the Commonwealth.

153. We find that this recommendation has not been implemented.

Recommendation 52 – That the Centre develops a process for identified staff to be responsible for ensuring prisoner management plan goals are prioritised, implemented and achieved.

154. Centre staff confirmed to his inspection on 17 July 2013 that the Centre is now generally delivering programmes to prisoners in accordance with Agency targets.

155. However, this did not address the particular issue that this recommendation was addressed to, namely:

“Inspectors found that there was neither a process, nor a contact officer within the centre, who was responsible for helping prisoners achieve their (if any) offender management goals.”

156. Whilst we, of course, commend the Centre for meeting targets for the delivery of relevant programmes, we are unable to find that recommendation 52 has been satisfied.

The Agency Recommendations

Recommendation 11 - That the Agency whether prisoners in Detention Unit exercise yards have sufficient access to water, toilet and emergency intercom facilities (medium)

157. There appears a typographical error in the framing of this recommendation. When it is read as a whole, it appears that the word “investigate” was intended to appear between the words “Agency” and “whether” so that it should read:

*That the Agency **investigate** whether prisoners in Detention Unit exercise yards have sufficient access to water, toilet and emergency intercom facilities.*

(emphasis added)

158. The recommendation relates to the following findings in the investigation report:

All prisoners have access to a toilet and hand basin. However, this is not the case for those accommodated in the Detention Unit. It is understood that the Agency issued a direction in late 2011, which resulted in exercise yard doors being secured shut when a prisoner is having his daily exercise in the Detention Unit exercise yard. Compliance with this direction means that a prisoner in the Detention Unit exercise yard must ask staff to allow him to access a toilet. Additionally, the detention unit exercise yard does not have an intercom.

159. The Agency’s initial response to this recommendation was set out in a memorandum dated 20 December 2011 from the Acting Deputy Commissioner, Custodial recommendations. The memorandum states:

“On 24 October 2011 a memorandum was forwarded regarding the recent attempts of self harm by prisoners whilst in the Detention Unit. It was identified that there had been three occasions where prisoners had attempted to hang themselves by using the hinge of the door between the exercise yard and cell when the door was open.

As a consequence of concerns expressed, a risk assessment was undertaken and disseminated. I am also aware that some General Managers have indicated their dissatisfaction with this report. However, the fact remains that there is evidence that a level of risk exists when prisoners who are accommodated in the detention unit have access to the hinge of the exercise door.

I have reviewed the report, comments from the General Managers and the original memorandum and have determined that when a prisoner is accommodated in a Detention Unit regardless of his/her self harm status the following options exist for the management of this risk.

- i. the prisoner is locked into either his/her cell or exercise yard or;
 - ii. if the door between the two areas is not locked, then an officer is to be placed in the detention unit to undertake observation and roving patrol;
- or

- iii. develop, document and implement a localised process that ensures that all prisoners are subjected to a risk assessment prior to or upon entry in the detention unit for whatever reason for placement within the unit; or
- iv. the risk is accepted and no action is taken.”

160. This response was not responsive to the recommendation. The recommendation did not take issue with the directive. It merely identified a problem with the implementation of the directive at the Centre detention unit. That problem was that prisoners in that unit could not access water, toilets and intercoms whilst in their exercise yard. The recommendation was that the Agency investigate whether prisoners in Detention Unit exercise yards have sufficient access to water, toilet and emergency intercom facilities. Rather than respond to this recommendation, the response of the Agency was to reiterate the risk that the directive sought to address and set out a series of options for responding to that risk.

161. A further response to the recommendation was set out in a memorandum from the Agency dated 10 September 2013. The memorandum set out the position regarding infrastructure in the exercise yards of the detention units in the State’s Secure Centres (Lotus Glen, Wolston and Brisbane Women’s), namely that there is access to water by way of a shower but there is no intercom or toilet. In respect of Lotus Glen, the memorandum noted that prisoners are supplied with bottled water and that prisoners can contact the control room which is manned when prisoners are secured in the exercise yard. The memorandum noted that the detention unit at Wolston is also manned whilst a prisoner is secured in the exercised yard. We infer that the same position pertains with respect to Brisbane Women’s.

162. We find that this recommendation has been implemented. However, we recommend that the Agency take appropriate action to ensure prisoners secured in detention unit exercise yards are able to communicate with officers when they need to access toilets or other facilities not available in those yards.

