Independent Investigation into the Metropolitan Remand Centre Riot
Final Report

December 2015
The Metropolitan Remand Centre (MRC) riot on 30 June 2015 involved approximately 400 prisoners and is the largest in Victoria’s correctional history. Rioting against the impending smoking ban in Victorian prisons, prisoners caused widespread and significant damage to the MRC’s infrastructure. A multi-agency response was required with a final prisoner count achieved the following morning on 1 July. Fortunately, no lives were lost and there were minimal injuries. The extensive and ongoing recovery process has been managed by Corrections Victoria (CV).

This unprecedented riot presented significant and complex challenges for state authorities to manage and resolve. Certainly, officers from all agencies did their best to respond in very difficult, and sometimes life threatening, circumstances.

On 2 July the Hon Wade Noonan MP, Minister for Corrections and Minister for Police, directed that an independent investigation into the riot be undertaken. I was appointed to conduct this Investigation, within the Terms of Reference as defined by the Minister.

My Investigation has sought to identify how to better prepare and equip state authorities to respond to major prison disturbances in the future.

Throughout the course of this Investigation many people were interviewed from the agencies involved including CV, Victoria Police, the Metropolitan Fire Brigade, the Country Fire Authority, Ambulance Victoria and other officials from the Department of Justice and Regulation (DJR). I would like to sincerely thank all those who have assisted the Investigation by offering their insights and providing us with relevant materials. I also acknowledge that, for some, reliving the riot was difficult and I particularly thank them for sharing their observations.

I have been fortunate to receive invaluable guidance and support from a small secretariat within the DJR. In particular, I wish to acknowledge the dedication and professionalism of project manager Matthew Downey and project officer Cleo Kerama, whose tireless work ensured the report’s timely delivery to the Minister.

Kieran Walshe
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SCOPE OF THE REPORT
This report has been prepared for public release, and as such, reference to security, operational and tactical procedures have not been included. These matters have been outlined in a separate report to Government, with specific recommendations submitted.

EXECUTIVE SUMMARY
On 30 June 2015, approximately 400 prisoners at the MRC launched the largest prison riot in Victoria’s history. Armed with makeshift weapons, prisoners threw rocks at staff, rammed internal gates with vehicles, damaged accommodation units and security cameras, broke down cell doors and lit numerous fires. All in all, it took 15 hours to restore order and secure all prisoners.

ESTABLISHING THE INDEPENDENT INVESTIGATION
On 2 July 2015, the Hon Wade Noonan MP, Minister for Corrections and Minister for Police, appointed former Victoria Police Deputy Commissioner, Kieran Walshe, to undertake an independent investigation (‘the Investigation’) into the MRC riot and submit a report to the Minister by 4 December 2015.

The Investigation’s Terms of Reference (Appendix A) are as follows:
- to consider the events of 30 June and 1 July 2015
- to review the state’s response to, and preparedness for, the incident and the management of the emergency, giving specific consideration to joint agency operations
- to identify any learnings from the incident and make recommendations for future improvements.

THE SMOKING BAN IN VICTORIAN PRISONS
In 2014, the former government passed legislation making it an offence to smoke in Victorian prisons from 1 July 2015. With over 80% of prisoners being smokers, the ban was the most significant change in recent Victorian prison history. Recognising its significance, Corrections Victoria (CV) developed the ‘Smoke Free Prisons Project Plan’ and the MRC ‘Site Implementation Plan’, which provided opportunities to participate in QUIT programs, access Quitline and make use of nicotine replacement therapies.

FACTORS THAT CONTRIBUTED TO THE RIOT
While the smoking ban was definitely the catalyst, there were several other contributing factors that fermented discontent and tension within the prison population.

Firstly, the MRC is predominantly a maximum-security facility for remand prisoners. As many remand prisoners had only been there for a short period of time, they had
less time to prepare for the smoking ban, meaning they felt its impact more intensely and immediately.

Overcrowding was another contributing factor. The MRC was built in 2006 to house 613 prisoners but the opening count on 30 June 2015 was 918. To accommodate this surge, double bunks were installed and additional units constructed, which resulted in a reduction of recreational yard space. The increase of prisoners over time placed a greater strain on facilities, e.g. recreation facilities, together with difficulties in scheduling prisoner visits and access to programs. As a consequence, there was increased anxiety and frustration within the prison population.

Significantly, the prisoners’ ability to breach internal fences and the Central Movement Control (CMC) gates gave them unfettered access to many parts of the prison and facilitated an escalation in riotous activity. This was a significant contributing factor to the riot. The Investigation recommends that immediate action be taken to strengthen internal fences and gates.

AN OVERVIEW OF EVENTS

At 11.45 on 30 June, ahead of the usual 12.00 lockdown, around 50 prisoners gathered in Area 2 in what appeared to be a passive protest. However, once prisoners pushed over internal fences, the 50 quickly swelled to 400 and an extensive riot ensued.

Chanting, “we want Ox” (White Ox pouch tobacco), and brandishing metal posts, the prisoners, some with t-shirts over their heads to mask their identities, forced their way into the CMC at 12.21. A Riot code was called and prison staff quickly evacuated the CMC and retreated to safety.

CV officials responded by:

- activating Emergency Coordination Centres (ECCs) at the MRC and CV Headquarters to manage the tactical and strategic responses
- calling in additional Security and Emergency Services Group (SESG) members from other locations
- instructing other Victorian prisons to lockdown
- requesting assistance from Victoria Police and other state emergency service agencies including the Metropolitan Fire Brigade (MFB), the Country Fire Authority (CFA), Ambulance Victoria (AV)
- informing the Minister for Corrections, and the Secretary of the Department of Justice and Regulation (DJR).

Prisoners broke into other areas of the prison taking several vehicles, including a small tractor. The momentum gathered as prisoners armed themselves with makeshift weapons, broke into units and obtained keys to more vehicles and tools used to release further prisoners into the riotous fray.

The dynamic pace of events hampered plans by Victoria Police specialist units and CV officials to resolve the riot. For example, prisoners took control of the CMC on three
separate occasions and 200 prisoners secured with restraints on the basketball court freed themselves and re-joined the riot.

An action plan was eventually executed, with police and CV security forces entering the prison at approximately 20.35. By this stage, prisoners were fatigued and no longer had control of vehicles. Prisoners were more easily secured and control was regained. The extensive damage to accommodation units meant prisoners had to be secured in undamaged units, (sometimes up to six per cell) or transferred to other prisons.

By 02.51 on 1 July, all units were secured and a final prisoner count was achieved at 07.09. Soon after, the Minister for Corrections, Corrections Commissioner Shuard, and Police Assistant Commissioner Leane held a media conference to announce the riot was over.

EFFECTIVENESS OF THE STATE RESPONSE

The Investigation acknowledges the professional and courageous efforts of many officers from CV, Victoria Police and emergency service agencies. Effective elements of the state response included:

- few injuries were sustained
- quick statewide lockdowns of other prisons
- highly responsive police, fire and ambulance services arriving with senior officers and appropriate resources.

However, the Investigation also identified a number of learnings and makes recommendations for improvement.

STATE RESOURCES ON-SITE

The MRC had the following resources on site:

- SESG members
- Emergency Response Group (ERG) members on-duty
- general duties prison officers
- other Victorian Public Service staff.

Victoria Police deployed:

- specialist tactical teams
- two helicopters
- an armoured vehicle
- a mobile command post.

A large number of police officers were involved, as were fire trucks, ambulances and personnel from other emergency service agencies.

SESG RESPONSE

The SESG led the initial response, intending to hold the CMC and protect high-risk parts of the prison (where vehicle and various pieces of machinery were stored) and the accommodation units (where prisoners under protection were held).
It quickly became apparent that the SESG could not hold strategically-important parts of the prison and respond to all requests for assistance. Trying to meet so many requests meant response staff were unable to secure ground. This allowed prisoners to re-take sections, meaning response plans had to be constantly revised to meet the rapidly-changing circumstances.

The Investigation has found that a stronger emphasis on containment would have been more effective. Being able to hold critical parts of the prison, such as the CMC, would have given the SESG a more stable platform from which to develop and execute an effective response.

THE FAILURE TO CALL ERG MEMBERS

On 30 June, there were ERG members rostered on to perform ERG duties. Additional ERG trained members who were off-duty and were available for recall, however no such recall was undertaken. The Investigation considers this to be a serious oversight.

THERE WERE DELAYS IN EXECUTING AN EFFECTIVE PLAN

While earlier informal requests for assistance were made (for example at 13.07), according to Victoria Police, CV made a request for formal assistance at 15.50. Police and the SESG did not enter the prison to implement the incident action plan until round 20.35. While Victoria Police must bear some responsibility for this delay, the Investigation found that the delays were either reasonable or relatively minor. Additionally, planning was significantly complicated by the dynamic nature of unfolding events.

Differing CV and Victoria Police philosophies compounded planning challenges. CV wanted to quell the riot and regain control as soon as possible to minimise damage. From their perspective, the longer the incident continued the more complex and costly it would become. This approach differed from the police philosophy of ‘contain, plan and act’ which sought to isolate the incident and wait for prisoners to tire.

The first action plan, developed by Victoria Police at 16.45, was abandoned at 17.33 on safety grounds. This was a correct decision, but it caused a minor delay. The second plan (developed in consultation with MRC management) was approved by the Police Commander at 19.00, although entry was delayed until 20.35 because some prisoners had to be removed from one area of the prison to another, and those that had surrendered had to be photographed and prepared for transfer to other prisons.

The Investigation also found that the entry plan was delayed, albeit in a relatively minor way, because the helicopter and armoured vehicle were not ready. The helicopter’s lack of readiness was not unreasonable considering the inherent limitations in deploying them. The approval process for the use of the armoured vehicle was, however, overly complex and caused a minor unnecessary delay.
PREPAREDNESS

After examining available information, emergency management plans and existing training programs and resources, the Investigation found that CV needs to be better prepared and equipped for a more effective response to an event of this size.

AVAILABLE INFORMATION

The Investigation found that there was enough information available for CV to have taken a more proactive, risk-based approach. While a review of the available information and intelligence does not suggest CV knew, or ought to have known, a riot of this magnitude would occur, the MRC had identified a number of significant risks around prisoner discontent over the impending smoking ban.

