

The Casuarina Prison Riot: Official Discourse or Appreciative Inquiry?

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The paper discusses and critically examines the 'official discourse' surrounding the Casuarina Riot (Western Australia, Ministry of Justice 1999) that occurred on Christmas day 1998 at a high security male prison located near Perth, Western Australia. It discusses the concepts of 'official inquiries' linking some of the methodology adopted by the Woolf Report 1991¹. The paper argues that the Inquiry team failed to adequately examine the allegations of staff brutality and racism at the prison, taking on board the staff perspective of the 'truth' and treating with scepticism the prisoners' grievances. The recommendations of the Report deal with management issues and have increased the security and control of prisoners, further aggravating the (non-) relationship between prisoners and prison officers. It is argued that the Report into the Casuarina Riot does not address sufficiently or equitably the relations between staff and prisoners and therefore its conclusions will not produce or create a more stable system. The paper concludes that official inquiries, if they are to reach a balanced conclusion, must give a voice to all the 'players' no matter what their status is inside the institution.

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¹ The Woolf Report (1991) contains 598 pages of inquiry into the serious prison riots that took place in the first 25 days of April 1990 in six prisons in the United Kingdom, resulting in 20 million pounds worth of damage. The report attempts to provide answers to four questions connected with the riots. They are:

What happened during the six most serious riots?

Were those six riots properly handled?

What were the causes of those riots?

What should be done to prevent riots of this type happening again?

The inquiry was conducted in two parts. Part I concentrated primarily on questions 1 and 2. It examined the six most serious riots. There were at Manchester (Strangways), Glen Parva, Dartmoor, Cardiff, Bristol and Pucklechurch. Part II of the Inquiry dealt with the answers to questions three and four. The major conclusion reached by Lord Justice Woolf can be encapsulated in paragraph 1.153, 'Security, control and justice will not be set at the right level, and will not be held in balance, unless there are changes in the way the Prison Service structures its relations, both between management and staff, and between staff and prisoners. There is a fundamental lack of respect and a failure to give or require responsibility at all levels in the prison system. These shortcomings must be tackled if the Prison Service is to maintain a stable system.'

Prison Inquiry: Investigating Prison Riots and Disturbances.

This paper obtains its critical authority from the Woolf Report 1991, arguing that any inquiry should balance three essential elements in the investigative process: security, control and justice. Woolf describes those elements thus:

‘Security’ refers to the obligation of the Prison Service to prevent escaping. ‘Control’ deals with the obligation of the Prison Service to prevent prisoners being disruptive. ‘Justice’ refers to the obligation of the Prison Service to treat prisoners with humanity and fairness and to prepare them for their return to the community in a way which makes it less likely that they will re-offend (Woolf 1991:9.20)

Woolf (1991:9.21) identifies ‘two basic rules if these requirements are to be met’. They are:

1. sufficient attention has to be paid to each of these requirements;
2. they must be kept in balance.

If this is not done, then the system is unstable and so is more prone to disturbance and riot (author’s emphasis). The April 1990 disturbances were a consequence of the failure of the prison system to conform with these basic rules (Woolf 1991:9.22).

When disturbance or riot occur, ‘security’, ‘control’ and ‘justice’ each play their part, but they are not mutually exclusive. It is essential that any inquiry examine each factor to see how, where, and when they overlap with equal vigour. For example, if prison staff control prisoners and use force, then such use of force should be within acceptable and legal boundaries. If it is not, then it is likely to cause legitimate discontent and prisoner unrest, or create a ‘disorder amplification spiral’ (Morgan 1997). Matthews (1999) summarises the ‘downwards spiral’ thus:

Once this dynamic is set in motion, it is likely to create greater polarisation between staff and inmates, a growing sense of antagonism and insecurity and a decreased level of tolerance on both sides. At this point a number of ‘triggers’ may serve to turn anger and frustration into a riot (Matthews 1999:78).

