

Mary Hutchinson Women's Prison Inspection Report

Inspection of the Women's Prison at Risdon
Prison Complex in Tasmania, December 2021



Produced by the Tasmanian Custodial Inspector

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Contents

Contents	3
From the Custodial Inspector	5
Acknowledgements	7
Executive summary	8
About Mary Hutchinson Women's Prison	13
Female Prisoners: A snapshot	14
Resources and Systems	18
Correctional Services and People	18
Prison Management Policy and Planning	20
The Prison and Community Relations.....	21
Custody.....	23
Reception and admission	23
Remand Prisoners	26
Prisoner classification	27
Sentence administration and release arrangements.....	29
Custody Infrastructure.....	30
Personal Searches.....	40
Segregation and protective custody.....	41
Complaints handling.....	43
Care and Wellbeing.....	46
Clothing and bedding.....	47
Prisoner Visits and the MHWP Visitor Centre.....	47
Recreation	51
Rehabilitation and Reintegration	54
Case Management	54
Management and Treatment of Substance Abuse	55
Preparation for Release	56
Employment.....	57

Glossary of Terms and Acronyms.....	61
Appendix 1 – Department of Justice response to recommendations	62
Appendix 2 – Department of Health response to recommendations.....	76
Appendix 3 – Inspection standards and methodology	77
Inspection Standards.....	77
Inspection methodology.....	77



From the Custodial Inspector

The purpose of the Custodial Inspector is to provide independent, proactive, preventative and systemic oversight of custodial centres. A custodial centre is defined as a prison within the meaning of the *Corrections Act 1997*, and a detention centre within the meaning of the *Youth Justice Act 1997*.

The *Custodial Inspector Act 2016* requires me to carry out a mandatory inspection of each custodial centre at least once every three years and to report on my findings and recommendations to the responsible Minister and Parliament.

An inspection of MHWP was originally planned to commence in March 2021. Unfortunately, due to resourcing constraints and competing priorities at that time, I determined that the inspection be postponed.

During the preparatory work for the inspection, I was made aware of a number of significant issues, and even though the inspection was unable to proceed and I highlighted them with TPS senior management. The key concerns were:

- There is no fit for purpose safe cell, crisis support unit or inpatient facility at MHWP.
- Staffing levels within the maximum security area were concerning. This was especially so given that the Wellington unit accommodates not only maximum security related prisoners, but also those prisoners who are at risk of suicide and self-harm and who, if male and accommodated in the male prison, would be accommodated in a crisis support unit or inpatient unit.
- Staffing levels in the MHWP Gatehouse were also a concern. The limited staff in that area undertake a range of duties including gatehouse security, suicide and self-harm watch and facilitating movement throughout the facility. There are occasions where these duties conflict and whatever decision is made in prioritising one over the other is detrimental to prisoners and/or staff.

I considered that it was important that TPS management was made aware of my concerns rather than waiting for the completion of the inspection and the production of a report thereby providing an opportunity for the consideration of possible solutions prior to the inspection being rescheduled.

I am pleased to note that in the intervening period, action has been taken in relation to improving staffing levels at MHWP and indeed, positive feedback was received by my inspection team during this inspection in relation to the professionalism and dedication of MHWP staff.

The rescheduled inspection of the Mary Hutchinson Women's Prison commenced in late November 2021 with the on-site component of the inspection conducted between 29 November and 10 December 2021.

Rather than being a themed inspection, the MHWP was assessed against the framework of the Tasmanian Inspection Standards for all Adult Prisons (the Inspection Standards) apart from:

- Mental Health Care
- Physical Care



- Management and Treatment of Substance Abuse
- Hygiene and Environmental Health
- Food and Nutrition.

The inspection did not assess the above standards as these are themed areas and specific inspections have either recently been completed or will be conducted in the near future. However observations and issues in these areas that were raised with my staff during this inspection are discussed in this report but will require greater examination as part of a themed or specific inspection.

As part of this announced inspection, Tasmania Prison Service (TPS) management was invited to provide a verbal briefing to me and the inspection team on the facilities, operational issues, achievements and opportunities for the prison. I wish to thank the Deputy Secretary Corrections, Rod Wise and Director of Prisons, Ian Thomas for their written submission, presentation and open discussion of these issues. The briefing session provided my team with a sound understanding of the strategic directions being taken in relation to the prison and in particular, the future focus on implementing a therapeutic community model at MHWP.

I am required by section 15 of the Act to prepare a report to the Minister outlining my findings and recommendations in relation to each mandatory inspection. I report directly to the Minister responsible for the custodial centre and the responsible Minister is required to table a copy of my report in each House of Parliament. In this way, the findings and recommendations relating to inspections become a public record. After tabling, all inspection reports are published on [my website](https://www.custodialinspector.tas.gov.au/)¹.

Prior to publication of this report, the Department of Justice including the TPS were consulted and invited to correct any factual inaccuracies in it and to provide a written response to the recommendations it makes. Appendix I details that response. Some minor changes have been made to this Report to reflect the comments made by the Department of Justice.

Richard Connock
Custodial Inspector

February 2022

¹ <https://www.custodialinspector.tas.gov.au/>



Acknowledgements

Due to recent staffing changes within the Custodial Inspectorate, my staff were supported by members of the Onesimus Foundation during the on-site inspection, who assisted with the organisation of stakeholder discussions and note taking during some meetings. I would like to thank Norm Reed and Emily Hindle for their time and assistance with this inspection.

Acknowledgment and appreciation is also extended to the Deputy Secretary Corrections, Rod Wise and Director of Prisons, Ian Thomas for providing the Inspectorate with a briefing on the strategic issues and challenges associated with the MHWP. My staff and I also extend our thanks to the MHWP Superintendent, Nicole Gornik; the Assistant Director Emily Chase and TPS correctional officers for their time and willingness to contribute to the discussions and assist with the on-site inspection.

During this inspection, my staff and I took the opportunity to speak with certain service providers that have provided services to MHWP during 2021. These service providers include:

- Tasmanian Aboriginal Legal Service
- Equal Opportunity Tasmania
- Australian Gardening Council
- Family Engagement Unit, TPS Internal
- Planning and Reintegration, TPS Internal
- Prisoner Education and Training, TPS Internal
- Programs Unit, TPS Internal
- Therapeutic Services, TPS Internal
- HRP correctional officers
- Visitor Reception Centre, TPS Internal
- Forensic Mental Health
- Prisoners Legal Service
- The Salvation Army – Beyond the Wire.

I extend my appreciation to these service providers for their experience and advice on issues relevant to the Inspection Standards and the delivery of services to MHWP.

I would also like to thank the female prisoners that shared their views and experiences with my inspection team.



Executive summary

Mary Hutchinson Women's Prison is the only women's prison in Tasmania.

While women prisoners only account for a small proportion of the total prison population in Tasmania, the number of women in prison has been increasing over time.

Women in prison are often more affected or have a background of greater disadvantage than their male counterparts.

As highlighted in this report:

- many women entering prison have mental health issues or have a drug or alcohol problem;
- women in prison report having experienced trauma; physical, mental or emotional abuse in their lives or violence in their childhood which can have an impact on their overall health outcomes and offending behaviour; and
- many women are primary caregivers and as a result, time in prison has an impact not only on their lives but the lives of their families and loved ones.

Good prison practices are essential for the wellbeing of prisoners and the wider community.

The purposes of incarceration include punishment, deterrence and incapacitation. However, rehabilitation is also an intended outcome of imprisonment and in order to achieve this goal, it is necessary to have effective prison practice models in place that facilitate rehabilitation, reduce recidivism rates and support reintegration². Good practice in women's prisons should strive to reduce recidivism, support rehabilitation and provide appropriate services to support female prisoners based on an understanding of their needs and lives.

I am highly appreciative that Tasmania Prison Service Senior Management have taken the opportunity during this inspection to provide a written submission and verbal briefing to me and my inspection team.

In my view, the key achievements to date for MHWP have been progress toward the adoption of a therapeutic community model and the fostering of strong partnerships with community-based organisation to provide programs that will assist women to develop skills and pathways that will enable transition back into the community.

A number of key issues have also been openly shared and acknowledged by TPS management as challenges:

- the lack of criminogenic programs for female prisoners;
- difficulties facing visiting families due to the location of MHWP in southern Tasmania;
- the Hartz accommodation unit and the doubling up of female prisoners; and

² Rubin E 2001. The inevitability of rehabilitation. *Law and Inequality* 19: 343–377



- infrastructure constraints evident in the Wellington Unit and the need to identify alternative accommodation that can safely manage high risk/vulnerable/violent prisoners

As part of this inspection, my inspection team has reviewed and validated that these challenges exist for TPS to address and has also made other key recommendations for improvement that will assist the Department to work towards greater compliance against the Inspection Standards.



Summary of recommendations

It is recommended that:

- Recommendation 1:** TPS reviews its existing data collection and develops a comprehensive female-specific data collection that will support the operation and management of MHWP and the development of a female-centric operational framework, and enable correctional services to address the needs of women during incarceration and assist their rehabilitation and reintegration into the community.
- Recommendation 2:** MHWP be operated as a standalone facility with a closed staff roster (i.e. not contingent on resource sharing of correctional officers with Risdon Prison facilities) and not reliant on policies and an operational framework designed for male prisoners. Prison policies, standing orders and directions need to be female-centric and TPS must continue to ensure that senior management at MHWP is reflective of gender representation within the broader community.
- Recommendation 3:** TPS reviews its current suite of programs and services to ensure that programs are delivered efficiently and effectively to ensure appropriate utilisation of its resources and to ensure that program participation by female prisoners is focussed on achieving educational or rehabilitative outcomes.
- Recommendation 4:** TPS reviews the content of its initial induction process and also, the completion of the Tier Two Assessment to ensure that case management is commenced as soon as possible after the prisoner is received into custody in order to assist women with their transition into prison.
- Recommendation 5:** Given that the new Southern Remand Centre (SRC) cannot accommodate women, it is recommended TPS consider, as a short term measure, allocating one of the Vanessa Goodwin minimum security rated units to housing female remandees based on an allocation methodology similar to that being planned for the SRC and also ensures the good order, safety and security of MHWP.
- Recommendation 6:** TPS continues to raise the issue of bail releases formally within the Department of Justice to inform the Courts of the challenges associated with late releases for prisoners who are returning to the north or north-west of the state and the potential risk these decision pose to the prisoner and the community.



- Recommendation 7:** Infrastructure funding and redesign needs to focus on immediate priorities of a new purpose built crisis support/mental health unit and a protection/separation unit to safely meet the needs of at risk prisoners and to enable Wellington Unit to return to functioning as a maximum security unit.
- Recommendation 8:** The climate control, ventilation, lighting and bunk beds in the Hartz Unit be reassessed to ensure that they meet contemporary building and safety standards. Obvious ligature points within the Unit must also be addressed.
- Recommendation 9:** It is recommended that TPS reviews the use of the Vanessa Goodwin Mother & Baby Unit and the Director's Standing Order (DSO) 3.09 to examine how it can proactively improve support to female prisoners that wish to have their children stay with them in prison.
- Recommendation 10:** As detailed in Recommendation 6, infrastructure funding and redesign needs to focus on a protection/separation unit in cases where female prisoners are known to be subject to regular bullying by multiple prisoners and the cause of the bullying cannot be easily addressed by prison policies, standing orders or procedures.
- Recommendation 11:** That Correctional Primary Health Service (CPHS) amend its privacy policies to allow individuals completing the Tier One Health Assessment to elect if they wish Correctional Health to disclose any personal health information to TPS which would assist TPS to appropriately manage the daily routines and welfare of prisoners and maintain the good order of the prison.
- Recommendation 12:** TPS assess whether the current allocation of winter clothing to female prisoners is adequate or should be supplemented with a thermal undergarment.
- Recommendation 13:** Once contact visits can be resumed as part of Covid-19 easing, it is strongly recommended that TPS schedule a greater number of personal visit booking times and seek feedback from visiting families about their needs and how the scheduling of visiting times can be improved.
- Recommendation 14:** Infrastructure funding and redesign needs to focus on immediate priorities of a fit-for-purpose women's visitor centre with appropriate in-Centre resourcing during visiting hours, in addition to other infrastructure prioritisation recommended in this report.



- Recommendation 15:** TPS Maintenance regularly inspects exercise equipment and bikes in MHWP to ensure that they are in good working order and repair any broken equipment and that TPS Maintenance periodically retrieve any balls in restricted areas that cannot be retrieved by correctional officers or prisoners.
- Recommendation 16:** TPS considers strategies for increasing female participation in physical activity such as improving access to essential sports and recreation clothing (particularly sports bras), improving the asphalt court areas for broader sports such as basketball and futsal; employing a female coordinator to run sporting activities and provide nutritional advice as part of its physical recreation programs.
- Recommendation 17:** TPS reviews its current strategy in relation to criminogenic programs for female prisoners and given their needs, consider the development of a female-specific drug and alcohol counselling program in addition to the DBT program under trial.
- Recommendation 18:** TPS prioritises the appointment of five new therapeutic staff as announced in the 2021-22 budget and ensures that drug and alcohol counselling services are included in the role description for these positions.
- Recommendation 19:** Subject to Recommendation 5, TPS reviews the management and operation of Vanessa Goodwin units 2 & 3 to ensure that management, operations, services and community engagements are focussed as far as practicable on preparing female prisoners accommodated in the units for release and reintegration.
- Recommendation 20:** TPS considers its strategy and success outcomes for MHWP and review whether Section 42 leave permits are an effective option for increasing employment opportunities for women prisoners.
- Recommendation 21:** TPS investigates how a serious back injury incurred by a female prisoner on 15 April 2021 was not reported or recorded as a Workplace Health and Safety (WH&S) injury by TPS correctional officers and the Workplace Health and Safety manager.
- Recommendation 22:** TPS urgently review the WH&S training provided to prisoners employed by the prison and procure appropriate safety equipment for all prisoners working in various occupations across the prison.



About Mary Hutchinson Women's Prison

The MHWP is Tasmania's only female prison and is located within the Risdon Prison Estate in southern Tasmania. The female prison is entirely separate from the male prison facilities. MHWP houses minimum, medium and maximum rated female prisoners but is rated as a maximum security facility based on the physical security of the prison. It should be noted that the physical security of MHWP does not meet the principle of Inspection Standard 10 which provides that prisoners should be held at the lowest level of security appropriate to their individual circumstance.

The MHWP comprises three main units:

Wellington Unit – Maximum Security

Hartz Unit – Medium Security

The Vanessa Goodwin Units – Minimum Security (Units 2 & 3)

The Wellington Unit is used to house maximum security prisoners as well as female prisoners who are at risk of suicide or self-harm and prisoners who need to be separated or protected. These combined functions present significant operational, logistical and practical problems that are discussed later in this report.

There is also a purpose-built mother and baby unit (Vanessa Goodwin Unit 1) and a multi-purpose unit, the Roland Unit, currently used for training and other general purposes.

Other facilities at MHWP include:

- an asphalt basketball court;
- a vegetable and ornamental garden with rabbit proof fencing;
- a multi-purpose recreation room;
- a sewing room;
- contact visit and professional rooms;
- administration offices and interview rooms; and
- kitchen and laundry facilities.

The Design capacity of MHWP is reported as 63 beds with 17 additional beds approved by the Director of Prisons to be added to provide an Operational capacity of 80 beds. As at 1 December 2021, there were 55 female prisoners in MHWP, which represented a utilisation rate of 69 per cent.

As discussed in my 2021 Capacity Utilisation Review, the utilisation rate is an average figure for each correctional facility. Additional bunk beds have been installed in the medium and maximum rated units (Wellington and Hartz) and while the overall capacity of MHWP may be below the recommended 95% utilisation rate, female prisoners within Wellington or Hartz units are often forced to share a single cell with another prisoner. Other units, such as the Mother and Baby Unit are chronically underutilised. These issues are discussed later in this report.



Female Prisoners: A snapshot

Nationally, the adult prison population grew from around 29,300 to 43,000 between 2009 and 2019. Women make up a relatively small proportion of the total prison population in Australia, accounting for only 8% of all prisoners in 2019. Despite this, between 2009 and 2019 the number of women in prison has increased at a greater rate than the number of men in prison³. The female prison population in Tasmania reflected this national increase, although at a lower level; 20% in Tasmania compared to 64% nationally^{4,5}. Gender specific data on prisoners is important as it captures the differences in the needs and lives of female and male prisoners enabling gender specific issues to be captured and in the case of women, it enables a female-specific operational framework to be developed.

During the course of this inspection, my inspection team identified the lack of a comprehensive female data collection maintained by TPS in order to support the management of its operations and the needs of women during incarceration and pre-release. While TPS maintains aggregate data and some gender specific data for management reporting and to support datasets required for national reporting purposes, my inspection team found that in a number of key areas readily available data was difficult to locate and specific information requests to TPS were required in order to extract data from records and systems to support my inspection team's assessment of MHWP's operations, programs and services against the Inspection Standards.

In this report, my inspection team has used available female-specific data from a number of sources. They include:

- responses from female prisoners to my Prisoner Survey 2020;
- TPS data provided to my inspection team on request and through the pre-inspection briefing provided by TPS management in late November 2021; and
- female-specific data drawn from TPS management reports or data requests to facilitate a comparison of the female prison population on 1 December 2020 and 1 December 2021.

Prisons Survey 2020

In July 2021 I released my report 'Prisons Survey 2020' (the Survey) which was conducted in late 2020. The Survey, which canvassed the opinions of all prisoners in custody was completed by 325 prisoners and included responses from 46 women. There was an average of 638 prisoners in TPS custody at the time of the survey with responses capturing the opinions of 51% of them.

³ "The health and welfare of women in Australia's prisons", Australian Institute of Health and Welfare, November 2020, Page 1

⁴ Department of Justice 2022, personal communication, 4 March

⁵ "The health and welfare of women in Australia's prisons", Australian Institute of Health and Welfare, November 2020, Page 1



When tabling the Survey report I highlighted that the value of the “results of these surveys will contribute to the evidence base for my inspections.” My inspection team has used responses from female prisoners from the 2020 survey to support findings in this report. Having collected survey responses from 46 women, from an average of 49 women in custody at the time of the survey, we are able to draw on the opinions of approximately 92% of the female prison population.