In its Risk Register, the MRC identified the potential for an aggressive disturbance and property damage linked to legislation implementation. Evidence of growing prisoner discontent in the weeks leading up to the smoking ban included:

- two passive protests in the week preceding the riot
- a letter explicitly stating this was ‘just the start of said peaceful protests’
- damage to internal fences
- homemade balaclavas found in one of the units
- several MRC information reports referring to ‘general chatter’ from prisoners regarding riots and active protests.

When this information is considered collectively, it is clear the MRC did not adequately address the risk of a major disturbance. The MRC should have conducted an overall risk assessment after the first passive protest, which saw fences damaged. This was a serious oversight and a missed opportunity to implement additional risk mitigation strategies.

EMERGENCY PLANNING

The two key incident response documents within the MRC are ‘Operation Oyster’ and the MRC’s Emergency Management Plan (EMP). Both documents lacked contemporary detail and were of limited assistance in the overall response to the riot.

Operation Oyster is the contingency plan for Victoria Police to assist CV (when requested) in resolving a prison disturbance. The Investigation found many police and CV staff were unfamiliar with its contents and nor had it been exercised before. Operation Oyster must be urgently reviewed and jointly exercised.

The Investigation found that the EMP is deficient, out-of-date and needs to be extensively rewritten. According to attending agencies it caused CV to focus solely on the tactical response and left attending agencies inadequately briefed on arrival, and so unable to make necessary decisions around risks, priorities and resources.

The Investigation has also found that CV is not part of existing statewide emergency management arrangements and, consequently, not fully familiar with modern emergency management approaches. Embedding CV into existing statewide
structures would enhance mutual understanding and foster better coordinated multi-agency responses.

**TRAINING, RESOURCES AND CAPABILITIES**

CV was under-trained, under-resourced and lacked sufficient capability to deal with such a riot of this scale. General duties prison officers require additional training to better manage a disturbance of this magnitude.

In early 2015, as a risk mitigation measure for the impending smoking ban, the MRC recruited additional ERG members. However, in the lead up to 1 July (other than during the first passive protest) there were no additional ERG trained members rostered on to perform specific ERG duties. This was poor risk management and a failure of preparedness.

The *Corrections Act 1986* did not provide for the use of bean-bag rounds by the SESG. The Investigation considers that access to such equipment would have provided the SESG with an enhanced capability to respond to the riot. The Government has since amended the Act to allow bean-bag rounds in certain circumstances.

**RECOMMENDATIONS**

The Investigation has made 17 detailed recommendations to the Government. These relate to:

- strengthening the MRC’s internal fences and security infrastructure
- reviewing CV’s emergency response capacity
- improving readiness and response to major prison incidents
- technology enhancements and procedures for emergency control
- adoption of contemporary incident management systems.

As the recommendations deal with the detail of security and tactical matters related to the operation of the prison system, it is not appropriate for them to be publicly released.
INVESTIGATION METHODOLOGY

Relevant agencies were consulted throughout the Investigation and key documents and materials from relevant agencies and individuals were considered. Information was either requested or provided voluntarily and included:

- relevant policies and procedures, including key emergency management plans and operational documents
- logs, chronologies and other documents relevant to the events of the riot
- video footage, still photographs and radio transmissions
- reports from formal debrief sessions
- information from intelligence databases
- staff memorandums/statements.

The Investigation conducted approximately 70 interviews, in person and via teleconference, with key stakeholders including:

- senior management at the MRC
- prison officers at the MRC
- senior management at Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison
- senior officers and staff from CV Head Office
- Victoria Police members
- MFB senior officers
- CFA senior officers
- AV senior officers
- senior staff from Emergency Management Victoria (EMV)
- Community and Public Sector Union (CPSU) representatives and members.

A wide cross-section of prison officers attended staff forums at the MRC. Interviews were also conducted with some of the MRC’s CPSU members — their identities have been withheld.

A draft report was provided to CV and Victoria Police for comment on 2 November 2015, with a return date of 17 November. The responses received have been considered by the Investigation.
OVERVIEW OF THE MRC

The MRC is a maximum security prison operated by CV in Ravenhall, approximately 20km from the Melbourne CBD. It was officially opened in April 2006 for predominantly unsentenced remand prisoners. Most are awaiting the outcome of their court case or their appeal, while others are awaiting classification or have been placed there because of specific needs, i.e. protection issues. 90% of prisoners at the MRC are unsentenced.

The General Manager of the MRC oversees more than 300 staff in custodial and non-custodial roles.

The prison comprises a range of buildings of different sizes and for different purposes with an accommodation mix that reflects the particular needs of different prisoner groups, e.g. mainstream, protection and others.

The prison’s five accommodation ‘areas’ contain 10 accommodation units, each with its own supervisor, staffing structure and there are communal recreational facilities. Each accommodation unit has multi-purpose areas.

The MRC opened in 2006, as a 613-bed, single-cell facility. Before the riot, it had a capacity of 1,006 prisoners, and 750 single and double cells. This growth in numbers has been met with new beds (double cells with bunks).

According to the morning muster count on 30 June 2015, the MRC had 918 prisoners. Approximately 50 prisoners were transported out, later that morning, for court hearings.
OVERVIEW OF THE RIOT AT THE MRC

On Tuesday 30 June 2015, what initially appeared to CV as a passive protest at the MRC quickly escalated into a full-scale riot involving 400 prisoners. Many were armed with makeshift weapons, from iron bars to fire extinguishers. The subsequent 15-hour MRC prison riot is the largest in Victoria’s correctional system history and will cost millions in damaged infrastructure.

During the riot, prisoners attacked and damaged internal fences and gates, broke into and damaged cells, lit fires, and smashed vehicles through fences and secure facilities. Across the state, other prisons were locked down.

The response was made extraordinarily challenging by the:
- number of agencies and prisoners involved
- widespread destruction
- fluid circumstances.

At a press conference immediately after the MRC had been secured on the morning of 1 July, the Hon Wade Noonan MP, Minister for Corrections, described the response as ‘a very difficult and dangerous operation’. Minister Noonan thanked ‘corrections staff at the MRC and corrections staff across the board for their remarkable efforts ... [and] Victoria Police and their coordinated effort with CV in relation to bringing the situation under control’.

The Investigation commends CV staff, Victoria Police officers and members of other agencies for their efforts, particularly individuals on the frontline confronted with armed and potentially violent prisoners. Importantly, there were no fatalities and very few injuries.

CV faces a long-term, complex recovery effort as prison infrastructure is repaired and upgraded and contingency plans are revised.

The following summarises events that occurred at the MRC on 30 June and 1 July 2015, based on logs, chronologies and other materials provided by CV, Victoria Police and other emergency service agencies.

THE PASSIVE PROTESTS LEADING UP TO THE RIOT

Victorian prisons were required to cease selling tobacco and tobacco-related products ahead of the total smoking ban in Victorian prisons from 1 July 2015. This was extended from 15 June to 19 June to give prisoners a final opportunity to buy tobacco.

There were two passive protests over tobacco entitlements in the days leading up to the riot. On Thursday 25 June around 90 prisoners from Area 3 congregated at the corner of the Area 3 yards, near the intersection of Area 1 and Area 2, chanting, “we want Ox” (White Ox pouch tobacco). Staff requested these prisoners return to their units, but they refused and directed staff to a letter (under a rock) seeking postponement of the smoking ban until October (Appendix B). Within 45 minutes, the prisoner group had returned to their units.
Subsequently, on 27 June, damage was discovered to internal fences separating the mainstream yards and was immediately referred to maintenance staff for repairs.

A second passive protest on Sunday 28 June involved approximately 50 prisoners, who initially refused to return to their units at 17.00. They provided another letter containing a list of prisoners they believed had not received their quota of White Ox because the Canteen had run out (Appendix C). On 18 June, a day before the MRC was to stop selling tobacco, the prison Canteen had run out of White Ox.

The MRC General Manager determined, in consultation with Corrections Deputy Commissioner and DJR Deputy Director that the 50 prisoners who had been unable to purchase White Ox before 19 June would be able to buy tailor-made cigarettes on 26 June. On review, MRC senior management determined that the other prisoners listed in the 28 June letter had not missed out on their tobacco entitlement and so would not get the same chance. This passive protest disbanded after 25 minutes.

The two passive protests were driven by the smoking ban. Specifically, there were rumours that Port Phillip Prison had been granted an extension until October 2015, and that other prisons had continued selling tobacco beyond the date MRC had. Furthermore, as noted above, prisoners were angry the MRC had run out of White Ox before the date on which it was to stop selling tobacco.

THE START OF THE RIOT

The morning count at the MRC on 30 June was 918. Later in the morning it was 868 (50 prisoners had been transported to court hearings). At approximately 11.45, about 50 prisoners congregated in Area 2, close to where the fences of Areas 1, 2, and 3 intersect, ahead of the usual 12.00 lockdown. This was initially thought to be another passive protest against the smoking ban.

By 12.00, the congregation had swelled to around 100 and they begun chanting, “we want Ox”. Prisoners started to push, pull, and kick the lower part of the fence separating Areas 2 and 3. The fence was soon breached, thereby enabling prisoner numbers to grow.

To manage the incident, the MRC established an Emergency Coordination Centre (ECC) at 11.55 and subsequently allocated roles including:

- Operational Commander
- Field Commander to lead the MRC field response
- SESG Commander

During this time, fences between Areas 1 and 2 were knocked down, swelling the moving prisoner group to approximately 200. SESG staff were requested from other prisons to attend as soon as possible, along with all available chemical agents.

BREACH OF THE CMC AND RIOT CODE CALLED

By 12.20, prisoners had broken through to the CMC, en masse. A Riot code was called by the Operational Commander and an evacuation was called by the Field Commander and all staff instructed to retreat to the Gatehouse.
Most staff were evacuated after the Riot code was called, however, some were in accommodation units waiting to be picked up by the SESG and others remained to lock-up and secure prisoners already in various other areas of the prison before retreating back to the Gatehouse.

Importantly, at no point during the riot was the external perimeter wall breached nor was there an apparent intention to do so. Prisoners did enter ‘no-man’s-land’ (the space between internal and external walls of the prison) and damaged some motion sensors.