All inquiries are reactive investigative processes that attempt to identify and collect information on the breakdown of order within a prison environment. Inquirers sit in ‘official’ judgement after the event and attempt to find solutions. This paper argues that, following Woolf, investigations need to examine not only security and control issues, but also issues surrounding ‘justice.’ It is suggested that the Casuarina Report (Western Australia, Ministry of Justice 1999) deals with only two factors, ‘security and control’, majoring on management issues and disregarding ‘justice’, or simply does not address it with sufficient attention.

The structure of the paper is as follows: Firstly, it establishes how ‘official discourse’ was constructed in the Casuarina Report and how this discourse neutralised alternative accounts by prisoners. Secondly it examines how, on the basis of this ‘official discourse’ the events at Casuarina were down graded from a riot to an incident. Thirdly it goes on to compare the mechanisms through which prisoners were able to make representations to the inquiry team in both the Casuarina and Woolf Inquiries. Fourthly it examines what happened during the riot and finally critiques the issue of prisoner grievances, inappropriate staff behaviour and allegations of racism by prisoners. The analysis challenges the Report’s main conclusion, ‘it could be more aptly labelled a drug riot’ (Western Australia, Ministry of Justice 1999:4.4.7) and raises concerns that issues of ‘due process and justice²’ were not correctly addressed by the team, or simply not seen by them as important.

2 See ‘We used to shoot them...’ Attorney General’s attempt to justify brutality (10 January 1999). www.deathsincustody.com

The Casuarina Riot

The Casuarina Riot took place on Christmas Day in 1998 at a high security male prison located near Perth in Western Australia. The riot started at 1620 hours and ended at 2045 hours (between 4 and 5 hours) and resulted in over A\$250,000 worth of damage. There were 21 prison staff and 2 prisoners who required hospital treatment. Over 30 prisoners (ethnicity unknown) needed urgent medical treatment for the effect of drug overdose, as a result of prisoners breaking into a medical trolley left unattended in one of the units.

It was estimated that between 100 and 140 prisoners were involved in the riot. At the time of the riot, the prison was holding 529 male prisoners (116 Aboriginal and 413 non-Aboriginal). There were 107 prisoners who were officially identified as being involved [(44 were Aboriginal, representing 38% of the total Aboriginal population and 63 non-Aboriginal prisoners (15% of the non-Aboriginal prisoner population)] (Western Australia, Ministry of Justice 1999:3.1.1, 3.1.2).

Great store is placed by the inquiry team on the issue of drugs and their role in the riot. The Inquiry team takes the 'official stance', accepting without question the prison officers' recollection as to the causes of the riot. The views of the prisoners were not credited with the same authority, and were, in most cases, treated with some degree of scepticism or simply disregarded and forgotten.

It can be argued that the Casuarina Report falls short of uncovering or addressing the 'true' causal explanations of particular incidents surrounding this disturbance. The 'official discourse', constructed mainly on the basis of prison officers' accounts, has overwhelmingly focused on security and control at the expense of justice.

Prison Protests and Riots

In many cases riots themselves do not have any clearly articulated objectives but may be a way of drawing attention to, or halting, certain practices within the prison (Matthews 1999:74).

Prisoners who protest or riot tend to do so with the understanding that they will be eventually punished for their actions. This act of defiance is arguably the only effective vehicle at their disposal for voicing grievances about prison conditions and for demonstrating a lack of legitimacy within the system. Riots and disturbances are a way prisoners can resolve the 'crisis of visibility' (see Sim 1994) which is an endemic part of penal institutions. Disturbances do receive attention from the media and politicians and they also selectively disclose to the outside world what is apparently happening inside the prison. Prisoners have no status in society, and, as a result, have no way to express legitimately their views other than by protest. It is therefore crucial and essential that any official enquiry must be impartial, as this provides the only true opportunity for both prisoners and prison officers to personally express their accounts of what happened before, after and during the incident.