Recommendation 12 - That the Agency implements a procedure about prisoner showers which deals with the exceptions to the 4 minute daily shower limit (medium)

163. This recommendation relates to the following finding:

All accommodation units provide each prisoner with access to his own in-cell shower and toilet. Washing facilities are available in all accommodation cells or the common ablution areas in Residential North and the LGCC (Farm) Accommodation. Newly commissioned accommodation units provide for a daily 4 minute shower. Concerns about the lack of flexibility with this time-restriction were raised by some prisoners and staff. In particular, some prisoners and staff indicated that the agency or the centre should allow extended showers in situations where there is a hot tropical climate, or where there are genuine medical or occupational (e.g. additional dirt and dust on the prisoner) reasons to do so.

During inspections of the accommodation units, Inspectors noted many of the prison issue pillows and mattresses to be in a deteriorated condition. Prisoners also reported this as a concern and whilst management identified that there were sufficient pillows and mattresses in stock to replace poor quality items with new items, this was not evident.

156. In its response, the Agency referred to the Agency procedure on Energy and Water Conservation. That procedure relevantly provides:

“2.1(a) have one shower per day of up to four minutes duration. **The general manager may permit an offender to have an additional shower if special needs exist** or the offender is participating in industries, the dairy farm, kitchen or an authorised activity that may require it;

2.2(a) have controlled timed showers of up to four minutes duration, with timers to be reset at midnight each day. Offenders may access shower facilities any time they are in their cell with allocated time not having to be used in the first instance of showering. For example an offender may have two x minute showers within an allocated 24 hour period. Accommodation cells have a control button for the offender to turn the shower on and off and once turned off there is a timed reset time to re-engage the water. **The general manager may permit an offender to have an additional shower if special needs exist** or the offender is participating in industries, the dairy farm, kitchen or an authorised activity that may require it;”

(emphasis added)

164. In its response, the Agency stated:

“Based on the currently published procedure and appendix, General Managers already have discretion to modify the 4 minute requirement under this policy and therefore, there does not appear to be any modification to procedure required in order to meet this recommendation.”

165. We agree. We find this recommendation satisfied.

Recommendation 30 - That the Agency consults with visit processing staff regarding improvements to the functionality of IOMS (low)

166. This recommendation relates to the following findings:

Inspectors found that visits processing staff sometimes had to engage in time consuming activity of processing information into and out of IOMS – for example, cross referencing prisoners names off the nominal roll to identify their current accommodation. The Inspectors consider that this may impact on the efficiency of the visitor’s centre.

167. The Agency response was in these terms:

“...The Acting Business Analyst has contacted the centre to discuss the specific details with Ms Y Ramscar, Visits Processing Officer.

The issue discussed related to including a prisoner’s accommodation details next to their name on the printed visitor list. Currently, visits/reception store staff cross reference the visitors list with the nominal roll for this information which is time consuming.

This enhancement to IOMS was actually logged by this officer in April 2010. The IOMS Working Group subsequently assigned this change as a Medium priority. This item has already been included in the list of potential changes for the next release of IOMS. The technical requirements will be developed and discussed with the centre prior to implementation.

Further discussion with Ms Ramscar did not uncover additional requests for improved functionality. However staff have flagged some improvements for the online learning materials and a desire for further staff training. Both issues will be given consideration.”

168. By email dated 3 September 2013, the Agency supplied a further response:

“...The main issue identified was the manual effort for visits/processing staff to identify a prisoner’s location within the centre...

...The solution to this issue was to include the IOMS ID and current cell accommodation for each prisoner in the print version of the Visits Booking list...the Visits Processing Officer consulted with Reception Store staff, and advised that including the information in the printed version was sufficient, as this was the list that staff had in front of them when calling prisoners for visits...

...Since the release of IOMS Version 4.1 (Phase 1) there have been no other change/enhancement requests logged in relation to the Visits work package in IOMS...”

169. We find that this recommendation has been implemented.

Recommendation 36 - That the Agency considers allowing the Centre’s prisoners to use computers in the computer room (medium)

170. This recommendation related to the following findings:

Limited access to facilities and resources due to a number of factors (including the redevelopment) are having at least some impact on the learning and skill development of prisoners.

For example, only a limited number of prisoners can participate in any program due to restrictions on the overall number permitted in the education block. Likewise, a limited numbers of programs are allowed in the programs block due to the reduction of classroom numbers as a result of the redevelopment (and staff ratio issues).

The availability of computer resources is also a point of contention within the centre. That is, Inspectors found that whilst there is a well-equipped computer room, there is no opportunity for prisoners to access these computers for such basic things as legal work or study unless they are undertaking an approved course. The centre advised that this is the position of QCS AVET, and not a local decision.

171. The Agency response was in these terms:

“Since the Inspection and subsequent release of recommendations in 2012, a new process has been established whereby each correctional centre is now allocated laptop computers specifically for prisoners to use for legal purposes as part of the designated Legal Resource Centre. These laptops are designated specifically for prisoners to use to access and prepare documents for their legal proceedings. General Managers of centres may also approve the use of these laptop computers in the prisoner’s cell.