At 12.34, the Canteen was breached and looted, with prisoners taking food but unable to find tobacco. From there they armed themselves with various implements, and approached staff who had maintained a position at the rear of the Gatehouse.

In response, the SESG, ERG and some general duties prison officers formed a defensive line at the rear of the Gatehouse, towards the CMC, to allow remaining staff to evacuate. At the same time, the ERG and general duties prison officers armed themselves with equipment from the ERG store. More SESG members arrived equipped with chemical agents, and the State Training Group (STG) was activated to provide additional assistance.

It appears that the basic plan of the SESG was to hold the CMC and protect high-risk parts of the prison which contained tools, and the accommodation units which held protected prisoners.

Prisoners eventually retreated back through the CMC returning to Areas 1, 2 and 3 of the prison, and the SESG regained control of the CMC. Various staff joined SESG members and proceeded to other areas of the prison to secure prisoners within, and to help evacuate staff.

The Corrections Deputy Commissioner was notified once the Riot code was called, after which:

- The Central CV ECC was established at DJR at 121 Exhibition Street.
- The Corrections Deputy Commissioner was appointed as Operational Commander of the Central CV ECC, working alongside the CV Commissioner.
- The process of locking-down other state prisons began in accordance with the ‘Smoke-free Prisons Plan’.
- The Secretary of DJR and the Minister for Corrections were notified.

The role of the Central CV ECC was to support the MRC, ensure that the rest of the prison system was not affected, and that appropriate decisions were being made.

**EMERGENCY SERVICES AGENCIES**

Shortly after the riot began, CV requested the attendance of a number of agencies, which arrived promptly and deployed resources at the front of the prison. These included:

- Victoria Police
- the MFB
- the CFA
• AV.

The local police Area Commander was the first senior Victoria Police officer to arrive at approximately 13.00, and assumed the role of Police Commander and commenced liaison with the MRC ECC. Incident control centres (ICCs) were established by Victoria Police including an Incident Police Operations Centre (IPOC) and a Regional Police Operations Centre (RPOC) at the Victoria Police Centre in the CBD to manage the overall command of the police response.

A police Operations Commander was appointed and operated out of the RPOC, and a Deputy Operational Commander was appointed to lead the police response at the MRC.

Victoria Police specialist units attending included:
- Operational Response Unit (ORU)
- Public Order Response Team (PORT)
- Critical Incident Response Team (CIRT)
- Special Operations Group (SOG).

Additionally, an armoured vehicle was deployed and a helicopter provided a live-feed to command.

EMV also established the State Control Centre (SCC) to provide additional state agency coordination and resource support, and to provide a consequence-management perspective. The SCC was attended by liaison officers from the relevant state emergency service agencies.

**BREACH OF PRISON AREAS AND FACILITIES**

Meanwhile, prisoners continued to run amok. By 13.07, they had broken through gates between units, and other areas of the prison. Access to these areas allowed prisoners to arm themselves with tools and makeshift weapons.

By 14.00, prisoners had taken control of vehicles including a small tractor, an all-terrain vehicle and three electric buggies/tugs. The small tractor was driven through the fence dividing Areas 3 and 4, and into another unit, where cell doors were damaged.

Behaviour escalated as vehicles were smashed through fences and facilities, and into doors and interiors of units. This released more prisoners into the fray, and made restoring control and security more difficult.

**SECOND BREACH OF THE CMC**

At 14.11, prisoners moved from Area 2 and attacked the CMC for the second time with the small tractor. Soon after, the small tractor ran out of fuel and was abandoned. The CMC was again evacuated. Later, a prisoner breached the CMC with an all-terrain vehicle. He eventually lost control of it to an ERG officer who drove it to safety.
Control of the CMC was regained, and a sweep of the CMC and other areas was conducted by the SESG to push prisoners back into the prison yards. SESG and ERG members began to secure surrendering prisoners in restraints.

By mid-afternoon prisoners had:
- smashed their way through internal fences
- armed themselves with makeshift weapons
- jumped on roofs
- thrown rocks and CS (tear) gas at staff
- painted slogans on areas of the prison such as, ‘we want Ox’
- concealed their identity
- damaged internal security communications, communications facilities and fire panels
- breached unit offices, used phones, damaged staff facilities, and stolen officers’ personal belongings
- lit numerous fires in the yards and units
- damaged cell doors.

Not all prisoners were involved, with many secured in cells and some simply choosing not to get involved. Others, some of whom had rioted, surrendered throughout the afternoon and night to be secured in restraints, and supervised by staff in specific areas until they could be secured in cells.

At approximately 16.30, prisoners drove a battery-operated tug into the CMC. General duties prison officers were instructed to evacuate the CMC, while the SESG used tear gas, which encouraged prisoners to retreat and abandon the tugs, and allowed the SESG to regain control of the CMC.

**EMERGENCY MANAGEMENT TEAM**

To improve coordination and response between agencies, Victoria Police initiated the establishment of an Emergency Management Team (EMT) within the MRC ECC. Its first meeting at 14.30 was attended by MRC, Victoria Police, the MFB, the CFA, and AV. These meetings provided a forum to brief agencies, determine what CV required, and confirm who was in charge of the tactical response.

This was followed shortly after by discussions between Victoria Police tactical command and CV about tactical options, resource capability and deployment. An Incident Management Team was convened between Victoria Police specialist unit representatives to develop an incident action plan. Agencies were briefed, and discussions on the resources, tactics and plans required to resolve the riot were facilitated.

**INCIDENT RESPONSE PLANNING**

At 16.20, an incident action plan was developed by the PORT Commander (in consultation with CV). Whilst the plan was approved by the Deputy Police Commander and the MRC Operational Commander, it was subsequently cancelled by the Deputy Police Commander after his reconnaissance of the area determined that it was unsafe.
Soon after the plan was cancelled, at approximately 17.30, around 200 prisoners who were restrained broke free.

Prison staff were then instructed to secure and leave the area, after which, the SESG, the ERG and the STG attended using chemical agents. Some prisoners surrendered, while other prisoners ignored instructions to do so and rammed the door of another area, and fashioned metal weapons. In response, the SESG deployed staff to that area to search and secure prisoners.

A second action plan developed in consultation with CV, was approved by the MRC ECC Commanders and the Deputy Police Commander at 18.45, and subsequently by the Police Commander at 19.00. The SESG and ERG commenced the implementation of the plan at 20.35, supported by the SOG, PORT and CIRT.

There was a delay between the approval and implementation of the plan. This was a result of the following factors:

- Tactical briefing by CIRT Commander to the CIRT, PORT, SOG, SESG, and the ERG at 19.20
- Delay in the deployment of the police helicopter (required for lighting) until 19.52.
- A delay in deploying the SOG armoured vehicle.
- Removal of prisoners from one area to another
- PA announcements to prisoners to surrender
- Requirement to secure and extract a number of prisoners who had surrendered before the tactical plan could be executed.

IMPLEMENTING THE INCIDENT ACTION PLAN

The SESG, supported by PORT and CIRT, entered the prison to systematically sweep west to east to put prisoners into CV staff custody. Simultaneously, supported by overhead helicopter, the armoured vehicle and SOG members patrolled the perimeter road urging prisoners to surrender via the PA system.

Once secured, compliant prisoners were photographed and identified, then taken to other prison locations. Overall, the incident action plan successfully quelled the riot and secured prisoners, who surrendered in large numbers and with little resistance.

With several units (including over 470 beds) damaged, securing prisoners was very difficult. After the riot, it was necessary on occasions to put five or six prisoners in a single cell. Over 100 prisoners were removed to alternative accommodation in other prisons which had been arranged earlier in the evening.

At 02.39 on 1 July, a prisoner count was undertaken. This was a challenging process because of a mix of poor prison lighting and the difficulties of identifying prisoners outside of their normal cells. Despite the magnitude of the destruction during the riot, there were minimal injuries. Three staff sustained minor injuries and up to six prisoners were injured, one with a broken jaw and two who were bitten by dogs.

At 02.51 on 1 July, all units were finally secured and a final count was achieved at 07.09. Soon after, the Minister for Corrections, Commissioner Shuard and Assistant
Police Commissioner Leane, gave a media conference announcing that the prison was secure and all prisoners accounted for.
The Investigation considered the adequacy and effectiveness of the response to the MRC riot by state agencies including CV, Victoria Police, the MFB, the CFA and AV. The conclusions reached, and recommendations made by, the Investigation were informed by a review of documentary evidence provided by these and other agencies including:

- procedural documents
- materials compiled during the riot such as logs and chronologies
- video footage and photographs
- radio transmissions.

In addition, the Investigation also interviewed senior representatives from each agency, conducted several forums with prison officers involved in the response, and held discussions with other external stakeholders.

PROFILE OF SECURITY GROUPS

**CV SESG**
The SESG is a statewide response unit for CV and operates from four base locations – Barwon Prison, the MRC, Hopkins Correctional Centre and Loddon Prison.

The SESG have specialist training in:

- canine services
- formation and response
- high-security escorts
- fire awareness training and support
- firearms coordination.

The SESG carry a range of tactical equipment and may deploy chemical agents (including CS [tear] gas). All SESG locations have staff and equipment on-site. The Operational Commander of the incident, i.e. the prison’s general manager, is responsible for arranging a SESG response. However, this responsibility may be delegated to the SESG Operational Commander, where appropriate.

**CV ERG**
The ERG provides each prison and the SESG with operational support in response to emergencies. There are currently a large number of members across Victorian public prisons.

ERG members are qualified in the use of a range of tactical equipment. Generally, ERG members perform regular prison officer duties but may be rostered on to fulfil specific ERG responsibilities. Responsibility for initiating an ERG response rests with the Operational Commander of the incident.

**CV STG**
The STG is a newly established middle-tier to the SESG and the ERG. The STG members are selected from the ERG pool in metropolitan prisons, and are assigned on a rotating basis to operate as STG members.
**Victoria Police PORT**
PORT is trained in specific tactics to deal with public order and riot situations, and to provide a rapid response to public order incidents. The primary objective of PORT is to restore and maintain public order in volatile and/or hostile crowd environments, and certain emergency management situations.