The 'official discourse' adopted by the Casuarina Report uses various 'techniques of neutralisation,' which attempt to de-legitimize the protests expressed by the prisoners. Matthews (1999) has identified these techniques as:

- A denial of the existence of prison 'riots' and a willingness to accept them as 'disturbances';
- Claims that there is no pattern to these disturbances and that they are random, spontaneous or contingent events;
- The repeated claim that riots and disturbances are the outcome of the activities of a few trouble-makers or a particular 'toxic mix' of prisoners'; and
- Claims that riots and disturbances occur mainly as a result of over-crowding or a lapse in security or both (Matthews 1999:74).

The system of 'official inquiry' regularly fails to grasp, or understand, prisoners' grievances or the broader themes that may underpin violent displays of anti-social behaviour. In the United Kingdom, 'Official reports have failed to solve the problems as inhumane conditions and a culture of fear continues to rule many prisons' (Guardian Newspaper 18 Dec 1999:8). Is the role of inquiries simply to address the breakdown of security and control at the prison and have they a broader remit to examine in detail *all the issues*, including 'justice,' surrounding the whole incident?

There are three main views of riots: the 'traditional view' states that riots are as a result of mindless behaviour, simply to be expected of prisoners. Riots do no more than confirm the anti-social behaviour of prisoners. The 'liberal view' takes for granted the structures that are in place inside prisons for the control and treatment of offenders, but focuses on the need to address prison grievances and some prison reform. Essentially they see riots and disturbances as misguided but understandably part of prison life. The 'radical view' sees riots as the main way in which prisoners empower themselves, although temporarily (Adams 1994).

The fact that an appreciation of the prisoners' perspective on riots is labelled as 'radical' is unfortunate and misleading. It reflects the normative base from which much so-called independent understanding of prison riots starts (Adams 1994:18).

Traditional and liberal views do dominate the way in which the public and officials perceive most riots. They are viewed in a way that portrays order and the use of power by staff as a legitimate means to control prisoners. An integral theme of this paper is that endemic and systematic use of official methods or the non-official adaptation of those methods makes them more painful and controlling. The use and adaptation of 'rope hobbles' will be discussed later.

Was it a Riot or a Disturbance?

The Casuarina Report (Western Australia, Ministry of Justice 1999) discusses at some length whether or not the 'incident' could be described as a riot or disturbance. It acknowledges, 'it was of a very serious nature' (1999:4.4.7) and argues that, according to Adams (1994), riots should include seven characteristics³. However the Inquiry insisted that the incident on Christmas day lacked at least one of these defining characteristics, 'it was not directed towards achieving a change/or expressing a grievance' (1999:4.4.7).

3 (1) They are part of a continuum of activities. (2) They involve dissent and/or protest. (3) They involve an interruption to the regime. (4) They involve a take over by prisoners of all or part of resources. (5) They are temporary. (6) They involve groups of prisoners. (7) They are directed towards achieving a change and/or expressing a grievance.

In paragraph 3.1 the Report states, 'Prisoners involved did not seem to have *serious specific grievances*' (my emphasis) and this statement is bolstered by (1999:5.2.2) 'accounts of both prisoners and officers there was no specific grievance that was motivating the prisoners.'

It seems strange that an inquiry of some 150 pages does not allude in more depth to the views of prisoners who were involved in the riot (between 100 and 140 at the height of the disturbance). The only information from prisoners is contained in two and a half pages of the Report (1999:5.2.6.1 – 5.2.6.10), and only one and a half pages from prison officers (1999:5.2.5.1 – 5.2.5.3). This lack of information raises some serious methodological questions of equity of access and impartiality by the team. Access to the Inquiry team by prisoners and staff is fundamental to the validity of this Report as a balanced document. Throughout the Report, prisoner grievances are mentioned but the Inquiry appears to be selective and highly sceptical in their use of this information. In a sense it 'appreciates' the staff dialogue and disregards the prisoners. It argues consistently that the riot,

Can be conceptualised that the prisoners' demands were for drugs and the protest was about the lack of drugs... it could be more aptly labelled a 'drug riot' (Western Australia, Ministry of Justice, 1999:4.4.7).

