

Hon Barbara Scott; Hon Barry House; Hon Bruce Donaldson; Hon Derrick Tomlinson; Hon Giz Watson; Hon Norman Moore; Hon Peter Foss; Hon Robyn McSweeney; Hon Simon O'Brien; Hon Ed Dermer

JUSTICE

Question on Notice: Hon Barbara Scott asked:

1.
 - (a) *When did the Department of Justice first become aware of the contents and recommendations in the Office of The Inspector of Custodial Services Report 13 June 2002?*
 - (b) *On what date did the Department provide a briefing on the contents and recommendations to each and any of the Minister for Justice or any member of the Ministers Staff or Government Media Office staff?*
 - (c) *What has the Department of Justice done to implement Office of The Inspector of Custodial Services Report 13 June 2002 Chapter 8 Recommendation 9?*
 - (d) *Has a strategy and implementation timetable been completed, if so please table those plans?*
2. *Does the Department intend to advertise and recruit new custodial staff specifically for Bandyup? And if so -*
 - (a) *when,*
 - (b) *how many new officers are planned,*
 - (c) *what will the cost be and is this budgeted for? Please identify it in the papers?*
3. *Have the existing staff been given any urgent training in Unit Management and prisoner transfer? And if so -*
 - (a) *How many staff have already received the training, and how many have not?*
 - (b) *For those who have not, why not? and when is this training expected to commence?*
4. *Have the recent changes to the appointments of Superintendents of Bandyup and Nyandi been made as a result of the recommendation of the Inspector?*
5. *What strategies are in place to track the changes and monitor improvement?*
6. *The Inspector of Custodial Services recommended to the Department that restraints not be used for women in childbirth. Why was this recommendation ignored?*
 - (a) *Why did the Minister for Justice recently say it was changed as a result of a request by a prisoner's family contacting his office due to an imminent birth?*
 - (b) *Why did it not draw public attention to the Inspector's report?*

Answer:

1.
 - (a) The Report of an Announced Inspection of Bandyup Women's Prison June 2002 was tabled in Parliament on 6 May 2003. The Department received a copy of the draft report on 20 January 2003.
 - (b) The Minister's office received the draft report on 20 January 2003 and at the same time he was briefed on the contents of the report.
 - (c) An increase in staff gender ratio for women officers will occur when the next prison officers school is completed later this year.
 - (d) The Bandyup Change Management Project is in the process of developing the change program.
2.
 - (a) Female staff are being recruited for Bandyup, the new low security women's prison and regional prisons that hold female prisoners. The new Prison Officer intake in the second half of 2003 will be all female recruitment. A new training program is being developed focussing on the needs of women in custody.
 - (b) Approx 20.
 - (c) The cost of the course is estimated at \$375,000.00 including the cost of staffing.
3. Bandyup Change Management project will identify training needs of staff, however Senior Officers have undergone the Unit Managers Course.

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- (a) 6 substantive senior officers working at the prison have been trained.
- (b) 3 who are on secondment to other institutions and locations have not.
- 4 No.
- 5 The Director, Women's Custodial Services, the management team of Bandyup Prison and a change management consultant will monitor changes and improvements..
6. The recommendation was not ignored.
- (a) A review of the process was underway following the Inspector's Report. However, when the matter came to my attention through the case of a juvenile in detention, I instructed that the action be expedited.
- (b) The Inspector's Report was tabled in Parliament and available to the public via the Inspector's website.

Question on Notice: Hon Barry House MLC:

1. *For each prison, what is the proportion*
 - (a) *of prisoners who participate in:*
 - i *education programs*
 - ii *work*
 - (b) *on average, of the working day spent by prisoners participating in each such activity?*
2. *Of those prisoners not participating in such programs or who participate for less than 50% of the day, what is the reason for their non-participation?*
 - (a) *Has there been any reduction since 2001 in -*
 - i *the ratio of education or industrial staff to prisoners,*
 - ii *the budget allocated to education or industry?*
3. *How does the Department explain how the Inspector of Custodial Service was able to find the circumstances that led to his comment contained in the Report No 12 on Hakea Prison page 32 para 5.2 and 5.3? How is the Department able to satisfy the Committee that this was not an indication of the general state of affairs at that Prison?*
4. *What are the opportunities to participate in special programs addressing offending behaviour such as -*
 - (a) *cognitive skills (especially the T3 programs),*
 - (b) *violent offender treatment,*
 - (c) *sex offender treatment,*
 - (d) *substance abuse?*
5. *What is the usual waiting time for participation in each program, how many miss out who wish to participate and how many drop out and for what reason?*

Answer

1. (a) (i)

Education Enrolment By Prison Year to Date July 2002 to March 2003					
Prison	Prisoners Unable to Participate in Education Monthly Average	Prisoners Eligible To Participate Monthly Average		Distinct Number of Prisoners Enrolled Monthly Average	% of Eligible Prisoners Enrolled Monthly Average
		No.	%		

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Acacia	33.8	658.9	95.1%	226.0	34.3%
Albany	2.2	130.2	98.3%	62.4	48.0%
Bandyup	14.6	101.3	87.4%	51.3	50.7%
Broome	9.1	89.9	90.8%	28.4	31.6%
Bunbury	4.0	133.6	97.1%	72.0	53.9%
Casuarina	24.3	329.9	93.1%	163.1	49.4%
Eastern Goldfields	7.6	87.9	92.1%	46.6	53.0%
Greenough	14.9	151.9	91.1%	53.0	34.9%
Hakea	94.1	465.3	83.2%	148.8	32.0%
Karnet	1.8	158.0	98.9%	84.1	53.2%
Nyandi	3.0	40.3	93.1%	28.7	71.1%
Roebourne	8.2	93.9	91.9%	32.0	34.1%
Wooroloo	4.0	172.8	97.7%	75.2	43.5%
Monthly Average July - March	221.6	2613.9	92.9%	1071.7	41.0%

1 (a) (ii)

Proportion of Prisoners Employed By Prison Year to Date July 2002 to March 2003							
Prison	Population on last working day of month	Unable to participate	Total Eligible on last working day of month		No. Employed	% Prison Population Employed	% Eligible Population Employed
			No.	%			
<i>Acacia</i>	694.4	123.9	570.6	82.2%	546.2	78.7%	95.7%
Albany	131.9	11.7	120.2	91.2%	116.0	88.0%	96.5%
Bandyup	115.4	17.1	98.3	85.2%	91.6	79.3%	93.1%
Broome	100.8	10.0	90.8	90.1%	88.2	87.5%	97.2%
Bunbury	137.2	26.2	111.0	80.9%	108.7	79.2%	97.9%
Casuarina	356.2	62.6	293.7	82.4%	270.3	75.9%	92.1%
Eastern Goldfields	97.2	12.0	85.2	87.7%	82.7	85.0%	97.0%
Greenough	167.1	36.0	131.1	78.5%	118.8	71.1%	90.6%
Hakea	551.4	70.4	481.0	87.2%	394.2	71.5%	82.0%
Karnet	157.6	10.2	147.3	93.5%	147.0	93.3%	99.8%
Nyandi	43.7	5.6	38.1	87.3%	34.3	78.6%	90.1%
Roebourne	105.6	13.8	91.8	86.9%	90.9	86.1%	99.0%
Wooroloo	175.6	13.6	162.0	92.3%	153.4	87.4%	94.7%
Total July - March				85.4%		79.1%	92.6%

1. (b) The tables below show the average number of hours prisoners attended education and employment.

Note: Prisoners are regarded as being “fully employed” if they are engaged in either full time employment, full time education, full time rehabilitation program, or any combination of these that result in them being constructively occupied during the entire working day.

Average Hours Worked Per Prisoner Per Day By Prison Year to Date July 2002 to March 2003

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Prison	No Of Hours Worked YTD	Monthly DAP YTD	Average daily number of prisoners eligible to work YTD	Average Hours Worked per day – All Prisoners YTD	Average Hours Worked per day – Eligible Prisoners YTD
Acacia	495578	691	576	3.73	4.48
Albany	147222	133	121	5.94	6.51
Bandyup	115320	114	97	5.24	6.18
Broome	74094	99	90	3.88	4.27
Bunbury	155040	137	113	5.88	7.16
Casuarina	357306	359	298	5.30	6.39
Eastern Goldfields	109878	96	84	5.94	6.83
Greenough	164052	167	132	5.24	6.65
Hakea	516270	553	487	4.95	5.62
Karnet	179796	158	149	5.92	6.28
Nyandi	38910	43	40	4.70	5.11
Roebourne	109788	102	90	5.59	6.36
Wooroloo	184608	176	163	5.61	6.05
Total July - March				4.92	5.60

Tuition Hours By Prison (Annualised) Year to Date July 2002 to March 2003					
Prison	No of Months Reported	Tuition Hours Reported for Reporting Week	Est. Total Tuition Hours (Annualised – allowing for under-reporting)	Est. No. of Participating Prisoners (Annualised – allowing for under-reporting)	Est. Tuition Hours per Participating Prisoner per Year (Annualised)
<i>Acacia</i>	7	15962	118574	666	178
Albany	9	9136	52786	130	405
Bandyup	4	1991	25883	104	250
Broome	1	1098	57096	89	642
Bunbury	4	4613	59963	130	461
Casuarina	6	11741	101751	333	306
Eastern Goldfields	7	2813	20899	88	239
Greenough	9	6753	39014	152	256
Hakea	7	9188	68250	468	146
Karnet	5	6590	68536	158	434
Nyandi	8	2012	13078	40	329
Roebourne	7	1316	9774	104	94
Wooroloo	9	5390	31142	169	184
Estimated Annual Totals/Averages Based on July to March Data			669215	2630	254

2. Reasons for offenders not engaging in full time employment/education are: remand status, physical or mental illness, newly sentenced undergoing initial assessment phase, in transit and have only arrived at the prison less than 48 hours, in punishment or close supervision, or prisoner choice/refusal.
 - (a)(i) There has not been a reduction in the ratio of education staff but there has been a reduction in the ratio of industrial staff to prisoners.
 - (ii) There has not been a reduction in education or industries budget .