**Victoria Police ORU**
The ORU tackles high-priority, public safety, road policing and crime issues across the state. The ORU has the capacity to respond to major incidents and disasters at short notice. Members are trained to respond to situations such as CBD violence, rural traffic issues, weapons searches, and crime or drug operations.

**Victoria Police CIRT**
The CIRT responds to incidents that are beyond the scope, experience and skill level of general duties police officers but do not meet the criteria of the SOG.

**Victoria Police SOG**
Members of the SOG are highly-trained in anti-terrorism tactics, building entry skills, and conducting high-risk searches. They respond to incidents beyond the scope, experience and skill level of CIRT, whenever required.

### RELEVANT RESPONSE PLANS AND PROCEDURES
Relevant to a prison disturbance, including that which occurred on 30 June, are the following emergency plans and procedures:

- The EMP provides the framework for responding to a range of prison emergencies including a Riot code.
- Operation Oyster is the joint Victoria Police/CV plan that applies when CV request Victoria Police to provide a police response to a prison or correctional centre incident in Victoria.
- The operating practice of the MFB and the CFA for responding to prison incidents.

### INITIAL STATE RESPONSE TO THE RIOT
The following provides a brief overview of the initial response by state agencies. See below for a diagram depicting the main roles and lines of communication between relevant agencies and key individuals involved in the state response.
CV response
After observing a congregation of approximately 50 prisoners in Area 2, senior MRC management established the MRC ECC at 11.55. Once 400 prisoners had come together, SESG management were notified, and requested that SESG personnel and resources attend the prison.

After the Riot code was called, prison staff were instructed to lock the doors of accommodation units and evacuate to the Gatehouse. The SESG, ERG and some prison officers, armed with equipment from the ERG store, assisted with the evacuation. At this time, the Corrections Deputy Commissioner was notified and the Central CV ECC was established at CV Headquarters.

The MRC also requested the attendance of Victoria Police, the MFB, CFA and AV outside the prison, on standby.

Victoria Police response
In response to the call for assistance Victoria Police:

- Mobilised senior officers to the MRC, who then established initial response arrangements.
- Established an ICCS at regional level, which included an Incident Police Operations Centre (IPOC), initially at Caroline Springs Police Station and later at the mobile command post (truck) at the MRC.
- Established a RPOC, utilising the State Police Operations Centre in the CBD.

A police Operations Commander was appointed in the RPOC, along with a Deputy Police Commander to lead the police response at the MRC.
Victoria Police responded with a variety of resources including various units from Caroline Springs, Melton, Sunshine and Keilor Downs police stations. Specialist tactical teams also arrived, with two helicopters, an armoured vehicle, and a mobile command post.

**MFB and CFA response**
The MFB and CFA jointly attended the MRC as the prison is situated near the border of the agencies’ zones. Two vehicles, relevant equipment and five crew members were deployed, along with a MFB pumper, (plus a backup pumper), and a MFB drone to provide additional visual information on the prison situation.

Fire services established an ICC and a Regional Control Centre (RCC) to provide a statewide fire response. The ICC was responsible for control, planning, information, logistics and operations support, while the RCC and SCCs managed regional and state fire services resources.

**AV response**
The AV emergency response unit included a total of four ambulances, led by two operational commanders. The AV Emergency Operations Centre was established, and contingency plans formulated for, among other things, the mass distribution of casualties to nearby hospitals.

The Investigation was advised that AV entered the facility at least once to treat and transport an injured prisoner.

EMV also established the SCC to provide additional state agency coordination and resource support, and a consequence-management perspective. The SCC was attended by liaison officers from the relevant state emergency service agencies.

**KEY ISSUES IDENTIFIED BY THE INVESTIGATION**
Overall, senior officers interviewed acknowledged that agencies worked well together and staff discharged their duties with a high degree of professionalism. Agencies responded promptly to the call for assistance and provided appropriate resources (including the deployment of senior personnel) to support the response. However, the Investigation has identified a number of key issues relevant to the statewide response to the riot. These issues are outlined in more detail below.

**The SESG response**
The Investigation found that, while the SESG was placed under significant pressures to respond, the initial response plan devised by the group, and its underlying ‘combat’ philosophy, adversely affected the SESG’s ability to secure areas of the prison and contain the riot in its early stages.

The Investigation acknowledges that this approach is in accordance with Corrections’ obligations under the *Corrections Act 1986*, which sets out responsibilities of the DJR Secretary, with regards to the welfare and safe custody of prisoners. Additionally, section 20 of the Act requires that ‘an officer in charge of a prison or part of a prison must take all reasonable steps for the security of the prison or part of the prison and for the safe custody and welfare of prisoners’. Furthermore, the Governor of a
prison is responsible for the management, security and good order of the prison and the safe custody and welfare of prisoners (section 21(1)).

The SESG focus was primarily on bringing the situation to a conclusion in the most expedient manner, in order to minimise the risk of injury to prison staff and prisoners, limit the damage to prison infrastructure, reduce the loss of beds, and minimise the scale of work required for the recovery phase. Furthermore, CV believed that the riot would be more difficult to resolve after dark.

At the time of the riot, there were SESG officers on-duty at the MRC. After all available SESG officers were requested to attend the incident, the group was greatly increased and supported by canine units.

The SESG response was activated when a Riot code was called, and SESG officers began securing areas of the prison and assisting staff to evacuate. The SESG initially devised a ‘basic plan’, however, this plan became redundant when prisoners gained access to vehicles.

The Investigation acknowledges the immense pressure on the SESG to respond to the multitude of incidents within the prison.

While the SESG attempted to execute the plan (with the assistance of the limited ERG members and some prison officers), it quickly became evident that they were unable to regain and maintain control of the prison. The widespread riotous activity meant that the SESG were requested to respond to numerous incidents across the prison. Some of these requests related to:

- prisoners breaching units and other areas of the prison
- fires being lit by prisoners
- searching and securing units and other prison facilities
- securing prisoners
- staff evacuating from various areas of the prison
- injured prison staff and prisoners
- prisoner negotiations.

The numerous requests to respond, along with the changing risk environment (in particular after prisoners had gained access to makeshift weapons and vehicles), made it extremely difficult for the SESG to hold ground that they had secured. For example, after securing the CMC following the first breach by prisoners, the SESG were simultaneously requested to respond to urgent calls to secure prisoners in other areas of the prison, and to assist staff who were attempting to evacuate. The time and staff committed to respond to these calls affected the ability of the SESG to hold the CMC.

While it is acknowledged that the SESG were under significant pressure, the Investigation found that its approach hampered the effectiveness of its response to the riot. Additionally, the SESG approach differs to the operational philosophy of Victoria Police, which focuses on the containment of incidents. The Deputy Police Commander told the Investigation that, in an incident such as this, ‘time is your
friend’. If the incident is contained and prisoners are prevented from making any gains, they will inevitably lose interest and disengage.

The Investigation found that an approach focusing on containment could have been more effective in enabling the SESG to secure and maintain at least some ground, which may have prevented the riot from escalating.

A containment approach may also have provided for a more stable planning environment. As the CIRT Inspector noted, plans were being devised based on the areas of the prison that MRC ‘owned’, however, areas that were secured were then lost and, consequently, plans were constantly in need of revision. Consolidating ground and containing the riot could have allowed for earlier implementation of an incident action plan.

**Emergency response resources**

The Investigation also found that the SESG required additional resources in order to adequately and effectively respond to a riot of this magnitude. Greater numbers of specially-trained personnel would have assisted CV in securing and holding ground and, ultimately, in bringing the riot to a speedier conclusion.

**SESG resources**

Peak resourcing of the incident from CV comprised staff from the SESG, STG and the ERG. Senior CV management advised the Investigation that it was quickly apparent that CV, on its own, was unable to quell the riot. The Investigation was told that the biggest challenge for CV was the inability of the SESG to hold ground they had secured, and that CV required the assistance of Victoria Police to contain a riot of this magnitude.

**The decision not to call off-duty ERG members**

The usual number of ERG rostered members were initially involved in the response to the riot. The Investigation found that additional off-duty MRC ERG members were available to attend on the day of the riot, but were not called in. The Investigation was told that off-duty ERG staff alerted each other to the situation and, as a result, some attended the prison to assist.

The Investigation considers that the failure by MRC to call-in additional (off-duty) ERG staff was a serious oversight. This was a lost opportunity to utilise riot-control and formation trained officers. This capability would likely have assisted the SESG in their attempts to simultaneously respond to incidents and hold ground.

Ineffective utilisation of the ERG is a recurring issue at the MRC. In its findings regarding an earlier prisoner disturbance at the MRC in 2012, the Office of Correctional Services Review (OCSR) concluded that ‘the ERG were sufficiently equipped but were lacking in numbers of officers available to respond on the day. The Investigation also found that additional (off-duty) ERG officers could have been called in’.
**Prison officers participating in the response**

Prison officers currently receive only basic training in defensive tactics. Nonetheless, it appears that some prison officers entered the prison to assist in the response.

The Investigation was advised that some prison officers entered the prison armed with riot shields and batons, despite not having appropriate levels of training with the equipment. The Investigation acknowledges that although the decision to allow prison officers to assist in the response is understandable, given the limitations on CV security group numbers, this increased the risk of injury to staff.

**The role and effectiveness of the MRC ECC**

According to the MRC EMP, the objective of the prison ECC is to:

- ... give the Operational Commander an operational base from which she/he is able to obtain an overview of the entire prison emergency and respond accordingly ...

- ... maintain open communication lines between the prison ECC, incident scene, Central CV ECC and external agencies ...

- ... provide a specific room to allow the Operational Commander to be accessible to outside emergency services.

The Investigation found several aspects of the MRC ECC operated effectively including that:

- it was promptly established
- a command structure was established between CV senior management
- there was strong communication between the relevant external coordination centres, including the RPOC and Central CV ECC
- there was effective communication and support between the ECC and Field Command
- staff were professional, and worked well together despite the challenges and immense pressures they faced
- staff were responsive to the advice of other agencies, e.g. the advice of Victoria Police to establish an EMT.

The Investigation also identified a number of issues that affected the functionality and effectiveness of the MRC ECC.

**Lack of clarity regarding command and control**

There was a lack of clarity regarding which agency was the control agency for response to the riot. This affected the ability of other agencies to obtain accurate and clear information and direction, which impacted on their response capability.