This inspection report includes extracts from the Survey where relevant to provide insight into the issues discussed from a broader prisoner response perspective.

5.1 MHWP Prisoner statistics at a glance

TPS provided data to my staff in relation to female prisoners in custody on 1 December 2020 and 1 December 2021. This means that a direct comparison can be drawn between the number, location, and other aspects of the prisoners incarcerated at MHWP on those days.

5.1.1 Accommodation Location

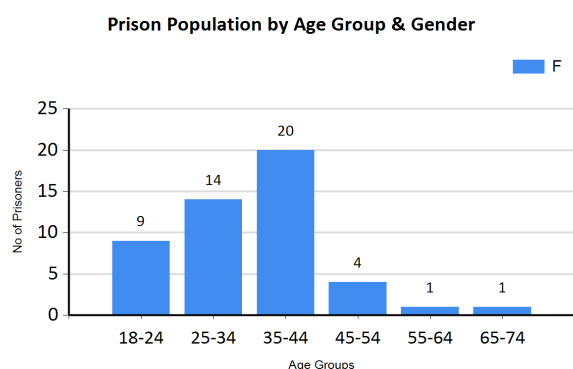
The following table shows the location of the total female prisoner population in MHWP on 1 December 2021 compared to the previous year:

Table 1: Location of MHWP prisoners as of 1 December 2020 and 2021

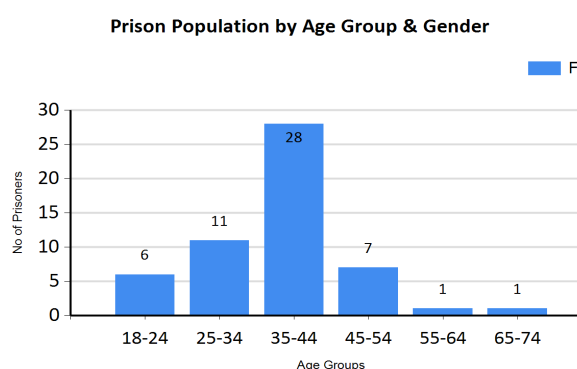
UNIT	Design Capacity	2020	2021
WELLINGTON	15	10	10
HARTZ-High/Medium	11	9	11
HARTZ-Medium/Low	12	6	16
VANESSA GOODWIN	25	14	17
LRP/HRP	n/a	5	1
RPC (CSU/IN-PATIENTS)	n/a	0	2
TRANSPORT/COURT	n/a	5	1
TOTAL POPULATION		49	58

5.1.2 Age Profile

Profile as at 1 December 2020



Profile as at 1 December 2021





5.1.3 Geographical Profile

The following information from the Survey shows the location of females before coming into prison and highlights the difficulty women face in maintaining contact through face to face visits with family and friends given the location of MHWP in southern Tasmania.

<i>Location of females prior to arriving into prison</i>					
Southern Tasmania	Northern Tasmania	North West Tas	East Coast	West Australia	Queensland
36%	32%	23%	5%	2%	2%

5.1.4 Ethnicity and Culture

TPS management data shows the following number of female prisoners who identified themselves as Aboriginal or Non-indigenous as at 1 December 2021 compared to the previous year:

	<i>1 December 2020</i>	<i>1 December 2021</i>
<i>Aboriginal</i>	<i>12</i>	<i>15</i>
<i>Non-Indigenous</i>	<i>34</i>	<i>42</i>
<i>Unknown/inadequately described</i>	<i>3</i>	<i>1</i>
Total	49	58

While broader ethnicity data is not captured in TPS reporting, my Survey found that 12 of the female respondents (26%) identified as Aboriginal or Torres Strait Islander; one respondent (2%) identified as Asian, and 33 (72%) identified as 'White'.

5.1.5 Suicide and Self Harm History

SASH as at 1 December 2020	Number		SASH as at 1 December 2021	Number
<i>On Alert</i>	0		<i>On Alert</i>	2
<i>On level 4 watch – 2 hours</i>	1		<i>On level 2 watch – 15 minutes</i>	1
<i>On level 5 watch – 3 contacts per day</i>	6		<i>On level 5 watch – 3 contacts per day</i>	3
<i>Past Alert</i>	20		<i>Past Alert</i>	14
<i>Previous SASH history</i>	11		<i>Previous SASH history</i>	21
Total	38		Total	41



5.1.5 Pending Releases

Pending Releases as at 1 December 2020

<1 month	1-3 months	4-6 months	1-2 years	3-5 years	>5 years
20	12	3	5	6	3

Pending Releases as at 1 December 2021

<1 month	1-3 months	4-6 months	7-12 months	1-2 years	3-5 years	>5 years
24	9	2	4	3	7	5

Broader Family, Health and Wellbeing Statistics

Women in prison can have complex health and wellbeing needs and may require access to female-specific health services. Family and children also play a vital role in the lives of women and therefore the identification of family and children relationships as part of the prison induction and assessment process is essential. The adoption of trauma informed practices and implementation of programs and services that facilitate and support relationships between female prisoners and their families and children is important in reducing recidivism and supporting rehabilitation.

Data from the Survey provides a snapshot of health and wellbeing issues affecting women in MHWP:

80% identified as having a mental health issue

43% said they have been helped with mental health while in prison

30% indicated they had an alcohol problem when coming into prison

54% claimed they had a drug problem⁶ when coming into prison.

13% (6) claimed they had been helped with their drug problem while in prison

11% (5) claimed they had developed a drug problem while in prison

Recommendation 1: TPS reviews its existing data collection and develops a comprehensive female-specific data collection that will support the operation and management of MHWP and the development of a female-centric operational framework, and enable correctional services to address the needs of women during incarceration and assist their rehabilitation and reintegration into the community.

⁶ including illicit drugs and non-prescription medication.

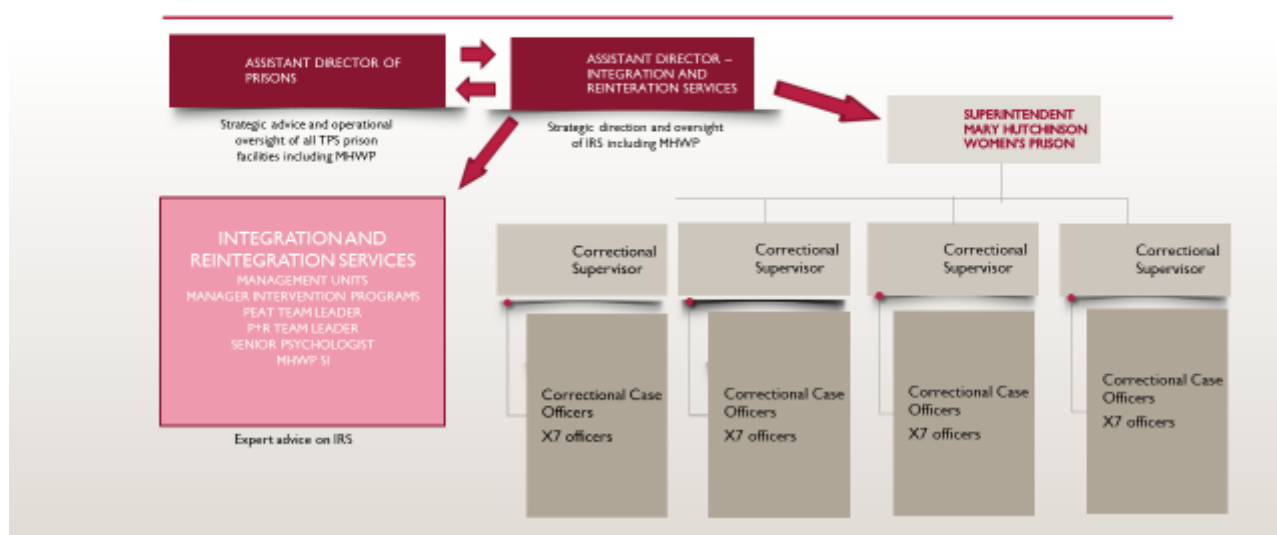


Resources and Systems

Correctional Services and People

The approved staffing model for MHWP consists of one Superintendent, four Supervisors and 28 correctional officers. In July 2021, TPS implemented a restructure of responsibilities to devolve organisational oversight of the prison from the Assistant Director of Prisons to the Assistant Director – Intervention and Reintegration Services (IRS) to commence the facility goal of moving from a traditional ‘safety and security’ model towards the implementation of a therapeutic community model.

MARY HUTCHINSON WOMEN’S PRISON ORGANIZATIONAL STRUCTURE



Under the restructure, the Superintendent of MHWP reports to the Assistant Director IRS. TPS has advised that the realignment of responsibilities aims to maximise trauma informed care and programs within MHWP by ensuring maximum opportunities for sentenced prisoners and remandees to address their risk factors for re-offending and their criminogenic needs, working towards a therapeutic community model.

At the time of this inspection, TPS was yet to fully document its approach to implementing a therapeutic community model and was unable to provide the inspectorate team with an overarching strategy document. However, a therapeutic community model in a prison environment generally involves a focus on care and compassion where prisoners are removed from the general population and placed in an environment that promotes positive behavioural change. TPS recognises that incarceration is a re-traumatising experience and for women, the ‘utilisation of gender responsive and trauma informed practices seek to mitigate the effects of traumatic histories’.⁷

⁷ TPS briefing note for the Custodial Inspector, page 6.



As part of its approach, TPS aims to involve prisoners where possible ‘in the planning, goal setting and processes of Case Management’⁸. TPS has advised the inspection team that its correctional case management ‘provides a platform for collaboration between experts in correctional management, prisoner education, Therapeutic Services and Intervention, Rehabilitation and Reintegration Services through a Trauma Informed process’.⁹

Good practice in women’s prisons recognises the need for a higher proportion of female correctional officers and management staff in order to meet the needs of women who require women-only environments for cultural reasons or for women who feel safer in these environments due to previous traumatic or violent relationships with men¹⁰. Good practice in women’s prisons also recognises the need for a female focus to assist women prisoners with their rehabilitation and reintegration as prison systems, policies and practices are typically orientated around the needs and characteristics of male prisoners¹¹.

In the context of female staffing, it should be noted that a report on women prisoners in Ireland¹² recommended that a baseline 80 percent of management staff, prison officers and professional service providers in the unit should be female. By way of comparison, in 2006, 81.5 per cent of all frontline staff in Canadian institutions were women and at the Okwimah Ochi Healing Lodge and the women’s unit at the Regional Psychiatric Centre *all* frontline staff were female¹³. The good practice of having a high ratio of female to male staff is recognised in Australian jurisdictions; for example, Queensland is setting a target of 70 percent female staffing¹⁴.

As a minimum standard the TPS aims to maintain a ratio of 3:1 female and male staff.¹⁵ Our discussions with TPS management and staff indicate that this ratio is not always achieved due to operational requirements, professional development opportunities available to correctional officers within the broader Risdon Prison facilities, staff absences or return to work arrangements.

When discussing staffing arrangements with TPS management, it was acknowledged that each facility in Risdon prison assists the other facilities with resourcing needs as determined by operational requirements. MHWP senior staff also noted that given that seven correctional officers work each shift at MHWP, if one or more correctional officers is allocated to another complex, MHWP is forced into half or full day lockdown.

⁸ TPS briefing supra, note 6, page 6

⁹ TPS briefing supra, note 7, page 6

¹⁰ Good practice in women’s prisons: a literature review, AIC Report (Technical and Background Paper), page 23

¹¹ Ibid

¹² Scraton P & Moore L 2007. *The prison within: The imprisonment of women at Hydebank Wood 2004–06*. Belfast: Northern Ireland Human Rights Commission. <https://nihrc.org/publication/detail/the-prison-within-the-imprisonment-of-women>

¹³ Correctional Service Canada 2(CSC) 006. *Ten-year status report on women’s corrections 1996–2006*. https://www.csc-scc.gc.ca/publications/fsw/wos24/tenyearstatusreport_e.pdf

¹⁴ Good practice in women’s prisons supra, page 6

¹⁵ TPS briefing supra, note 4, page 2.



Correctional officer training is essential to maintaining the security of the prison and the safety of other officers, prisoners and visitors. In terms of gender-specific correctional training, correctional officers advised my staff that they had participated in a trauma informed practice training session however, this was not mandatory training and not all correctional officers were able to participate due to operational requirements. One correctional officer noted that a significant proportion of female-specific training occurs “on the job” through coaching and mentoring between correctional officers in relation to issues such as dealing with prisoners that are upset or understanding conversations and behaviours that may be triggers for self-harm.

Overall however, a number of correctional officers and stakeholders that spoke to my staff provided positive comments on the commitment of correctional officers to their job and working with prisoners in MHWP as well as the good working relationships between correctional officers and between correctional officers and the prisoners.

Positive feedback was also received by my staff in relation to the fact that female representation at senior management levels in MHWP has increased albeit that the current Superintendent role is being filled on an acting basis and will continue to be so for a further 18 months. Generally long term acting arrangements are undesirable and I recommend that this position be filled by TPS as soon as practicable in order to provide stable leadership in MHWP particularly in terms of leading and embedding a significant change management initiative such as the therapeutic community model.

Recommendation 2: MHWP be operated as a standalone facility with a closed staff roster (i.e. not contingent on resource sharing of correctional officers with Risdon Prison facilities) and not reliant on policies and an operational framework designed for male prisoners. Prison policies, standing orders and directions need to be female-centric and TPS must continue to ensure that senior management at MHWP is reflective of gender representation within the broader community.

Prison Management Policy and Planning

While a plan detailing the strategy and objectives underpinning TPS’ transition toward a therapeutic community model was not available at the time of the inspection, discussions with TPS management indicate that the following objectives are intended to form part of the new approach:

- altering the designation of MHWP from being part of Risdon Prison to a standalone Women’s prison with a closed roster;
- changing the prisoner classification system from the current male-centric classification scheme including the security classification of prisoners with serious offences as ‘major offenders’;
- changing the initial Tier 1 and 2 assessment processes used to classify new prisoners and remandees; and
- over time, constructing a purpose-built crisis support/mental health unit, rather remain reliant on than the current SASH cell located in the Wellington Unit.



A strategic plan and change management plan associated with the implementation of a therapeutic model would assist in facilitating communication with correctional officers as well as showing progress and the timing of any changes that are planned to occur. TPS was able to provide a 2020-21 business plan for MHWP and advised that the 2021-22 Business Plan was under development and would be issued following the finalisation of the TPS Strategic Plan.

Discussions between my staff and correctional officers at MHWP revealed a lack of understanding on the part of MHWP correctional officers and staff regarding recent changes in senior management reporting structures, proposed changes arising from the therapeutic model approach and the expected timing around initiatives related to the new therapeutic model approach.

A change to Therapeutic Community model is a significant change from the traditional prison model centred on safety and security. It will require a rethink of prison infrastructure and processes such as induction and assessment, case management, mental health and physical health services and prisoner classification. Consideration and potential redesign of the physical infrastructure, and infrastructure funding prioritisation is required if the therapeutic community model is to be effective.

The Prison and Community Relations

The Inspection Standards specify that a wide range of community service providers should be regularly involved in the operation of prisons.

There are a number of community-based organisations offering a wide variety of programs and services at MHWP. The diversity of programs and services include:

- The Australian Gardening Council – Garden Masterplan.
- Australian Red Cross - Peer Support Program.
- Dress for Success – Welcome back(pack).
- Connect 42 – Circles of Security.
- Equal Opportunities Tasmania – ‘Girls Can Be Heroes’ program.
- TasTAFE – delivery of various vocational education programs including Certificate II Applied Fashion Design and Technology, Barista Operators Course.
- Prison Fellowship Tasmania – spiritual support and life skills teaching (including art and art therapy classes).

These community-based organisations deliver general education and Vocational Education and Training (VET) courses, creative and cultural activities and lifestyle and social education. At MHWP these programs have filled a void created by a lack of criminogenic and other intervention programs that can adequately cater for the needs of female prisoners, which should be provided by TPS. The lack of criminogenic programs was identified and recognised as a challenge by TPS senior management as part of their pre-inspection briefing to my inspection team. This issue is examined later in this report.



My staff received feedback during the inspection that the breadth and availability of courses and programs was considered to be a strength of MHWP and was well received by female prisoners. During the inspection, for example, my staff observed female prisoners in Wellington Unit participate in a Prison Fellowship course to make gingerbread houses for their family members as Christmas gifts, which was clearly an enjoyable and rewarding activity for the women involved.



MARY HUTCHINSON WOMEN'S PRISON -
GINGERBREAD HOUSE MADE BY FEMALE
PRISONER, WELLINGTON UNIT

During the inspection however, my staff queried the frequency and scheduling of programs being delivered and found that it was difficult to obtain this information whilst on site. When queried about the efficacy of program delivery, some correctional officers provided feedback that there were too many programs being offered and poor overall coordination of programs including community-based, VET and education and TPS therapeutic sessions/programs.

It was noted that while, in general, the availability of a wide variety of programs was strongly supported, correctional officers were needed to supervise or oversee the delivery of the programs and this added to their existing workload. Feedback was also received by my staff that there are limited meeting or activity rooms at MHWP and the non-attendance for, or late cancellations of, group sessions meant that the rooms could not be effectively utilised by other service delivery providers or TPS support staff.

While participation in programs and services by female prisoners is strongly supported, my inspection team also received feedback that some prisoners had participated in the same program multiple times (for various reasons) but lacked the opportunity or capability to apply the program training and therefore the effectiveness of learning would most likely be lost. My staff observed that there appeared to be a lack of strategic planning in program delivery and participation by female prisoners to ensure achievement of educational or rehabilitative outcomes.



Recommendation 3: That TPS review its current suite of programs and services to ensure that programs are delivered efficiently and effectively to ensure appropriate utilisation of its resources and to ensure that program participation by female prisoners is focussed on achieving educational or rehabilitative outcomes.

Custody

Reception and admission

Inspection Standards 1 to 4 address the processes and arrangements that should be in place to ensure the safe transition to prison custody for new or transferred prisoners.