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3. The Inspector and his staff in exercising this power under the Prison Act 1981 were able to view muster boards within units and workplaces, make enquiries with staff and prisoners and make observations of their own. The result is the conclusion contained in paragraph 5.2 and 5.3 of Chapter 5 of the Hakea Report number 12.

A number of factors influence the number of prisoners that are at work on a particular day and a particular hour of a day. These factors include the following:

- The number of prisoners at court or on transfers can vary significantly from day to day. The prison averages approximately 59 prisoner movements per day (6 day average).
- Staff sickness: The absence of Industrial Officers due to sickness will usually result in the particular workshop being closed and the prisoners returned to the unit. This is also the case when Industrial officers are required for other duties within the prison.
- Prisoner sickness.
- Inclement weather will result in outside industries such as concrete products and garden parties being temporarily suspended and prisoners returned to the unit.
- Prisoners that work in the unit number on average 8 per unit resulting in a total of 80 unit workers throughout the prison.
- At the time of the Inspection up to 40 prisoners may be receiving visits from friends and relations, the number can vary throughout the day and from day to day.
- Prisoners receive official visits from police, legal representatives and Department employees plus a number of prisoners will be at the medical centre for dental and medical appointments. The number varies throughout the day and from day to day.
- The reception unit/orientation unit could have between 30 to 40 prisoners who are unemployed due to their newly arrived status. These prisoners are undergoing an orientation process in their first few days at Hakea.
- Hakea is a reception prison consequently there is 70 to 80 prisoners moved from the induction units to other units in the prison each week. These prisoners are not always employed immediately on arrival at a new unit.
- Some prisoners are not full time employees and would not have been at work at the time of the Inspectors "spot checks".
- Some prisoners who are attending full time education are classified as employed.

4. (a) Cognitive Skills program
Participants over the period 30/6/2002 - to date = 164*
Withdrawals/Non-completers for the same period = 34
* an additional 3 prisoners completed the LASA program, regarded as similar to a cognitive skills program for people with intellectual disabilities.
- (b) Violent offenders treatment program (includes anger management) Participants over the period 30/06/2002 – to date = 109
Withdrawals/Non-completers for the same period = 14
- (c) Sex offender treatment Participants over the period 30/06/2002 - to date = 83
Withdrawals/Non-completers for the same period = 8
- (d) Substance Participants over the period 30/06/2002 – to date = 679
Withdrawals/Non-completers for the same period = 63

5. Waiting time is minimal due to changes in the scheduling of offenders to programs following their initial assessment at Hakea. In most cases the assessment centre will schedule prisoners into the first available program as determined by the formal assessment. The assessment takes into account the prisoner's treatment needs as well as the length of time to be served before the prisoner is eligible to be released, so as to optimise the treatment gains upon release.

Since the new scheduling process has been implemented, prisoners in the highest risk/need level are offered a place in a program assessed as being required, at a time appropriate to their particular sentence

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length. Prisoners who do not fall within the high risk/need category but who nevertheless wish to participate in a course may be able to be placed if positions are available after all higher category prisoners have been placed. At present there is no data to reliably indicate how many such prisoners are affected however a recent innovation at the assessment prison will in future enable the department to identify the numbers involved and the funding implications.

As can be seen in the answer to question 4, approximately 10% of prisoners scheduled for program participation, decline to commence or drop out after commencement. The reasons for this may include prisoner initiated reasons such as:

- The prisoner alters his/her priorities in favour of education, vocation or employment.
- The prisoner declines to transfer to another prison in order to participate.
- A simple refusal to participate in course requirements.

Or prison initiated reasons such as:

- The prisoner's on-course behaviour is incompatible with continuing the course.
- The prisoner is transferred as a result of prison charges/incidents.
- Mental health, Medical or literacy issues.

Question on Notice: Hon Bruce Donaldson MLC

Prison Officer Training

1. *What are the number of training days available to each prison officer per year?*
 - (a) *What proportion of available days have been taken up by officers for training?*
 - (b) *What are the reasons that days have not been taken up?*
2. *What courses are available to prison officers?*
 - (a) *What is the participation rate in each course?*
3. *What progress has been made by the Department of Justice on the comprehensive review of its performance indicators in relation to fire safety at Hakea and throughout the State as recommended by the Inspector of Custodial Services in Report No. 12.*
 - (a) *When did the Department first become aware of this recommendation?*
 - (b) *When did each of the Minister for Justice, his staff or the Government Media Office first become aware of this recommendation?*
 - (c) *On what date did the Department commence the review?*
 - (d) *when is it likely to be concluded?*
4. *What progress has been made on Office of The Inspector of Custodial Services Report 12 March 2002 Recommendation 17 Chapter ?.*
 - (a) *When did the Department first become aware of this recommendation?*
 - (b) *On what date did the Department of Justice first brief each of the Minister for Justice or any member of his staff or the Government Media Office on this recommendation?*
 - (c) *On what date did the Department appoint the Human Resources Taskforce?*
 - (d) *What has been done to restore moral to the workforce?*
5. *What was the ratio of Prison Officer to prisoner in each prison during the last financial year?*
 - (a) *How is this expected to differ over the coming financial year?*
 - (b) *How is this rate determined or decided and what is the effect of such changes?*

Answer

1. (a)-(b) There is no formal allocation of training days available to each prison officer. An average of 22 hours training has been provided per officer in the public prisons and 40 hours in the private prison. Additional training is also provided in a variety of ways, especially at the local level. Officer training can be affected by a number of factors including operational requirements, human resources and cost constraints.

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2. The list of courses provided by the Training and Development Branch is as follows:

Course	Duration (hrs)	No. officers attending	No. training hrs
B Class Licence	12	10	120
Breath Apparatus - Requal	8	94	752
Breathing Apparatus - Basic	24	1	24
Cardio Pulmonary Resuscitation (CPR) - Refresher	4	168	672
Case Management Train the Trainer	16	10	160
Case Management Training	8	20	160
Certificate III Subjects as required - i.e. Searching (for industrial staff)	8	40	320
Conducting Prison Prosecutions	45	20	900
CPR - Trainer	8	10	80
Cultural Awareness	16	20	320
Entry Level Training Program	600	0	0
First Aid - 2 day	16	38	608
First Aid Refresher	8	168	1344
Gatehouse Staff Training Program	48	30	1440
Gatehouse Supervisor Training Program	16	10	160
Hostage Negotiators	24	10	240
Interpersonal Skills Training Program	64	46	2944
Operational Skills Training			
• Use of Force	1.5	487	730.5
• Self Defence	2	682	1364
• Baton – PR 24	1.5	709	1063.5
• Baton – Expandable and Bianchi Long	0.5		0.5
• Emergency Procedures – First Responding Officer	1	479	479
• Operational orders - basic	1	547	547
• Radio Voice Procedure	1	513	513
• Instruments of Restraint	2	676	1352
• Aerosol Subject Restraint	2	757	1514
• Cell Extractions	2	521	1042
RTO Staff Competency Program (includes Cert IV Workplace Train/Assessor)	45	20	900
Specialist Selection Course	200	0	0
Staff Peer Support - Basic	24	18	432
Staff Peer Support - Refresher	16	20	320
Total Offender Management Systems (TOMS)		0	0
Unit Managers Program	45	112	5040
Video Camera Operator	1.5	24	36
		3687	15333.5

Note:

- As many prisons conduct their own in-house training outside of that offered by the Training Branch, actual figures are higher.
- The total number of average hours of formal training provided per Officer for the last 12 months is approximately 22. This is 25,577hrs ÷ 1147 (total staff).

At Acacia Prison staff are able to complete Certificates 3 and 4 in Correctional Practice, as well as Certificate 3 in Workplace Assessor and Trainer.

3. The Department has commenced a comprehensive review of fire safety at Hakea and throughout the State as recommended by the OICS. Senior officers from the Fire and Emergency Service Authority of WA (FESA) are assisting the Department as consultants to the review.

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The Project team including consultants from FESA, have visited each prison in the State, and will include recommendations and a risk analysis relevant to each prison in the report. Key issues raised by the Inspector in Report 12 will be addressed individually.

- (a) The Report of an Announced Inspection of Hakea Prison March 2002 was tabled in Parliament on 23 January 2003. The Department received a copy of the draft report on 21 October 2002.
- (b) My office received a copy of the draft from the Inspector's office on 4 November 2002.
- (c) The Review commenced on 3 February 2003.
- (d) The review is not yet completed. The Department is currently obtaining costs for recommendations contained in the draft report; this is expected to take 2 to 3 months.

4. A Change Management/Integration Management team has been created and is now in operation at Hakea Prison to address many of the concerns raised in the Inspector's report on Hakea Prison. This team includes a human resources representative who will assist the team in identifying and resolving human resource management and administration issues within the prison. The employment of a data entry officer in each wing is one issue the team will investigate and resolve.

The Prisons Division has entered into negotiations with the WA Prison Officers Union in its investigation of the need to retain the rank of First Class Prison Officer and how the additional salary paid to that rank might be better utilised to reimburse officers of all ranks for undertaking extraneous duties. This is part of an ongoing change management process and the rank structure issue is at an early stage.

The Department does not have any plans at this stage to review the 12-hour shift arrangements within the prison system.

- (a) The Report of an Announced Inspection of Hakea Prison March 2002 was tabled in Parliament on 23 January 2003. The Department received a copy of the draft report on 21 October 2002.
- (b) My office received a copy of the draft report from the Inspector on 4 November 2002. I received a briefing on security issues identified in the report on 8 November 2002. Other briefings followed.
- (c) The Human Resources Taskforce established under the Department's Human Resources Plan 2002-2006, is ongoing. The Change Management/Integration Management team at Hakea prison commenced on 8 February 2003.
- (d) The Change Management/Integration Management team at Hakea is working with management and staff to identify the causes of poor morale and develop strategies to address these.

5.