There is no doubt that the issue of drugs was a significant factor at the start of the riot, but not the main causal factor. The relationship between prison staff and the issues around the allegations of staff brutality and racism were equally, if not more, important.

Who was Able to Make Representation to the Inquiry Team?

Inquiries rely on their ability to obtain and process information in order to establish what was actually taking place before, during and after the incident. The Woolf Report (1991), probably the most comprehensive, detailed and transparent official prison inquiry in the United Kingdom, went to great lengths to ensure that both prisoners and staff were listened to.

Lord Justice Woolf wrote personally to some 4,050 prison inmates, whom he had reason to believe were present in the prisons at the time of the disturbance, and sent 1,350 letters to prison staff (receiving 600 replies from prisoners and 260 from prisoners). He also wrote to every prisoner in the prison system and to all the members of staff in the Prison Service (receiving 700 replies from prisoners and 170 letters from staff) (Woolf Report 1991:2.24 – 26). Even though he went to great lengths, he was still criticised for not listening to prisoners (see Sim 1994). It is essential that in any inquiry both sides of the institutional coin be equitably treated, with confidentiality and impartiality by the inquiry team. It must be acknowledged that the Casuarina Report did not have the same time frame as Lord Justice Woolf (9 months) and that little could be achieved in such short a time (3 months). Arguably, this may be one reason why the report has concentrated on the managerial issues at the expense of other matters. Collecting information after the riot is a sensitive process, especially when violence has taken place inside a confined area, and time should have been given to the Inquiry team by the Ministry of Justice of Western Australia to enable them to do this.

Invitations to Participate

After the incident the Inquiry team, through the prison Superintendent, issued the following notices to both prisoners and prison officers on 7th of January 1999:

‘NOTICE TO PRISON OFFICERS

INQUIRY INTO THE INCIDENT AT
CASUARINA PRISON ON 25 DECEMBER 1998

Prison Officers who wish to do so **are welcome**⁴ to make a written submission to Mr Les Smith. There will also be an opportunity for prison officers to be interviewed by members of the Inquiry team on a confidential basis and more information about the timings of these interviews will be provided for later

SUPERINTENDENT’

(Western Australia, Ministry of Justice 1999:1.3.2)

‘NOTICE TO PRISONERS

INQUIRY INTO INCIDENT AT
CASUARINA PRISON ON 25 DECEMBER 1998

Prisoners who wish to make a written submission to Mr Les Smith may do so using the standard yellow envelope designed for complaints to the State Ombudsman and marking the envelope ‘Confidential-Casuarina Prison Inquiry’.

SUPERINTENDENT’

(Western Australia, Ministry of Justice 1999:1.3.3)

There would also be an opportunity for prisoners to be interviewed by members of the Inquiry team on a confidential basis, and more information about the timing of these interviews is discussed later in this paper.

A total of 42 prisoners responded to the invitation to speak to the Inquiry, and in most cases a structured interview form was used (there are no examples in the Report). The greatest proportion of prisoners were from Unit 1 which at the time was being used as a ‘management’ unit largely for prisoners suspected of being involved in the riot (Special Handling Unit). Twenty-five prisoners also made written submissions to the Inquiry. The Report states that, immediately after the riot, thirty-one prisoners who were suspected of being involved in the riot were also transferred to other establishments. There is no information concerning whether these men were seen or had an opportunity to consult the Inquiry team.

4 Author emphasis

What is significant is the lack of information about these respondents. Were they Aboriginal or Non-Aboriginal prisoners? What was contained in their statements? There appears to be little information from prisoners who were not involved in the incident and even less about the conditions and treatment of prisoners before this incident took place.

The 'prison officer notice' contains the words '*welcome to make a written statement*', but this phrase is missing from the prisoner 'invitation'. How could these prisoners make representation to the Inquiry team 'confidentially' when the application had to be placed into a 'yellow envelope' and clearly marked 'Confidential – Casuarina Prison Inquiry' and then handed to a prison officer?