Female prisoners that are admitted to MHWP complete both Tier One and Tier Two assessments at Hobart Reception Prison. The Tier One assessment process classifies each prisoner and assigns them to their respective prison accommodation – Wellington, Hartz or the Vanessa Goodwin Units. Classification is based upon an objective assessment of the risk posed by the individual as well as other factors such as length of sentence and the nature of offending.

The comprehensive Tier Two assessment builds on information gathered in Tier One and captures personal and well-being information to assist with the rehabilitation and reintegration of the prisoner such as family and child relationships, any child access restrictions or assistance required, housing situation, financial issues or problems, drug and alcohol use and education goals. The Tier Two assessment also requires consent from the prisoner for the sharing of information and to participate in the assessment, which should be completed during the interview.

In my Survey, when asked about the adequacy of their induction process into prison, “Did your induction at the reception prison cover everything you need to know about prison?” of the 45 women who answered this question 22% said that they had not received an induction. Of those who did, 44% indicated that the induction did not sufficiently cover all of the information required for them to understand their prison and the conduct expected of them, while 33% felt as though the induction was sufficient.

When asked about the problems they experienced when first entering prison, only one of the 46 women reported that they did not have any problems upon arrival. The majority of respondents (65%) indicated that they experienced feelings of depression, 39% suffered from mental health issues, 30% experienced drug or alcohol problems and 41% complained of difficulty getting medication. On being transferred to MHWP, 34% of women indicated they received a further induction while 52% stated they didn’t have an additional induction and 14% couldn’t remember.



Development of a female-specific data collection by TPS as outlined in Recommendation I will add robustness to the interpretation of the Survey results, as the data can contextualise the women's responses in the Survey.

My staff were advised that prior to the prison management processes for dealing with COVID-19, Tier Two assessments were undertaken by Planning and Reintegration staff assigned in the HRP. However due to changes in resourcing, HRP correctional officers complete both the Tier One and a modified Tier Two assessment. During the inspection it was not possible for my staff to gain a full understanding of what information was not collected in the modified Tier Two assessment relative to the comprehensive Tier Two assessment. Notwithstanding, the information collected for the Tier One and Tier Two assessments is extensive and remandees and prisoners are not in the most appropriate frame of mind to disclose Tier Two information at the Reception prisons.

During the inspection, my staff followed the induction and assessment process of a female remandee from HRP to MHWP. My staff met with the remandee soon after her arrival at MHWP to discuss her induction process and her understanding of the information provided to her. The remandee was able to recall basic information regarding her accommodation, contract level and ability to call family and friends. However her ability to recall other elements of the induction information was hampered by her situation and her distress about being unable to immediately call a family member to resolve a personal issue. She also revealed that she had a young baby in Tasmania and several young children living in another State and she was concerned for their welfare. The remandee advised that she had been assigned a female prisoner as a buddy, as part of the Red Cross Peer Support Program, who would be able to assist her to settle into her accommodation. In my view, the Peer Support Program is a very valuable service to help new prisoners adjust to prison life. My staff were unable to confirm if the remandee's full family and child relationships had been captured during her induction process and they raised the issue with a MHWP supervisor to ensure that arrangements could be made for the remandee to contact her family as soon as possible.

The above example demonstrates the difficulty that prisoners face in absorbing information contained in the formal induction, which occurs within 24 hours of their arrival into prison.

The information provided during the local induction is comprehensive and must include:

- a) Details of the MHWP core day and that the prisoner/detainee is expected to actively participate in the daily routine of MHWP.
- b) The prisoner's rights and responsibilities whilst in MHWP, including:
 - how to make requests, written and verbal, including by intercom;
 - dress regulations;
 - no smoking policy;
 - prison rules and offences;
 - muster/headcount rules;
 - behaviour and personal hygiene;



- prohibited articles;
 - how to make complaints (both internal and external);
 - sexual harassment and bullying;
 - suicide and self-harm prevention support;
 - room inspections;
 - rubbish removal and room cleanliness;
 - canteen;
 - access to counsellors/education officers;
 - access to chaplains;
 - employment;
 - property allowed in rooms; and
 - mail and telephone availability and rules.
- c) An overview of the Integrated Offender Management regime, including case management, sentence planning and the system of individual prisoner contracts.
- d) Any other matters that the officer undertaking the induction believes necessary at the time.

Under current procedures, a more thorough induction is provided the following day by a correctional officer with assistance from a prisoner trained in providing peer support and advice to new prisoners.

I consider that it would be more appropriate for TPS to consider paring back the initial induction which occurs within 24 hours of the prisoner's arrival and following up with the more detailed induction by the following day, once the prisoner has had time to settle into their accommodation and environment. In addition, given the sensitive and personal nature of the information needed for a comprehensive Tier Two assessment, it is my view that this information should be captured either as part of the initial induction process at MHWP or during the follow-up induction at MHWP.

Recommendation 4: That TPS reviews the content of its initial induction process and also, the completion of the Tier Two Assessment to ensure that case management is commenced as soon as possible after the prisoner is received into custody in order to assist women with their transition into prison.

As part of the admission and reception process for all prisoners, a Tier One health and psychological assessment is performed by Correctional Primary Health Services (CPHS), which is part of the Tasmanian Health Service (THS), but not all health issues are passed onto the TPS correctional officers for privacy reasons. This makes immediate health management of female prisoners difficult unless prisoners willingly provide this information to correctional officers.

Inspection Standards prescribe a duty of care to TPS for pregnant women coming into custody. During observation of the admission process, my staff noted that the fact that a woman was pregnant would normally be discovered during the CPHS assessment. However, due to medical confidentiality



considerations, this information would not be shared with TPS correctional officers. While the confidentiality of medical information must be preserved, it is of concern that information necessary for the proper care of pregnant women is not made available at the time of entry into custody. Knowing that a female prisoner is pregnant is essential both in terms of the physical health of the prisoner and her unborn child and also to assist in determining the most appropriate accommodation arrangements (for example, avoiding allocation to bunk beds), and whether additional food or nutrients are required or whether certain foods should not be consumed.

While the Correctional Health Tier One physical and mental health assessment only requires suicide and risk of self-harm information to be shared with TPS, it is recommended that prisoners should, as a matter of course, be invited to give consent for additional information gleaned from the CPHS induction to be conveyed to TPS to aid TPS officers in fulfilling their duty of care.

Remand Prisoners

As at 1 December 2021, 23 females at MHWP were on remand, representing 39% of the total female prisoner population of 58 females. This compares to 184 men or 31% of the total male population of 591 who were on remand on that day.

The Inspection Standards specify that remand or unconvicted persons are, as far as possible, to be kept separate from those that are convicted¹⁶. Tasmania currently has no separate remand facility. A separate Southern Remand Centre (SRC) is under construction and is scheduled to become operational in July 2022. The Southern Remand Centre will provide two accommodation units (over two storeys) with 156 dedicated remand beds¹⁷.

In the new SRC, remandees will have virtually no contact with convicted prisoners and will have fewer restrictions than sentenced prisoners. The new remand centre will also include multipurpose spaces available for therapeutic programs, education and sport and recreation; a new Satellite Health Clinic; a basketball court, BBQ area, spiritual reflection space and fixed gym equipment and private video/skype rooms for remandee use for such things as legal consultations, family visits and telehealth.

However, the new SRC has not been designed to accommodate females and female remandees will continue to be incarcerated at MHWP. During the MHWP inspection, correctional officers and some prisoners expressed concerns regarding the obvious inequity of treatment between female and male remandees once the SRC is operational. Some prisoners raised concerns that given the existing Tier One assessment process, which is based on the traditional safety and security model, female remandees with serious charges are immediately housed in the maximum-rated Wellington Unit and can remain there for significant periods of time given current court waitlists.

Female remandees are able to gain employment while incarcerated but are not required to participate in education or programs due to their remandee status. They are therefore subject to the same

¹⁶ Adult Custodial Inspection Standards, standard 5.1.

¹⁷ New Southern Remand Centre FAQs, <https://www.justice.tas.gov.au/strategic-infrastructure-projects/new-southern-remand-centre/faq>



restrictions as sentenced prisoners but do not have access to the same services and opportunities.

The treatment of female remandees at MHWP and the lack of planning and consideration to accommodate female remandees in the new SRC is unacceptable. It fails to meet inspection standards 5 and 6 and clearly does not meet international standards for the treatment of remandees. Given the overall security rating of MHWP, I recommend that TPS consider, as a short term measure, allocating one of the Vanessa Goodwin minimum security rated units to housing remandees based on an allocation methodology which recognises their unconvicted status but also retains the good order, safety and security of MHWP. TPS will need to consider a longer term solution to address the inequity between male and female remandees.

I acknowledge the response of the Department to this recommendation, in that they do not support allocating one Vanessa Goodwin unit for the housing of remandees but are not opposed to suitable remandees being placed in the Vanessa Goodwin units, and further acknowledge the ongoing infrastructure work and planned improved processes within the MHWP. However, I remain of the view that females within TPS need to have appropriate remand facilities.

Recommendation 5: Given that the new Southern Remand Centre (SRC) cannot accommodate women, it is recommended TPS consider, as a short term measure, allocating one of the Vanessa Goodwin minimum security rated units to housing female remandees based on an allocation methodology similar to that being planned for the SRC and also ensures the good order, safety and security of MHWP.

Prisoner classification

During the MHWP inspection, a number of female prisoners and some correctional officers spoke to my staff about prisoner classifications, noting that the classification system used for females is male centric. The classification system is based on the traditional 'security & safety' model and is the same classification system used for male prisoners, including the category of 'major offenders' which is used to identify high risk prisoners based on their offences, which was introduced by TPS following an escape by male prisoners in 2019.

Female prisoners provided feedback to my staff during the inspection that their employment history, participation in programs and good behaviour records were not given sufficient consideration when reclassifications were conducted or if a prison offence was committed by a prisoner during their incarceration resulting in disciplinary action. The following case studies illustrate why female prisoners consider that the classification system is unduly punitive and not based on a therapeutic model approach which would focus on encouraging rehabilitation and community reintegration. I acknowledge that case studies are summaries of often complex situations, however, they can be illustrative:

Reclassification case study [1] – A prisoner with a disability held a minimum security rating since 2011 and she had been of good behaviour for a significant period of time. On 3 September 2021, the prisoner was informed in writing that she had been found guilty of two



prison offences: [REDACTED]

[REDACTED]. Despite other corrective options being available to manage her offending, as a result of the disciplinary process, the prisoner received five days' separate confinement in the Wellington Unit and lost access to phone calls for 21 days. The prisoner completed her segregation on 7 September. The prisoner's classification was subsequently reviewed and despite her extensive good behaviour and record as a peer tutor and counsellor, she was informed that she would be returned to the medium security Hartz Unit as she was classified as a "major offender" based on her offences for which she has been convicted and not her behaviour while in prison. On 15 September 2021 she was returned to the minimum security Vanessa Goodwin Units. The prisoner advised my staff that this classification was made not because of her [good] behaviour record but because there are no disability cells or showers in the medium security Hartz unit.

The prisoner suffers from vascular disease of the leg and uses an exercise bike to promote blood circulation. During her segregation period, the prisoner was allowed access to the Wellington Unit exercise yard to exercise but she was unable to effectively exercise, as the exercise bike was broken and had no tension. My staff found no evidence that a medical assessment had been performed prior to the prisoner's segregation to minimise the risk of harm to her health or that she had been reviewed daily to ensure health care needs were met in a timely manner.

Image 1: Faulty exercise bike in the Wellington Unit exercise yard



Reclassification case study [2] – A prisoner with a history of recidivism had progressed to the minimum-rated Vanessa Goodwin units during her current prison term. She had employment in the prison in a position of responsibility, had participated in a number of programs, including Dialectical Behaviour Therapy, and was maintaining good behaviour. She advised my staff that she was committed to improving herself and her security rating, but during a particularly stressful period in November 2021, she had been involved in an unintended altercation with a correctional officer. The prisoner was subsequently charged with a prison offence of resisting or obstructing a prison officer and transferred to the



maximum rated Wellington Unit. The prisoner lost her job and her contract level was reduced. The prisoner was also denied a leave request to attend an Artists with Conviction morning tea due to her security rating and offence. Following the completion of her segregation, the prisoner was reclassified to the medium security rated Hartz unit until 17 January 2022, whereupon she was transferred to the minimum-rated Vanessa Goodwin Unit.

Case study 2 highlights a view put to my inspection team by some female prisoners who noted that when small mistakes of judgment are made during incarceration, the prison's response can be overly punitive and it diminishes the incentive to maintain consistently good behaviour. A more therapeutic approach to the offence in this case may have been recognition of the dialectical behaviour therapy and other rehabilitative achievements completed by the prisoner and the restoration of her job after an acceptable period of time in order to support her efforts to improve her rehabilitation.

Sentence administration and release arrangements

With regard to release arrangements, a key problem raised with my staff during discussions with correctional officers and prisoners is the late release (after 4.30 pm) by the court to bail of prisoners, particularly female prisoners from the north and north-west coast. While prisoners residing in the south of the state are able to access local public transport or can be met by family, this is not normally possible for prisoners who live in the north and north-west. Release after 4.30pm makes it impractical for prisoners to collect cash from the Visitor Reception Centre and means that they may miss the evening Redline Coach which departs Hobart at 5.30pm. These prisoners are often stranded in Hobart with no means of transport and no accommodation.

A specific incident raised with my staff during the inspection related to the release of a female prisoner in November 2021. The female prisoner attended court by video and was released on bail to appear in Burnie the following morning. A TPS report obtained by my staff confirms that the woman was bailed but had no safe place to go and that the prisoner's bail was deferred following a request from the on-duty Superintendent who arranged with the courts to change the bail conditions to keep the person in prison, to be released the next day, on the advice from the court that supporting documents would be forwarded in due course.

My staff have been advised that the issue of late releases has been raised by both TPS management and charitable groups working within the prison with the courts. This has resulted in good outcomes for prisoners in terms of releases during working hours however the problem still exists and individual release arrangements place additional work burdens on both correctional officers and charitable groups.

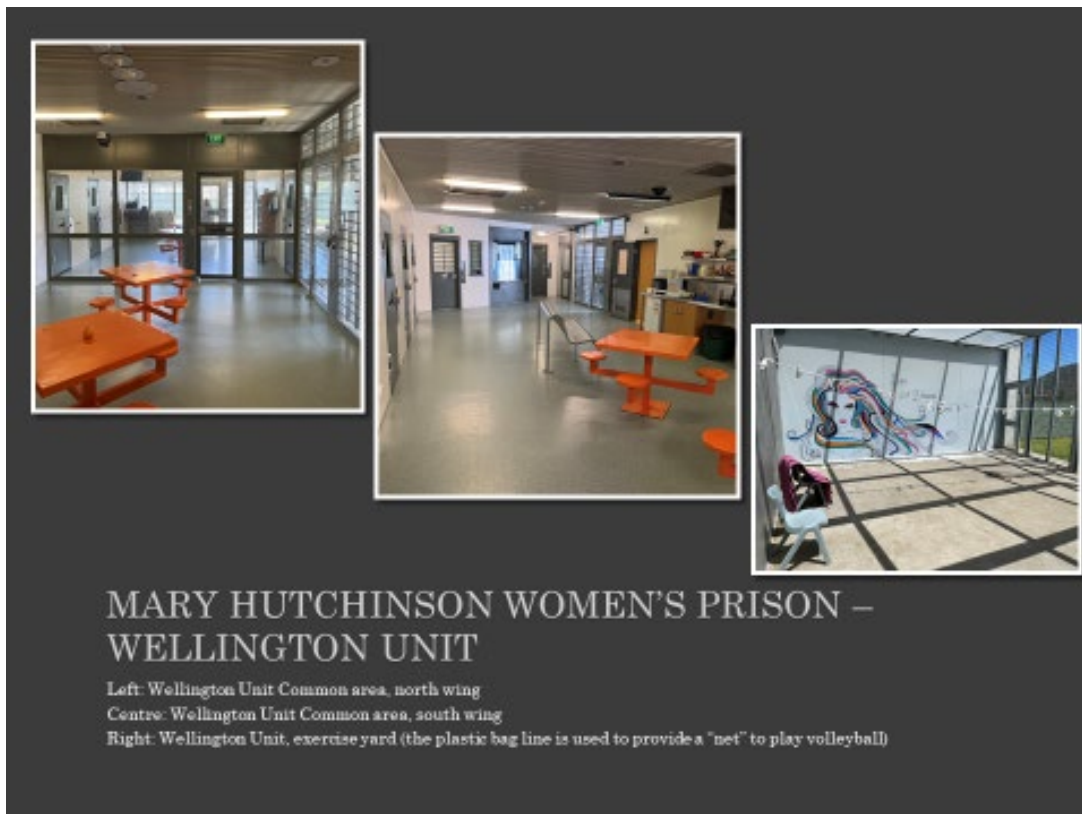
Recommendation 6: TPS continues to raise the issue of bail releases formally within the Department of Justice to inform the Courts of the challenges associated with late releases for prisoners who are returning to the north or north-west of the state and the potential risk these decision pose to the prisoner and the community.



Custody Infrastructure

Wellington Unit – Maximum Security

As discussed earlier in this report, the three main custodial units at MHWP are the maximum-rated Wellington Unit, the medium-high rated Hartz Unit and the minimum rated, Vanessa Goodwin Units.



During the inspection, the design, layout and fitness for purpose of the Wellington Unit was consistently raised by TPS management, correctional officers and prisoners as a key problem affecting the operation and management of the prison and the health and well-being of the prisoners.

Unlike the maximum-rated male accommodation at the Risdon Prison Complex, the Wellington unit, which was built in 2005, has been expanded over the years and is currently used for:

- the accommodation of maximum security rated women;
- the segregation accommodation for behaviour management purposes;
- a Suicide and Self Harm (SASH) cell for women at risk of suicide or significant self-harm; and
- the accommodation for women who need to be separated for protection or conflict reasons including severe bullying.



Separation Arrangements

In order to provide effective protection and separation of prisoners within the same unit, a dividing Perspex wall has been installed at the northern end of the facility (the north wing). The Perspex wall keeps female prisoners separate from the remainder of the unit and has a small exercise yard for these prisoners. However, in order to maintain security and safety within the unit, the wall is transparent which is disruptive to operations and movements of prisoners as women in the southern section of the unit can interact with and provoke prisoners in the northern section.