While senior representatives from CV and Victoria Police told the Investigation it was clear that CV was the control agency and Victoria Police was the support agency, comments from some Victoria Police officers indicated, that there ‘was some confusion as to who was in charge at the initial scene from Corrections’.

Additionally, senior officers from both the CFA and AV noted that it was not initially identified that CV were the control agency. This confusion arose due to a lack of
awareness of the control powers provided under the *Corrections Act 1986* as opposed to provisions under the *Emergency Management Act 2013*.

**Lack of strategic focus and emergency management structures**

The Investigation found that the MRC ECC lacked strategic and operational awareness, and emergency management structures and processes. Rather than focusing on overall direction, coordination and planning, the ECC appeared to be reacting to the various incidents occurring throughout the prison. The Investigation was told that the ECC’s focus was very much internal, rather than focused on responding to a major event.

Radio transmissions between the ECC and the Field Commander highlight the multitude of happenings the ECC was trying to manage, and that it was focused on dealing with spot fires, rather than following an overall strategy.

The tactical focus of the ECC led to the delayed establishment of joint emergency management structures. Senior officers from the CFA and AV noted that agencies had an expectation, on arrival, of the usual emergency management systems and practices, such as organised briefings and information on how deployed resources would be managed.

Senior officers from both the CFA and AV noted that the delayed establishment of the EMT (at 14.30) affected the provision, flow and receipt of information to agencies. This compounded the confusion about what was occurring, the approach being taken by CV, and the expectations of agencies. A senior CFA officer remarked that, while all agencies seemed to generally work well together, in the absence of a formal briefing forum such as an EMT, agencies were operating independently and making planning decisions in isolation.

The Investigation acknowledges that emergency services agencies are more accustomed to formal emergency management systems and practices than CV. A discussion regarding CV’s position within Victoria’s emergency management framework is provided in the ‘Preparedness’ section of this report.

Victoria Police led the initiative to establish an EMT at 14.30. This brought all agencies together and improved communication, information flow, planning and coordination. The Victoria Police Critical Management Incident Review (CMIR) also found that the ‘early establishment of an EMT by the control agency is essential for effective incident management’.

The key issues discussed at the first EMT meeting included:

- the lead-up to the riot, including implementation of the smoking ban and passive protests
- possible incident action plans and likely scenarios
- the resources CV needed from agencies to support their response
- confirmation that CV was the control agency and Victoria Police the support agency
- a status update, including prisoner movements, injuries and damage to the prison
- media engagement.
A second EMT meeting was held at 15.30 to provide a briefing update to agencies. The EMT meetings encouraged discussions between Victoria Police tactical command and CV regarding tactical options, resource capability and deployment.

Other issues
Some of the other key issues raised with respect to the functionality of the ECC included:

- There were no appropriate break-out rooms provided by the ECC for agencies to set-up.
- The initial prison maps provided were outdated (these were replaced with updated maps) and not understood by agencies, for example, agencies were unclear about what an ‘Area’ within the prison referred to.
- The vision of unfolding events was restricted because of damage to internal security communications.

Discussions with the General Manager of the MRC have indicated that preliminary moves towards a more appropriate and user-friendly ECC set-up have already occurred.

### INCIDENT ACTION PLAN

**Early Victoria Police PORT entry**

CV referred the Investigation to the following entries in the MRC ECC log:

- 1307 hours- ‘GM updated FC, VICPOL staff directed to east side of [a unit]’
- 1317 hours- ‘GM decision made to deploy Police CERT [sic] to rear of [a unit] in partnership with [CV]’.
- 1414 hours- ‘GM requested VICPOL intervention’.

A review of prison video identified that the PORT units entered the prison at 14.30 hours, and half the units left at 15.46 hours and the remaining PORT left at 16.06. A review of the helicopter video footage shows a contingent of PORT formed up at the rear of one of the prison units, on the roadway between this unit and another area of the prison, at 15.32.

The PORT unit leader advised that he was tasked by his commander to enter the area with two PORT units, to provide a backup block for the SESG who were to secure some areas. The Investigation was advised by the PORT unit leader is that the carriage of firearms became an issue resulting in the PORT units going to one of the areas of the prison where one of the PORT units removed their firearms, magazines and ammunition, handing them to the second PORT unit, which then left the prison. The first PORT unit remained on the roadway until cleared by the SESG. They did not engage in any activity and subsequently left the prison and did not return until around 20.35.

There is no reference to this tasking in either the police log or the Deputy Police Commander log, nor is it referred to in the police debrief (CMIR). Furthermore, the Deputy Police Commander advised that he was unaware that this entry had taken place.
It is evident that despite the comments and log entries that the formal request for assistance for CV to police did not take place until 15.50, the police did respond to a request from the MRC at 14.14 and deployed PORT units into the prison.

The Investigation found that there was a failing in the communication regarding the tasking of the PORT units and a failure to record this tasking in any of the police logs or the CMIR.

**Issues that affected planning**
The Investigation found that several issues prevented an effective response plan from being developed expeditiously.

The Victoria Police CMIR notes that there was a delay in the request for assistance by CV to resolve the incident in the prison, i.e. at 15.30, while ‘all the facilities such as catering, amenities and the investigation resources were actively engaged or deployed ... Victoria Police were still not asked to do anything, although members had already formed a tactical IMT [Incident Management Team]’. The CMIR further states that ‘it became clear to [the Deputy Operational Commander] that he needed to influence an outcome, and so put his case to Corrections. A formal request for Victoria Police assistance to resolve the incident was made by Corrections at 15:50’.

A key issue that affected planning was the extremely fluid nature of circumstances within the prison, with control of different areas shifting frequently between prisoners and prison staff. Consequently, the priorities of the SESG changed frequently because they were deployed to deal with incidents as they arose. This changing risk profile made effective planning extremely difficult.

Furthermore, gaining access to vehicles including a small tractor (at approximately 14.00) significantly increased prisoners’ capabilities, and the safety risks to prison staff and members of other agencies. In accordance with their containment approach, Victoria Police were reluctant to enter the prison while prisoners were in control of vehicles and continued to break down fences, and ram through facilities. Victoria Police asserted they were not willing to enter the prison until the vehicles were no longer a factor (e.g. when they ran out of fuel, broke down, etc). The SOG unit leader advised that an option to immobilise the small tractor was canvassed, but was discarded by CV on safety grounds.

After prisoners armed themselves with makeshift weapons, Victoria Police determined that they would not enter the prison without carrying full operational safety equipment including firearms. In accordance with Operation Oyster, the matter required consultation with CV. One observation noted in the CMIR was that ‘if Victoria Police members had entered earlier, there was a greater likelihood of confrontation’.

Ultimately, the MRC General Manager referred the matter to the Central CV ECC for approval at 15.40. Approval was provided shortly after at 16.05. The Investigation found that there was no undue delay in the approval process and it did not affect the tactical resolution of the riot. Nonetheless, as discussed in the ‘Preparedness’ section of the report, this issue requires clarification under Operation Oyster.
**Delayed implementation of the action plan**

The PORT Commander developed the first of two action plans at approximately 16.20. Approval was granted by the Deputy Police Commander and the Police Commander at 16.45 with agreement from MRC. However, an internal reconnaissance revealed safety issues, which led the Deputy Police Commander to subsequently cancel the plan at approximately 17.15.

Following discussion with the MRC management, the Deputy Police Commander requested the IMT to develop a second action plan, which was jointly approved by the MRC General Manager, the DJR Deputy Director and the Deputy Police Commander at 18.45, and then by the Police Commander at 19.00.

Implementation of the second action plan did not commence until 20.35. There were a number of reasons for the delay including the:

- required briefing of tactical operatives regarding objectives, resources, risks, etc
- extraction of a number of prisoners from an area of the prison
- removal of a number of prisoners who had surrendered
- readiness of the helicopter and armoured vehicle.

The Victoria Police CMIR also noted that the ‘inter-operability between VicPol specialist capability and SESG had not been practised and, as a result, the knowledge and understanding required to execute the resolution plan was delayed’. A further discussion regarding operational practice between CV and Victoria Police under Operation Oyster can be found in the ‘Preparedness’ section of this report. While the operational briefing and extraction of prisoners were matters outside the control of Victoria Police, the issues surrounding the helicopter and armoured vehicle did cause delays.

The first helicopter was on-site earlier that day to observe prisoner movements and provide visual footage to the command team. A second helicopter was also used at various points throughout the course of the riot.

While the second action plan was approved at 19.00, the helicopter was not ready for deployment until 19.52. Given the need to brief tactical operatives (at 19.20), the delay in deploying the helicopter was relatively minor and not unreasonable in the circumstances.

Unnecessarily complex approval processes regarding the armoured vehicle caused another delay. The Investigation has been advised that this issue has since been addressed. As the delay partly overlapped with the temporary unavailability of the helicopter, it therefore had a relatively minor effect on the police response time.

CV’s Central ECC log notes that there was a further delay when it was discovered that prisoners had armed themselves with makeshift weapons. However, the Investigation found that this did not cause undue delay, given that the Deputy Police Commander approved the continued activation of the plan.
Implementation of the action plan
Once the extraction of prisoners secured in one of the areas of the prison was completed, two announcements (at approximately 20.57 and 21.07) were made over the PA system, requesting prisoners to surrender and informing them that deliberate action would soon occur. The CMIR notes that ‘if any prisoners remained at large after the public announcement, the “enter and sweep” plan was to be activated as approved’. Prisoners immediately began to surrender in large numbers with little resistance. They were secured, then moved to ‘safe areas’ and many were transferred out of the prison to other locations.

Despite the fact that the second action plan worked very effectively, there was (and remains) some confusion as to which agency led the implementation of the plan. According to the Deputy Police Commander, he was the forward commander in charge of the tactical solution, which included control of the SESG. Interviews with other Victoria Police members involved in the implementation of the plan support this view. Conversely, CV officials advised the Investigation that at no stage was control handed over to Victoria Police, and that SESG maintained control of the tactical response and resources during implementation of the action plan while Victoria Police provided a support presence.

OTHER ISSUES
The role and effectiveness of the Central CV ECC
According to the CV Commissioner, the role of the CV Central ECC was to provide a more strategic support base and to:
- provide appropriate levels of support and resources to the prison
- ensure that the rest of the prison system was not affected
- ensure that appropriate decision-making was taking place.

