

Alexander Maconochie Centre Implementation of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody

General

The *Australian Capital Territory Population Projections 2002-2032 and Beyond*. Chief Minister's Department, June 2003 reports that the Indigenous population in Canberra, currently approximately 1.2% of the total population, is expected to continue to increase both in number and as a proportion of the total population, due to the higher levels of fertility (nationally 2.2:1.75), high migration into the ACT and an increasing propensity for people with some Indigenous ancestors to identify themselves as Indigenous.

Indigenous prisoners presently constitute approximately 9% of the ACT prison population. While this is lower than the national prison population average, it stills represents a level of Indigenous over-representation in prison which shames the ACT community. The demographic factors outlined above indicate that there are prospects that this over-representation could increase, with attendant risks to the well-being of Indigenous prisoners because their accumulated adverse life experiences heightens their vulnerability in general, but particularly in the correctional setting.

To address these issues, the Operating Philosophy of the AMC will have regard to not only the recommendations of the *Royal Commission Into Aboriginal Deaths in Custody*, but also to more recent studies, reports and documents including:

HM Chief Inspector of Prisons for England and Wales. 1990, *Suicide and Self-Harm in Prison Service Establishments in England and Wales*.

Waller, K.. 1993, *Suicide and Other Self Harm in Correctional Centres*. NSW Government.

Victorian Correctional Services Task Force. 1998, *Review of suicides and self harm in Victorian Prisons*. Government of Victoria.

Dear, G. et.al. 1998, *Self Harm in Western Australian prisons: An examination of situational and psychological factors*. Edith Cowan University.

Memmot, P, Eckermann, K & Brawn, G. 1999, *Indigenous Cultures and the Design of Custodial Environments: Proceedings of a National Workshop held in Alice Springs, NT November 1998*. Aboriginal Environments Research Centre, University of Queensland.

Ombudsman; December 2000, *Report on an investigation into deaths in prisons*. Government of Western Australia.

Ombudsman; June 2001, *Report on an Inquiry into Risdon Prison*. Government of Tasmania.

The AMC Functional Brief, in its draft form, was widely circulated to people throughout Australia with recognized expertise in corrections, health, psychology, design and women's issues. This also included an Indigenous person with considerable experience in corrections and education at both State and Federal levels.

Design

The evolution of the AMC Project has benefited from consultation with Indigenous groups and individuals. This has included the Ngunnawall Elders Group, the Aboriginal

Justice Advisory Committee (AJAC), the Aboriginal Justice Centre and the Indigenous Managers Group. AJAC has, in addition, provided drawings to the AMC Project office of particular aspects of design with Indigenous themes. Design aspects of the AMC have also been explored with the Aboriginal Environments Research Centre at Queensland University and the School of Architecture and Urban Studies at Adelaide University. Information on Indigenous design issues was provided to the AMC Project by the report of *The Indigenous Cultures and the Design of Custodial Environments National Workshop* held in Alice Springs in 1998 which the Director of the Prison Project attended. At an operational level, an Indigenous officer of ACT Corrective Services attends routine meetings of the AMC Design Working Group.

The most obvious aspect of the extent to which the AMC recognises the RCIADIC (and other) recommendations is that the commissioning of the facility in Canberra will permit Indigenous prisoners to serve their sentences near their families and thus reduce the risk factors of dependents coming into adverse contact with the criminal justice system.

Specific aspects of design which reflect consideration of the RCIADIC recommendations include:

The size of the AMC (374 beds) avoids the negative psychological impacts associated with larger prisons which tend to overwhelm staff and prisoners.

A hierarchy of accommodation types will facilitate the separation of individuals and groups who need to be kept apart.

The AMC open campus-style design (compared to more crowded complexes on smaller footprints) will be one with which Indigenous people will be more comfortable. It will also avoid, in its design, the more overt symbols of incarceration. For example, it is planned that there will be no razor wire or tape in the AMC.

Compliance with “safe cell” objectives and specifications, such as that detailed in the Victorian Department of Justice *Building Design Review 2000*. The major issue is to ensure the removal or minimization of potential ligature points.