The prison officers are 'gatekeepers', and should not have been involved in the process of information-gathering. Immediately after the riot and even 10 months following this, the prison was still under 'lock-down' (see *Bekink v R* (1999) WASCA 160). In November 1999 (11 months after the riot) prisoners who wished to make official applications obtained forms from outside the iron barred gates at the end of each cell passage. The forms were then kept in a cardboard box, which had been left on the floor. The completed form had then to be handed over to a prison officer located at the other side of the gate to be processed, quite literally, by the 'gate-keeper'.

Following the riot, all prisoners at Casuarina were locked inside their cells. They had little opportunity or encouragement to obtain these forms. The relationship between prison staff and prisoners was then at an all time low (see Western Australia, Ministry of Justice 1999:5.2.6.5).

Chronological Events of the Riot

The Casuarina Report outlines the chronological events leading up to the disturbances (Western Australia, Ministry of Justice 1999:3.2, pp 30-35). The Report (156 pages) without the appendices (a further 80 pages) contains only six pages that deal with these events. The majority of the Report could best be described as a managerial exercise or evaluation, policy orientated and historical, rather than inquisitorial.

At the beginning of the riot (page 30) at around 4.20 p.m., prisoner X was apprehended on suspicion of secreting drugs, stolen allegedly from a medicine trolley which had been left unattended. A prisoner, ethnicity unknown (referred to as Y) aggressively demanded his release. Great store is placed on this prisoner Y and his involvement in the riot. The Inquiry team identified this person as the major protagonist or 'troublemaker' but little is actually said about why this prisoner became involved in the action in the first place.

Prisoner Y then collected some 30 to 40 other prisoners who had gathered outside the unit (where prisoner X is detained). The prisoners were observed gathering articles that may be used, or adapted by them, as makeshift weapons. A Senior Officer came out of the unit and attempted to engage prisoner Y to calm him down.

One of these prisoners in the group shouted, 'Stay here brothers, these fucking white dogs can't take our brother away' and 'fuck these screw dogs' (1999:3.2). Another prisoner shouted, 'Release X or you'll have a fucking riot on. Bring out X or you are all fucked' (1999:3.2). The phrases used by the prisoners do infer some racist agenda but the report fails to discuss these allegations or even the indigenous ethnic make-up of this gathering of men. Neither the race nor ethnicity of prisoner X and Y is discussed in the Report.

Also significant and extremely relevant are the allegations that are found in paragraph 6.4 of the Report concerning the prisoners' fears of 'being taken down the back'. This may be a key to why the prisoners were challenging the legitimacy of the prison staff. The statement that follows this allegation of staff misconduct simply states, 'it is impossible for us to know that abuses do or do not occur down the back' (discussed later). The inference behind this group collective defiance of authority is that the prisoners involved in the disturbance were effectively reacting not to the detention of prisoner X, but to the possibility of him being mistreated and possibly later assaulted. If correct practices and treatment of prisoners were in operation at the prison, would this challenge to authority or disturbance have taken place?

At 1640 hours two prisoners, (no details of what for, or what ethnic group these men belong to), were detained by prison officers. Again prisoner Y demands their release. This man is now supported by several groups of prisoners who are outside Unit 1. Prisoner Y appears to be the spokesperson and tells the Senior Officer in charge of the response, '*you're prejudiced you screws, that's what this is all about*' (1999:3.2). The statement appears to have been completely disregarded by the Inquiry team and is probably one of the most significant statements made during the riot. The issue of race and staff mistreatment runs through much of this Inquiry. However, they were never identified as 'serious' grievances.

What were the Inquiry's Terms of Reference?

The Casuarina Report was to inquire into and report on:

- 1.1 Causes of the incident at Casuarina Prison on 25 December 1998
- 1.2 Effectiveness of the response of the Offender Management Division to the incident; and
- 1.3 Adequacy of the procedures and facilities to deal with the incident; and
2. To make recommendations about how much such an incident might be prevented in the future (Western Australia, Ministry of Justice 1999:1.2)

The Inquiry team identifies and makes recommendations in the following areas of Leadership, Accountability, Lack of planning leading to an overcrowded prison (see 'techniques of neutralisation'), Drug problems in the prison and Local issues at Casuarina (Western Australia, Ministry of Justice 1999:143-151).