Suicide and Self Harm Cell

Women at significant risk of self-harm or suicide are housed in the SASH cell located centrally in Wellington unit, adjacent to the south wing exercise yard. There is also one overflow safe cell (Cell 9) that is located in the northern wing of Wellington Unit. Entrance to the primary SASH cell is through an airlock, which also provides little privacy for prisoners accommodated in that cell but allows direct observation as and when required. The SASH cell was previously the laundry room for the Unit¹⁸ but was converted to provide a cell where women at risk can be regularly observed and managed.

The SASH cell has no furniture with the exception of a mattress and ablution facilities. Television is available by way of a protected high mounted wall unit. The location of the SASH cell within the Wellington Unit means that women in the southern wing must be moved into the outdoor exercise yard if a SASH incident occurs, which is distressing and highly disruptive for female prisoners during meal times or if engaged in programs that are run in the central common room.

The airlock into the SASH cell (or 'safe cell') is a very small footprint and is not sound proof and provides clear observation of the prisoner by the assigned correctional officer. If a prisoner in the safe cell is self-harming or in distress it can clearly be heard from the Wellington common area, which is utilised as the unit 'dayroom'. Likewise, the location of the cell, adjoining the common area, allows prisoners in the common area to make derogatory and inappropriate comments to the prisoner in the safe cell. I can advise that other Wellington prisoners have contacted my office, in my capacity as Ombudsman, expressing distress at hearing and/or witnessing what has occurred in the safe cell, for example:

...on the night of [11 July 2021] in Wellington Unit at MHWP, myself and others were heavily affected and felt like we were in a mental assalyme [sic]. Prisoner [REDACTED] was brought to Wellington where in my opion [sic] the locking down in small cell made her mental health problems alot [sic] worse. She locked in day/night/day, she was banging on the walls saying 'who is that? Hello who's there? Up and down the walls.. Hello help me, hello please let me out. Hello help me ... where am I?' ... It was so sad, I was crying a lot of the night hearing it, thinking "this

¹⁸ Correctional officers advised my staff that the conversion of the laundry facility has been counterproductive as it has resulted in additional workload for officers who must spend time checking returned laundry for contraband or prohibited items, and also removes productive employment opportunities for prisoners in the Wellington Unit.



is isn't the place for her''¹⁹

Moreover, from a safety perspective, the only access to the airlock, and the safe cell, is through the Wellington common area, and in case of an emergency the prisoners in the common area would have to be cleared. The current location and the punishment-orientated design of both the SASH cell and Cell 9 is not considered suitable and neither meet inspection standard 28 of the *Inspection Standards for Adult Custodial Centres in Tasmania*.

There are various levels of SASH watch (that is, periodic observation by correctional officers) depending on the risk of suicide or self-harm posed by the prisoner. If a prisoner is on Level I SASH watch, which involves continuous observation by correctional officers, they cannot be accommodated in Wellington Unit and the MHWP Supervisor in consultation with the RPC Supervisor, will arrange accommodation in RPC Inpatients or the Crisis Support Unit (CSU) at RPC. The Inpatients and CSU are located wholly inside the men's prison. Some female prisoners who have been accommodated at Inpatients or CSU have experienced significant trauma associated with male treatment in their past and therefore accommodating these prisoners in a male prison tends to negatively impact their behaviour and can exacerbate existing mental health issues.

The current practice by TPS of sending female prisoners to Inpatients or CSU does not meet the requirements of Inspection Standard 26 in relation to privacy and means they are in the constant view of male correctional officers and prisoners. This practice is highly inappropriate and not reflective of trauma informed practice. However, it is currently one of the limited options for managing female prisoners with severe behavioural or mental health issues due to the design and capacity of the custodial infrastructure at MHWP.

¹⁹ Complaint letter to Ombudsman, July 2021.



MARY HUTCHINSON WOMEN'S PRISON – SASH CELL



SASH Cell viewed from the airlock



SASH Cell



SASH Cell – shower bay in cell

At the time of the inspection, there were two female prisoners with complex behavioural issues that resulted in them being regularly managed by being housed in either CSU, the SASH cell or the overflow cell. The management of these prisoners required an additional correctional officer for each prisoner and their management was highly disruptive to the operation and management of the entire Wellington Unit. If a separate Crisis support/mental health unit were available they could be accommodated and managed in that unit enabling the Wellington Unit to be more appropriately managed and ensuring a more orderly environment for maximum-rated prisoners.

Recommendation 7: Infrastructure funding and redesign needs to focus on immediate priorities of a new purpose built crisis support/mental health unit and a protection/separation unit to safely meet the needs of at risk prisoners and to enable Wellington Unit to return to functioning as a maximum security unit.

Hartz Unit – High/Medium Security

The Hartz Unit is a double story unit which accommodates medium security prisoners on the top floor and high security prisoners on the ground floor. TPS management has advised that as part of its therapeutic model, a 'waterfall' approach to prisoner accommodation is being implemented, which aims to assist prisoners to transition from maximum security to Hartz Unit (high) with progressive transition to Hartz medium security and then onto the Vanessa Goodwin (low) security units.

The Hartz unit is a relatively small unit with 11 cells on the ground floor and 12 cells on the top floor. The cells on the top floor have bunk beds, which have been approved by the Director of Prisons as



additional beds for capacity management reasons. The prisoners in this unit raised the following issues with my staff during the inspection:

- The cells in Hartz have poor light regulation and are not sufficiently dark during the night because of corridor lighting and large windows. A number of prisoners advised my staff that they cannot sleep and place towels over the window to darken the room. However, the use of towels over windows is prohibited by the prison.
- Prisoners do not like to share cells as many prisoners suffer from mental health issues and use their cells as areas where they can have privacy, do their own craftwork, relax in private or to get away from disruptive prisoners or bullying. Prisoners prefer not to share but will generally do so if requested by correctional officers if single cells are unavailable for new or reclassified prisoners. However, when prisoners share a cell, the prisoner assigned the bunk bed will place the mattress on the floor rather than sleep on the top bunk for safety and comfort reasons.
- The bunk beds are poorly designed. My staff inspected the bunk beds and found them high to the ground, situated too close to ceiling panel heaters and very difficult to climb using the footrests - the footrests can't be seen when descending and good foot placement is essential.
- The cells have poor ventilation and climate control. Cells do have heaters but prisoners advise that the cells are very cold during winter. Windows can be opened during the day to regulate heat and provide better ventilation. Room fans must be purchased through the canteen system.

Inspection Standard 19.3 specifies that all internal unsupervised prisoner areas should be free of obvious ligature points. During the inspection, my staff also observed that there are a number of ligature points in the Hartz unit which cannot be seen or monitored by security cameras. Given that female prisoners can access all areas of the units during the day unsupervised by correctional officers, this poses a significant safety risk. The ligature points will be disclosed to TPS management separately to this report.



HARTZ UNIT – CELL LAYOUT AND ENVIRONMENT



Ground Floor cell



Top Floor - bunk bed configuration



Hartz unit - towel placed over window to regulate light

Recommendation 8: The climate control, ventilation, lighting and bunk beds in the Hartz Unit be reassessed to ensure that they meet contemporary building and safety standards. Obvious ligature points within the Unit must also be addressed.

Vanessa Goodwin Unit – Minimum security

The Vanessa Goodwin Units 2 and 3 are located adjacent to the Vanessa Goodwin Mother and Baby Unit. Each unit can accommodate ten prisoners with four bedrooms downstairs and six upstairs. The Units comprise modern kitchens upstairs and down, with sandwich toaster, refrigerator, microwave, toaster, kettle, frying pans, saucepans, various kitchen utensils, iron and ironing board. The Units have large communal dining and recreation rooms upstairs and down, and communal showers upstairs and down. One unit also has a room equipped with a computer and chair and a good quality exercise bike. Prisoners in the Vanessa Goodwin Units have a key to access their rooms throughout the day.

The design of the Vanessa Goodwin units is intended to prepare prisoners for transition back into the community. To some extent this is achieved by creating a dormitory style accommodation, with furniture and fittings that replicate domestic accommodation. Prisoners in the Vanessa Goodwin units also have good access to outdoor areas and the hardcourt area for exercise or outdoor activity. However, many restrictions of prison life remain in these units such as facility inspections, attending muster, daily prisoner counts, prison routines, access to canteen purchases, contract levels etc.

At the time of this inspection, Recommendation 17 of the Adult Custodial Food and Nutrition Report



2021, which recommended that prisoners accommodated in the Vanessa Goodwin Units be provided with ingredients they can use to cook their own meals in the well-equipped unit kitchens, was still not implemented and my staff did not see any evidence of prisoners being able to prepare their own food with the exception of basic breakfast provisions. However, as detailed in the Department's response to the Adult Custodial Food and Nutrition report, the prison is identified as a "public institution" under the *Food Act 2003* and is required to ensure all food that is prepared for consumption by prisoners only be prepared in areas registered and deemed suitable for food preparation. To achieve this registration, all kitchens must meet commercial kitchen standards. My inspection team was informed at the TPS management briefing that the Department has received approval from relevant Council to enable food preparation in the near future. Given that food preparation is not yet occurring, my staff will monitor progress against Recommendation 17 of the Adult Custodial Food and Nutrition Report in future visits and inspections.

Vanessa Goodwin Mother and Baby Unit

Inspection Standard 69 specifies that children and infants should be allowed to reside with their mother and primary care giver in prison if it is in the best interest of the child to do so.

A purpose built Mother and Baby Unit was included in the construction of the Vanessa Goodwin Units and opened in October 2018. This unit includes a crèche, outdoor play area, modern kitchen facilities and a shared dining area. When designing the unit, TPS sought outside consultation and incorporated modern, child safe and aesthetically pleasing features in the construction of the unit. It is a very practical unit which has been maintained well and is in excellent condition. Prior to the opening of the Vanessa Goodwin Unit mothers and babies were housed in the Roland Unit.

The Mother and Baby Unit can accommodate five prisoners with infants/children in single room accommodation. The Mother Baby Unit can also accommodate mothers with disabilities. To be eligible for accommodation in the Mother and Baby Unit, all prisoners must have a minimum-security rating. In exceptional circumstances, the Director of Prisons can override a security classification when an emergency or temporary admission is necessary, for example, the death of the child's primary caregiver in the community.

An Assessment and Review Panel, which includes the Superintendent of MHWP, Therapeutic Staff, TPS's Child and Family Coordinator and a Child Safety representative will undertake a detailed and thorough assessment of each application and make a recommendation to the Director of Prisons. When considering an application, the Director of Prisons must be satisfied that it is in the best interests of the child to live with its parent/guardian in the prison, and that the management, good order and security of the prison will not be threatened by the child's residency there.



MARY HUTCHINSON WOMEN'S PRISON - VANESSA GOODWIN MOTHER AND BABY UNIT



Entrance to the
Mother and Baby
Unit



Outside the Mother &
Baby Unit and
childproof playground



The former Mother
and Baby unit –
Roland Unit

My inspection team found it difficult to audit records relating to the use of the Mother and Baby unit and was unable to identify a register of the unit's use. Much of the inspection was based largely on anecdotal evidence and recollection of Custodial Staff. Subsequent to the inspection TPS provided details of requests made by prisoners for their children to live with them in the prison.

Since the opening of the new Mother and Baby Unit there have been 17 applications from prisoners for their baby to stay with them in prison. Of these, four request were approved (although two mothers and their children didn't actually live in the unit because of early release) and 13 requests were rejected or could not be facilitated.

Prior to the construction of the Unit, between May 2011 and October 2018, there were 43 requests by prisoners for their baby to stay in the prison. Eighteen requests were approved and 25 were rejected or did not eventuate.

This information is summarised in the table below.



Table 1: Mother and Baby Unit Requests and Occupancy Day

	ROLAND Unit	Vanessa Goodwin Unit	
Total Period in months	90	13	
Total Requests	43	17	
Requests Approved	18	2*	* 4 were approved but 2 didn't enter the unit
No. of (prisoner) days MBU occupied	unknown	8	
Requests Rejected or didn't eventuate	25	13	
Reasons for Rejection			
Released before processed	5	8	
Not supported by CSS	7	2	
Did not qualify/reclassified/unsuitable	6	3	
Not supported by father of child	3		
Placed in maternal grandmother's care	2		
Withdrew application	1		
No available space in unit	1		
Total not approved	25	13	

Over the past 10 years there have been 60 requests from mothers or primary carers to have their child live with them in prison. Of these only 22 requests have been approved, with only four being approved for the new Mother and Baby Unit.

The Vanessa Goodwin Mother and Baby Unit was occupied for 144 days between 21 October 2018 and 1 December 2021 but it appears that this unit was only used by mothers and their babies for a total of eight days. It is of grave concern that this unit, the presence of which acknowledges the importance of the relationship between incarcerated mothers and their babies, has not been utilized for the purpose for which it was constructed.

While Inspection Standard 66 has been fulfilled by the provision of an excellent mother and baby unit, TPS is falling short in the Mother and Baby Unit's aim to enable children to reside with their mother or primary carer giver. Having failed in this standard it was virtually impossible to assess the other standards based on eight days use of the Unit.

TPS stands out in stark contrast to other women's prisons in Australia. TPS guidelines appear overly restrictive when compared to the Unit in Queensland for example, where children are able to reside with a mother in prison up until the time of starting school as opposed to the two year age limit imposed in Tasmania, and provision is made for weekend respite visits as part of the Child Safety reunification process.

It is my view that eight days occupancy over 144 days in the Unit by mothers and their children is unacceptable and that TPS should review Director's Standing Order (DSO) 3.09 Mother and Child Program to support female prisoners to have their children stay with them in prison where the prisoner wishes this to happen.



Recommendation 9: It is recommended that TPS reviews the use of the Vanessa Goodwin Mother & Baby Unit and the Director's Standing Order (DSO) 3.09 to examine how it can proactively improve support to female prisoners that wish to have their children stay with them in prison.

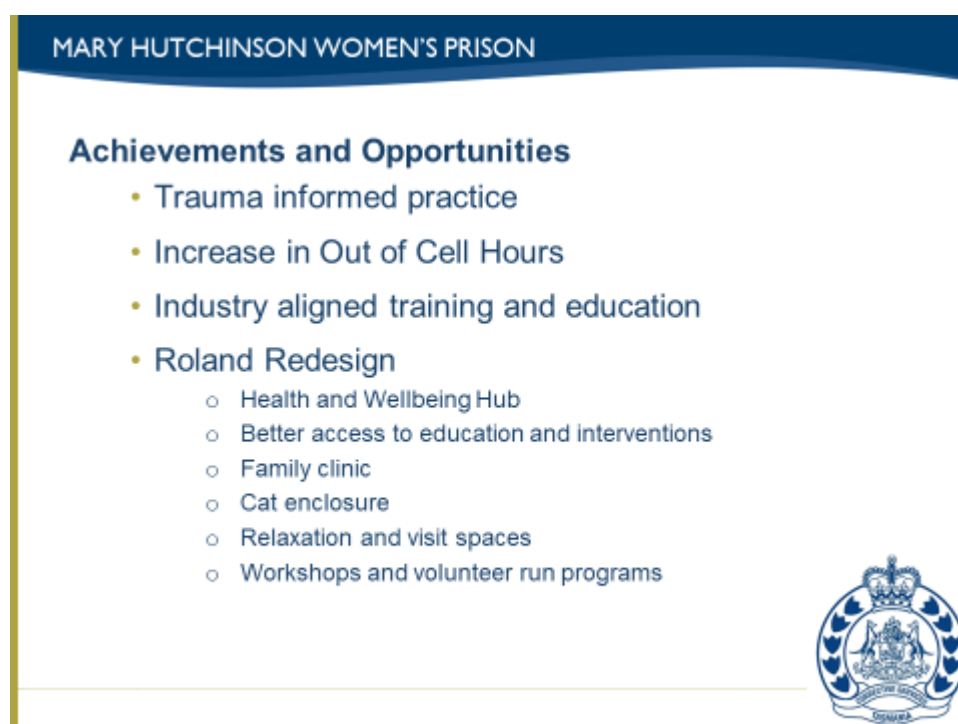
Roland Multi-purpose Unit

The Roland Multi-purpose Unit is a small building within the MHWP. It currently has a number of uses and, as noted, was previously used as the Mother and Baby Unit. At the time of the inspection, the unit was being used as education rooms, spaces to conduct volunteer programs, a storage area for clothing and personal hygiene packs, as well as empty rooms which were former minimum security cells. At the pre-inspection briefing, TPS management advised my staff that a key planned opportunity for MHWP was a redesign of the Roland unit to incorporate:

- a Health and Wellbeing hub;
- better access to education and interventions;
- a family clinic;
- cat enclosure;
- relaxation and visit spaces; and
- workshops and volunteer run programs.

The redesign is intended to support both the therapeutic model and build on industry aligned training and education.

Diagram 1: TPS Achievements and Opportunities for MHWP
presented at the pre-inspection briefing – November 2021





During the inspection, TPS senior staff provided my staff with the planned floor design for the Roland Unit which also incorporates a hairdressing salon/classroom as part of the TAFE delivered education programs. It is understood that the planned redesign will be provided to an architect to develop formal plans prior to any construction works.

Inspection standard 25 requires that the design of women's prisons should incorporate a women-centred approach to imprisonment. Sub-sections of this standard establish the need for consultation with female prisoners, community groups and documented research. During the inspection my staff asked a number of correctional officers and female prisoners if they were aware of the purpose and the reasons for the Roland redesign. Whilst there was some recognition amongst correctional officers of the planned redesign, there was little or no understanding amongst prisoners. Some correctional officers suggested to my staff that the Roland unit would be better utilised if it was redesigned as a dedicated crisis support/mental health unit while other officers expressed concern at the historical lack of consultation with correctional officers on infrastructure works and how it would impact their duties and operational arrangements.

My staff have examined the minutes of the working group responsible for the Roland Redesign as well as Peer Council minutes and could not find evidence of consultation with female prisoners in terms of the intended purpose and redesign of the unit.