PRISON	Ratio 2002 Officer to Prisoner	Ratio 2003 Officer to Prisoner
Acacia	1 to 2.857	1 to 4
Albany	1 to 1.62	1 to 1.41
Bandyup	1 to 1.66	1 to 1.76
Broome	1 to 3.5	1 to 3.48
Bunbury	1 to 2	1 to 1.7
Casuarina	1 to 2	1 to 1.78
EGRP	1 to 2	1 to 2.19
Greenough	1 to 1.8	1 to 1.86
Hakea	1 to 2.27	1 to 2.3
Karnet	1 to 2.9	1 to 2.87
Nyandi	1 to 2.6	1 to 2.62

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Roebourne	1 to 2.53	1 to 1.89
Wooroloo	1 to 2.8	1 to 2.7

- (a) It is anticipated that the ratios detailed above will remain the same for the coming financial year.
- (b) The staffing levels are determined on a needs basis, not as a ratio to the number of prisoners but on the security needs and configuration of each particular prison.

Question on Notice: Hon Derrick Tomlinson MLC

Death in Custody

- What have been the deaths in custody for the last 2 financial years? Give details of whether the death is natural or self-inflicted, and the aboriginality of the person?
- Give details of the death rate as a percentage of total prison population over the last 4 years?
- Overcrowding was cited as a possible contributor to deaths in custody. Has any positive effect on deaths in custody been noticed with the decline in prison population? If not, to what do you attribute the lack of positive effect?

Aboriginal prisoners

- What programs are there within the prisons especially to cater for the cultural and educational needs of aboriginal people? What have been the budget allocation for these for the last 2 financial years and what is budgeted for this year? What new programs for prisoners have been introduced in the last financial year and how many have participated in the T3 program?
- What has been the ratio of male aboriginals to non aboriginal prisoner at the end of each month for the last 3 calendar years, and for each of those months:
 - how many were classified minimum and were actually in a minimum security prison
 - how many were classified minimum and were actually in a higher security prison
 - how many were in work camps?
- What has been the ratio for female aboriginals to non aboriginal prisoners at the end of each month for the last 3 calendar years, and for each of those months:
 - how many were classified minimum and were actually in a minimum security prison
 - how many were classified minimum and were actually in a higher security prison
 - how many were in work camps?
 - For question 3 and 4 what were the combined ratios for both male and female aboriginal prisoners?

Answer

1.

	Total	Suicide or Apparent Suicide		Natural Causes or Apparent Natural Causes		Other
		Aboriginal	Non-Aboriginal	Aboriginal	Non-Aboriginal	
2000/01	9	2	2	1	2	1 Accident (Non-Aboriginal) 1 Unknown (Non-Aboriginal)

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2001/02	10	1	3	1	5	-
2002/03 as at 27/5/03	7	2	2	1	1	1 Unknown (Aboriginal)

2.

DEATH RATES		
	All Deaths	Deaths by Suicide or Apparent Suicide
1999/00	0.51%	0.34%
2000/01	0.29%	0.13%
2001/02	0.34%	0.14%
2002/03 YTDApril 2003 ⁽¹⁾	0.21%	0.14%

Note ⁽¹⁾ Death rate as at April 2003 does not include the death that occurred in May 2003.

3. Prisoner numbers increased during 1998/99 and continued to do so to 2000/01. During this time the number of deaths as a result of suicide or apparent suicide varied from 4 deaths in 1998/99, to 10 deaths in 1999/00, and then to 4 deaths in 2000/01.

Prisoner numbers started to drop in 2001/02, and continued to drop during the 2002/03 financial year. During 2001/02 there were 4 deaths in custody as a result of suicide or apparent suicide. To date during 2002/03 there have been 4 deaths in prisons as a result of apparent suicide.

There is no direct correlation to the number of deaths in custody with the overall number of prisoners. Within the context of deaths from natural causes, for the period 2001/02, there were more deaths from natural causes than suicide or apparent suicide.

The Department has recently appointed a Suicide Prevention Manager to co-ordinate the implementation of recommendations arising from the Suicide Prevention Taskforce in 2002. The first priority is a review of the current Suicide Prevention Strategy, from which an audit plan will be developed in order to review each prison against standards developed for the Suicide Prevention Policy.

4. Indigenous Artists Mentoring Program
Indigenous Performing Artists
Marr Moodij Senior First Aid
Jobs West Forklift Driving
Indigenous University Orientation Course - with units called:

Pathways to learning, Thinking mathematically, Indigenous history and Mabo.
Aboriginal Health and culture
NAIDOC celebrations
Aboriginal Elders Program
Nungar Alcohol Substance Abuse Service
Aboriginal Tutorial Assistance Scheme
Kurungkurl Katitjin (Edith Cowan University)

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All educational programs delivered to Indigenous people in prison are tailored to suit the individual learning styles and needs. The Education and Vocational Training Unit facilitates Indigenous consultative committees at each prison to review and plan Indigenous educational delivery to ensure the programs cater for cultural and educational needs of Aboriginal people.

The budget allocations for these programs for the last three years are:

2000-01	\$ 91,000
2001-02	\$102,000
2002-03	\$225,000

No new programs have been introduced this year. In 2002-03 157 Indigenous offenders completed T3 programs in both public and private prisons.

5. a) See attached schedule (i)
 b) See attached schedule (ii)
 c) See table below

5(c)			
Work Camps			
Census date	Male Aboriginal	Male Non-Aboriginal	All males
31/07/2000	8	12	24
31/08/2000	7	11	22
30/09/2000	5	15	20
31/10/2000	7	14	25
30/11/2000	10	9	27
31/12/2000	3	16	19
31/01/2001	10	13	27
28/02/2001	12	14	30
31/03/2001	18	18	36
30/04/2001	23	15	41
31/05/2001	19	21	40
30/06/2001	18	19	38
31/07/2001	16	23	39
31/08/2001	24	23	47
30/09/2001	23	20	43
31/10/2001	22	21	43
30/11/2001	14	21	35
31/12/2001	21	13	34
31/01/2002	23	16	39
28/02/2002	20	43	63
31/03/2002	20	38	58
30/04/2002	23	29	52
31/05/2002	22	29	51
30/06/2002	25	32	57
31/07/2002	34	27	61
31/08/2002	25	20	45
30/09/2002	32	26	58
31/10/2002	22	23	45
30/11/2002	28	30	58
31/12/2002	13	35	48
31/01/2003	23	43	66
28/02/2003	23	42	65
31/03/2003	27	38	65
30/04/2003	21	42	63

6. (a) See attached schedule (ii)

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- (b) See attached schedule (ii)
- (c) See table below

6(c)			
Work Camps			
Census date	Female Aboriginals	Female Non-Aboriginals	Total
31/07/2000	0	4	4
31/08/2000	0	4	4
30/09/2000	0	0	0
31/10/2000	0	4	4
30/11/2000	1	7	8
31/12/2000	0	0	0
31/01/2001	0	4	4
28/02/2001	2	2	4
31/03/2001	0	0	0
30/04/2001	0	3	3
31/05/2001	0	0	0
30/06/2001	0	1	1

Note: The female work camp closed in June 2001.

7. See attached schedule (iii)
5. (a) and (b)

Schedule (i)			
Month	Ratio male aboriginal to non aboriginal	Male Aboriginals Classified Minimum Security/In Minimum Security	Male Aboriginals Classified Minimum Security/In Higher Security
31/05/2000	1:2.13	210	146
30/06/2000	1:2.16	197	144
31/07/2000	1:2.27	180	137
31/08/2000	1:2.32	193	126
30/09/2000	1:2.22	195	136
31/10/2000	1:2.20	199	133
30/11/2000	1:2.18	206	141
31/12/2000	1:2.09	197	153
31/01/2001	1:2.01	225	158
28/02/2001	1:2.10	223	164
31/03/2001	1:2.02	239	160
30/04/2001	1:2.0	215	171
31/05/2001	1:2.06	226	163
30/06/2001	1:2.04	225	143
31/07/2001	1:2.07	207	134
31/08/2001	1:2.12	211	133
30/09/2001	1:2.20	193	127
31/10/2001	1:2.15	185	115
30/11/2001	1:2.32	148	120
31/12/2001	1:2.25	156	93
31/01/2002	1:2.22	159	88
28/02/2002	1:2.28	166	90

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31/03/2002	1:2.26	155	84
30/04/2002	1:2.22	157	90
31/05/2002	1:2.26	128	82
30/06/2002	1:2.25	123	86
31/07/2002	1:2.28	129	74
31/08/2002	1:2.18	135	79
30/09/2002	1:2.15	143	85
31/10/2002	1:2.13	161	70
30/11/2002	1:2.02	170	65
31/12/2002	1:1.98	169	75
31/01/2003	1:1.96	159	97
28/02/2003	1:1.89	171	106
31/03/2003	1:1.84	177	121
30/04/2003	1:1.90	166	111

6 (a) and 6 (b)

Schedule (ii)			
Month	Ratio female aboriginal to non aboriginal	Female Aboriginals Classified Minimum Security/In Minimum Security	Female Aboriginals Classified Minimum Security/In Higher Security
31/05/2000	1:1.43	13	30
30/06/2000	1:1.67	8	20
31/07/2000	1:1.90	13	9
31/08/2000	1:1.71	12	16
30/09/2000	1:1.47	16	18
31/10/2000	1:1.60	18	23
30/11/2000	1:1.37	19	24
31/12/2000	1:1.24	23	13
31/01/2001	1:1.23	26	16
28/02/2001	1:1.29	20	14
31/03/2001	1:1.30	23	11
30/04/2001	1:1.51	20	10
31/05/2001	1:1.24	25	14
30/06/2001	1:1.14	26	15
31/07/2001	1:1.18	28	18
31/08/2001	1:1.26	23	15
30/09/2001	1:1.24	14	18
31/10/2001	1:1.26	23	14
30/11/2001	1:1.47	24	15
31/12/2001	1:1.56	16	11
31/01/2002	1:1.63	17	10
28/02/2002	1:1.57	20	11

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Month	Ratio female aboriginal to non aboriginal	Female Aboriginals Classified Minimum Security/In Minimum Security	Female Aboriginals Classified Minimum Security/In Higher Security
31/03/2002	1:1.49	18	15
30/04/2002	1:1.58	17	12
31/05/2002	1:1.62	14	11
30/06/2002	1:1.77	16	10
31/07/2002	1:1.83	14	13
31/08/2002	1:2.09	9	16
30/09/2002	1:1.93	18	14
31/10/2002	1:1.83	15	16
30/11/2002	1:1.46	25	13
31/12/2002	1:1.27	26	13
31/01/2003	1:1.34	27	10
28/02/2003	1:1.38	24	12
31/03/2003	1:1.36	21	13
30/04/2003	1:1.43	19	10

7.