No part of the Report gives credibility to prisoner grievances, allegations of staff brutality or misconduct, as contributing, or even playing some role within the incident. If the remit of the inquiry team were to examine the 'causes of the riot' (1999:1.1.) and 'make recommendations how such incidents might be prevented' (1999:2), then these matters should have been addressed and a strategy implemented to redress them. The Inquiry does not make recommendations to address the concept of 'justice' or 'fairness'.

What Information did the Inquiry Receive Relating to the Treatment and Control of Prisoners?

All disturbances raise issues around 'justice and fairness' in prison (see 'Appendix Calendar of Prison Riots'⁵ in Adams 1994:259-283; Woolf 1991; Guardian Newspaper 17 July 1991:5; Prison Reform Trust 1984:8). This is why Woolf placed so much emphasis on the 'balance between security, control and justice' and critically challenged the historical legacy of the 'primary role of imprisonment' (Morris & Morris 1963) at the expense of the secondary roles⁶. The disturbance at Casuarina prison is no different, and the Inquiry team seems to have fallen into the same trap as many other official inquiries by not placing enough emphasis on the concept of 'justice'.

The Inquiry appears to disregard as unimportant, or not significant to the riot, allegations of excessive use of force and racism before the riot, after it, or as a general practice within the prison by some prison staff. The solidarity or collective challenge against officers at Casuarina prison does not appear to be about wanting more drugs (no reference from prisoners wanting more drugs is mentioned in the Report), but against individual prisoners being mistreated. Most prisoners normally are reluctant to challenge the legitimacy, or collective solidarity and power of the prison staff, but there are occasions when the prisoners' collective unity is created by other circumstances that seem to be unrelated. The stealing of drugs was the catalyst. The detention of the prisoner X raised the common grievance of 'injustice' amongst prisoners. One person may have been seen as the leader ('troublemaker') of this group, but nevertheless united the rest in agreement and they collectively demonstrated and challenge the legitimacy of the staff.

There is a wealth of evidence to suggest that the 'incident' at Casuarina was a collective response against prisoner injustice as '[p]risoners often complained of prison officers entering the cell and jumping prisoners' (1999:5.2.6.5), or 'being taken down the back' (1999:5.2.6.4). The Inquiry de-legitimises these prisoner allegations, or fails to accredit them as accurate. The Inquiry Report states, 'It is impossible during the course of this enquiry to comment on the accuracy of these complaints' (1999:5.2.6.5).

However, the Inquiry does acknowledge their accuracy as information supplied by both officers and prisoners confirms the normal reaction to an incident in a cell was to, 'flood the cell with officers in order to subdue and remove a prisoner, *the problem with training meant that proper procedures were not always followed*' (my emphasis) (1999:5.2.9.2). There appears a wealth of evidence to support these prisoner allegations. The evidence is, in part, supported by prison staff.

The Report's solution seems to be a procedural management exercise. The *increased* 'pains of imprisonment' (Sykes 1958) and abuses inflicted on prisoners at Casuarina and the allegations and evidence of unprofessional conduct and systematic breaches of human rights, are somehow left well alone. The two groups inside the prison, 'captives and captors', appear to be at different ends of the institutional inquisitorial spectrum, one group

5 This provides a reference point for the reader, regarding more newsworthy riots. Particular features of some riots are noted, as much to draw attention to the variety of circumstances which may attract the label of 'riot' as to attempt to label them as thus (Adams 1994:259). The list contains riots which took place in the United States of America and Britain.

6 'Security and control' are essential and primary considerations within a prison environment. What is also essential are the 'secondary roles' inside prison: the duty of the State to provide a safe, healthy and humane environment for prisoners. Prison staff play a pivotal role in this scenario and their attitude and treatment of prisoners is fundamental to a healthy prison environment (also see Ramsbotham 1999).