All centres have been notified to request additional laptop computers if the original allocation is not sufficient to meet local demand. To date, two laptop computers have been allocated to Lotus Glen Correctional Centre. This process has been formalised in the Legal Resource Access for Prisoners standard operating procedure which was published on the QCS intranet on 21 November 2012. Given the availability of these laptop computers at all

centres, with more available if demand outweighs supply, there is no longer a need to use VET computers for this purpose. As such, it is requested that this recommendation be considered complete.”

172. We are satisfied that this recommendation has been implemented.

Recommendation 42 - That the Agency reviews the timeliness of criminal investigations in relation to relevant incidents at the Centre (medium)

173. This recommendation relates to the following findings:

There was evidence of some delays in the finalisation of breach matters due to the time taken in finalising investigations which were referred for criminal investigation under s.114 of the Corrective Services Act 2006. The consequences of these delays in conducting a criminal investigation included: discharge of prisoners prior to some matters being returned to the centre; difficulties in discipline of prisoners; and the extended separation of prisoners on safety orders.

174. The Agency responded that a Detective Senior Constable has been assigned responsibility for the review of all incidents at the Lotus Glen Correctional Centre and that he reports at least monthly to correctional centre intelligence staff via teleconference on the status of incidents.

175. We find that this recommendation has been implemented.

Recommendation 50 - That the Agency reviews and addresses the failings of the sentence management function at the Centre as soon as possible (high)

176. This recommendation relates to the following findings:

In general, security classifications are no higher than is necessary to meet the risk presented by the prisoner. However, there are an unsatisfactory number of unclassified prisoners and prisoners are not receiving an initial classification in a timely manner.

This is not a recent finding. The 2008 Full Announced Inspection of this centre found that at the time of that review, “there were 102 out of 450

prisoners unclassified. This is considered to be very high". The 2008 inspection found 22.66% of the population was unclassified, and this 2011 inspection found a further 22.91% increase in unclassified prisoners. Inspectors are of the view that this creates disadvantages for prisoners. For example, some prisoners who should be classified as low will be kept in secure because of the Agency's policy that unclassified prisoners should be kept in secure.

There is a lack of systems to identify the need for timely classification or placement reviews for short-term prisoners who have initially been classified as high. As a result, many of these prisoners miss out on the opportunity to be classified as low and moved to the centre's farm, thereby missing the opportunity to be accommodated in the least restrictive environment.

The problematic sentence management service delivery standards identified in the 2008 full announced inspection report, have further decayed. The 2008 full announced inspection, made recommendation 41: the centre ensures that timeframes for sentence management processes (such as Security Classification and Placement Assessments) are complied with. In 2009 when conducting the follow-up for that inspection, recommendation 41 was found to be not completed: There was no evidence to indicate that there had been any improvements in centre practices to provide for procedural timeframes for completion of Offender Management processes.

177. The Agency responded in the following terms:

“New service delivery model

In mid 2012 the Agency implemented a state-wide sentence management service delivery model. The implementation of the new model has allowed for the delivery of some services for LGCC prisoners to be conducted by Sentence Management Services staff located at Townsville Correctional centre. All sentence calculations for sentenced prisoners and initial remand warrant records for LGCC prisoners are entered and calculated by TCC sentence management staff. This will allow for a staff member in the LGCC sentence management team to focus on the classification and placement of prisoners.

Streamline Practice

Implement use of initial classification and placement tools for Remand and Sentenced prisoners. These to be utilised to facilitate the timely assessment of prisoners.

Establish Tracking Systems and Oversight Controls

Complete an audit and establish tracking systems for identifying all prisoners currently at LGCC who require Classification, Review, Low Custody placement or Parole Application preparation and tracking timely completion. This action to include the assigning of responsibility for the maintenance of each register.

The use of the registers ensures service delivery for prisoners (eg classification, planning and placement) occurs in a timely manner and in accordance with legislation and procedure, and that key eligibility dates are given due consideration as part of the planning and progression process.

Establish Management Oversight Controls

In order to establish accountability for maintaining oversight controls, responsibility for oversight monitoring systems and processes has been allocated to the Assistant Manager, Sentence Management LGCC. To ensure managerial oversight of controls, a process including routine fortnightly meetings has been established between the Assistant Manager and the Regional Manager. These meetings will monitor practice, process, compliance, emerging issues and risk mitigation strategies.

Update – May 2013

The current landscape surrounding sentence management matters at LGCC has evolved since the Announced Inspection.