Schedule (iii)	
Month	Ratio Male & Female Aboriginal Prisoners to Male & Female Non Aboriginal Prisoners
31/05/2000	1:2.05
30/06/2000	1:2.11
31/07/2000	1:2.24
31/08/2000	1:2.26
30/09/2000	1:2.15
31/10/2000	1:2.14
30/11/2000	1:2.10
31/12/2000	1:2
31/01/2001	1:1.93
28/02/2001	1:2.01
31/03/2001	1:1.51
30/04/2001	1:1.96
31/05/2001	1:1.98
30/06/2001	1:1.96
31/07/2001	1:1.99
31/08/2001	1:2.04
30/09/2001	1:2.11
31/10/2001	1:2.06
30/11/2001	1:2.24
31/12/2001	1:2.20
31/01/2002	1:2.17
28/02/2002	1:2.21
31/03/2002	1:2.19

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30/04/2002	1:2.17
31/05/2002	1:2.20
30/06/2002	1:2.21
31/07/2002	1:2.24
31/08/2002	1:2.17
30/09/2002	1:2.13
31/10/2002	1:2.11
30/11/2002	1:1.96
31/12/2002	1:1.91
31/01/2003	1:1.90
28/02/2003	1:1.85
31/03/2003	1:1.80
30/04/2003	1:1.86

Question on Notice: Hon Giz Watson asked:

In relation to re-entry programs:

1. *Could you identify how much has been spent on pre-release programs for prisoners?*
2. *Why have these programs been left up to the Education Department in prisons to organise and have budgetary control over, leaving most prisons without adequate pre-release programs?*
3. *How much has spent on pre-release programs this financial year?*
4. *How much is allocated for pre-release programs next financial year?*

Answer:

1. Approximately \$4.7m including approximately \$1.2m for traineeships and \$1.4m will be expended in 2002/03 on re-entry of prisoners into the community.
2. The Education and Vocational Training Unit provided re-entry programs to the extent of \$35,000 to April 2003. The majority of programs and funding occurs external to the Department.
3. See answer (1).
4. Approximately \$11.248m in recurrent expenditure and approximately \$7.5m in capital.

Question on Notice: Hon Giz Watson asked:

1. *Does the Department have guidelines for use of expense accounts?*
2. *How will the Department ensure that those who have access to credit cards will use them only for appropriate expenses?*

Answer:

1. Yes.
2. Expenses incurred on credit cards are subject to review by the credit cardholder's manager prior to payment. Independent transaction appropriateness reviews are conducted prior to the finalisation of the cardholder's monthly balance clearance.

Question on Notice: Hon Giz Watson asked:

- 1 *Have the economic and social impacts of 12-hour shifts in prisons and in juvenile detention centres been examined?*
2. *Are 12-hour shifts in prisons and in juvenile detention centres cost-effective?*
3. *What is the impact of 12-hour shifts on effectiveness and efficiency for both client and worker?*
4. *Under a Unit Management Plan and in regard to fostering good working relationships between prisoners, juveniles and their staff, doesn't the 12-hour-shift system prohibit a better relationship due to the lack of continuity?*

Answer:

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1. The economic impacts demonstrated financial efficiencies in salaries. Staff have input into roster formulation to maximise the social benefits whilst meeting all the operational requirements.
2. It is cost effective for the majority of shifts to be 12 hours. However, in some circumstances 8 and 10 hour shifts are the most efficient and effective. The proposed Enterprise Bargaining Agreement for Prison Officers provides for 8 and 10 hour shifts and they will be used where appropriate.
3. Twelve hour rosters are efficient and effective in the most appropriate operational circumstances. For example, the unlock period of 12 hours coincides with the rosters allowing continuity of staff from unlock to lockdown, this improves ownership of issues and communication between staff/prisoners.
4. Unit management plans incorporate 12 hour roster shift arrangements and these promote a better relationship between staff and prisoners as there is no change of staff throughout the day. With the new unit based rosters there is continuity of staff in living units for longer periods.

Question on Notice: Hon Norman Moore asked:

1. *I refer you to the Inspector of Custodial Services Report 12 on Hakea Prison page 20 para 3.16 in which it was stated that no random drug testing had been carried out for a full year since April 2001. What steps has the Department taken:*
 - (a) *to ascertain who was responsible for the neglect*
 - (b) *to set in place procedures to prevent a recurrence, and if so, what are they?*
2. *Do the former procedures differ from other prisons?*
 - (a) *If not, did the Department carry out any check on other prisons to ascertain whether the problem was general, and what was found? If it did not check, why did it not do so?*
 - (b) *If not, how do they differ and why was Hakea different?*
3. *What are the detection rates for:*
 - (a) *drugs generally*
 - (b) *cannabis*
 - (c) *amphetamines*
 - (d) *opiates*
 - (e) *other*

in each prison and to the extent that there are statistically significant variations, what is your understanding as to the reason for that variation?

Answer:

1.
 - (a) A review of the process at Hakea Prison was carried out and the system error identified.
 - (b) The Manager of Security is now responsible to check that the test is implemented by appropriate staff.
2. No.
 - (a) As results were received from all other prisons it was apparent the error was not widespread.
 - (b) N/A.
3. The following table represents the number of positive results for each respective test.

Of those tested positive the following drugs were detected.							
PRISON	TESTED	(a) TEST +VE	(b) Cann	(c) Amphet	(d) Opiates	(e) Medication	(f) Other
Acacia	410	32	30	1	2	1	3
Albany	13	3	3	0	0	1	0
Bandyup	11	5	3	0	0	2	0

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Broome	1	1	1	0	0	0	0
Bunbury	10	4	4	0	0	0	0
Casuarina	8	4	3	1	0	2	0
EGRP	3	1	1	0	0	0	0
Greenough	13	1	0	0	0	1	0
Hakea	62	28	17	6	0	10	5
Karnet	17	4	0	3	0	1	0
Nyandi	3	0	0	0	0	0	0
Roebourne	4	0	0	0	0	0	0
Wooroloo	21	3	2	0	0	1	0

Positive tests may result in a positive indication to 1 or more drugs.

In relation to the question about the significant variations in the types of drugs used at different prisons, it is noted that Casuarina, Hakea and Acacia prisons are the only prisons where drugs other than cannabis and medication have been detected. The reason for this is considered to be related to the prisoner demographic.

A major reason for the high detection rate of cannabis is the length of time (up to approximately 75 days) this drug remains detectable in the system.

With regard to Hakea Prison, it should be noted that as the main reception prison for the State, it has a transient prisoner population many of whom are experiencing prison for the first time. A significant number of these prisoners are subsequently transferred to Casuarina. Anecdotal evidence suggests that these younger prisoners are more likely to use drugs such as amphetamines and methamphetamines as well as cannabis, especially in the Metropolitan area.

The incidence of medication use does not necessarily reflect unauthorised use of the medication.

Question on Notice: Hon Peter Foss asked:

1. *What are the names of the Governor's Pleasure prisoners who have been released since the Gallop Government took office?*
 - a. *What was the nature of the offences for which each person was sentenced to Governor's Pleasure and how many of each was the prisoner convicted?*
 - b. *When were they released?*
 - c. *Have any since been returned to custody, and if so who, when and why?*
 - d. *Has the Government been required to take particular measures to protect past victims of any of these prisoners?*
 - e. *If so, what measures, and what have they cost?*
2. *How many person-days have been spent in jail by reason of fine default since the Gallop Government took office?*
 - a. *How is this broken up between:*
 - i. *male; and*
 - ii. *female prisoners;**and*
 - iii. *aboriginal and*
 - iv. *non-aboriginal**and*
 - v. *metropolitan; and*
 - vi. *non-metropolitan offenders*
3. *What is the current rate of recidivism for each of the major categories of offenders as maintained in Department of Justice Statistics, similarly broken up as for Question 2.*
4. *In which prisons is a naltrexone program available?*
 - a. *when did the program start*

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- b. *how many people have been on it:*
- i. *in total*
- ii. *as a maximum at any one time*
- for each prison?*
- c. *what are the conditions upon which a prisoner can gain admittance to the program?*

Answer

1.
 - a) Refer to schedule 1.
 - b) Refer to schedule 1.
 - c) Refer to schedule 1.
 - d) No.
 - e) Not applicable.
2. Refer to schedule 2.
3. The COAG Report for 2001/02 stated that the recidivism rate for WA was 46%. The COAG Report does not break up the rate of recidivism as outlined in Question 2.
4. None are currently available. However, a comprehensive Pharmacotherapies Program will be introduced in 2003/4 as part of the Justice Drug Plan. The Naltrexone component of this new initiative is planned to run 4 groups (each 20 participants) for 3 months, in each 12 month cycle. The inclusion criteria are currently under development.
 - a) Not applicable.
 - b) Not applicable.
 - c) Not applicable.