(‘captors’) has the support and empathy of the Inquiry team, whilst the injustices and treatment of the ‘captives’, the largest group, appears to be of much less relevance.

The (Mis)-Use of Rope Hobbles

Many prisoners complained about the excessive use of force by prison officers. Complaints about excessive use of force include during the course of the riot, after the riot and as a general practice. The largest category of complaints concerned the use of force by prison officers in the days immediately following the riot. Concerns included the use of rope hobbles and being forced to walk fast with these on so that the rope cut into the skin above the [prisoner’s] ankles (Western Australia, Ministry of Justice 1999, 1999:5.2.6.5).

Prisoners who had been restrained by the use of rope hobbles and handcuffs stated to the Inquiry that they were placed on their wrists and ankles resulting in skin abrasions and sometimes bleeding. In paragraph 5.2.65 the Inquiry team were also shown the evidence of cuts and scars which had been caused by the misuse of these rope hobbles. The Inquiry later stated,

They were disturbed at the injuries – including bleeding – caused by the use of rope hobbles. It questions whether such injuries are necessary. The use of rope hobbles also raises health and safety queries as such hobbles can be repeatedly used on different prisoners (1999:8.3.3.4).

Whilst the Inquiry team was disturbed by this, there seems little response to allegations of staff brutality. A major issue, not identified in the report, is the ethnicity of the prisoners who raised these allegations. Finally the team states, ‘A number of prisoners reported that mace (pepper spray) was used on them as a *means of restraint and punishment*’ (my emphasis)(1999:5.2.6.5). What is the role of prison officers, as understood by the Inquiry team? Certainly, punishment has no part in the role of prison officers. The lack of critical analysis raises some important ethical and philosophical questions concerning the independence of the Inquiry team.

My own short visit (2 days) to Casuarina prison in November 1999 suggests that rope hobbles are both used and adapted by some staff to ensure complete control over prisoners. What was seen to be common practice was to place a second rope hobble between the legs, which could pull the prisoner in the direction he/she wanted them to go. Officers told me, ‘If a person was cutting up rough, then the rope could be pulled which would result in pulling their feet from under them.’ Inside the SHU (Special Handling Unit) a prison officer stated that, ‘It’s no use using pepper spray on Aboriginals as it has no effect. The only thing that works is the “occy strap”’.

What this raises is the picture of systematic breaches of human rights, of 21st century prisoner’s being manacled and brutalised by ‘high tech flexible cords of control’. Has the treatment of prisoners come far since the days of slavery, especially in relation to Aboriginal prisoners? Whilst conducting further research in Queensland and Western Australia prison staff frequently referred to Indigenous prisoners as ‘creatures’ and there appears little challenge by prison authorities, apart from managerial dialogue and bureaucratic suggestions, that appear to do little to address and change this entrenched ‘racist’ attitude displayed by some staff.

Prisoner Grievance Raised in the Casuarina Report

The Report states that 'no serious grievances' were raised by the prisoners. It lists 11 grievances in bullet points (1999:5.2.6.7) in no particular order, placing great store as a main causal factor on 'overcrowding'. What is highly significant, if the factors are examined closely, is that they do fall into two distinct categories: prison officer relations and 'gatekeeper roles'.

Prison Officer Relations

- Attitude and behaviour of prison officers – bullet point 4
- Accumulating altercations between staff and prisoners – bullet point 10
- Increased distance between officers and prisoners – bullet point 11 (1999:5.2.6.7)

These are the thematic keys to unlocking the many problems identified by the prisoners. The role and the relationship of staff and prisoners is a fundamental prerequisite for a 'healthy' and safe prison (Ramsbotham 1999). There appears a fundamental break-down in this relationship between prison staff and prisoners and the Report's simplistic recommendations of increasing security and the building of barriers between staff and prisoners will not address it. It will only add to it.