The Investigation found that, overall, the Central CV ECC functioned effectively and fulfilled its role in the response. Specifically, support was provided to the Operational Commander, and the rest of CV’s business was managed to enable focus on the incident.

The Investigation did, however, find that the Central CV ECC was hampered by technology and accessibility issues (such as video feed) which, if improved, would enable it to operate more efficiently and effectively. The Investigation suggests improvement in the following areas:
- That the ECC ensures that video feed is available to provide for greater visibility of events within the prison.
- That the ECC procures more enhanced technology to replace paper processes, e.g. information is currently logged on butchers paper and whiteboards.

Media management
Throughout the course of the riot, CV did not have a specific media liaison officer on site at MRC. A written statement was provided to media at the MRC site at
approximately 15.00 and the Corrections Commissioner participated in a media conference at approximately 16.45.

The Investigation found that a more proactive and targeted media strategy would have enabled CV to help shape information being disseminated by media outlets.

**Victoria Police debrief (CMIR)**

Operation Oyster stipulates that a formal debrief by the Police Commander should be held within two weeks of a non-routine incident. However, Victoria Police did not conduct a debrief (CMIR) of the incident until some eight weeks later on 4 September 2015. The debrief report was subsequently provided to the Investigation on 1 October 2015.

In the view of the Investigation, too much time expired to glean the most accurate recollections and observations from police members who attended at the MRC. In addition, the CMIR does not provide sufficient detail or analysis of Victoria Police procedures or decision-making regarding a number of key moments, including delay of the armoured vehicle and helicopter, and the time taken to develop a safe and effective action plan.

**Relief of staff**

The Investigation found that CV did not appear to have the capacity to enable staff within the ECCs to take breaks or be relieved. While staff are to be commended for their dedication, the Investigation found that additional staff should be available (at least on-call) to allow for breaks and prevent potential fatigue. Conversely, Victoria Police, with a greater resource capacity, was very effective at managing its personnel, ensuring refreshments were provided to members and a relief/shift system was in place.

**Mass casualty distribution plan**

Senior officers from AV told the Investigation that the organisation has had a mass casualty distribution plan for some time, and has applied it regularly. However, it does not have a plan that provides for procedures in the event of mass casualties in custody.

The recommendation from senior AV officers was ‘... that each prison have a local plan for distribution of patients under custody. While AV can provide the transport and clinical resources, the correctional facility needs to provide the security escort and hospital custody agreements.’

An exercise has been scheduled and includes external representatives from VP, AV, and the Department of Health and Human Services.
Emergency Management Plan

According to EMV, Victoria’s peak emergency management agency, ‘emergency management involves the plans, structures and arrangements which are established to bring together the endeavours of government ... in a comprehensive and coordinated way’.

The MRC Emergency Management Plan (EMP) formed the basis of the prison’s response to an emergency. It ‘provides a framework for the prevention of, response to, and recovery from incidents or emergency situations affecting the MRC’. Coupled with this, it should ‘organise the means of combating, controlling and nullifying the effects of natural or man-made emergencies and nullifying the effects on MRC, and to utilise all available resources to preserve life, property and safeguard security’.

On 25 August 2015, EMV provided the Investigation with expert advice on the effectiveness of the MRC’s EMP. It concluded the EMP should be extensively rewritten and:

... outline the roles and responsibilities in preparing for responding to and recovering from emergencies identified on an ‘all hazards’ basis, i.e. the arrangements across all emergencies and the actions for specific emergencies should these require additional/incident specific functions or actions beyond standard arrangements.

The riot showed that the MRC’s existing ‘plans, structures and arrangements’ were inadequate. A more timely response and resolution was hampered by the MRC’s lack of contemporary emergency management planning and expertise. The Investigation found the MRC’s EMP was:

- deficient
- not fit-for-purpose
- of limited value in responding to the riot

Other comments made by EMV regarding the EMP include that:

- it cited reference and authority documents that are out-of-date
- prison staff roles and titles are confusing to other agencies
- only three roles are identifiable with tabards, which diminishes the effective management of emergencies
- most prisons have a fire response plan developed with the relevant local fire service – the MRC does not.

The Investigation found that the EMP was not useful to the MRC management, and that, in general, prison EMPs are inconsistent and outdated. The Investigation notes SID is now working with prisons to update emergency plans, including for evacuation and fire. Tabletop exercises developed by the SID (Operation Exodus and Operation...
Sanctuary) will be practised soon. This emergency management planning should continue.

**Multi-agency emergency management**

A key consequence of not having a contemporary EMP was that agencies were not properly briefed on arrival. In addition there were issues with the provision, flow and receipt of information. This incomplete understanding of events made it extremely challenging for agencies to determine:

- the risks
- how they could best support CV as lead agency
- what resources were required.

The Investigation was advised that CV’s ‘inward focus’ on events inside the prison initially prevented it from providing other agencies with operational updates and strategic direction. Attending agencies expected a contemporary incident management system like the Australasian Inter-service Incident Management System (AIIMS) used by fire agencies, or Victoria Police’s Incident Command and Control System (ICCS).

The 2009 Victorian Bushfires Royal Commission recognised the value of these incident management systems finding that:

> ... they provide a consistent framework for incident management between fire agencies and, although it is not identical to the incident command and control system used by police, both systems follow the same principles and are very similar in operation and function.

EMV has recommended that CV adopt a contemporary incident management system (such as AIIMS, ICCS, etc) ‘to enable seamless integration with other agencies’, and that all roles should be identifiable with tabards.

Key to the AIIMS and ICCS systems is establishing an EMT. This multi-agency forum coordinates activities, identifies risks, establishes priorities and determines actions to mitigate risks. Its main benefits are:

- total resources to manage an emergency can be accounted for, and their activities prioritised
- better situation awareness and unified messaging across agencies, government and the community.

It was not until an EMT was established at 14.30 that information began to flow more freely and agencies were properly updated.

It should be emphasised that other agencies are more experienced in multi-agency responses to major incidents. And, being embedded in Victoria’s broader emergency management arrangements means they are more familiar with contemporary approaches, structures and responses.

The view that CV should form part of statewide emergency management planning stretches back to the 1989 Coronial Investigation into Jika Jika Maximum Security Prison fires, during which Coroner Hallenstein concluded:
It is fundamental that the Office of Corrections fit within the Emergency Management Act 1986, and the Victorian State Disaster Plan or Displan, like everyone else in Victoria ... The Emergency Management Act makes no distinction for emergencies within or without prisons.

The advantages of embedding CV within existing statewide emergency planning include:

- greater consistency and coordination across agencies in terminology, structures, command and control arrangements
- better access for CV to equipment, information, technology and support
- broader hazard planning within prisons
- more transparent risks and accountabilities
- CV bringing different views and expertise to existing arrangements.

Given the inherent volatility of prisons (particularly with current overcrowding issues), further incidents needing a multi-agency response are likely. Embedding CV in statewide planning and structures will improve its ability to respond.

While it is acknowledged that DJR are represented in such forums more generally, interviews with senior EMV officials highlight that, until now, CV has been treated merely as another ‘affected party’ in the community rather than an embedded part of planning. The Investigation notes the steps taken to better integrate CV into emergency management planning, e.g. CV is now a member of the State EMT.

Additionally, CV has proactively engaged in discussions with EMV and Victoria Police on a range of issues including:

- command and control arrangements
- the likelihood of similar disturbances in other prisons
- how responses would be ‘scaled up’.

With CV embedded in the State EMT, the opportunity now exists to inform other agencies as to CV obligations and responsibilities under the Corrections Act 1986, particularly with regard to the control of incidents, such as riots, within prisons.

**OPERATION OYSTER**

**Overview**

Operation Oyster is a joint Victoria Police/CV plan used when CV requests ‘a police response to a non-routine incident affecting a prison or correctional centre’.

Operation Oyster is the plan ‘for maintaining security of the facility and, if requested by CV, assisting in the restoration and/or maintenance of good order within the facility’. Under the plan, CV retains the responsibility for the care, management and security of prisoners.

A non-routine incident is one that affects ‘the normal operation of the facility’, including a riot, and it is the responsibility of CV to declare one. Operation Oyster has been in place for a number of years and was last updated in November 2013.
**Operation Oyster was never exercised**

At approximately 13.38 on 30 June, the Corrections Commissioner advised the Victoria Police Acting Deputy Commissioner that Operation Oyster was ‘being activated’. On examination of logs and relevant materials, however, this appears to be the only reference to the plan. Interviews with Victoria Police and CV officials reveal Operation Oyster:

- was not well understood
- was thought to be an insufficient response to a riot, i.e. it was more of a generic response to incidents
- had never been exercised.

This created challenges for Victoria Police and CV.

**Differing philosophies**

Under Operation Oyster, Victoria Police’s responsibilities are:

- to provide external perimeter security and a dedicated liaison role within the prison ECC (primary role)
- for the Police Commander, in consultation with CV, to determine whether it is necessary for police to enter any part of the facility (secondary role).

These responsibilities are consistent with the police philosophy of ‘contain, plan and act’, underpinned by a ‘safety first’ focus. Under this approach, actions should be properly planned – speed is not crucial. Following their philosophy, Victoria Police prioritised the security of the prison’s external perimeter. They also felt letting prisoners fatigue would reduce safety risks. CV’s approach to the incident, however, was more ‘combat focused’, and underpinned by an intention to quell the riot and restore order as soon as possible. The ‘State Response and Management of the Riot’ section discusses these different philosophies in more detail.

Operation Oyster notes that a ‘desired outcome’ is that ‘the disturbance within the facility is minimised and contained’, however also provides that ‘safety and good order is restored and maintained as quickly as possible’. It is evident that desired outcomes don’t always align and sometimes contradict.

**Incident handover**

Operation Oyster provides that, if the police need to enter a facility, there needs to be an appropriate handover/briefing from CV with documented procedures. The term ‘handover’ is not detailed or defined, nor is the extent of the handover required. Consideration should be given to the form of the handover (e.g. verbal or written), as well as its content and extent (e.g. whether it is confined to resolving the particular incident).