SCHEDULE 1					
Governor's Pleasure Prisoners					
Names of GP Prisoners	Nature of Offences	Number of offences	Release date	Returned to custody	
				Date	Reason
Hannah, David	Robbery whilst armed	1	30/09/01	N/A	Deported
Eades, Murray Gregory	Indecent Assault Sexual Penetration	1 1	14/10/02	N/A	
Yates, Rowan	Assaulting a Public Officer	1	29/04/03	N/A	
Ryan, Terrance Wayne	Aggravated Sexual Assault Break enter at night w/intent Robbery whilst armed	1 1 1	11/11/02	N/A	
Thomas, Douglas Ross	Indecent Assault Rape Sodomy	2 4 1	01/07/02	N/A	
Hardes, Neil Richard	Attempt murder	1	27/05/02	N/A	

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Ciciora, Terry John	Assault Occasioning Bodily Harm Break/Enter Rape Deprivation of Liberty	1 2 4 1	22/04/2002	N/A	
Graham, Steven Billy (Included as post 10 Feb 2001 but decision made by previous attorney general)	Burglary Indecent Dealings with a child	1 1	12/02/01	23/02/2002	Indefinite term. Unfit to stand trial. Indecent Assault/Aggravated Burglary
Mccarthy, Grenville Troy	Warrant of Commitment (Stealing with violence)	1	17/07/01	12/01/2002	Unfit to Plead. (Supervised Release Order cancelled)

Names of GP Prisoners	Nature of Offences	Number of offences	Release date	Returned to custody	
Seal, Gary Frank	Warrant of Apprehension (Rape)	1	17/05/01	N/A	
Green, Garth	Attempted Aggravated Sexual Assault	1	24/08/01	N/A	
Smith, Ronald Victor	Aggravated Sexual Assault Assault Occasioning Bodily Harm Indecent Dealing Threaten to cause Detriment Parole Cancelled	2 2 2 1 1	1/11/01	12/04/02	Imprisoned indefinitely under Mentally Impaired Act. Parole cancelled
McGarry, Michael Alexander	Impersonate Policeman Indecent Dealing	3 1	12/09/2001		

SCHEDULE 2									
Fine Default Sentences									
No of person days spent in prison	Male	Female	Aboriginal		Non-aboriginal		Metropolitan	Non metropolitan	Unknown
			Male	Female	Male	Female			
42880	35699	7181	22417	5929	13282	1252	29760	13062	58

Question on Notice: Hon Robyn McSweeney asks:

Programs

1. *Have the reduced musters made it easier to implement programs for prisoners and find employment for them? How have you taken advantage of this and what degree of involvement do prisoners in the non-privately run part of the system now have? How does this compare with Acacia?*
2. *Is the T3 program continuing to be implemented? If so,*
 - (a) *Is this happening:*
 - (i) *according to the originally planned timeline, and if not, how does it differ?*

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- (ii) *with the same number of persons involved in it as planned, and if not, what are the differences and what is the reason for them?*
 - (iii) *in the same manner as originally planned, and in particular with prison officers being instructed by other prison officers ("teach the teachers"), if not what is being done and why?*
 - (b) *Have any staff been reduced by reason of the reductions in the prisons budget who would otherwise been involved in the T3 program, and if so, how many and what would have been their role, and when were they originally hired?*
 - (c) *What has been the reaction of those involved in the program, at the various levels - Superintendent and Executives, Senior Officers, prison officers and prisoners?*
 - (d) *Are you able to make any assessment, even on a subjective basis of the effect of the program? What is it?*
3. *What is the current waiting time at each prison where programs are conducted in each of the following areas:*
- (a) *substance abuse*
 - (b) *anger management*
 - (c) *sexual offending?*
 - (d) *sexual offenders in denial?*
4. *What has been done to implement:*
- (a) *the Smith Report*
 - (b) *the Greenberg Report?*
 - (c) *the Aboriginal Justice Plan?*

Answer:

1. The reduced number of prisoners has assisted in decreasing the waiting period for program participation and an increased percentage of prisoners in employment. Each prison, in both the private and public run prisons, provide programs for a particular target group of prisoners. Prisoners are individually managed and sign off their Individual Management Plan. They are then placed at a prison that is appropriate to their needs, including their program and employment requirements. An appeal process is available for prisoners and they may request placement at a particular prison, or ask for inclusion on a certain program.
2. The T3 program is continuing to be implemented:
 - (a)
 - (i) The delivery of the T3 program is monitored through the use of a scheduling system known as the Assessment Integrated Prisoner Regime (AIPR). The Interpersonal Skills Training Program (ISTP) is scheduled by the Training Branch. As far as possible, this has been done according to the originally planned timeline.
 - (ii) 46 coaches have been trained to deliver the T3 program and 19 of these coaches are currently available.
 - (iii) The T3 Cognitive Skills program is delivered by prison officers to prisoners. The ISTP is delivered with prison officers instructing other prison officers.
 - (b) There has been no reduction in staff involved in the T3 program as a direct result of a reduction in the prisons budget. However, there has been a reduction due to custodial staff movements within the system.
 - (c) The T3 program has been thoroughly embraced by both prisoners and staff alike. Reactions and feedback has been positive and encouraging and is consistent across the realm of staff and offenders.
 - (d) A recent brief evaluation was conducted by Offender Programs Edith Cowan (OPEC). Findings of the evaluation indicate that participants felt the program provided them with significant benefits and understanding. Offender ratings of the degree to which the program helped them to deal more effectively with problems received a highly positive response and

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program presentation was rated as excellent by a significant number of respondents. In summary, the program appears to be effective for prisoners in a number of domains.

3. Since the new scheduling process has been implemented, prisoners in the highest risk/need level are offered a place in a program assessed as being required, at a time appropriate to their particular sentence length. Waiting time is minimal due to changes in the scheduling of offenders to programs following their initial assessment at Hakea. In most cases the assessment centre will schedule prisoners into the first available program as determined by the formal assessment. The assessment takes into account the prisoner's treatment needs as well as the length of time to be served before the prisoner is eligible to be released, so as to optimise the treatment gains upon release. Hence, a prisoner not eligible for release until June 2005 may have to "wait" for participation in a program until late 2004 or early 2005, not because a program is not available, but in order to maximise treatment gains.
4. (a) A considerable number of changes have been implemented following the recommendation of the Smith Report, including:
 - Implementation and continuous improvement of security initiatives including major changes to the gatehouses at both Hakea and Casuarina Prisons which will be rolled out to other prisons.
 - Implementation of a formal prisoner grievance process and appropriate training of staff and prisoners.
 - Operational review teams have conducted a baseline review of all prisons.
 - The role and function of each prison has been established and documented.
 - A comprehensive prison reform program, the Assessment Integrated Prison Regime (AIPR) continues to be given a high profile in all prisons. A cognitive skills program is being delivered by staff in most prisons and most staff have also received interpersonal skills training.
 - Special plans and activities for holiday periods.
 - Video recording equipment available at all prisons for the recording of serious incidents and instructions for its use have been documented.
 - Refresher course for all Senior Officers with a focus on unit management and case management.
 - A revitalised form of unit management has been implemented.
 - A review of, and considerable change to, organisational structure.
 - Change management process in place to review and implement operational changes.
 - Implementation of an Aboriginal Strategic Plan.
 - Establishment of the WA Police Prisons Unit and ongoing liaison in regard to procedures and processes for responding to serious incidents.
 - Introduction of an Anti-Bullying Strategy.
 - Development of a new Drug Strategy.
 - Continuing development of a constructive day for prisoners.
 - A revitalised performance management system.
 - Review and consolidation of Director General's Rules, Policy Directives and other Operational Instructions are undertaken. These are now reviewed on an annual basis.
- (b) The Greenberg Report highlighted 44 recommendations under the headings of Assessment Issues, Treatment and Follow-up Issues and Sex Offender Information Management Issues. Stemming from those recommendations the following is indicative but not limited to the changes that have been implemented:
 - All assessments and specialist psychological reports are scrutinised and co-signed by Clinical Supervisors.
 - The adoption of a risk assessment tool that incorporates both static and dynamic risk predictors and treatment needs assessment. This tool can be used both pre and post treatment providing a quantitative indicator of individual change.
 - The review and enhancement of a sex offender treatment program specifically designed to cater for the needs and learning styles of Indigenous offenders.
 - Pre-treatment assessments in the form of a clinical pre-group interview are initiated in order to ascertain motivation, determine treatment needs and identify idiosyncratic issues prior to program commencement.

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- Progressive notes are maintained for each program participant over the duration of any program highlighting difficulties, issues and observable change. These notes are held on offender treatment files.
 - All sex offenders receive relapse prevention training as part of all prison and community based treatment programs.
 - Comprehensive procedures have been written that incorporate all aspects of Offender Programs.
 - A research project has been implemented as a result of a joint venture between Offender Programs and Edith Cowan University (OPEC). The OPEC project is collecting prisoner data incorporating numerous variables. This is providing the Department of Justice with the ability to extract information relating to offender profiles, recidivism data and program effectiveness as they relate to a Western Australian offender population.
- (c) The Department of Justice is continuing to support the Aboriginal Cyclic Offending Programs in Geraldton and Midland. It is anticipated that a review of the Midland program will be undertaken during 2003.
- The Prisons Division has developed and implemented a Strategic Plan for Aboriginal Services 2002-2005 that incorporates the principles of the Aboriginal Justice Plan and provides a framework for actions to achieve a set of key objectives with regard to Aboriginal imprisonment. The key objectives of the Strategic Plan are:
- i. To reduce the over representation of Aboriginal adults in prison.
 - ii. To ensure the Prisons Division is responsive to the specific needs of Aboriginal prisoners.
 - iii. To ensure the services provided by the Prisons Division is appropriate to the culture and needs of Indigenous people and their local communities.
 - iv. To provide alternative approaches to managing adult Aboriginal prisoners in regional Western Australia.
 - v. To acknowledge Aboriginal culture and diversity and to ensure ongoing consultation and collaboration with Indigenous people.
 - vi. To reduce the negative impact of incarceration on Aboriginal people.
 - vii. To have a percentage of employees reflecting the proportion of Aboriginal clients.
- (d) The Department of Justice is continuing to support the Aboriginal Cyclic Offending Programs in Geraldton and Midland. It is anticipated that a review of the Midland program will be undertaken during 2003.