My Survey found that while some level of consultation occurs with female prisoners, many do not feel that their input is acted upon. When asked if "prisoners are consulted on things like food, canteen, health care or units issues":

- 21% said 'No';
- 26% responded 'yes but nothing changes';
- 11% said 'yes and sometimes things change';
- 13% didn't know; and
- 4% didn't respond to the question.

I am highly supportive of the implementation of trauma informed practice and a therapeutic model for MHWP. The Roland Redesign will no doubt support those objectives. However, as I noted earlier in the report, in order for a therapeutic model to be effective it requires consideration and potential redesign of the physical infrastructure and infrastructure funding prioritisation. This is a matter for TPS however it is my view that the current state of the Wellington Unit, that is, its confused functions and difficulties that the current design poses for correctional service provision, should be prioritised as part of any infrastructure redesign or improvements.

Personal Searches

The Inspection Standards specify that search strategies should be developed that include both random and targeted searches. Personal (strip) searches are only to be conducted by persons of the same gender. Searches should also be conducted with due respect for the individual's rights, dignity and comfort.



TPS was unable to collate search register information for my inspection team in relation to the number, types of searches and reasons for searches in the preceding twelve months, within the timeframe requested by this inspection. This is because search data is maintained across multiple personal search registers and paper records.

During the inspection, my staff inspected facilities used for personal searches of female prisoners following contact visits and inspected the paper-based search registers.

If a personal search is required at MHWP and there is not a correctional officer of the same gender as the person to be searched available, RPC operations is contacted and asked to provide an officer of the same gender. Area, facility and cell searches are also regularly conducted and additional searches may be conducted for security reasons on a random or targeted basis. Watch-house detainees at the Reception prisons also undergo a personal search on admission.

Right to information data released by the Department of Justice in 2021 showed that 841 personal (strip) searches occurred at MHWP between October 2020 and April 2021. My inspection team has reviewed the supplied data and considers that the volume of personal searches reported is accurate.

A peer support prisoner who provided a written submission to my inspection team in relation to issues causing disadvantage to female prisoners included the following:

3. Strip-searching practices at MHWP: Currently, strip-searching of females, by MHWP custodial officers is done in a respectful and non-threatening manner, however, the potential exists for the existing process to be abused, or inappropriately implemented. A number of women have refused visits/medical appointments, fearful of being subjected to this intimidating process. As a security measure this practice is ineffective, as drugs or contraband items are usually concealed internally.

The Government has recently announced that \$1.3 million has been allocated for body scanning technology at Hobart and Launceston Reception Prisons, MHWP and the Ashley Youth Detention Centre. I commend the Government on this initiative as it should substantially reduce the need for personal searches of women and also provide a less intrusive environment for family visitations.

Segregation and protective custody

Inspection Standard 33 requires that each prison implement an effective anti-bullying strategy.

My Survey asked prisoners to select from a list, any form of bullying they may have experienced. Thirty-five per cent indicated that they had not experienced bullying from other prisoners while 61% said they had experienced verbal bullying, 59% threats of intimidation; 26% physical assault; 28% theft of canteen or property; and 37% bullying or other victimisation. In response to the question “Would you report bullying – 43% said “Yes, with some reservation”; 50% said “No” while the remaining 7% didn’t respond or said “It depends”.

During the inspection, my staff requested a copy of the MHWP anti-bullying strategy but it was not available. Since the inspection in December 2021, TPS has developed Directors Standing Order (DSO) 2.20 entitled, Anti-Bullying as well as an information package and information sheet for



prisoners. The DSO incorporates a number of bullying documents into one DSO including the MHP standing orders in relation to bullying. The new DSO will have an effective date of 1 February 2022. I am pleased to see that TPS has updated its anti-bullying policy and supporting material.

The Department of Justice's response also highlighted that the TPS Safer Prisons Strategy will be re-launched in the coming months. This strategy is currently being reviewed; the re-launch will occur once the review is complete.

During the inspection, a number of prisoners spoke to my staff about being bullied and what action they had taken to address this. In many cases the prisoners had chosen to maintain a lower profile, stay in their cells where feasible or raise the issue with a Correctional Officer. Prisoners can also lodge a formal complaint. One prisoner advised my staff that not all bullying complaints are dealt with consistently by correctional officers. Investigation of documents by my staff has revealed that correctional officers had provided advice and strategies to the prisoner when the matter was raised with them however correctional officers are not always present when bullying may occur making disciplinary action against perpetrators difficult.

Notwithstanding, my staff were informed by some prisoners of persistent and targeted bullying of some prisoners which has been difficult for TPS to resolve without separating the prisoner from the perpetrator/s. In one case, the recipient of the bullying had agreed to move to the maximum rated Wellington Unit, which is an unacceptable solution for the prisoner.

Examples of extreme bullying and the lack of effective strategies to address persistent, targeted bullying are shown in the following case studies.

Bullying case study No.1 - A medium rated prisoner is largely isolated and regularly a target for bullying by other prisoners due to [REDACTED]. The negativity and bullying from other prisoners contributes to the prisoner's poor mental health and she is regularly on Level 5 SASH watch, which requires a minimum of three (documented) contacts with correctional officers, spread across each day. Unlike RPC, the MHP does not have a dedicated unit to house [REDACTED].

When the prisoner spoke to my staff during the inspection, she advised that she had requested to be housed in Hartz high security despite being eligible to be housed in Hartz medium security, as she prefers to remain in her room and is able to be locked in securely at night. While the prisoner is employed and holds responsible employment positions, she does not participate in programs due to the bullying activity. Recent discussions with a trusted prisoner and the Family Reintegration Unit have centred on investigating a potential transfer of the prisoner to an interstate correctional facility, but the prisoner was reluctant to proceed as she had received support in MHP and did not wish to "start again".

Bullying case study No. 2 - A medium-rated prisoner is regularly bullied by other prisoners due to [REDACTED], which is exacerbated by the bullying activity as she prefers to remain in her own room. The prisoner raised a formal complaint



with TPS officers on 8 November in relation to her bullying. As a result of her complaints, the responsible prisoners were spoken to and informed that bullying would not be tolerated. The prisoner was also referred to the Peer Support Program and counselled to advise an on-duty officer if she wished to be segregated in her cell. No substantive anti-bullying action appears to have been taken against her perpetrators.

Following further verbal comments about her [REDACTED] an abusive and threatening letter that was left at her door on 30 November, the prisoner agreed to move to Wellington Unit on 1 December. No direction in writing has been provided to the prisoner for the reason or duration of the segregation. My staff understand that the move to Wellington North was agreed by the prisoner and supported by TPS as a coping strategy. However it is not considered an acceptable solution that a medium-rated prisoner has no option but to move to a maximum rated unit in order to gain privacy and space from her perpetrators. While it is understood that the prisoner may return to Hartz unit when she is ready to do so, the timing may be subject to space availability in terms of obtaining a room without sharing with another prisoner.

Recommendation 10: As detailed in Recommendation 6, infrastructure funding and redesign needs to focus on a protection/separation unit in cases where female prisoners are known to be subject to regular bullying by multiple prisoners and the cause of the bullying cannot be easily addressed by prison policies, standing orders or procedures.

Complaints handling

The Inspection Standards specify that prisoners must have an opportunity to make requests, lodge complaints and where these are not satisfactorily resolved in a timely manner, be able to take matters to an independent competent authority without being victimised.

My inspection team found that a structured internal complaints process exists at MHWP, which includes the ability for prisoners to make external complaints to the Ombudsman, Official Visitors or other parties. During the inspection, my staff were informed by a prisoner of a bullying incident where the prisoner had lodged a formal internal complaint. My inspection team was able to follow the complaints process and view the prisoner's complaint in a spreadsheet maintained by MHWP correctional officers and view the Correctional Supervisor's formal response (Form 6E).

In the Survey when asked "is it easy to make a complaint?" 46% of female prisoners answered 'Yes', 22% responded 'No' and 32% didn't know. When questioned whether they had received a response to the complaint within seven days, 24% said 'Yes', 28% said 'No'; 31% had not lodged a complaint and 17% did not respond to the question.

One area of complaints handling about which my inspection team received numerous expressions of concern from both prisoners and service providers was in the area of health related requests and complaints. In accordance with the TPS prisoner complaints policy, specific health care issues cannot



be dealt with by the TPS internal complaints system and must be referred to the CPHS which is managed by the THS.

During the inspection, my inspection team received numerous complaints in relation to health care requests and delays in the provision of health care services (most notably dental services) or refusal to provide temporary pain relief medication. While it was not feasible for my inspection team to cover the mental and physical health care standards in detail during this inspection, compliance against these Inspection Standards including the management and treatment of substance abuse will be the subject of separate themed inspections during 2022-23.

A number of notable health care cases involving poor prisoner treatment have been documented by a female peer support prisoner on behalf of the female prisoners involved.

The peer support prisoner also provided a written submission to my inspection team in relation to issues causing disadvantage to female prisoners at MHWP in which she states,

'I have identified a number of issues including Correctional Health matters, which in my view, negatively affect prisoners on an ongoing basis.

1. Delivery of medication: Situation identified where significant delays are occurring in the provision of essential, previously prescribed medication to prisoners entering the prison (see prisoner [REDACTED]). The problem is systemic and appears to arise from a communication breakdown in the security/triage process....

2. ...

3....

4. Work, Health and Safety Issues within MHWP Facility: Kitchen staff are expected to lift substantial objects on a regular basis, some of which are too heavy for many women. I believe this practice is directly responsible for a range of back complaints, including spinal disc herniations; injuries which can have far reaching consequences for the prisoners' future (see prisoner [REDACTED]).'

My inspection team spoke with staff from CPHS responsible for the Tier One health assessment at HRP. The CPHS staff member advised that, for privacy reasons, no information from the Tier One Health assessment other than suicide or self-harm risk is shared with TPS correctional staff regarding individuals that are admitted to the Risdon estate.

Similarly, medical treatment, including the dispensation of medication either upon arrival to prison and during incarceration is administered by the CPHS and individuals details are not disclosed to TPS correctional officers.

In the case of a prisoner who suffered serious injury to her spinal discs associated with lifting a heavy crate in the prison kitchen, it is understood that the prisoner made requests to the correctional health team which were either not actioned or dismissed. When documenting the history of her



spinal injury and treatment the prisoner provided the following chronology of her health requests and treatment:

Date of injury [15/4/21]	Lifted full milk crate and felt a sudden burning pain in my lower back, which intensified within minutes. The pain was acute and I had to sit, and later lie down. Within 24 hours I was unable to stand or sit, and was still in pain even lying down. A nurse gave me Panadol and ibuprofen, which was ineffective. I was unable to move about and remained in bed. I asked for a doctor within 48 hour but despite this request, wasn't seen for ten days.
10 days post-injury [25/4/21]	Consultation with [REDACTED]? Her attitude was indifferent and she told me the problem would resolve itself within 6-8 weeks. I was prescribed Ibuprofen to be given as required, and continued with already-prescribed Panadol-Osteo. She recommended I see the TPS physiotherapist, however, due to a comment she made about the length of time it would take to get an appointment, I asked if I could access a private physio, offering to pay the cost.
14 days post-injury [29/4/21]	Correctional Health refused request to see a private physio on the basis that TPS already had an existing service in place.
Date unknown	[REDACTED] refused to prescribe stronger pain medication, telling me I was supposed 'to get better, not worse.'
Date unknown	Had CT scan at the Royal Hobart Hospital (RHH). Correctional Health agreed I could use a wheeled 'walker' to assist with movement around the facility.
2.5 months post-injury [29/6/21]	Saw [REDACTED], TPS Physiotherapist who had already sighted the CT scan. He said that due to obvious physical damage to my spine, he was reluctant to give advice beyond gentle, specific exercises.
Approx 3 months post-injury [13/7/21]	Attended RHH pain clinic and had a consultation with [REDACTED] neurosurgeon. He recommended spinal-fusion procedures, indicating a month's waiting timeframe for surgery. He told me I would be having an MRI scan within weeks, followed by surgery.
Summary	I do not believe I have received timely appropriate care or medication from Correctional Health whilst incarcerated. The only TPS doctor I have spoken to about this matter [REDACTED] repeatedly attempted to minimise my symptoms, despite almost unbearable levels of pain I was experiencing. Her dismissive manner along with threats to withdraw the small amounts of pain medication provided, if I were to lodge a formal complaint against her, exacerbated my feelings of anxiety and vulnerability, a state of affairs that continued for some months. During consultation with the neurosurgeon, I was told the recommended dose for the type of injury I sustained was [900mg of Tramadol? Gabapentin?] daily however [REDACTED] refused to prescribe it.



My inspection team was unable to find any documentation to show that TPS was aware of the full extent of the prisoner's injury, understood her capacity to return to work or what appropriate medical treatment was required. Correctional officer case notes in the weeks and months following when the prisoner sustained the injury include:

Good day from prisoner, attended work duties even though unwell. Six days post-injury, 21 April 2021.

Prisoner was very quiet today and in pain, she visited the Dr and returned to her unit. Eight days post-injury, 23 April 2021.

Good day from prisoner, polite and compliant with all interactions. Attended work even though she was feeling unwell. Ten days post injury, 25 April 2021.

Prisoner was in pain today and missed labor [sic] parade. When checked on she was trying to get comfortable, She was back at work in afternoon. No issues. 3 May 2021.

Prisoner appeared to be in a lot of pain with back issues today. She is struggling to stand up properly. Two months post-injury, 16 June 2021.

In circumstances where a prisoner has sustained a serious injury as a result of working in the prison or requires complex medical treatment, it is unacceptable that correctional officers are expected to manage the daily activities and welfare of prisoners and maintain the good order of the prison without appropriate briefing on the health and wellbeing of the prisoner concerned.

The female prisoner was released in September 2021 and found accommodation in a women's shelter. Given her kitchen skills, she was assisted to find employment upon release, but she needed to seek further medical treatment and was advised by her neurosurgeon that she would be unable to work for two years following her back surgery, and that her longer term post-operative prognosis was unknown.

Although employed by the prison, prisoners are not entitled to workers compensation if injured while performing their job and bear the future costs of medical care themselves.

Recommendation 11: That Correctional Health amend its privacy policies to allow individuals completing the Tier One Health Assessment to elect if they wish Correctional Health to disclose any personal health information to TPS which would assist TPS to appropriately manage the daily routines and welfare of prisoners and maintain the good order of the prison.

Care and Wellbeing

As detailed in my foreword, a number of the Care and Wellbeing inspection standards were not examined in detail during this inspection as they have either recently been completed or will be the



subject of separate inspections in the near future. A review of the Hygiene and Environmental Health inspection standards for example was undertaken in February 2021 and my findings are documented in my *Environmental Health and Hygiene Report: Inspection of Adult Custodial Services in Tasmania, 2021*.

Other elements of the Care and Wellbeing inspection standards however were assessed during this inspection and are detailed in this section of the report.

Clothing and bedding

The condition of mattresses and bedding was assessed as part of my 2021 Environmental Health and Hygiene inspection, which again recommended that, across all prison facilities, TPS implements processes to ensure that staff regularly inspect mattresses, doonas and pillows for defects, moisture and mould and replace where necessary.

During this inspection, female prisoners raised issues in relation to the adequacy of the heating and cooling in the MHWP units, particularly the Hartz Unit. Female prisoners provided feedback on the poor ventilation and thermal control in the Hartz Unit, which they address by opening windows and purchasing fans in summer and by layering clothing during winter. Female prisoners that spoke to my inspection team advised that temperatures at the prison are cold during the winter months and it is a greater problem for prisoners in the medium and minimum-rated units as they are permitted to access outside areas within MHWP or work outdoors.

Prisoners are provided with a polar fleece top and flannel shirts for winter, but woollen socks and thermals must be purchased through the canteen system. Given that not all prisoners have access to employment and employment allowances can vary, it may not be possible for prisoners to purchase thermal or woollen clothing from the canteen to provide the layering needed during winter. It is recommended that TPS review the winter clothing allocation to female prisoners and assess if a thermal undergarment, such as polypropylene long underwear, can be supplied as standard issue clothing.

Recommendation 12: That TPS assess whether the current allocation of winter clothing to female prisoners is adequate or should be supplemented with a thermal undergarment.

Prisoner Visits and the MHWP Visitor Centre

Female prisoners are more likely than their male counterparts to have parental and other carer responsibilities. Providing a safe place in prison where prisoners can receive visits from their children and family can build self-esteem and prompt many female prisoners to turn their life around.



Supporting this position, a recent study has indicated that prisoners who are visited by family and friends are less likely to reoffend than those who do not receive visits²⁰, 52% versus 70%.²¹

Prison visits are subject to strict management and administration. Prison visits at Risdon must be booked through the Visitor Reception Centre and with at least 24 hours' notice. As at December 2021, contact visits at MHWP were scheduled at the following times:

10:00am Saturday and Sunday
1:30pm Monday, Thursday, Friday, Saturday and Sunday
3:00pm Monday, Thursday and Friday

Women housed in the Wellington Unit were not eligible for contact visits at the time of the inspection. TPS have indicated this was due to COVID-19.

Feedback provided to my inspection staff was that contact visiting times are often scheduled at times that are not conducive to families and families with children, such as 1.30 pm weekdays and 10 am on weekends. This is primarily because of school hours during the week, and weekend commitments or difficulties with coordinating visits early on weekends.

As at December 2021, Zoom visits at MHWP were scheduled at the following times:

9:00am Monday, Thursday, Friday, Saturday and Sunday
10:45am Monday, Thursday, Friday
3:00pm Saturday, Sunday
4:00pm Monday, Thursday, Friday (Wellington accommodated prisoners and detainees only)

Zoom has been used extensively during the Covid-19 pandemic, and also allows virtual visits for prisoners whose family and friends are not located geographically close to MHWP. The TPS Videoconferencing Upgrade Project is increasing the videoconferencing capacity across TPS, and has a current anticipated end date of August 2022.

It should also be noted that contact visits were paused at Risdon prison on 10 January 2022 to limit the number of people coming into prison facilities in order to reduce the risk of spreading Covid-19. This will result in many women being unable to have personal contacts with their families for some time. Once contact visits can be resumed as part of Covid-19 easing, it is strongly recommended that TPS schedule a greater number of personal visit booking times and seek feedback from visiting families about their needs and how the scheduling of visiting times can be improved.

