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PUBLIC STATEMENT

Western Australia Prison Reforms - a first positive step

Amnesty International welcomed the Western Australia Minister of Justice's plans, announced on Friday, 5 June, for reforms in the prison system to address a dramatic increase in deaths in custody. While many prisoner families still wonder why a relative's death was not prevented, the Minister's statement signals an implicit acknowledgement that determined and comprehensive action is needed to address Australia's worst recent increase in prisoner death rates.

Plans for improvements in the identification and tracking of prisoners at risk of self-harm are particularly welcome, as are measures to make prison life more humane and to reduce the use of medical observation cells. The reform announcement reflects urgent calls by community organizations and Amnesty International that the Government should not await the outcome of a State Ombudsman inquiry before addressing factors contributing to deaths in custody.

Amnesty International is appealing to the Western Australia Government to ensure that reforms can be promptly and effectively implemented. While some of the government's announcements need to be more clearly defined, a number of specific measures should be considered to effect lasting reductions in prisoner death rates.

To enhance accountability, for example, the review panel appointed to monitor reforms should report regularly to parliament on its findings. The panel should report on the impact of criminal justice policy and legislation on prison capacity and trends in prisoner self-harm incidents. Reports should also review the frequency and appropriateness of restraint and security measures for prisoners, in particular the use of foot shackles, special purpose cells and "regulation observation clothing".

Not only prisoner Peer Support Groups, but also prison officers should be trained in communication skills and skills to detect and disseminate signs that a prisoner may be in distress. With a third of all prisoners considered as "at risk", existing resources are already stretched to provide special care and supervision for these prisoners. Staffing levels and support resources must match the demands, particularly if prison officers are tasked with additional or more specialized functions.

In addition, prison staff must be held accountable if they fail to implement measures aimed at saving lives. While prison officers should not be blamed for system failures that contribute to deaths in custody, the effectiveness of preventive systems depends on their active involvement, as well as on the enforcement of directives.

While the Government's announcements emphasize the urgent need for suicide prevention, Amnesty International believes that improvements in prisoner rehabilitation, social and

health care delivery for prisoners should be a particular focus of long-term attention. Since many prisoners are Aborigines, young people and men with a history of drug abuse, social or mental health problems who serve increasingly long sentences, suicide prevention can only address crisis symptoms, not the underlying causes of deaths in custody.

In this context, Amnesty International notes Royal Commission into Aboriginal Deaths in Custody recommendation (153.c) that “*it is essential that medical staff should be responsible to professional medical officers rather than to prison administrators*”. The human rights organization therefore believes that Government departments responsible for prisons, health and social services should cooperate in order to ensure a higher level of professionalism, independence and accountability in the delivery of such services to prisoners. To this end, Amnesty International considers it essential that funding, staffing and operation of prison medical, mental health and social welfare services be controlled by Government departments with special expertise in these services, and not by prison administrators.

Amnesty International welcomes the Justice Minister’s plans to seek independent input into prisoner suicide prevention strategies from a panel of experts, community organizations and the State Ombudsman. However, such consultation can only contribute to lasting change if these groups have adequate and timely access to information and resources, and are assured of a long-term tenure.

Amnesty International has written to the Western Australia Government to welcome its initiatives and to invite comments on its conclusions and recommendations. The organization hopes that the government’s announcements will begin a process towards a more humane criminal justice system in which offenders are punished by the courts, not by prison conditions.
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For interviews, please contact Heinz Schurmann-Zeggel at the International Secretariat in London, Tel. 0011 44 171 413-5720, Fax 0011 44 171 956 1157, E-mail hschurma@amnesty.org.

For further information see *Western Australia Government should act on prisoner deaths*, Amnesty International, 4 June 1998, AI Index ASA12/06/98.