Question on Notice: Hon Simon O'Brien asked:

Community Based options

1. *Has funding increased to Community Based officers in order to:*
 - (a) *reduce the need for sentences of imprisonment*
 - (b) *increase compliance with orders*
 - (c) *reduce the incidence of recidivism?*

If so,

 - (d) *what is the Increase:*
 - (i) *in absolute terms*
 - (ii) *per capita per day?*
2. *What has been the experience with regard to each of the matters from (a) to (c) and can any link be made between this result and your answer to 1?*

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Cause of Imprisonment

3. *What offences in order of significance together account for at least 70% of the imprisonment of:*

- (a) *male aboriginal prisoners*
- (b) *male non aboriginal prisoners*
- (c) *female aboriginal prisoners*
- (d) *female non-aboriginal prisoners*
- (a) *male prisoners*
- (f) *female prisoners*
- (g) *aboriginal prisoners*
- (h) *non-aboriginal prisoners?*

omitting Federal prisoners, and what are the proportions attributable to each offence and category?

Cosideration for parole

4. *Are Prisoners Axel and Cicciora being considered for parole and has any indication been made that they should be released? If so, when is that release scheduled?*

Answer

1. (a)-(c) Funding for Community Based officers was increased for a variety of reasons including existing workload and an increase in the number of offenders being placed on orders. It is anticipated that, ultimately, the increased number of officers will increase compliance with orders issued and reduce the rate of recidivism, however, there are no guarantees that this will occur. There is no correlation between increasing Community Based officers and the imposition of sentences by courts. .

(d) (i) An additional 23 Community Corrections Officers (at a cost of \$1,035,000) were provided for in the 2001-2002 Budget and another 32 Community Corrections Officers (at a cost of \$1,440,000) were provided for in the 2002-2003 budget. No additional Community Corrections Officers are provided for in the 2003-2004 budget.

(ii) The average cost per day of managing an adult on a community order:

\$14 (2001-02 Actual)
\$12 (2002-03 Budget)
\$16 (2002-03 Estimated)
\$18 (2003-04 Target)
\$16 (2002-03 Estimated)
\$18 (2003-04 Target)

2. Additional Community Corrections Officers were provided to meet existing demands, to implement changes to administrative and case management practices and to prepare for new legislation which diverts offenders away from imprisonment and into effective community-based sentencing options. In addition, improved case management practices have resulted due the lowering of caseloads.

3. (a)

	Male Aboriginal Prisoners		
	Numbers	Percentage	Cumulative Percentage
Against Person	323	41.04%	41.04%
Break/Enter/Steal	182	23.13%	64.17%
Traffic	121	15.37%	79.54%
Robbery/Extortion	93	11.82%	91.36%
Justice/Good Order	54	6.86%	98.22%
Drugs	7	0.89%	99.11%
Property/Environment	7	0.89%	100.00%
Total	787	100.00%	

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(b)

	Male Non-Aboriginal Prisoners		
	Numbers	Percentage	Cumulative Percentage
Against Person	502	36.32%	36.32%
Break/Enter/Steal	313	22.65%	58.97%
Robbery/Extortion	254	18.38%	77.35%
Drugs	162	11.72%	89.07%
Traffic	74	5.35%	94.43%
Justice/Good Order	65	4.70%	99.13%
Property/Environment	10	0.72%	99.86%
Other (incl Immigration)	2	0.14%	100.00%
Total	1382	100.00%	

(c)

	Female Aboriginal Prisoners		
	Numbers	Percentage	Cumulative Percentage
Against Person	27	43.55%	43.55%
Break/Enter/Steal	14	22.58%	66.13%
Traffic	13	20.97%	87.10%
Justice/Good Order	4	6.45%	93.55%
Robbery/Extortion	4	6.45%	100.00%
Total	62	100.00%	

(d)

	Female Non-Aboriginal Prisoners		
	Numbers	Percentage	Cumulative Percentage
Break/Enter/Steal	25	29.76%	29.76%
Against Person	20	23.81%	53.57%
Robbery/Extortion	13	15.48%	69.05%
Drugs	12	14.29%	83.33%
Traffic	7	8.33%	91.67%
Justice/Good Order	6	7.14%	98.81%
Property/Environment	1	1.19%	100.00%
Total	84	100.00%	

(e)

	Male Prisoners		
	Numbers	Percentage	Cumulative Percentage
Against Person	825	38.04%	38.04%
Break/Enter/Steal	495	22.82%	60.86%
Robbery/Extortion	347	16.00%	76.86%
Traffic	195	8.99%	85.85%
Drugs	169	7.79%	93.64%
Justice/Good Order	119	5.49%	99.12%
Property/Environment	17	0.78%	99.91%
Other (incl Immigration)	2	0.09%	100.00%
Total	2169	100.00%	

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(f)

	Female Prisoners		
	Numbers	Percentage	Cumulative Percentage
Against Person	47	32.19%	32.19%
Break/Enter/Steal	39	26.71%	58.90%
Traffic	20	13.70%	72.60%
Robbery/Extortion	17	11.64%	84.25%
Drugs	12	8.22%	92.47%
Justice/Good Order	10	6.85%	99.32%
Property/Environment	1	0.68%	100.00%
Total	146	100.00%	

(g)

	Aboriginal Prisoners		
	Numbers	Percentage	Cumulative Percentage
Against Person	350	41.22%	41.22%
Break/Enter/Steal	196	23.09%	64.31%
Traffic	134	15.78%	80.09%
Robbery/Extortion	97	11.43%	91.52%
Justice/Good Order	58	6.83%	98.35%
Drugs	7	0.82%	99.18%
Property/Environment	7	0.82%	100.00%
Total	849	100.00%	

(h)

	Non-Aboriginal Prisoners		
	Numbers	Percentage	Cumulative Percentage
Against Person	522	35.61%	35.61%
Break/Enter/Steal	338	23.06%	58.66%
Robbery/Extortion	267	18.21%	76.88%
Drugs	174	11.87%	88.74%
Traffic	81	5.53%	94.27%
Justice/Good Order	71	4.84%	99.11%
Property/Environment	11	0.75%	99.86%
Other (incl Immigration)	2	0.14%	100.00%
Total	1466	100.00%	

4. The Department of Justice have no record of a prisoner by the name of Axel. Prisoner Ciciora was released to parole on 22 April 2002 and his parole expiry date is 22 April 2004.

Supplementary Information No 65.

Hon Peter Foss asked:

- (1) *How much money has been*

(a) *received into*

(b) *paid out of*

this account?

- (2) *To whom has the money been paid out and in what amounts and on what dates? In particular, has the money that the Attorney General announced would be paid to the Homicide Victims Support Group been paid and if so, when? If there has been a delay, what is the reason for the delay?*

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- (3) *What other amounts have been agreed to be paid that have yet to be paid and to what persons? Why have they not been paid?*
- (4) *Has a procedure been established for making grants, and if so, what is it and when was it established? Can you table details?*
- (5) *Were any amounts agreed to be paid out prior to the procedure being established? If so, please give details.*
- (6) *For each amount detailed as being paid or agreed to be paid can you state under which particular paragraph of Section 130(2) the money was paid out?*
- (7) *Of those under paragraph (c) which were to provide support services and other assistance to victims of crime and in what manner is the grant seen as benefiting victims of crime?*

Answer:

- (1) (a) As at June 2003 a total of \$2.5 million was received into the account
- (b) As at 10 June 2003, a total of \$1,166,706.74 had been paid out.

2. The following payments have been made:

Reimbursement to the DPP, Police or Public Trustee under section 131(2)(a)(e) and (f) of the *Criminal Property Confiscation Act 2000*.

To Whom Payment made	Payment Amount	Payment Date
DPP	\$391,000.00	May 2002
Police	\$7,943.82	May 2002
Police	\$375.00	June 2002
Police	\$5,639.00	June 2002
Police	\$10,200.00	November 2002
Public Trustee	\$8,448.92	February 2003
DPP	\$500,000.00	May 2003
Police	\$150,000.00	June 2003

Grants paid under section 131(2)(b)(c) and (g) of the *Criminal Property Confiscation Act 2000*.

Project Name	Applicant	Project Duration	Amount Requested	Initial Payment June 2003
Gosnells Detached Youth Outreach Programme - GDYOP	City of Gosnells	09 months	\$23,144	\$23,200
SafetyLynx/Safer Seniors Security Audits	City of Gosnells	12 months	\$10,360	\$10,400
Gosnells District Neighbourhood Watch Project Officer	City of Gosnells	12 months	\$22,639	\$22,700
EWatch	City of Gosnells	12 months	\$12,200	\$12,200
Homicide Victims Support Group	Homicide Victims Support Group (WA) Inc.	12 months	\$49,200	\$24,600

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3. Refer to attachment 1 which provides a list of recipients who have entered into financial agreements. Apart from those mentioned in answer 2 above, the remaining recipients have not been paid as the signed agreements have yet to be returned to enable the release of monies. [See page 893 for attachment.]
4. Yes. Refer to the attached policy. It was established in January 2003 prior to the calling for applications for grants.
5. No Grant money was agreed to be paid out prior to the Grants procedure being established.
6. All monies have been paid out and approved to be paid out under the provisions of section 131(2)(a)(b)(c)(e)(f) and (g) of the *Criminal Property Confiscations Act 2000* which are as follows:
 - (a) for a purpose associated with the administration of this Act.
 - (b) for the development and administration of programs or activities designed to prevent or reduce drug-related activity.
 - (c) to provide support services and other assistance to victims.
 - (e) to carry out operations authorised by the Commissioner of Police for the purpose of identifying or locating confiscable property
 - (f) to cover any costs of storing, seizing or managing frozen or confiscated property that are incurred by the Police Force, the DPP or a person appointed under this Act to manage the property
 - (g) for any other purpose in aid of law and enforcement.
7. The 25 successful applicants have projects fulfilling multi-faceted purposes across the provisions contained in s132(2).

DEPARTMENT OF JUSTICE
POLICY CONCERNING PAYMENTS OUT OF
THE CONFISCATION PROCEEDS ACCOUNT UNDER THE CRIMINAL PROPERTY
CONFISCATION ACT 2000
DATE ISSUED: 30 JANUARY 2003

BACKGROUND

1. The *Criminal Property Confiscation Act 2000* (the Act) provides for the confiscation in certain circumstances of property acquired as a result of criminal activity and property used for criminal activity. The primary intention of the Act is to deprive people of wealth that has been unlawfully acquired.
2. Under the Act, proceeds from confiscated property are paid into the *Confiscation Proceeds Account* where the funds are held in trust. The Act provides the Attorney General with a discretion to direct that money be paid out of this account as reimbursements or otherwise for a number of purposes including, among others, programmes or activities designed to prevent or reduce drug-related criminal activity and the abuse of prohibited drugs, the provision of support services and other assistance to victims of crime, and purposes in aid of law enforcement.