Gatekeeper Roles

The other 8 grievances identified by prisoners are all closely linked to the work of prison officers. 'Gate-keeping' is a fundamental part of their roles.

- Lack of access to programmes in order to obtain parole – bullet point 1
- Lack of access to medical treatment – bullet point 2
- Strip searching of visitors – bullet point 3
- Being double bunked in cells –bullet point 5
- Difficulties in getting telephone calls – bullet point 6
- Welfare not being addressed – bullet point 7
- Visiting justice seen as unfair and one sided – bullet point 8
- Adequacy of food – bullet point 9 (1999:5.2.6.7)

Prisoners who made representations to the Inquiry team raise many issues. There appears to be a consistent theme running through at least 5 of those 8 grievances directly related to the staff and prisoner relationships. The other three issues (bullets - 1, 8, 9 above), have to do with the allegations that the Ministry of Justice failed to provide acceptable standards of 'care' and 'justice' for prisoners.

The key variable throughout the Inquiry is the role of prison officers. They are the first lines of access for obtaining facilities or assistance. There seems to be consistent criticism levelled at prison staff for not dealing effectively with prisoner applications or being too slow in arranging them. This matter has as much to do with their professional training, management supervision and accountability as it does with their attitude and treatment of prisoners.

Conclusion

This paper has concentrated on the causes of the riot and the lack of investigation by the Inquiry team into the allegations and grievances displayed by some of the prisoners. The lack of balance and systematic inquiry tends to suggest that the report disregards the prisoners' views and gives less credence to those equally valid reasons behind such violent protest from prisoners.

The research conducted some ten months after the riot suggests that the relationship with prisoners had deteriorated, rather than improved. Prison officers felt fearful and distrustful of prisoners and the lack of interaction over such a long period of time had not helped to break down these barriers. The increase in security at the prison and the building of more barriers between staff and prisoners had created more distance between the two groups. What predominates today in Casuarina is the dynamic of control employed by some officers, which sets the atmosphere. The policy makers, prison administrators and politicians who have historically placed all the emphasis on security and control at the expense of humanity (Ramsbotham 1998), have, in part, created these dynamics, both in the UK and in Western Australia. The majority of prison research shows quite clearly that the vast majority of prisoners are content to serve their sentences quietly, do not actively seek means of escaping and will not battle against authority (Coyle 1987), so why the great emphasis on security and control?

The Casuarina Report has followed the 'normal' official line of inquiry and has seen the cause of the riot as simply a breakdown in security and control, recommending more management, more security and better training in security and control techniques for staff. This does have its place, but it is simply concentrating on only two out of the three issues identified, and will not effectively address the problems raised by prisoners. The result of this increased security only, 'results in a polarization between the keepers and kept a feeling that each represented a life threat to the existence of the other' (Stastny & Tyrnauer 1982:207). There is no doubt that the atmosphere of tension existing inside the prison will continue until these physical and mental barriers of distrust are somehow addressed and broken down by more communication between the two groups.

What is missing from the Report is an independent, objective, pro-active and balanced strategy which addresses both prison officers' and prisoners' views. It is undisputed that prison officers are an integral part of the prison culture, the dominant control group. Their attitudes and demeanours locate the character and atmosphere of each establishment (Carter 1994). It is therefore essential that an emphasis in training prison staff should be towards non-violent techniques and alternatives to the use of force as a control mechanism. With the emphasis firmly placed on the security and control of prisoners in the UK (Learmont 1995; Woodcock 1994), there has been a reluctance to invest in staff training that attempts to control prisoners using different techniques, other than Control and Restraint methods. Is Western Australia going to make the same mistakes, or are they going to introduce a more balanced approach in the staff development and training of prison officers? Prison officers deserve and demand a safe working environment but this will not be forthcoming with increased security. Until inquiries address all the causes of disturbances and riots there is little chance that the conditions outlined in this paper will dramatically change for the better. In the 21st century the 'officially' sighted no longer need to pretend to be blind.

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