

MEDIA RELEASE

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Report details shocking treatment of WA prisoners with mental illness

THE WA Association for Mental Health (WAAMH) is calling for an urgent response to a Human Rights Watch report released today detailing shocking treatment of WA prisoners with mental health issues.

The report *"I Needed Help, Instead I was Punished"* details the results of a Human Rights Watch investigation of 14 adult prisons across WA and QLD. It concluded that "People with disabilities in prisons across Australia are at serious risk of sexual and physical violence, and are disproportionately held in solitary confinement for up to 22 hours a day".

It goes on: "Prisoners with psychosocial disabilities – mental health conditions – or cognitive disabilities in particular can spend days, weeks, months, and sometimes even years locked up alone in detention or safety units". The report includes selected testimonies from WA prisoners and their families.

Local statistics are confronting: Mental Health Commission modelling in 2014 put the number of people with a mental health issue at 59 per cent of the adult prison population, with the figure rising to 65 per cent in juvenile incarceration facilities. Aboriginal and Torres Strait Islander people comprise 28 per cent of Australia's adult prison population; within this group, those with disabilities are even more likely to end up behind bars.

WAAMH CEO Taryn Harvey said it was imperative that Government brought all stakeholders together urgently to systematically address these issues, improve rehabilitation and recovery outcomes, and drive down the cost of incarcerating people with often unaddressed and/or escalating levels of mental distress. This should include:

- Immediately end the practise of solitary confinement - defined under international standards as "confinement for more than 22 hours per day without meaningful human contact" - of people with mental health conditions
- A dramatic increase in the number of forensic health beds – there has been no increase in the beds available since 1993 despite a three-fold increase in the WA prison population during that time
- Access to appropriate and specialised community mental health treatment services – modelling shows a four-fold increase in community based forensic support is needed
- The development of a statewide cross-sector Disability Justice Strategy
- Better access to specialised supports throughout the court process for people with all disabilities, especially the psychosocial or cognitive that are less "visible"
- Greater access to court diversion programs already established in the metro area
- Adequate mental health training of those employed in justice settings
- Culturally appropriate services for Aboriginal and Torres Strait Islanders

Ms Harvey welcomed a number of efforts underway to address individual issues across system, but noted that a ‘whole-of-system’ response was needed to ensure effective prevention and an integrated response across the many departments and settings that support people with mental health issues who are at risk of or already in contact with the justice system.

“We are heartened by the current State Government Justice Health Project into the provision of prison health services in our State, and call for these services to be transitioned from the Department of Justice to the Department of Health supported by the Department of Communities and Mental Health Commission, to better meet the needs of people in the prison system living with psychosocial, developmental and physiological disabilities,” Ms Harvey said.

“We also welcome the establishment of Start Court and Police Co-Response aimed at diverting people from the justice system into mental health treatment, and are eagerly awaiting imminent progress to reform the *Criminal Law (Mentally Impaired Accused) Act 1996*,” she said.

Ms Harvey said the best outcomes for people with mental health issues were achieved with timely, effective, contemporary mental health service availability. She said the physical environment, current practices, and lack of knowledge of mental health among WA prison staff at present were grossly inadequate to address the rising tide of prisoners with mental health issues.

“As a result the State Government is not getting the rehabilitation outcomes you’d expect from the current level of investment, and people are at much higher risk of further mental health deterioration while in prison,” Ms Harvey said.

“These are some of the most vulnerable people in our society, who have come into the justice system often as a direct result of a lack of effective response to their mental health concerns.

“Further isolating and traumatising them is simply adding to the merry-go-round of costs to these individuals personally and society as a whole.”

[The Human Rights Watch Report](#) will be available from 7am, February 7.

[Download video, raw footage and photos](#) here.

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