PURPOSE

3. The purpose of this policy is to establish how, in the circumstances set out in paragraphs (b), (c) and (g) of section 131(2) the Act (these are set out below):
 - (a) applications may be made for the allocation of funds from the *Confiscation Proceeds Account*; and
 - (b) the Attorney General may direct that funds be paid out of that Account.

APPLICATION OF THIS POLICY

4. This policy applies to all applications for and approvals of funding from the *Confiscation Proceeds Account* made pursuant to paragraphs (b), (c) and (g) of section 131(2) the Act

THE CONFISCATION PROCEEDS ACCOUNT

5. Section 130 of the Act establishes a Trust Fund known as the *Confiscation Proceeds Account*. The section provides that:

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- “(1) *An account called the Confiscation Proceeds Account is established as part of the Trust Fund provided for by section 9 of the Financial Administration and Audit Act 1985.*
- (2) *The provisions of the Financial Administration and Audit Act 1985 regulating the financial administration, audit and reporting of departments apply to the Confiscation Proceeds Account.*
- (3) *For the purposes of section 52 of the Financial Administration and Audit Act 1985, the administration of the Confiscation Proceeds Account is to be regarded as a service of the department principally assisting the Minister in the administration of this Act.*”

PAYMENTS OUT OF THE CONFISCATION PROCEEDS ACCOUNT

The Attorney General may direct that payments be made

6. Section 131(2) of the Act provides that payments out of the *Confiscation Proceeds Account* may be made at the direction of the Attorney General. The Act states:

“Money may be paid out of the Confiscation Proceeds Account at the direction of the Attorney General, as reimbursement or otherwise ...”

Purposes for which payments may be made

7. Section 131(2) goes on to specify the purposes for which payments out of the *Confiscation Proceeds Account* may be made. These are:

- “(a) *for a purpose associated with the administration of this Act;*
- (b) *for the development and administration of programmes or activities designed to prevent or reduce drug-related criminal activity and the abuse of prohibited drugs;*
- (c) *to provide support services and other assistance to victims of crime;*
- (d) *to carry out operations authorised by the Commissioner of Police for the purpose of identifying or locating persons involved in the commission of a confiscation offence;*
- (e) *to carry out operations authorised by the Commissioner of Police for the purpose of identifying or locating confiscable property;*
- (f) *to cover any costs of storing, seizing or managing frozen or confiscated property that are incurred by the Police Force, the DPP or a person appointed under this Act to manage the property; and*
- (g) *for any other purposes in aid of law enforcement.*”

Payments under this policy

8. Under this policy, payments may only be made from the *Confiscation Proceeds Account* for the purposes of paragraphs (b), (c) and (g) of section 131(2) of the Act. That is, for the purposes of:

- (a) development and administration of programmes or activities designed to prevent or reduce drug-related criminal activity and the abuse of prohibited drugs;
- (b) provision of support services and other assistance to victims of crime; or
- (c) aiding law enforcement.

Payments for purposes specified in paragraphs (a), (d), (e) and (f) of section 131(2) of the Act are not addressed by this policy.

9. Without limiting the generality of the foregoing, money may be paid out of the *Account* to a person or an organisation involved in not only the development, administration and provision of programmes, activities, assistance and services for the purposes of paragraphs (b), (c) and (g) of section 131(2), but also for:

- (a) the co-ordination of such programmes or projects; and
- (b) their evaluation, and criminological research related to them.

DETERMINATION OF APPLICATIONS FOR PAYMENTS

General criteria to be applied

10. A grant of funding from the *Confiscation Proceeds Account* will only be made where the application for funding:

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- (a) is for a purpose or purposes specified in paragraphs (b), (c) or (g) of section 131(2) of the Act; and
 - (b) complies with Government policy.
11. In deciding whether to direct that a grant of funding be made from the *Account*, regard shall be had to the funds available in the *Confiscation Proceeds Account*.
12. Commercial or “for profit” organisations will not be eligible to receive funding from the *Account*.

Specific criteria to be applied

13. In deciding whether to direct that a grant of funding be made from the *Account*, the Attorney General shall also have regard to:
- (a) evidence of the need for and the potential impact of the proposed project;
 - (b) evidence of the likely benefits of the proposed project;
 - (c) any alternative source of funding that may be available for the purpose;
 - (d) the extent to which the proposal will provide value for money; and
 - (e) the person or organisation’s capacity to implement the proposal effectively.

No funds for certain purposes

14. Irrespective of the merits of the proposed project, funds will not be provided for any of the following purposes:
- (a) purchase of motor vehicles;
 - (b) purchase of property or capital items other than office equipment;
 - (c) legal or industrial action;
 - (d) meeting existing debts or debts not directly related to the project;
 - (e) projects associated with unhealthy products or practices; or
 - (f) offering significant prizes or gifts.

PRIORITIES

15. Provided the criteria set out in paragraph 10 and 12 are satisfied, and subject to paragraphs 11 and 16, priority will be given to requests for payment of funds from the *Confiscation Proceeds Account* where:
- (a) the nature, extent and importance of the issues to be addressed by the proposal are clearly identified and supported by evidence;
 - (b) sound empirical evidence of the potential of the project to achieve its objectives is provided and the project represents good value for money;
 - (c) the request is for no more than \$100,000 (but, requests for larger allocations may be considered in exceptional circumstances);
 - (d) the duration of the project is two years or less (but, requests for recurrent or subsequent year funding may be considered in exceptional circumstances);
 - (e) appropriate indicators of the success of the project in the event of its being funded and suitable data collection methods are identified; and
 - (f) the applicant can demonstrate that he or she has the capacity to carry out the project effectively and accountably.
16. When inviting applications for funding from the *Confiscation Proceeds Account* the Attorney General may identify in the invitation particular issues of importance that in his view need to be addressed. If so, in that funding round, priority will be given to projects aimed specifically at addressing those particular issues. Sub-paragraphs (a) to (f) of paragraph 15 will continue to apply to the consideration of all funding requests.

DEPARTMENT OF JUSTICE

17. In compliance with section 130(3) of the Act, for the purposes of section 52 of the *Financial Administration and Audit Act 1985*, the administration of the *Confiscation Proceeds Account* will be regarded as a service of the Department of Justice.

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CONFISCATION PROCEEDS ACCOUNT COMMITTEE

18. The Department of Justice will be supported in the administration of the *Confiscation Proceeds Account* by a committee established by the Attorney General and known as the *Confiscation Proceeds Account Committee*.
19. The *Confiscation Proceeds Account Committee* shall be chaired by the Director of Public Prosecutions or his nominee, and shall also include representatives of the Police Service; the Health Department; the Department of Justice; the Office of Crime Prevention; and a person nominated by the Attorney General from his Office.
20. The *Confiscation Proceeds Account Committee* will be responsible to the Attorney General through the Director of Public Prosecutions for:
 - (a) providing advice on the strategic and financial management of the *Confiscation Proceeds Account*, and policy advice in respect of the Account;
 - (b) considering applications for funding from the *Account* and making recommendations to the Attorney General as to which applications might be supported;
 - (c) reporting to the Attorney General on matters relating to the management of the *Account*; and,
 - (d) ensuring that the funds are used for the purposes for which they have been provided.

GRANT ADMINISTRATOR

21. The Grant Administrator provides executive support to the Confiscation Proceeds Account Committee and is responsible for the day to day administration of the Confiscation Proceeds Account, including such matters as:
 - (a) calling for and processing applications for funding;
 - (b) management and monitoring of project accounts;
 - (c) ensuring that projects are managed in accordance with the terms and conditions applying to the grants of funds;
 - (d) maintenance of records; and,
 - (e) reporting on the progress of projects and the state of the Confiscation Proceeds Account through the Confiscation Proceeds Account Committee to the Attorney General.

APPLICATIONS FOR FUNDING

22. Two times each year, at the direction of the *Confiscation Proceeds Account Committee*, the Grant Administrator shall place newspaper advertisements inviting applications for funding of projects from the *Confiscation Proceeds Account*. Usually, these advertisements will be placed in September and March of each year with a closing date 3 weeks after the advertisement has first appeared in print.
23. The invitations may relate to any one or more of the purposes set out in paragraphs (b), (c) and (g) of section 131(2) of the Act. At the direction of the Attorney General, the invitations may identify a specific issue or issues relating to one or more of those purposes as a particular priority for funding.
24. To be eligible for consideration for funding, applications must be submitted to the Grant Administrator in writing in a form approved by the *Confiscation Proceeds Account Committee*, and lodged by the closing date specified in the advertisement inviting applications for funding.

ACCOUNTABILITY

25. Funding will be subject to the acceptance in writing by the project principal of the terms and conditions set out in the grant. Successful applicants will be required to provide a list of the outcomes to be achieved, indicators of successful achievement of these outcomes, and a timetable for implementation of the project. This will be the basis of a formal agreement. The agreement will be used to assess the progress of implementation of the project, and the extent to which stated outcomes have been achieved.
26. Unsuccessful applicants will be notified in writing, and given the opportunity for feedback by the *Confiscation Proceeds Account Committee*.

TERMS AND CONDITIONS OF FUNDING

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27. The following provisions apply where the Attorney General has directed that a grant of funding be made from the *Confiscation Proceeds Account*:

Payment of Grants

- (a) Grant payments shall be made in accordance with a payment schedule agreed between the project principal and the Grant Administrator at the commencement of the project.

Salaries and Administration

- (b) Budgets for salaries and administration items shall be determined on the basis of current costs and in accordance with relevant industrial awards or agreements, where they exist. Budgets for administrative expenditure must be itemised.