Contact visits have now resumed; Zoom visits are still available at the following times:

9:00 am Monday and Friday
10:45am Monday and Friday

²⁰ Mulheir I, Gough B & Menne V 2010. *Prison break: Tackling recidivism, reducing costs*. London: Social Market Foundation

²¹ Good practice in Women's prisons: a literature review, AIC Report (Technical and Background Paper), page 58



1:30pm Thursday

3:00pm Thursday

3:00pm Saturday and Sunday

4:00pm Thursday

4:00pm Monday and Friday (Wellington accommodated prisoners and detainees only)



MARY HUTCHINSON WOMEN'S PRISON – VISITOR CENTRE

In my Care and Wellbeing Inspection Report 2017, it was found that the MHWP Visitor Centre was unsuitable for its purpose:

It is a very small room with two tables, vending machines for snacks and cold drinks, and a few children's toys and books. It is stale, impersonal, and not conducive to maintaining family connections. ... There are no visitor amenities or facilities to make a hot drink, no drinking water, limited play equipment, and little to occupy children.

During this inspection, my staff and I found that very little had been done to improve the Visitor Centre in the five years since the Care and Wellbeing Report. The Visitor Centre was the second most common infrastructure problem from an operational and fit-for-purpose perspective raised by prisoners and correctional officers during the inspection, following the design and operation of the Wellington Unit.

A peer support prisoner who provided a written submission to my inspection team in relation to issues causing disadvantage to female prisoners at MHWP included the following:



“5. Inadequate visitor area: Current visiting arrangements are unsatisfactory on multiple fronts. Prisoners and their families are confined to a medium-sized room; an inadequate space, if multiple visits are in progress. Tables must be shared leaving no provision for prisoners to have a quiet, meaningful conversation with loved ones, particularly if there are young and restless children present. There is no longer access to the grassed areas where, previously, children and their parents could interact as a family and participate in physical activities. As things stand, current facilities are not conducive to the emotional interactive well-being of prisoners or their children.”

In my 2017 Report, I also noted that visitors were able to use the table outside the visitor centre on the weekend to meet in the fresh air and allow children greater playing space. However this practice, which was considered to be beneficial for families, has since been discontinued as my staff were advised that it placed visitors and children in outdoor areas occupied by medium and minimum prisoners. Visits are now restricted to the Visit room which is cramped; it has no visitor amenities, has very limited play equipment for children and provides very little opportunity for prisoners to form or maintain intimate relationships with their children particularly if a child safety officer is also present. When the room is occupied by two prisoners and their respective families it is very hard to hold conversations between the adults about private matters such as financial issues or relationships.

The Visitor Centre is monitored by security cameras and on-duty correctional officers in the MHWP watch house, located in close proximity to the centre. Visitors to the centre are currently greeted and attended to by the Gatehouse correctional officer as there is no assigned correctional officer specifically assigned to escort visitors and monitor conduct and behaviour within the Centre.

During the inspection, a prisoner approached my staff to discuss issues related to her mental health, accommodation and release arrangements, during which she disclosed that she had been subjected to an inappropriate sexual incident by a family member in the Visitor Centre. Upon making further enquiries, my staff confirmed that the incident had occurred earlier in the year following detection by a correctional officer who had been remotely monitoring visits at the Centre. While the incident has been addressed, it was clearly distressing for the prisoner and highlights the need for correctional officer resourcing within the Centre and changes to the Centre layout to prevent incidents of this nature occurring in the future.

It is understood that TPS is aware of the limitations of the Visitor Centre and currently there are plans to increase the Visitor Centre footprint by expanding into the adjacent rooms used for professional visits. While I am highly supportive of an increase to the size of amenities in the Visitor Centre, my staff were unable to obtain consistent information from TPS management or correctional officers as to when the Visitor Centre was likely to be upgraded or whether it formed part of the current infrastructure improvements planned for MHWP. Some correctional officers noted that an expansion of the existing Visitor Centre footprint was preferable as the Centre is currently located close to the MHWP gatehouse so visitors do not need to enter the prison proper, and that it would be undesirable for safety reasons to conduct personal visits in the Roland Unit.

I am aware that the Roland Redesign is planned to include additional rooms for video visits, which I support. However in my view, the importance of personal visits between prisoners and their families



and children in a family-friendly, well laid out and safe meeting space is essential and should be prioritised.

Recommendation 13: Once contact visits can be resumed as part of Covid-19 easing, it is strongly recommended that TPS schedule a greater number of personal visit booking times and seek feedback from visiting families about their needs and how the scheduling of visiting times can be improved.

Recommendation 14: Infrastructure funding and redesign needs to focus on immediate priorities of a fit-for-purpose women's visitor centre with appropriate in-Centre resourcing during visiting hours, in addition to other infrastructure prioritisation recommended in this report.

Recreation

Inspection Standard 99 provides that prisoners should have access to a range of sports, health and wellbeing, recreation and cultural activities. Inspection Standard 99.4 requires that particular consideration should be given to equitable access and the appropriateness of recreational opportunities for female prisoners in mixed gender facilities and for protection prisoners.

A body of international literature makes the case for the primary benefits of prison-based sport and physical activity in terms of improved physical health and mental health. There is also a growing awareness of a wider psychological - as well as social - benefit, where sport can offer an alternative means of excitement and risk-taking to that gained through engaging in offending behaviour. It can also provide access to a pro-social network and positive role models, and the opportunity to gain new experiences and achievements. In this way, participating in sport can offer an alternative to offending which not only has intrinsic value but also provides a relatively easy way to establish a more positive self-identity.²²

TPS provides a number of sport and recreation activities for female prisoners. The sports facilities at MHWP include a wire-enclosed asphalt basketball court, an outside area containing park exercise equipment, a small exercise yard in Wellington Unit, indoor exercise equipment in the Hartz Unit and a good quality exercise bike in one of the Vanessa Goodwin Units.

²² A Sporting Chance, An Independent Review of Sport in Youth and Adult Prisons, Professor Rosie Meek, August 2018



MARY HUTCHINSON WOMEN'S PRISON – SPORT FACILITIES

1. Outdoor park exercise equipment, MHWP
2. Indoor exercise equipment, Hartz Unit
3. Outdoor asphalt basketball court, MHWP

The following fitness activities are delivered in the MHWP:-

- Get Active Program – Women's Sport and Recreation
- Yoga – weekly yoga sessions run by teacher
- Sports programs – volleyball
- Fitness Programing - resistance training, circuit training, weight loss
- Sport carnivals – Bi yearly

For male prisoners the following fitness activities are delivered:

- Fitness Programs – resistance training, circuit training, weight loss, healthy aging.
- Sports Programs – tennis, badminton, table tennis, volleyball, football, soccer, cricket etc
- Sport Carnivals – Bi yearly
- Weight lifting competitions
- Fitness testing

The following recreation activities are provided by the TPS Creative Learning Officer in the MHWP:-

- 1 x Art/Craft Class in Wellington each week
 - 1 x Art/Craft Class in the Rec Room each week facilitated by Prison Fellowship
- Additionally, the following have been delivered:*
- December 2020 - Christmas Card making
 - December 2020 - Christmas Photos
 - March 2021 - International Women's Day



My inspection team found that MHWP offers a good range of art, craft, sport and recreational activities given the limited staff resources available. My inspection team found that the recreational activities were very limited in the Wellington Unit given the bare nature of the outdoor exercise areas with their concrete floors and metal enclosures, inadequate or broken exercise equipment and makeshift equipment such as plastic bags strung together to form a “volleyball net” in the Wellington exercise yard (see image 1 page 28 and image 3, page 30 of this report). Similarly, in the Hartz Unit my inspection team found that a number of the indoor exercise equipment units had been damaged – electronic panels were broken or missing elements and pulleys and bike equipment were broken or in poor working order. The exercise bike in the Vanessa Goodwin Unit was of sound quality and was found to be in good working order.

The outdoor asphalt court is used once a week for sport which is conducted by a non-correctional Active Program Coordinator that is based at the RPC (male) gymnasium. My inspection team received feedback that volleyball was the only sport offered as it enables greater participation by female prisoners during the session than individual sports such as tennis. While weekly volleyball was considered monotonous for some, feedback from other prisoners indicated that it was enjoyable. Basketball hoops are available, but prisoners showed my inspection team that one of the rings was broken and in poor condition.

Some prisoners noted that the hard asphalt court limited the range of sports that could be played and my inspection team was shown a small nail-like protrusion in the centre of the court which could result in serious injuries. My inspection team also sighted a number of balls used by the prisoners that had landed outside the court in the restricted security perimeter and could not be easily retrieved, which limited the supply of available balls.

Feedback was also received by my inspection team that many of the female prisoners were reluctant to participate in sporting activities conducted by male instructors as a significant proportion of female prisoners were overweight, and were embarrassed about trying new exercises or appearing inept in front of other female prisoners. Fitness training programs were available to female prisoners who requested them, however they did not appear to be tailored to individuals or supported with information regarding good nutrition and weight management.

My inspection team was advised that the standard issue sandshoes were ill-fitting and of poor quality and inappropriate for sporting activities. A correctional officer advised that a female prisoner was found to have placed sanitary pads in her sandshoes to make them more comfortable to wear. Two well-known brands of sandshoes can be purchased through the canteen system as an alternative to the standard issue sandshoes but are not available on the canteen list for the Wellington Unit, which represents a further restriction on sporting activities in there. Sports bras, which are essential for many high impact exercises or sport, are not available for purchase in the canteen lists for any Unit.

Recommendation 15: That TPS maintenance regularly inspects exercise equipment and bikes in MHWP to ensure that they are in good working order and repair any broken equipment and that



TPS maintenance to periodically retrieve any balls in restricted areas that cannot be retrieved by correctional officers or prisoners.

Recommendation 16: TPS consider strategies for increasing female participation in physical activity such as improving access to essential sport and recreation clothing (particularly sports bras), improving the asphalt court areas for broader sports such as basketball and futsal; employing a female coordinator to run sporting activities and provide nutritional advice as part of its physical recreation programs.

Rehabilitation and Reintegration

Case Management

The Inspection Standards require that all sentenced prisoners with an effective sentence of six months or more should have an individual or case management plan. Case management provides a planned pathway and preparation for release and the provision of regimes that meet the case management of prisoners should be a primary goal for each Superintendent.

Data from a TPS management report shows that as at 1 December 2021, 23 out of a total population of 58 women, almost 40%, were on remand. In addition to accommodating a large percentage of remandees, many female prisoners have sentences of less than 12 months. This trend is shown in the tables in Section 5.1.5 where the pending releases for female prisoners show greater numbers of women pending release in under three months.

As a result a large proportion of women at MHWP who are either on remand or have sentences of less than six months are ineligible for individual or case management plans.

In order to address this problem, MHWP management have introduced a system whereby case management is performed by correctional officers in addition to the TPS Planning and Reintegration Unit. A number of correctional officers and TPS management that my inspection team spoke to, identified the case management of prisoners as a key strength of MHWP. In other areas of the Risdon Estate, a case officer is assigned to sentenced prisoners. At MHWP there is a rotating roster of correctional officers across all areas of MHWP and traditionally individual case officers were not assigned to prisoners.

My inspection team was shown a case management spreadsheet where correctional officers enter requests from female prisoners in relation to issues such as banking, child support, chaplaincy services, access to programs. The spreadsheet records which prisoner made the request, the date of the request and what actions or referrals have been made to either the Planning and Reintegration Unit or external service providers. Requests are then actioned and results tracked and recorded. A correctional officer that spoke to my inspection team noted that correctional officers at MHWP work hard to build rapport with prisoners when they come into custody and to assist with their pre-release arrangements in terms of requests for accommodation assistance, ensuring access to Medicare as well as other services or entitlements once released.



This unique approach to case management appears to be working well at MHWP and I commend the MHWP management team on this initiative.

Management and Treatment of Substance Abuse

Female prisoners can have different health and wellbeing needs from male prisoners. For example, women in prison are more likely to have a history of physical and sexual abuse than men; are more likely to have mental health problems; and experience drug and alcohol dependence at higher rates than men²³.

As detailed in my foreword, the Inspection Standards relating to the management and treatment of substance abuse were not specifically assessed during this inspection.

The female prisoner population is small and varied relative to the male prisoner population at Risdon and difficult to tailor specific criminogenic programs to. Organisations such as the Alcohol, Tobacco and other Drugs Council of Tasmania have advocated for increased investment into alcohol and other drug treatment services within the Tasmania Prison Service, however at the time of the inspection, there were only two drug and alcohol counsellors supporting the entire Risdon prison estate. Programs have been delivered in MHWP in the past, however the last program to run was EQUIPS Addiction which was run in 2017. The two counsellors had a waitlist of 58 male prisoners seeking to access the Alcohol and Drug program at the time of this inspection, and are therefore unable to offer group programs in MHWP. This lack of programs is offset by the availability of one-on-one counselling for female prisoners. The current counselling sessions for female prisoners are customised to the prisoner's request and hampered by short sentences and therefore are unlikely to be effective in breaking the cycle of drug and alcohol abuse.

The Government announced in 2021-22 that \$500,000 would be allocated over two years to fund five new therapeutic staff to work in the prison with a focus on delivering rehabilitation programs and drug and alcohol intervention. My inspection team was unable to obtain confirmation from TPS as to whether the positions had been filled and if so, whether the positions were providing drug and alcohol counselling services. My inspection team located position descriptions that were advertised by TPS prior to the inspection, but these did not include drug and alcohol counselling services.

TPS management has acknowledged the lack of criminogenic programs and advised my inspection team that it is being addressed through the delivery of a Dialectical Behaviour Therapy (DBT) program targeting the intrinsic drivers of behaviour rather than offence-specific programs.

My inspection team has been advised that the DBT program was introduced into MHWP in June 2021 and is only available in the medium and minimum-rated accommodation units. The DBT program has two components: the skills group session once a week, and an individual session for each participant fortnightly. The DBT program is not available in Wellington Unit because TPS counsellors are trialling the program in medium and minimum rated units first. If the program goes well, MHWP management staff have expressed openness to devising a way to offer it to Wellington residents. At the time of inspection, the DBT program was still in the early stages of being rolled out in the medium and

²³ WHO 2014. Prisons and health. Copenhagen: World Health Organization Regional Office for Europe.



minimum security units. It is important to note however, that if participants in the group are moved to Wellington Unit at any stage of the program, TPS counsellors hold their place in the program until they return.

Given that the DBT program was still in the trial stage at the time the inspection, it is unclear whether it will deliver better outcomes for female prisoners than a female-specific drug and alcohol counselling program, particularly as the third component of the DBT model developed by Professor Marsha Linehan, which involves coaching, was not available at the time of inspection as it involves providing a 24 hour coaching service over the phone or in person whilst participants are in the program at MHWP. TPS has advised that it is examining ways to provide this service in future.

Recommendation 17: TPS reviews its current strategy in relation to criminogenic programs for female prisoners and given their needs, consider the development of a female-specific drug and alcohol counselling program in addition to the DBT program under trial.

Recommendation 18: TPS prioritises the appointment of five new therapeutic staff as announced in the 2021-22 budget and ensure that drug and alcohol counselling services are included in the role description for these positions.

Preparation for Release

The Inspection Standards specify that, while all prisoners should be held in custody at the least restrictive level consistent with protecting the safety of the community, those who are in the last few months of their sentence prior to release should be placed at minimum-security and preferably in work camps or other pre-release centres.

There are currently no separate pre-release centres for female prisoners in Tasmania such as the Boronia Pre-release Centre in Western Australia, which is regarded as a best-practice facility. The Vanessa Goodwin Units 2 & 3 are minimum security rated independent living units to assist female prisoners to adjust and prepare for transition to the community. The Vanessa Goodwin units have a number of design elements that reflect best practice in pre-release centres: they replicate domestic style housing in groups of up to ten prisoners per house with modern kitchens and a large communal dining and recreation room upstairs and down and communal showers upstairs and down. However unlike the O'Hara minimum security cottages at Risdon, the Vanessa Goodwin units are located within the maximum-rated MHWP and therefore do not meet the Inspection Standards in terms of housing female prisoners who are approaching pre-release in the least restrictive security setting.

As stated earlier in this report, many restrictions of prison life remain in these units and they function as a minimum security unit rather than being fully focussed on preparing female prisoners for release and reintegration into the community. Since the inspection, my team has become aware of a proposal to explore and trial the provision of pre-release accommodation and support for a female prisoner in partnership with an external provider. In my view this is a step in the right direction but more



work is also required by TPS to determine how to best utilise the Vanessa Goodwin units to provide for the release and reintegration needs of female prisoners.

Recommendation 19: TPS review the management and operation of Vanessa Goodwin units 2 & 3 to ensure that management, operations, services and community engagements are focussed as far as practicable on preparing female prisoners accommodated in the units for release and reintegration.

Employment

Section 42 Leave Permits

The Inspection Standards provide that prisoners are to be provided with access to programs and services, including education, vocational education and employment that enable them to develop appropriate skills and abilities to lead law abiding lives when they return to the community.

Section 42 of the *Corrections Act 1997* allows the Director of Prisons to grant a leave permit to a prisoner or detainee for the follow purposes:

- compassionate leave;
- rehabilitation/reintegration leave;
- resocialisation leave; and
- other leave for purposes that the Director or Minister considers appropriate.

As discussed earlier in this report, there are many community organisations that deliver programs to MHWP and prison management has implemented a number of good vocational education initiatives at MHWP. However in terms of initiatives to increase the number of women in prison in employment and training opportunities, it was raised with my staff during the inspection that there has been a marked reduction in the number of Section 42 leave permits that have been granted to prisoners since 2019.

Stakeholders and TPS staff who discussed this issue with my staff believe that s42 leave permits were used far more frequently prior to October 2019 but were curtailed following the escape of two prisoners in September 2019, which subsequently resulted in a number of changes to TPS operational procedures. TPS available data on the approval or refusal of s42 leave permits is shown in the table below.