Having no formal, documented handover/briefing process during the riot may have contributed to confusion around precisely who was in charge.
Carriage of firearms
The question of whether police should carry firearms into the prison was raised in a number of interviews. Logs indicated the decision to authorise the carriage and use of firearms by Victoria Police was made in the Central CV ECC by the Commissioner and Deputy Commissioner, after being referred by the MRC General Manager at approximately 15.40. Approval was given at approximately 16.05. The Investigation does not regard this as an undue delay.

According to Operation Oyster, firearms carriage is a Victoria Police decision made after consultation with CV. However, Operation Oyster also provides that, if police have to respond inside the facility, the Police Commander retains command of police resources, and control of police response in accordance with police guidelines, policies, protocols and procedures. This arguably includes carriage of firearms.

It is acknowledged that there are specific dangers with respect to the carriage of firearms within a prison, where direct contact with prisoners is likely. Should a firearm be wrested from frontline police or correctional staff, the results could be significant.

Authorising Environment
Additionally, there was a lack of understanding by CV of the command structure and authorising environment of Victoria Police. This was evident from comments made from various CV officials with regard to the approval process of the incident action plans, and an expectation by CV that all approvals would have been made at the incident/operational level. Reviewing Operation Oyster, then regularly exercising it, would identify and clarify this, and other issues.

TRAINING, RESOURCES AND EQUIPMENT

Training
As events began to unfold on 30 June, it quickly became apparent that MRC lacked sufficient numbers of specially trained officers on-site to quell the riot. Interviewees have indicated that current training levels for general duties prison officers had a limiting effect on the response to such a large scale riot.

Most MRC staff are general duties prison officers, there to assist in maintaining the security and good order of the prison. The duties outlined in the DJR job description include:

- escorting
- case management
- operating security equipment
- searches
- collating information and preparing reports
- observing and assessing prisoner behaviour
- effectively responding to prison incidents.

These skills are developed during an eight-week training program, which includes up to two weeks of ‘on-the-job’ placements. Prison officers require additional training to respond to such a large-scale riot.
The Investigation notes that the OCSR identified issues around training for officers in its ‘Investigation of the riot at Fulham Correctional Centre on 18 and 19 January’ (the Fulham riot). The report recommended that training programs be improved.

**MRC RESOURCES**

**SESG**

As noted earlier, the MRC did not have sufficient numbers of specially-trained officers on-site for a decisive response as events escalated. Thinly-stretched SESG resources were heavily outnumbered, leaving them unable to consolidate gains. SESG officers were called in from other locations shortly after the riot began.

**ERG and the Risk Register**

ERG members are trained in riot control, formation and to support the SESG. In January 2015, the MRC began recruiting to increase ERG members which, according to CV officials, was primarily done in preparation for the smoking ban. As one ERG officer remarked, ‘the ERG was prepared’.

In its Risk Register, the MRC identified the potential for an aggressive disturbance and property damage linked to legislation implementation. The register listed key treatment strategies to mitigate these risks. One was that all ERG members receive a certain level of tactical training. According to the register this had happened by March 2015.

A second strategy was for predictive ERG and staff placement, based on date, trends and themes. The Investigation was advised that additional ERG members were rostered on for the first passive protest on 25 June, though this appears to be the only time in the lead-up to the smoking ban that additional ERG officers were rostered on.

On 30 June, one day before the smoking ban was to take effect, the usual number of ERG members were rostered on to perform ERG duties. Whilst it is acknowledged that other ERG-trained members were on duty at MRC, they were performing other general duties. The Investigation considers that more ERG-trained members should have been rostered on for specific ERG duties, having regard to the identified risks and known activities occurring in the days and weeks leading up to the riot.

ERG members are tasked daily, yet no authorised staff rostered on additional ERG members or ensured some were available on call. It is not clear why this happened, and it’s difficult to justify in the context of having identified major and moderate risks as being likely or almost certain to be realised.

The ERG adds to SESG numbers and supports it during major incidents. The Investigation was advised that, for previous MRC changes, additional ERG resources were deployed including, for example, when lockdown hours were increased.

Other Victorian prisons took a more proactive approach in using resources to mitigate prisoner disturbances. For example:

- Fulham Correctional Centre placed extra staff in each of the units and control room in the month leading up to the ban.
• Dame Phyllis Frost Centre had additional ERG members rostered on as of 30 June.
• PPP had an additional Tactical Operations Group members (SESG equivalent) available on an on-call register. Additionally, TOG members underwent refresher training.

Insufficient resources was one of the major reasons it took so long to regain control. The Investigation has had several discussions with CV management regarding appropriate levels of resources. The Investigation notes it is CV’s responsibility to work out appropriate resource levels for each individual prison and the collective resources that should be available.

**EQUIPMENT**

The SESG lacked sufficient tactical options to respond to the riot. While it had access to tactical equipment, the inability to use bean-bag rounds deprived the SESG of a viable and potentially useful option. This non-lethal measure briefly renders individuals immobile and their use could have hastened the riot’s resolution.

The use of bean-bag rounds was identified in OCSR’s review of an earlier prisoner disturbance at the MRC in 2012, as an option that could be used by the SESG ‘as a deterrent to unruly prisoner behaviour’. Furthermore, the report found that the incident ‘may have been concluded in a shorter timeframe if this type of non-lethal weapon was available’.

It is unclear why this option was not progressed but the Investigation notes the Government has recently approved the use of bean-bag rounds (in authorised circumstances) by the SESG. This legislative amendment came into force on 18 August 2015 (Appendix D).

**AVAILABLE INFORMATION**

Review of the available information and intelligence does not suggest that CV knew, or ought to have known, a riot would occur and certainly not one of this magnitude. The Investigation has found, however, that from a risk management perspective, CV should have been better prepared for an aggressive protest and taken more proactive measures leading up to 1 July.

**Overview of intelligence framework**

The 2008 Comrie Review into the ‘Operations of the Corrections Intelligence Function and Structure’ identified that CV’s intelligence system or framework did not meet its needs, and found its existing arrangements were ‘incapable of meeting the rapidly growing demands for future effective intelligence management’. The report recommended CV establish an intelligence discipline within the organisation. In response, CV established the SID in 2012.

The SID’s objective is to deliver security and intelligence management for the correctional system via security, emergency and intelligence services, and electronic monitoring. It has significantly enhanced CV’s intelligence capabilities and implemented a comprehensive training program. Additionally, the SID has begun
implementing consistent standards regarding intelligence and emergency planning across correctional facilities.

The key components of CV’s intelligence system include:

- individual PIUs that analyse information submitted by prison staff
- a central CV Intelligence Unit (CVIU) that provides operational and tactical intelligence to the CV Executive Committee, prison general managers, SESG, operational managers/supervisors, etc., and provides analytical support to PIUs
- an overarching intelligence product.

Prison staff enter information reports directly onto the intelligence system to be analysed by PIUs and the CVIU. Importantly, the intelligence system does not provide recommendations - it only provides opportunities for consideration.

**Passive protests**
The two ‘passive protests’ on 25 and 28 June were evidence of prisoner discontent at the impending smoking ban.

The first occurred on Thursday 25 June, when around 80–100 prisoners refused to return to their units. The group sporadically banged and kicked fences, chanting, “we want Ox” (White Ox pouch tobacco), before dispersing after approximately 45 minutes. Prisoners had also placed a letter under a rock, which stated:

> To the power’s [sic] that be … This is a peaceful protest, all prisoners are entitled to be heard and here is what we want to say …

> We ask of you to extend the no smoking policy or amend the legislation to allow us an area outside well within shelter but beyond the 10m from government buildings. The ban takes effect on the 1st of July, so by rights why aren’t we permitted to buy up until said date?

> This is just the start of said peaceful protests, we believe that smoking is our right as it is not available for purchase we are not being given our basic rights.

> We ask you to please reconsider our request seriously, we are aware of the costs involved in running the prison – industry wise and also response staff costs and we can guarantee that the prison will lose money. An extension till October like PPP is the ultimate result.

> Regards,
> The Prisoners of MRC (Appendix B)

While the prisoners during the protest were relatively passive and non-threatening, the letter of demand pointed to further protests and, by alluding to the increased costs, it carried a veiled threat of trouble.

As foreshadowed by the prisoners, there was a second protest on Sunday 28 June, when approximately 50 prisoners refused to return to their units. They only did so after discussion with staff at approximately 17:10. A ‘Unit Request Form’ (Appendix
C) was later given to the MRC, containing a list of prisoners who had supposedly not had the opportunity to purchase their last pouch of tobacco.

A catalyst for the passive protests was the Canteen prematurely running out of White Ox tobacco. Due to stock shortages, the Canteen sold out at approximately 13.00 on 18 June, a day ahead of the scheduled cessation of tobacco sales. This denied some prisoners an opportunity to purchase their final tobacco allocation.

According to an information report, prisoners who missed out were feeling ‘disenfranchised due to not having equitable access to loose-leaf tobacco’. A joint decision was made between MRC management, the Corrections Deputy Commissioner and the Deputy Director to provide affected prisoners with the chance to make a final purchase of tailor-made cigarettes. While this decision may have sought to provide equity, it inflamed tensions because rumours subsequently abounded that some prisoners had additional opportunities to buy tobacco.

While the decision to provide some prisoners with a final chance to buy tailor-made cigarettes is difficult to criticise, the Canteen running out of White Ox ahead of the scheduled smoking ban was poor planning.

**Damage to Fencing**

Following the first passive protest on 25 June, prison staff observed damage caused to fencing separating the mainstream yards. It is likely that the fence was damaged during the first passive protest. Part of it had come away from its welding points and, with force, could be opened, giving access between the yards. The fences were repaired by contractors, although prisoners were aware of the structural deficiencies.

While the Investigation was not tasked with examining MRC infrastructure issues, the internal fencing and the CMC gates were clearly not strong enough to resist the pressure applied by prisoners and were too easily breached. These breaches, which occurred in a matter of minutes, allowed hundreds of prisoners to congregate in the one area and thus, facilitated an escalation of riotous activity.

The ease with which prisoners pushed over internal fences and forced their way into the CMC is worrying. It was considered that the CMC was secure, and therefore, for it to be so easily breached by prisoners is a concern.

It is clear that action needs to be taken by CV to ensure that internal fences and the CMC gates have the strength and integrity to prevent similar breaches in the future.