Reports

- (c) A report on project progress will be required to be submitted to the Grant Administrator every six months or at more frequent intervals if specified in the terms and conditions of the grant.
- (d) A final report will be required to be submitted to the Grant Administrator within three months of the completion of the project. This report shall include:
- (i) a report, against the indicators of success, of the extent to which the outcomes of the project have been achieved;
 - (ii) a final audited financial report;
 - (iii) such other matters as may be specified in the conditions of the grant.

Revenue

- (e) All income arising from the conduct of the grant-funded project must be identified and applied to the project unless otherwise agreed between the project principal and the *Confiscation Proceeds Account Committee* at the time of the initial approval of the grant.

Assets

- (f) Any proposals to purchase capital items such as computers, photocopies etc. must be stated in the grant application and will be subject to the approval of the *Confiscation Proceeds Account Committee* at the time of the approval of the project. No approval of such purchases will be given after the commencement of the project. At the conclusion of the project, or if the agency receiving the grant winds up or no longer requires the capital items, all equipment purchased through grant funds shall be returned to the Grant Administrator.

Termination of the grant

- (g) A grant may be terminated if in the opinion of the *Confiscation Proceeds Account Committee*:
- (i) the project is not being carried out with competence or proper diligence; or
 - (ii) the project is not being carried out in accordance with the contract; or
 - (iii) the grantee fails to provide information concerning administrative or financial aspects of the project in response to a reasonable request.

Sale of materials and intellectual property

- (h) Any materials produced with funds provided under these grant arrangements, shall remain the property of the Director of Public Prosecutions or his delegate and shall not be offered for sale without prior written approval of the Director of Public Prosecutions or his delegate. All arrangements relating to these matters will be determined at the time of the approval of the grant application.

Acknowledgment

- (i) If specifically required as a condition of the grant, but not otherwise, the grantee shall ensure that materials produced which involved the use of grant funds display due acknowledgement of the Western Australian Government, and that formal public statements or printed material acknowledge the funding source.

Supplementary Information No 66.

Hon Giz Watson asked if there is a budget allocation to assist people on release with temporary or permanent accommodation?

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Answer: Capital funding of \$5.5M for the pilot *Transitional Accommodation Project* has been made available direct to the Department of Housing and Works under the State Homelessness Report, to be jointly used for clients of the Department of Justice and Mental Health.

The Department of Justice has been allocated \$340,000 in recurrent funding to provide support services around Department of Housing and Works accommodation.

Supplementary Information No 67.

Hon Ed Dermer asked whether the Minister could provide details of the development of additional computer applications to improve the process of printing and reprinting legislation. What are the applications and how have they achieved improvements?

Answer: The Parliamentary Counsel's Office uses Microsoft Word as its primary computer application to print and reprint legislation. Previously a large number of Microsoft Word macros were used to facilitate these processes. These macros were consolidated and converted to a single computer application call a Dynamic Link Library (DLL). As part of the development of the DLL the previous macros were modified and refined to better assist professional and clerical officers in their duties. The DLL utilised technology that was not available when the macros were originally developed and it is providing staff with additional functionality.

This application has enabled the Office to carry out additional electronic checks and verifications on the documents, some of which were previously carried out manually.

The Access database computer application that is used, as an Office management tool has been further developed and enhanced to provide additional functionality which enables better management of the process of printing and reprinting legislation.

Supplementary Information Request No 68.

Hon Peter Foss asked the following series of questions referring to page 447 of volume 2, budget paper no. 2: "What is the estimated full year operating cost of the State Administrative Tribunal, being costs of assigned staff such as the judges for the first three years of operation? Will there be any savings as a result of the efficiencies to be obtained in consolidating administrative tribunals; and, if so, how much are the savings estimated to be? What are the current operating costs of those tribunals whose work the SAT is expected to subsume in the first three years of operation? What are the reasons for the difference in operating costs between the SAT and those tribunals? Finally, has any estimate been made of the likely legal costs to be incurred by a litigant before the SAT under the procedures at each level of the tribunal; and, if so, what are they? If not, on what basis has the impact on accessibility to justice of the SAT process been assessed?"

Answer:

1. The estimated full-year operating cost of the State Administrative Tribunal (SAT) for the first full three years of operation is:

2004/2005	\$10.11M
2005/2006	\$10.45M
2006/2007	\$10.72M

On 5 June 2003, the Hon Nick Griffiths MLC advised that the full year operating cost would be \$10.642M for 2004/2005, \$10.983M for 2005/2006 and \$11.251M for 2006/2007. Those costs included the amount of \$526,562 which was to be directed to the SAT to assume the jurisdiction of the Building Disputes Tribunal. As it has been decided the Building Disputes Tribunal will not be part of the SAT at this time, the full year operating costs have been adjusted accordingly.

2. It is not expected that there will be savings in the short term by the consolidation of administrative boards and tribunals. The primary reason for there not being savings in the short term relates to the additional accommodation and infrastructure requirements associated with the consolidation of boards and tribunals, the appointment of a President and two Deputy Presidents, who are to be Judges of the Supreme and District Courts respectively, and it should be acknowledged that the jurisdiction of SAT would encompass functions not currently carried out by an existing agency or tribunal.

3. Existing bodies have advised the Department of Justice that the recurrent costs of carrying out the functions, which will be transferred to the SAT, is \$6.7M. Of the \$6.7M, \$723,000 is from non-government sources.

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The \$6.7M identified costs consist of the total budget of boards and tribunals that will transfer, their entirety, to the SAT and the estimated cost of functions where only part of the total business of certain boards and tribunals is transferred to SAT. Due to the nature of costing, \$6.7M is considered to be an underestimation as administration support for many existing bodies is provided by public service officers as part of a much broader job.

4. The difference between the expected operating costs of the SAT and the current operating costs of those boards and tribunals to be subsumed into the SAT is primarily the appointment of the presidential officers, additional costs associated with the provision of suitable accommodation and ongoing infrastructure and functions currently not carried out by existing agencies or tribunals.

5. A major objective of the SAT will be to act as speedily and with as little formality and technicality as is practicable and to minimise the cost to parties. As such, greater emphasis will be placed on the use of mediation and alternate dispute resolution than currently exists within many of the courts, boards and tribunals from where matters will be transferring. In addition, there will be a strong focus on the SAT encouraging and supporting self represented litigants. This is in contrast with matters transferring from courts where there is a much greater degree of formality and a greater likelihood for parties to consider it necessary to have legal representation.

Supplementary Information No 69

Hon Ed Dermer asked a question related to Output 4 on the major achievements in 2002/03 listed on page 450 of the Budget Statement. "I refer to the third of those listed achievements, which talks about the establishment of victim liaison officers in all metropolitan courts. I am interested to hear what feedback the Department of Justice may have received from victims on the effectiveness of the work of those victim liaison officers."

Answer: We have had no direct feedback from victims of crime on the effectiveness of the Victim Liaison Officers in courts. Victim Liaison Officers were appointed from within the staff of every Magistrate's Court across the State in July last year. The training was completed with those officers from all metropolitan courts, with the exception of Fremantle and Midland, and six country regional courts. The training covered: knowledge of victims issues and needs; the role and function of the Department's Victim Support Service; referral processes to the Victim Support Service; information on Victim Impact Statements; court preparation and court support; and other services available to victims, such as applying for Criminal Injuries Compensation.

Supplementary Information Request No F asked by Hon Peter Foss in addition to Hansard transcript:

Hon Peter Foss refers to various reports given by the Inspector of Custodial Services.

1. *What amount of the time has the Department been given with respect to each report to respond to or address the matters of concern raised in them before they are tabled in Parliament.*
2. *How has the Department gone about responding to the matters raised?*
3. *What responses has the Department made to each report and in particular to the reports on Bandyup and Hakea?*
4. *Does the Department have an in-house group whose responsibility it is to report on and ensure compliance with the reports?*
5. *Why did the Department take so long to respond to the Inspector on Hakea Prison?*
6. *Does the Department now consider it has met the Inspector's requirements on Hakea and if not why not?*

Answer:

- (1)-(2) I refer the Hon Member to Page E40 Division 32 (Office of the Inspector of Custodial Services) of the Council Estimates Committee Uncorrected Hansard, wherein Professor Harding responded to the timing and production of Inspection debriefs, draft reports and final reports. Both the Inspector and the Department of Justice are addressing ways to improve responsiveness to issues arising out of the prison inspections.
- (3) The Department's response is included in the OICS report on each prison.
- (4) Yes. The Project Manager Custodial Inspections (formerly Manager Operational Review) coordinates the response to the Inspector's reports and follows up on Action Plans.
- (5) The Department responded within 6 weeks of receipt of the Hakea Prison draft report from the OICS. An extension of time was granted due to the complexity of issues within the report

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- (6) The Department has provided a response to each of the Inspector's recommendations and also implemented a change management process to improve services at these prisons. Additionally the Department has undertaken a comprehensive review of fire systems within all the public prisons as recommended in the Hakea Prison report. A final report on the fire systems review is near completion.

Supplementary Information Request No D asked by Hon Peter Foss in addition to Hansard transcript:

Hon Peter Foss asks the Attorney General on assuming office agreed with the former Government that there was an urgent need to replace the regional prisons at Broome and Eastern Goldfields. This does not appear in the current years estimates or forward projections.

1. *What is proposed with respect to these 2 prisons?*
2. *Does the Government intend to continue the process of continual improvement in prisons that was commenced under the previous Government, other than those that had already been commenced?*
3. *Is the Government aware that Aboriginals will be the ones most affected by any delay in attention to these 2 prisons?*

Answer:

1. In order to ensure that the planning for new prisons in these regions properly reflects the social and cultural requirements of local prisoners, extensive community consultation is required. The recently completed Kimberley Regional Justice Project marks the first stage in consultation towards the development of appropriate custodial responses in that region. An evaluation of land acquisition options is currently being undertaken both in the Kimberley and Eastern Goldfields as part of the long term planning for these two regions.
2. Yes.
3. There is no delay in attention to these two prisons. Planning is taking place in consultation with the Aboriginal communities.