While employment opportunities exist for female prisoners, s42 leave permits are required if prisoners are seeking to develop reintegration and work skills by working in the Tasmanian community. The s42 leave permit system is a sound mechanism to both increase employment opportunities and enable female (and male) prisoners to develop reintegration skills by spending time outside the prison environment by performing unpaid community work or attending education or training for post-release employment purposes.



Based on TPS data, the following s42 leave permits have been granted from October 2019²⁴ to November 2021:

Table 2: Section 42 Data for Female Prisoners from October 2019 until November 2021²⁵

S42 Leave Type	Year that Leave Permit application was assessed	Refused/Approved
Compassionate (visit)	2019	Approved
Compassionate (visit)	2020	Approved
Compassionate (visit)	2020	Approved
Compassionate (funeral)	2020	Refused
Compassionate (funeral)	2020	Approved
Compassionate (funeral)	2020	Refused
Compassionate (funeral)	2020	Approved
Compassionate (newborn baby)	2020	Approved
Compassionate (funeral)	2020	Application withdrawn at prisoner's request
Compassionate (funeral)	2020	Approved
Compassionate (funeral)	2020	Approved
Compassionate (visit)	2020	Refused
Community work at café	2021	Approved
Reintegration	2021	Withdrawn (security reasons)
Reintegration	2021	Withdrawn (security reasons)
Community work at café – continuation	2021	Approved
Reintegration	2021	Approved
Reintegration (attending TAFE award ceremony and dinner)	2021	Refused (Security and intelligence concerns)
Attend Artists with Conviction morning tea	2021	Refused (Security and intelligence concerns)
Attend Artists with Conviction morning tea	2021	Approved
Attend Artists with Conviction	2021	Approved

²⁴ The data presented has been maintained by TPS from October 2019. TPS has advised that Section 42 information prior to this time is contained on individual prisoner files and is not easily accessible for data collection purposes.

²⁵ Notes on the limitations of this data:

- This data records what sections were approved, not what sections actually took place – so if a section was approved but was then revoked, suspended or otherwise not facilitated, this is not recorded.
- This data does not record when a section actually consists of multiple sessions. E.g. work sections may facilitate employment of several days per week for a block period of 8 weeks.
- There may be inadvertent gaps in the data.
- The section leave program was disrupted between approximately April and August 2020, owing to the COVID-19 pandemic.



morning tea		
Community work at café	2021	Approved

As shown in Table 2, only six s42 leave permits have been granted since late 2019 for reintegration reasons related to community work or education/training. Of these, two work approvals were granted to the same female prisoner, one of which was a continuation of the previous leave permit.

While it is difficult for my staff to confirm if the stakeholder and TPS staff view is correct, it is recommended that TPS consider its strategy and success outcomes for MHWP, and review whether s42 leave permits are an effective option for increasing employment opportunities for women prisoners.

Recommendation 20: TPS considers its strategy and success outcomes for MHWP and review whether S42 leave permits are an effective option for increasing employment opportunities for women prisoners.

Workplace Health and Safety

A key principle underpinning the Inspection Standards relating to employment is that prisons provide appropriate work opportunities for prisoners. Prisoners have a right to safe and healthy working conditions that must comply with relevant legislation, such as the *Work Health and Safety Act 2012*. Prisoner work should never be afflictive or degrading, nor expose the prisoner to ridicule.

As detailed earlier in this report, a serious back injury was sustained by a female prisoner lifting a heavy crate while working in the prison kitchen.

The prisoner who sustained this serious injury has recorded in her chronology of events that:

In my experience, I believe WHS issues within the MHWP facility rate a mention. There is no regular WH&S training given to kitchen staff and I certainly did not receive any instructions before my back injury occurred. Women working in the kitchen are expected to lift substantial objects on a regular basis, some of which are too heavy for the average person. I believe this practice is directly responsible for the damage that has occurred to my back, an injury which will have far reaching consequences for my foreseeable future.

Custodial officers on duty at or around the time of my injury include [REDACTED]. Anecdotal evidence established that despite multiple staff members being on duty who were aware of my injury, no incident report was logged at the time.

My inspection team has reviewed the WH&S weekly report inclusive of the injury date prepared by TPS, that records both prisoner and staff hazards and injuries and can find no record of the injury being recorded. This is a significant omission and it is unclear why the injury failed to be reported and recorded.



During the inspection, my team and I observed a female prisoner trimming the lawn outside the Vanessa Goodwin units with a string trimmer. The female prisoner lacked appropriate workplace health and safety equipment such as safety glasses, headshield and hearing protection. Similarly, Image 2 (below) shows female prisoners after completing mowing outside the MHWP front entrance without safety glasses, shields or hearing protection.

Image 2: Female prisoners after completing lawn mowing outside the MHWP front entrance



Recommendation 21: TPS investigates how a serious back injury incurred by a female prisoner on 15 April 2021 was not reported or recorded as a Workplace Health and Safety injury by TPS correctional officers and the WH&S manager.

Recommendation 22: TPS urgently review the WH&S training provided to prisoners employed by the prison and procure appropriate safety equipment for all prisoners working in various occupations across the prison.



Glossary of Terms and Acronyms

Term or Acronym	Definition
CPHS	Correctional Primary Health Service
Design capacity	The capacity of a facility when it first opened.
DBT	Dialectical Behaviour Therapy is a therapy program design by Professor Marsha Linehan
DoJ	Department of Justice
DSO	Directors Standing Orders
Inspection Standards	Inspection Standards for Adult Custodial Centres in Tasmania
MHWP	Mary Hutchinson Women's Prison
Operational Capacity	The total number of available prison beds
SASH	Suicide and Self Harm
SASH Cell	Suicide and Self Harm Cell in the Wellington Unit also called the Safe Cell
SRC	Southern Remand Centre
TPS	Tasmania Prison Service
WH&S	Workplace Health and Safety



Appendix 1 – Department of Justice response to recommendations

Department of Justice Comments

The Department of Justice (the Department) welcomes the work undertaken by the Custodial Inspector and his staff in relation to the Mary Hutchinson Women's Inspection Report. It also acknowledges and thanks Norm Reed and Emily Hindle from the Onesimus Foundation, and other service providers, who were consulted and provided expert and independent advice and assistance to the Custodial Inspector.

The Department recognises that inspections such as these are valuable tools in ensuring that it meets international prisoner management expectations, and the Report is helpful in guiding some of the changes that are necessary to improve the delivery of services to women in custody.

The Custodial Inspectorate's acknowledgement of the assistance provided by prison management, staff at the Mary Hutchinson Women's Prison (MHWP) and the female prisoners during the inspection is similarly appreciated, as has been the opportunity to provide feedback on the draft Report.

On 24 February 2022 the Department received the draft Report from the Custodial Inspectorate for review and comment. Further context, comments and responses to the recommendations are provided below. A table is also included in the response, which contains additional comments about specific matters and highlights some inaccuracies in parts of the report for consideration by the Custodial Inspector.

MHWP Facility and Infrastructure Upgrades

The MHWP is located on the Risdon Prison Site and has the capacity to accommodate 80 female prisoners of all security classifications. The facility itself is necessarily classified as maximum security, as it must be able to accommodate a small number of maximum security prisoners. The overall environment, however – taking the whole of the prison's infrastructure, its freedom of movement across the site, and its procedures into account – is more akin to a medium (or low medium) security men's prison within a secure perimeter.

The MHWP has been designed (or has evolved) to incorporate prisoner accommodation and shared spaces that are appropriate to the security classification of the women. As such, prisoners who have been classified as minimum or medium security are able to live in less restrictive areas designed to facilitate greater independence, and which allow a greater emphasis on fostering supportive communal living.

Due to the relatively low numbers of female prisoners compared to male prisoners, it has historically not been feasible to build dedicated infrastructure outside of the MHWP to accommodate female prisoners. In 2020-21 female prisoners made up only 8.2 per cent of the overall Tasmanian prisoner population. Over recent years the Department has therefore concentrated on infrastructure builds and upgrades within the MHWP to improve and expand facilities for women, including the commissioning of the Vanessa Goodwin Independent Living Units and Mother and Baby Unit in 2018, and the more recent work on the redevelopment of the Roland Unit into a multi-purpose area.



The Department also continues to explore possible infrastructure works at the MHWP including a new purpose built crisis support/mental health unit, upgrades to the Wellington unit, the visits and multi-purpose areas, and the kitchen facilities. All of these proposed upgrades are included in the Department's Strategic Infrastructure plans.

The Department notes the Custodial Inspector's expressed disappointment that female remandees will not be accommodated in the soon-to-be-opened Southern Remand Centre. While the benefits in separating convicted and unconvicted persons in custody are well understood and the inclusion of female remandees was part of the original design consideration of that facility, it was ultimately determined that ensuring equity in access to the resources available in the Centre would have been extremely difficult for such a small number of prisoners (there are routinely less than 20 female prisoners on remand), whereas unconvicted women would continue to have full access to all resources at the MHWP. It is also believed that placing females in a facility predominantly for men would be counter-productive to the direction that the Department is taking in ensuring that the unique needs of female prisoners are met (as outlined further below).

It should be noted that the Government has committed to building a prison in the north of the State, planning for which includes an independent facility for female prisoners and remandees. This will go a long way to addressing ongoing concerns raised regarding visitation access from family and friends in the north and north-west of the State. In the meantime, technological infrastructure has been rolled out to all prison facilities in 2020, permitting prisoners to participate in virtual visits with their loved ones from all over the world. The Department is also in the final implementation stages of the Videoconferencing Upgrade Project, which will see the increase in videoconferencing capacity across the service, including within the MHWP.

MHWP Future Direction

As recognised by the Custodial Inspector in the Report, the MHWP continues to work towards providing an environment that provides a safe, fair and stable environment that is better tailored to addressing the specific needs of female prisoners. This will be achieved through supporting rehabilitation by adopting trauma-informed and trauma-responsive approaches in prisoner management, and by empowering females to address their offending behaviour.

It is acknowledged by the Department that incarceration is often a re-traumatising experience, and for females the utilisation of gender responsive and trauma-informed practices seeks to mitigate the effects of traumatic histories. Insight into offenders' traumatic histories can assist correctional staff in formulating proactive interventions, allowing staff to foster a supportive, less reactive dynamic, and to reduce the prevalence of crisis-management scenarios.

Under a restructure of responsibilities, the Superintendent for the MHWP now reports to the Assistant Director, Intervention and Reintegration Services. This realignment of responsibilities aims to maximise trauma-informed care and programs for women in MHWP by ensuring increased opportunities for sentenced prisoners and remandees to address their risk factors for re-offending and criminogenic needs – the model reflecting many aspects of therapeutic communities.

The Department is in the process of implementing a number of strategies as it moves towards this model, including:

- **Case Management and Classification** – A robust and considered gender-sensitive assessment tool and classification process will be introduced, which will see a move away from the traditional development of processes and practices that cater predominantly for males.



The revised classification system will take into account the very low risk most female prisoners pose to others and the particularly harmful effects high security measures and increased levels of isolation can have on them. The system will also consider vital information relating to the individual's background, including experience of violence, mental health issues and substance abuse and parental and caring responsibilities.

Prisoners will continue to be involved in all aspects of the planning, goal setting and processes of their case management, with relevant referrals to service providers occurring as required.

- **Policy Development** – In line with the review of the classification and case management processes, other practices, policies and procedures will be reviewed to ensure that gender sensitive processes are established for the management of female prisoners. This will occur in-line with the current Director's Standing Orders Renewal Project that is progressing well.
- **Infrastructure upgrades** – As noted above, the Department is considering options for necessary infrastructure upgrades, which will improve accommodation and support a higher level of access for females to therapeutic and educational programs and other services.

The redesign and repurposing of the Roland Unit into a Health and Wellbeing Hub is currently underway, and has already seen the introduction of some educational and training courses into the area and the establishment of a family clinic. The Health and Wellbeing Hub will also host life skills classes, library rooms, a triage and counselling area, relaxation / flexible learning spaces, and a cat enclosure (in partnership with 10 Lives Cat Centre) for females to care for cats requiring emergency rehoming.

Following on from the redevelopment of the Roland Unit, upgrades will be undertaken on one of the current multifunction rooms, with the aim of making this space available for visits and program delivery for females accommodated in the Wellington Unit.

- **Staff Training** – MHWP staff will receive specialised training which has a strong focus on trauma-informed practice and which has emphasis on dynamic security, developing positive relationships and diverting prisoners' energies into constructive work and activity. The training will also cover requirements such as managing bullying and harassment, pro-social modelling, resilience and mental health support. A training package is currently in the process of being developed.

The strategies as outlined above have been incorporated into a 'Future Directions' paper that has been officially supported by the TPS Senior Management Team. The paper will now be distributed, and workshops arranged, so that consultative communication can occur with all TPS staff and female prisoners going forward.

Intervention Programs and Alcohol and Drug Treatment for Females

As noted above, the Department recognises that females have intrinsic health and wellbeing needs that differ from males, and this is why a dedicated program specific to the treatment of females has been adopted at the MHWP.

The first Dialectic Behavioural Therapy (DBT) Program commenced for female prisoners in June 2021. This is a criminogenic program that focuses on acquiring and maintaining emotional regulation skills, and includes both group based skills development and individual counselling sessions targeted to meet the specific treatment needs of the participants.

DBT is a type of cognitive behavioural therapy that works to identify and change negative thinking patterns and pushes for positive behavioural changes. There is international evidence which points



to it working well for female offenders, and it can also assist in addressing substance abuse issues as part of its broader focus. Each module within the DBT program is relatively short, meaning the program has good application for those female prisoners on short sentences and as well as females on remand.

The program is being facilitated by a trained Senior Facilitator and Alcohol and Drug Counsellor from the TPS Intervention Programs Unit. The next sessions of the program are due to commence in April 2022. Consideration is being given to roll out this next session to females accommodated in the Wellington Unit.

In addition to the DBT Program, two Alcohol and Drug Counsellors are based at the MHWP to provide counselling to females who are referred to the service. These counsellors also make referrals to HolyOake as part of a through-care model so that the women can continue alcohol and drug treatment services on their release from custody.

Mother and Child Program

Due consideration needs to be given to the impact that the COVID-19 pandemic has had on the running of the Mother and Child Program over recent years. The Custodial Inspector has rightly stated that the Vanessa Goodwin Mother and Baby Unit has had limited occupancy by mothers and their children, however the tighter controls put in place on the program, (with assessment and review of applications taking into account the potential impact of COVID-19 on a child if the virus were to take hold within the prison, and the restrictions on access to the prison by professional staff from outside the prison) are a significant factor when examining these occupancy rates.

Additionally, it is believed that observations such as the TPS *“is failing in allowing children to reside with their mother or primary care giver”* and that the *“Program (should be) reviewed to support female prisoners to have their children stay with them in prison where the inmate wishes this to happen”* perhaps fail to give due regard to the involved, multi-disciplinary risk assessment process that is undertaken to consider each application received. The risk assessment process involves input from relevant TPS representatives, as well as representation from Correctional Primary Health Services and Child Safety Services (Department of Communities), with the overall aim of determining whether the application meets all requirements and is in the best interests of the child. In the majority of cases, refusals to participate in the program are due to welfare concerns around the child raised by third parties.

In light of the above, the TPS is currently reviewing the Mother and Child Program, including gathering information about similar programs in other Australian correctional jurisdictions to determine if, and how, the current program can be expanded. One of the key issues will continue to be to be whether the parenting support that the prison can provide to a mother who has previously not cared well for her child in the community (once she is in a safer prison environment - away, in many cases, from substance abuse and family violence), should be seen as a protective factor and significantly change assessments of the child's best interests upon its mother's release.

The inclusion of children above the age of two years will also be considered as part of this review, noting that infrastructure and services will most likely require some upgrading to ensure a suitable living and learning environment for older children.

Leave from Prison (Section 42) Program

Again, the impact of the COVID-19 has had a significant impact of the delivery of the Section 42



leave program within the TPS. In order to prevent the introduction of COVID-19 into the prison environment, the leave program was suspended for a large part of 2020 and remains tightly controlled.

Notwithstanding the above, the Superintendent of the MHWP is consulting with service providers in an effort to expand this program for female prisoners when it is safe to do so. Options under consideration include community garden work, placements to undertake barista services and placements at existing partnership organisations (such as Ten Lives Cate Centre, Scouts Tasmania, Hillside Haven and Tassie Mums).

Volunteering for Change Program

Funding has been provided to Australian Red Cross for the delivery of the Volunteering for Change Program, based on the proven Community Based Health and First Aid in-prison program. The program provides training for prisoners to become Special Status Red Cross Volunteers within their prison, and empowers them to improve the health, wellbeing and safety of the prison community through identified initiatives.

The program will commence initially in the Mary Hutchinson Women's Prison, before being rolled out further to other facilities.

The program has had great success at improving the health and safety of prisons world-wide and the Department is excited to work with Australian Red Cross to deliver this important initiative.