The CV Commissioner showed the Investigation concept diagrams for strengthening internal fences and CMC security. The Investigation supports this as an important part of the MRC’s recovery.

**MRC Prisoner Unrest**

Many of those interviewed remarked on increased agitation and tension in the days and weeks leading-up to the riot. One officer commented that ‘the feeling of unrest
was palpable ... and it was getting worse every day’. Another remarked that prisoners were ‘getting a bit edgy and ... a bit demanding’.

This growing feeling of unrest was confirmed by CV officials, who indicated that the MRC had been identified as the prison of focus because no other prisons had experienced any smoking ban protests.

Various examples of growing tension included:

- BalACLavas, fashioned out of tracksuit pants, were found, pointing to a need for prisoners to conceal their identity.
- There was much ‘general chatter’ about riots or active protests. Phone calls had also been monitored, wherein prisoners had been animated about the prospects of a riot.
- There was a steady increase of incidents, where prisoners appeared to be checking staff response times.
- Prisoners were being more confrontational than usual by threatening staff and putting graffiti on the walls.

Similarly, it is unreasonable to expect prison administrators to respond to every warning, given many are likely to be false alarms.

**Comparison with other prisons**

Measures implemented at other prisons in the lead up to the smoking ban included:

- A focus on the trade-offs for removing tobacco, e.g. more exercise kits, coffee machines and digital TVs, the establishment of an indigenous garden, increased family time and installation of BBQs.
- Extra staff were provided on weekends to discuss policy changes with visitors.
- A focus on the health benefits, and increased activities offered during May and June to keep prisoners busy.
- An increase in targeted searching for contraband in units (including more lockdowns), particularly for prisoners likely to be involved in a disturbance.

The Investigation notes that some of these strategies may have contributed to less protests in other Victorian prisons. Furthermore, it is acknowledged that the MRC had also employed some of these strategies, but the Investigation has not explored in detail the effectiveness of MRC’s strategies and policies. This issue will be examined by the OCSR.

**CV’s view**

Senior CV officials reported little evidence of prisoners preparing for a riot, and that nearly all comments related to passive protests or displeasure with conditions.

Senior CV officials do not believe the riot was coordinated or pre-meditated, instead, that it was a spontaneous event, triggered by the collapse of the first fence, which allowed a large group of prisoners to come together. The group gathered momentum, and escalated into a riot in the face of little initial resistance.
The SID coordinated a tabletop exercise on 1 June 2015 to plan for riots at multiple locations. The objective was to identify potential indicators of unrest through mail, phone calls or staff observations (e.g. increased silence in units, changes to visit schedules, stockpiling of weapons, etc.). Early intelligence from this contributed to decisions during the riot, e.g. to promptly lock down other prisons.

**Conclusion**

The Investigation finds the MRC should have been in a heightened state of readiness given the:

- two passive protests (noting that no passive protests had occurred in other prisons)
- foreshadowing of further protests
- threat regarding the prison’s running costs
- damaged internal fences
- finding of balaclavas
- various information reports highlighting growing unrest.

Despite the early identification of significant risks (e.g. large scale aggressive or passive prison disturbances or increased violent behaviour), the MRC failed to monitor these and assess ongoing risk mitigation strategies. The interview with a CV official revealed that a formal risk assessment was not undertaken following the first passive protest. It is likely that such an assessment would have identified the likelihood of further disturbances and the genuine possibility these might evolve into something worse.

The MRC undertook a whiteboard exercise on 27 June following the first passive protest on how to manage another passive protest, including details on the possible approach if the protest became aggressive. The Investigation was advised that this planning did not assist much because most areas of the prison were breached.

It must also be emphasised that these events and information were within the context of a very significant change to prison life, i.e. a prohibition on smoking, which was perceived by many prisoners as the withdrawal of one of their few privileges. In addition to this, the 2012 Fulham riot demonstrated that passive protests have the capacity to escalate into much more.
The MRC riot between 30 June and 1 July 2015 extensively damaged prison infrastructure and facilities, and resulted in substantial repair costs to return the prison to full operational status. While the riot took around 15 hours to resolve, the Investigation recognises the complexities and challenges it involved. Furthermore, prisoner and staff injuries were minimal.

The riot was the largest in Victoria’s history, and MRC authorities were overwhelmed by its sheer scale and intensity. The response and final resolution consumed significant tactical resources of CV and Victoria Police.

The Investigation acknowledges the dedication and commitment of CV staff, who faced hostile aggression in a threatening environment. While certain individuals displayed positive leadership, the response was a team effort. The Investigation also acknowledges the responsiveness and support provided to CV by Victoria Police, CFA, MFB and AV.

The unprecedented nature of this event provides plenty of lessons for state authorities. The Investigation has sought to identify these and respond with recommendations for improvement.

Some elements of the response were highly effective, in particular, the small number of minor injuries to prisoners and prison staff. State emergency management agencies responded promptly to the call for assistance and worked well together.

The Investigation found, however, that had additional ERG members been called-in to help the SESG, particularly early-on, the state could have responded more effectively.

In relation to preparedness, the Investigation found that, given the information available in the preceding weeks, CV should have been better prepared and adopted a more proactive risk-based approach. A smoking ban was going to significantly impact prisoners, and this ban should have been met with more regular and robust risk assessments. These would have highlighted the need for further risk treatment strategies, like rostering-on additional ERG members in the lead-up to 1 July.

Supported by EMV’s advice, the Investigation also found that improved emergency management plans and frameworks would better prepare state authorities to respond to future incidents of this magnitude within prisons. The Investigation has also identified opportunities to strengthen CV’s capabilities and better prepare it for such an event.

While the Investigation was not tasked with examining the MRC’s infrastructure issues, it is obvious that both its internal fencing and the CMC gates lacked strength and were too easily breached by prisoners, thus escalating riotous activity.
The Investigation has been briefed by the CV Commissioner and shown concept diagrams with respect to the strengthening of internal fences and security of the CMC. The Investigation supports such action, because it will help to prevent similar future breaches, and has made a recommendation to strengthen MRC’s internal infrastructure.
TERMS OF REFERENCE FOR THE INDEPENDENT REVIEW INTO THE METROPOLITAN REMAND CENTRE RIOT

The Victorian Government is committed to ensuring the ongoing safety and security of the Victorian prison system. On 30 June and 1 July 2015, a riot involving several hundred prisoners took place at the Metropolitan Remand Centre.

Former Victoria Police Deputy Commissioner Kieran Walshe has been appointed to undertake an independent investigation that will:

- consider the events of 30 June and 1 July
- review the State's response to and preparedness for the incident and the management of the emergency, giving specific consideration to joint agency operations
- identify any learnings from the incident and make recommendations for future improvements

The investigation will consult relevant parties as required, including but not limited to Corrections Victoria, Victoria Police, the Metropolitan Fire Brigade and Ambulance Victoria.

The investigation will provide a final report to the Minister for Corrections by 13 November 2015.
TO THE POWERS THAT BE...

THIS IS A PEACEFUL PROTEST.
ALL PRISONERS ARE ENTITLED TO BE HEARD.
AND HERE IS WHAT WE WANT TO SAY...

WE ASK OF YOU TO EXTEND THE NO SMOKING POLICY OR AMEND THE LEGISLATION TO ALLOW US AN AREA OUTSIDE WELL WITHIN SHELTER BUT BEYOND THE 10m FROM GOVERNMENT BUILDINGS.

THE BAN TAKES EFFECT ON THE 1ST OF JULY SO BY RIGHTS WHY AREN'T WE PERMITTED TO BUY UP UNTIL SAID DATE?

THIS IS JUST THE START OF SAID PEACEFUL PROTESTS WE BELIEVE THAT SMOKING IS OUR RIGHT AS IT IS NOT AVAILABLE FOR PURCHASE WE ARE NOT BEING GIVEN OUR BASIC RIGHTS.

WE ASK YOU TO PLEASE CONSIDER OUR REQUEST SERIOUSLY, WE ARE AWARE OF THE COSTS INVOLVED IN RUNNING THE PRISON INDUSTRY WISE AND ALSO RESPONSE STAFF COSTS AND WE CAN GUARANTEE THAT THE PRISON WILL LOSE MONEY.

AN EXTENSION TILL OCTOBER LIKE PPP IS THE ULTIMATE REQUT DEARIX THE PRISONERS OF MD.
SCHEDULE 4.1(2)
METROPOLITAN REMAND CENTRE
UNIT REQUEST FORM

REQUEST

Due to the company running out of stock.

Signature of Prisoner: (Signature)
Date: 18.06.15

ACTION TAKEN BY SENIOR PRISON OFFICER

Senior Prison Officer: (Signature)
Date: 20.06.15

ACTION TAKEN BY PRISON SUPERVISOR

Prison Supervisor: (Signature)
Date:

Copy placed on IMF File: Yes □ No □
Thursday, 20 August, 2015

PRISONS GET NEW POWER TO STOP RIOTS AND KEEP STAFF SAFE

Victorian prisons have this week been given new powers to help officers prevent serious incidents turning into riots and keep staff safe.

The new powers will allow for the use of bean bag rounds to help de-escalate a situation or bring a serious incident to a speedier resolution.

Bean bag rounds are a non-lethal measure that target individuals at a distance to briefly render them immobile.

This reform, made by the Andrews Labor Government, came into force on August 18.

The bean bag rounds will only be used in limited circumstances and by highly trained specialist prison staff.

They will give the Security and Emergency Services Group staff another tactical option in the event of a major disturbance.

All police forces in Australia use bean bag rounds and they are available to prison staff in other states and many corrections departments worldwide.

In addition, the Labor Government is considering further measures to reduce the chance of another major disturbance.

A preliminary estimate of the damage for the MRC riot is between $10 million and $12 million.

The Labor Government has appointed Kieran Walshe to head an independent investigation into the MRC riot. The investigation will report in early November.

Quotes attributable to Minister for Corrections, Wade Noonan

“*The criminal behaviour that occurred at the Metropolitan Remand Centre will not be tolerated.*”

“*Our prison staff worked hard to restore order at the MRC in extremely difficult circumstances.*”

“*Bean bag rounds will provide prisons with an additional and effective non-lethal option to keep them safe while dealing with serious unrest.*”

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