A proportion of cells will be dual occupancy to permit vulnerable individuals to be accommodated with friends or acquaintances, in recognition of the overwhelming evidence that the most preventable cause of death in custody is avoiding prisoner isolation.

60% of the accommodation is in 5-bed cottages to reduce the tension found in larger accommodation arrangements. These cottages will encourage prisoner well-being by being self-catering based on fresh food.

75% of accommodation is in individual rooms or cells to provide individual psychological “safe havens”.

Large windows in individual cells will provide natural light and will ensure extensive views to outside areas and physical and psychological orientation.

Cells blocks will provide a significant external perspective to achieve the same objectives.

A unique individual cell design has been developed which pays particular attention to privacy and human dignity.

A 10-bed Crisis Support Unit and 5-bed health centre will provide proper care for the physically ill and for those undoing an acute episode of behaviour disorder. This reflects a recognition that the prison population is manifestly unwell.

A 75% scale football field separates remand from sentenced prisoners. It is acknowledged that Indigenous prisoners, in particular, value such facilities.

A 60-bed Transitional Release Centre located outside the main perimeter will provide opportunities for prisoners to attend education courses or work or take approved leaves with families.

The visitors' processing centre and the visits centre has been specifically designed to provide a non-threatening family and child friendly environment. Visits facilities will include family rooms, child play areas and barbeque facilities.

The campus-style layout of the AMC provides clear views to the horizon and surrounding areas. The security fence is translucent and is not a visual barrier, such as a solid concrete wall.

Colours and building materials will be used which avoid design harshness.

The provision of adequate numbers of telephones will minimize stand over behaviours and facilitate prisoner-family contact.

It is planned that the AMC will have a modest spiritual centre or "quiet place" together with a chapel or place of worship.

Women prisoners and offenders will be physically, aurally and visually separated from male prisoners and will have access to a community centre in which services to women will be provided.

There are no actual cells for women prisoners; they will all be accommodated in 5-bed cottages.

A cottage in the women's area of the AMC will be configured to permit a woman to have a child with her if that is recommended by the agencies which have the appropriate authority in this area.

A cottage in each area is also configured to meet the needs of people with mobility disabilities.

It is planned that the AMC will make use of appropriate technologies to enhance prisoner's safety and to ensure staff duty of care duties, such as night bed checks, are executed, monitored and recorded for audit and training purposes. Technologies will not replace staff prisoner interaction.

The AMC will have a unique Community Health Centre design which will bring together ACT Corrective Services and ACT Health staff and so encourage the delivery of an

holistic health service. ACT Health is consulting with Winnunga Nimmityjah with regard to the provision of health services at the AMC.

Operations

Operational procedures which the AMC design will support include:

Comprehensive assessment (including mental health assessment) by AMC Corrective Services and ACT Health staff on reception, followed by an induction period.

Comprehensive culturally appropriate health care and well-being support, including detoxification and opioid substitution pharmacotherapies, including methadone.

Therapeutic and criminogenic services and interventions provided by 19 AMC staff. Therapeutic staff include a specific Indigenous Counsellor.

Visits are planned to be available 6 days a week.

The AMC design includes recreation, work, therapeutic program and educational facilities and staff to provide opportunities for Indigenous prisoners to address their offending behaviour. The Vocational Education and Training provider will be required to deliver culturally appropriate training and education.

Staff recruitment, selection procedures and cross-cultural training will ensure that racism is eliminated from the workplace. This is currently monitored by the Indigenous Liaison Officer. ACT Corrective Services has an ongoing campaign to recruit more Indigenous staff.

The AMC design will facilitate access by and support from Chaplains, Elders and Ngangkari, if appropriate. These will be complemented by various prisoner support groups.

The design will also facilitate improved Case Management and enhanced Throughcare between the AMC and the community.

The design of the AMC will facilitate the safe management of vulnerable prisoners, those at risk and those who need protection.

JACS has provided for the creation of an Indigenous Official Visitor.

Disciplinary processes and other operational procedures are currently being developed in conjunction with the Ombudsman and the Human Rights Commissioner.

A major feature of staff training and prisoner induction will be the mutual obligations and responsibilities arising from the *Human Rights Act 2004*.