Specific Follow up

In respect to some specific issues raised in the report, I provide the following response:

Issue	Response
Introduction	Page 1 – Reference to MHWP watch house should, it is thought, be MHWP Gatehouse
Terminology	The Report refers to both 'inmates' and 'prisoners'. The term 'prisoner' is used by the Department as the preferred generic descriptor to refer to sentenced and unsentenced persons in custody who are defined as either prisoners or detainees under the <i>Corrections Act 1997</i>.
Population Reporting	It is acknowledged that the average population of female prisoners has risen over the last decade. It should be noted however that the numbers have been relatively stable over the last couple of years (since increase recorded in 2019-20), with an actual decrease recorded for the last reported financial year. The below table shows the progressive daily average for female prisoners, as reported for the Report on Government Services. It also shows the female population recorded on the 30 June of each year (as reported for the Australian Bureau of Statistics, <i>Prisoners in Australia</i>);



	Date	Average Female Population (ROGS)	Population as at 30 June (ABS)	
	2020-21	52	30 June 2021	54
	2019-20	53	30 June 2020	59
	2018-19	46	30 June 2019	55
	2017-18	45	30 June 2018	35
	2016-17	48	30 June 2017	38
Age Profile	The overall population figures in Table I are different from the overall population figures in the table under 5.1.4 Ethnicity and Culture.			
Visits	Women accommodated in the Wellington Unit are able to participate in contact visits – contrary to statement made on page 43 of the Report. There are three contact visit sessions allocated per week for Wellington prisoners – noting, however, the current restriction on contact visits across the whole of TPS due to COVID-19. As noted above, prisoners across the service are also able to participate in virtual visits, and this includes prisoners accommodated in the Wellington Unit.			
Occupancy Reporting of VGU Mother and Baby Unit	On page 33 of the draft Report, it states that the unit was occupied for 144 days between “21 October and 1 December 2021” and then mentions a “13 month period”. The occupancy data as provided by the Performance and Compliance Unit as part of the initial document request, is a report generated since the beginning of 2019.			
Staff Ratio	- The MHWP has consistently achieved the minimum female to male (3:1) staffing ratio as outlined in the Operating Manual for the facility. There was a deficit in June / July 2021 after the transfer of staff from MHWP to other areas, which resulted in the staffing ratio change to 42 per cent male staff. This is the only period of time where MHWP has not achieved the desired gender balance ratio. With the recent influx of staff the current staffing ratio has been restored and now sits at approximately 72 per cent women. - The Department acknowledges the research undertaken by the Custodial Inspectorate in the Report which recommended that 80 per cent of management staff, correctional officers and professional service providers in a unit should be female. A review of the pros and cons of such a model would need to be examined further.			
Induction Process	- Upon arrival at the MHWP all females are provided with an induction pack which includes copies of relevant forms and the induction booklet. Traditionally, a Correctional Officer has also provided a verbal induction while they are being shown to their accommodation. This has now been replaced with a more comprehensive process, where a Red Cross Peer Supporter greets the new arrival at reception and accompanies them to their accommodation (in addition to a correctional staff member), where they provide a more local induction experience. ‘Drop in’ peer support sessions have also been recently introduced to the facility. Every Monday, Wednesday and Friday from 4.30pm to			



	5.30pm the Peer Supporters are available to provide assistance with a drop in style program running out of the Recreation Room. Women can speak to either correctional staff or Peer Supporters in this forum for ongoing support. As noted above, the induction process will be amended in the future as the prison moves to more gender appropriate / sensitive process and procedures.
Reclassification Case Studies	- The Department notes the account of two re-classification case studies as outlined in the Report. While comments will not be provided about these two individual matters, it should be mentioned that case studies are often summaries of situations that are subject to in-depth consideration, review and determination, undertaken in accordance with set policies and procedures. As such these summaries may not accurately reflect all relevant information. - Notwithstanding, further information is provided above regarding the future direction of change for the classification processes for female prisoners.
Hartz Unit	- The installed bunk beds are only utilised as a last resort and during periods of surging population numbers. The physical capabilities of females are always reviewed to ensure they are capable of occupying a bunk bed, and consideration of individuals' willingness and comfort, as well as safety, is taken into consideration when determining the placement of females in doubled-up accommodation. - The Superintendent of MHWP will review concerns raised about the lighting in the unit, with consideration being given to the installation of curtains and painting upgrades to make the space lighter. - Local strategies are put in place to maintain or improve thermal comfort in the unit, including the provision of extra clothing, blankets, heaters and fans. The installation of curtains may also assist with managing thermal conditions. - While every effort is taken to ensure ligature points are removed from general accommodation/communal areas (such as the Hartz units), this may not always be achievable, and in some instances impossible – for example, as soon as a door is opened in a communal area, this could be used as a potential ligature point. It is, however, necessary to ensure that individuals at potential risk of self-harm are managed accordingly and placed in suitable accommodation – the TPS has a comprehensive Suicide and Self-Harm framework to ensure this requirement is met. This being said, the Department will review the 'obvious' ligature points that have been identified by the Custodial Inspector and assess the viability of any remedial action.
Safety, Protection, Bullying	The TPS Safer Prisons Strategy will be re-launched in the coming months. The strategy is predominantly focused on the commitment to reducing violence and drug use, through the creation and coordination of strategies which acknowledge the importance of a multi-disciplinary approach. Work will be undertaken to finalise the Violence Reduction Strategy and the Drug and Alcohol Strategy for the TPS.
Personal Search registers	Director's Standing Order 1.10 (Searching) provides an overview of the type of searches undertaken within the prison environment and



	when they are conducted. The DSO contains a Personal Search Matrix, which provides clear guidance to staff on the frequency of personal searching and the method of personal searching that is undertaken in different circumstances. A redacted copy of the DSO is available to the public via the TPS internet site. • All personal searches undertaken are recorded in search registers that are maintained in the relevant areas of prisons, and as such the collation of relevant data does take time. The introduction of Justice Connect, slated for the first half of 2023, will greatly improve data collection processes for the service. • The Government is investing funding to introduce body scanning technology into Tasmanian Prisons, including within the MHWP. The body scanners will minimise the needs for personal searches to be undertaken.
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Responses to Recommendations

Recommendation	Response/Acceptance Level
1. TPS reviews its existing data collection and develops a comprehensive female-specific data collection that will support the operation and management of MHWP and the development of a female-centric operational framework, and enable correctional services to address the needs of women during incarceration and assist their rehabilitation and reintegration into the community.	Supported - Existing Initiative As noted above, a robust and considered gender-sensitive assessment tool and classification process will be introduced in the near future. This will enable more comprehensive data to be collected from female prisoners on their reception to custody, which will in turn inform case management practices. The Justice Connect Project will also greatly improve data collection processes and provide more comprehensive data analysis tools when it is rolled out in the first half of 2023.



Recommendation	Response/Acceptance Level
2. MHWP be operated as a standalone facility with a closed staff roster (i.e. not contingent on resource sharing of correctional officers with Risdon Prison facilities) and not reliant on policies and an operational framework designed for male prisoners. Prison policies, standing orders and directions need to be female-centric and TPS must continue to ensure that senior management at MHWP is reflective of gender representation within the broader community.	Supported - Existing Initiative As noted above, the development of practices, policies and procedures will be reviewed to ensure that gender sensitive processes and policies are established for the management of female prisoners. This will occur in line with the current Director's Standing Orders Renewal Project that is progressing well. The recent placement of the MHWP to sit under the management of Intervention and Reintegration Services is the first stage of making the prison a stand-alone facility. Once the operational framework is embedded, the TPS will consider further moving the facility to having a 'closed off' roster.
3. TPS reviews its current suite of programs and services to ensure that programs are delivered efficiently and effectively to ensure appropriate utilisation of its resources and to ensure that program participation by female prisoners is focused on achieving educational or rehabilitative outcomes.	Supported - Existing Initiative This review is well advanced with the introduction of the DBT program (as outlined above) being the first phase of providing a greater suite of services specially designed to meet the needs of female prisoners. The program contains relatively short modules and is therefore suitable for prisoners with short sentences and those on remand. There will, however, still be some instances where the short length of time that many women spend in custody will inhibit program participation.
4. TPS reviews the content of its initial induction process and also, the completion of the Tier Two Assessment to ensure that case management is commenced as soon as possible after the prisoner is received into custody in order to assist women with their transition into prison.	Supported - Existing Initiative Relevant information is provided above regarding the recent improvements made to the induction process, and the planned improvements to align with the future direction of the facility. This includes a review of the Tier Two Assessment process.



Recommendation	Response/Acceptance Level
5. Given that the new Southern Remand Centre (SRC) cannot accommodate women, it is recommended TPS consider, as a short term measure, allocating one of the Vanessa Goodwin minimum security rated units to housing female remandees based on an allocation methodology similar to that being planned for the SRC and also ensures the good order, safety and security of MHWP.	Not Supported The Department does not support this recommendation. The option of using the Vanessa Goodwin Units would reduce the incentive of the units for sentenced prisoners, and would mean that some longer-term females who currently reside in those units would be held in the Hartz units for longer periods. It might also mean that the accommodation would be under-utilised if insufficient suitable unconvicted prisoners were able to be placed there. The Department is not opposed to suitable unconvicted prisoners (detainees) being placed in the VG units. As also noted above, the planned future direction of the MHWP will see improved processes regarding classification and case management as well as increased accommodation options and access to services for all prisoners and remandees.
6. TPS continues to raise the issue of bail releases formally within the Department of Justice to inform the Courts of the challenges associated with late releases for inmates who are returning to the north or north-west of the state and the potential risk these decision pose to the inmate and the community.	Supported in Principle The Department will continue to raise this matter with the Courts at the regular Legal Stakeholder Forum, noting the timing of bail releases is entirely a matter for the Courts.
7. Infrastructure funding and redesign needs to focus on immediate priorities of a new purpose built crisis support/ mental health unit and a protection/ separation unit to safely meet the needs of at risk inmates and to enable Wellington Unit to return to functioning as a maximum security unit.	Supported - Existing Initiative Options to address this recommendation currently form part of the Department's Strategic Infrastructure plans and will be considered through usual planning and budget processes.



Recommendation	Response/Acceptance Level
8. The climate control, ventilation, lighting and bunk beds in the Hartz Unit be reassessed to ensure that they meet contemporary building and safety standards. Obvious ligature points within the Unit must also be addressed.	Supported in Part Options to address this recommendation will be considered, noting that local strategies are put in place to maintain or improve thermal comfort in the unit. Risk assessment processes are also undertaken when determining suitable for shared accommodation. The Department will review the 'obvious' ligature points that have been identified by the Custodial Inspector and take any necessary action.
9. It is recommended that TPS reviews the use of the Vanessa Goodwin Mother & Baby Unit and the Director's Standing Order (DSO) 3.09 to examine how it can proactively improve support to female prisoners that wish to have their child/ren stay with them in prison.	Supported - Existing Initiative The TPS is currently reviewing the Mother and Child Program by reviewing similar programs in other correctional jurisdictions to determine if, and how, the current program can be expanded.
10. As detailed in Recommendation 6, infrastructure funding and redesign needs to focus on a protection/separation unit in cases where female prisoners are known to be subject to regular bullying by multiple prisoners and the cause of the bullying cannot be easily addressed by prison policies, standing orders or procedures.	Supported in Principle Options to address this recommendation currently form part of the Department's Strategic Infrastructure plans and will be considered through the usual planning and budget processes.
11. That Correctional Primary Health Service (CPHS) amend its privacy policies to allow individuals completing the Tier One Health Assessment to elect if they wish Correctional Health to disclose any personal health information to TPS which would assist TPS to appropriately manage the daily routines and welfare of prisoners and maintain the good order of the prison.	Supported in Principle This recommendation is to be referred to Correctional Primary Health Service for consideration. This recommendation will be added to the standing agenda for the Senior Management monthly meeting that occurs with Correctional Primary Health Services, for further discussion.



Recommendation	Response/Acceptance Level
12. TPS assess whether the current allocation of winter clothing to female inmates is adequate or should be supplemented with a thermal undergarment.	Supported The clothing allowance for female prisoners will be increased to include thermal undergarments.
13. Once contact visits can be resumed as part of Covid-19 easing, it is strongly recommended that TPS schedule a greater number of personal visit booking times and seek feedback from visiting families about their needs and how the scheduling of visiting times can be improved.	Supported in Principle An existing budget submission is in place to increase the accessibility of visits for women through the redesign and redevelopment of the Roland unit (as noted further above). The TPS will also explore the reintroduction of outdoor visits.
14. Infrastructure funding and redesign needs to focus on immediate priorities of a fit-for-purpose women's visitor centre with appropriate in-Centre resourcing during visiting hours, in addition to other infrastructure prioritisation recommended in this report.	Supported in Principle As per above response.
15. TPS Maintenance regularly inspects exercise equipment and bikes in MHWP to ensure that they are in good working order and repair any broken equipment and that TPS Maintenance periodically retrieve any balls in restricted areas that cannot be retrieved by correctional officers or prisoners.	Supported - Existing Initiative An established process sees correctional staff notifying TPS maintenance to review and repair exercise equipment as required. In some instances TPS maintenance may require the services of an external provider to undertake repairs. An established process already exists for correctional staff to notify TPS maintenance when balls are required to be retrieved from restricted areas.



Recommendation	Response/Acceptance Level
16. TPS considers strategies for increasing female participation in physical activity such as improving access to essential sports and recreation clothing (particularly sports bras), improving the asphalt court areas for broader sports such as basketball and futsal; employing a female coordinator to run sporting activities and provide nutritional advice as part of its physical recreation programs.	Supported in Principle A review of the delivery of physical activity across the whole service, which will include service delivery with the MHWP, is being undertaken. The Get Active program will be run again this year in the MHWP in conjunction with Womensport & Recreation Tasmania Inc. Volleyball will also continue as an ongoing activity, as this receives positive feedback from the female prisoners. Options to engage female Correctional Officers in the delivery of more Sport and Recreation activities and nutrition based information sessions are also being considered.
17. TPS reviews its current strategy in relation to criminogenic programs for female prisoners and given their needs, consider the development of a female-specific drug and alcohol counselling program in addition to the DBT program under trial.	Supported - Existing Initiative As noted above, the DBT program has recently been introduced into the facility and two Alcohol and Drug Counsellors are based at the MHWP to provide counselling to females who are referred to the service. These counsellors also make referrals to HolyOake as part of a through-care model so that the females can continue alcohol and drug treatment services on their release from custody.
18. TPS prioritises the appointment of five new therapeutic staff as announced in the 2021-22 budget and ensures that drug and alcohol counselling services are included in the role description for these positions.	Completed These appointments have now been finalised, with the new staff members commencing in October 2021.
19. Subject to Recommendation 5, TPS reviews the management and operation of Vanessa Goodwin units 2 & 3 to ensure that management, operations, services and community engagements are focussed as far as practicable on preparing female prisoners accommodated in the units for release and reintegration.	Supported - Existing Initiative The TPS continues to explore options to make the Vanessa Goodwin units more self-sufficient and prepare females for release and reintegration. Practical examples include the expansion of the S42 leave program (as noted above) and introducing independent living practices and skills (e.g. preparing meals, budgeting).



Recommendation	Response/Acceptance Level
20. TPS considers its strategy and success outcomes for MHWP and review whether Section 42 leave permits are an effective option for increasing employment opportunities for women prisoners.	Supported - Existing Initiative The Superintendent of the MHWP is currently in discussion with service providers in an effort to expand this program for female prisoners. Options under consideration include community garden work, placements to undertake barista services and placements at existing partnership organisations (such as Ten Lives Cate Centre, Scouts Tasmania, Hillside Haven and Tassie Mums).
21. TPS investigates how a serious back injury incurred by a female prisoner on 15 April 2021 was not reported or recorded as a Workplace Health and Safety (WH&S) injury by TPS correctional officers and the Workplace Health and Safety manager.	Supported in Principle This alleged incident was unfortunately not discussed with the TPS WHS unit at the time of the inspection; had this occurred, further review and a more timely action could have been taken. The TPS will investigate this matter to establish, if possible, the facts of the case and determine what level of injury has occurred.
22. TPS urgently review the WH&S training provided to inmates employed by the prison and procure appropriate safety equipment for all inmates working in various occupations across the prison.	Supported - Existing Initiative Appropriate safety equipment is provided to all prisoners, as required for the position that they hold. This equipment is stored and provided by each prison facility. The TPS WHS unit provide relevant guidance and recommendation to facilities as to what equipment is required. The TPS will consult with TasTAFE with the aim of reviewing relevant training for female prisoners relating to food handling and Work Health and Safety.



Appendix 2 – Department of Health response to recommendations

Department of Health

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Contact: Barry Nicholson
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File: SEC22/274

Mr Richard Connock
Custodial Inspector
Office of the Custodial Inspector Tasmania
custodial.inspectorate@custodialinspector.tas.gov.au

Dear Mr Connock

Subject: Mary Hutchinson Women's Prison Inspection Report 2021

Thank you for your letter of 28 February 2022 where you provided me with your draft report outlining findings arising from an inspection of the Mary Hutchinson Women's Prison.

I note that recommendation 11 relates to the Correctional Primary Health Service:

11. That Correctional Primary Health Service (CPHS) amend its privacy policies to allow individuals completing the Tier One Health Assessment to elect if they wish Correctional Health to disclose any personal health information to TPS which would assist TPS to appropriately manage the daily routines and welfare of prisoners and maintain the good order of the prison.

CPHS is supportive of this recommendation and will review its form to enable the recommendation to be implemented.

If you have any queries, please do not hesitate to contact Barry Nicholson, Group Director for Forensic and Correctional Primary Health Service by calling 6166 0824.

Yours sincerely

Kathrine Morgan-Wicks
Secretary

30 March 2022



Appendix 3 – Inspection standards and methodology

Inspection Standards

The *Inspection Standards for Adult Custodial Centres in Tasmania* provide the structure for reviewing and assessing the performance of custodial centres in relation to the treatment of, and conditions for, prisoners in Tasmania.

The standards were developed taking into account the full range of relevant international treaties and covenants, and the then *Standard Guidelines for Corrections in Australia, Revised 2012*.

The standards are closely aligned to both the New South Wales and Western Australian inspection standards for adult custodial services, providing an element of harmonisation across multiple Australian jurisdictions. The Custodial Inspector consulted with TPS and other stakeholders throughout the drafting process of the inspection standards.

Independent monitoring and assessment is important to ensure custodial services are meeting standards. An independent perspective can identify issues – both shortcomings requiring improvement and strengths that can be better utilised – that may not be immediately apparent to the custodial centre, thereby providing a continuous improvement framework.

The inspection standards are publicly available on the [Custodial Inspector's website](https://www.custodialinspector.tas.gov.au/standards_and_guidelines)²⁶.

Inspection methodology

All inspections of adult custodial centres are conducted against the Inspection Standards.

Inspections provide independent, external evaluations of custodial centres against the Inspection Standards. It is based on gathering a range of evidence that is evaluated against an inspection framework. The inspection team ensures that evidence is first-hand and based on direct observation of processes and conversations with prisoners and staff.²⁷

²⁶ Office of the Custodial Inspector Tasmania, *Standards and guidelines*, Office of the Custodial Inspector, Hobart, https://www.custodialinspector.tas.gov.au/standards_And_guidelines

²⁷ First-hand wherever possible, and if not a direct observation, the information relied on will be fact checked and confirmed by another reliable source.



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