Legislative changes to the Corrective Services Act 2006 introduced in April 2013 require all prisoners on remand to be classified as high security (or maximum if decided by the appropriate delegate) (see evidence item 1 below). All remanded prisoners were notified of this classification change via a personalised letter. Additionally all new remand reception prisoners are provided with a letter explaining their classification upon reception (see evidence item 2 below). This will impact positively on the number of unclassified prisoners at all centres including LGCC.

There has also been an amendment to the Assessment Procedure as it applies to the timeframes for the classification of prisoners. This timeframe has moved from 13 days to 6 weeks. This will increase the body of prisoners who will possibly remain unclassified for the duration of their custodial sentence. The focus for classification of these short sentenced prisoners is on those identified as suitable for Low Custody placement and these are being identified and reviewed within the procedural timeframe.

Due to the commissioning of new accommodation units, the capacity of LGCC has also increased. Current operating capacity is now 604 (in Secure including surge) and 124 (in Low Custody).

As a large reception centre, LGCC receives high volumes of prisoners who are subject to Return to Prison orders due to community supervision suspensions. As the majority of these prisoners will be in prison for 28 days, they are not required to be classified until six weeks. Additionally local sentencing which is reflective of offence type sees the Centre receive a significant number of shorter sentenced prisoners. There is high turnover of prisoners with offences which relate to short sentencing. Those identified as suitable for Low Custody will be assessed early however there will be a number who will also not be

required to be classified prior to discharge/release due to sentence length. This will be ongoing, and result in inflated increases in the numbers of unclassified prisoners. Regardless, being unclassified does not prevent prisoners from engaging in meaningful activities and employment within the centre.

Following from the Announced Inspection, several processes have been progressively introduced to improve the sentence management function at LGCC.

The state-wide sentence management service delivery model was introduced on 1 July 2012. Due to greater resourcing capacity, several sentence management functions including sentence calculation are now undertaken at Townsville Correctional Centre.

The long-term absence of the Assistant Manager Sentence Management at LGCC, and the inability to backfill this absence for a significant period have impeded the implementation of scheduled audit and tracking systems to improve the sentence management processes. In place Sentence Management staff are required to review local tracking spreadsheets against Reporting Services reports. Additionally, some external audits have been conducted by Assistant Managers from TCC. Nevertheless, significant progress has been made in this time.

Improvements to the sentence management function since the Announced Inspection include:

- implementation of streamlined frontend Initial Screening and Induction assessment tool has facilitated the triage of prisoners at point of reception and focus the work effort including to immediately move prisoners to low custody (see evidence item 3 below);
- the establishment of clear processes regarding the scheduling of reviews (including increase functionality and structure of review schedule spreadsheets) (see evidence item 4 below);
- establishment of Serious Offender Unit processes to ensure all prisoners receive reviews as required and on schedule (see evidence item 4 below);
- directions to staff to scan watch-house and prison lists daily to identify prisoners who may be eligible for low-custody classification; and
- creation of a new position to support the management of additional prisoners at LGCC through the increase in the state of the Centre.

As a result of these initiatives there have been no incidents of unlawful detention or discharge in error at LGCC since July 2012.”

178. Based on this response, we are satisfied that this recommendation has been implemented.

Recommendation 51 - That the Agency considers taking steps to ensure that there are higher levels of qualitative planning for short-term prisoners at the Centre (medium)

179. This recommendation relates to the following finding:

Inspectors found little qualitative planning for short term prisoners at the centre.

180. The Agency responded in the following terms

“Update – May 2013

Further clarification was obtained on the intent of Recommendation 51 from the Inspector, in particular “higher levels of qualitative planning for short-term prisoners’ is understood to mean the timely classification and review of prisoners to ensure reviews are undertaken and short-term prisoners suitable for transfer to low security are progressed rather than remaining in high security (see evidence item 2 below). On this basis the following response is provided:

The Initial Screening and Induction Tool instrument was implemented at Townsville Correctional Centre and Lotus Glen Correctional Centre in September 2012 (see evidence item 1 below). Subsequent refinements have been made to this form to ensure that the most accurate and meaningful information is obtained. The current tool was implemented in April 2013.

This process is a streamlined approach that allows for the immediate identification of prisoners who are eligible for classification as low custody and transferred to the low custody facility. Following completion of the form by sentence management advisor, feedback is sought from intelligence, health services, accommodation managers and the farm manager to determine suitability of a low custody placement (see evidence item 3 below).

Since 1 July 2012, there have been 542 prisoners identified for this initial consideration. 417 of these prisoners progressed to the interview stage with the panel. Of these, a total of 365 have progressed to a placement at the low custody facility. This represents a conversion rate of 67.3%.”

219. We are satisfied that this recommendation has been implemented.

Angus Scott

Nathan Jarro