

BANKSIA HILL DETENTION CENTRE — UNIT 18 DETAINEES — LEGAL AID

698. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Corrective Services:

I refer to the move of 17 children from Banksia Hill Detention Centre to unit 18 at Casuarina Prison on Wednesday, 20 July 2022.

- (1) Has the Department of Justice had discussions with the Aboriginal Legal Service WA and Legal Aid Western Australia to ensure that each young person moved to Casuarina Prison has adequate legal representation and advice regarding the move and conditions?
- (2) If yes to (1), on what date did these discussions occur?
- (3) If no to (1), why not?
- (4) How many of the 17 children at Casuarina Prison have had access to legal advice regarding the move and conditions in unit 18, and on what dates did this occur?
- (5) What are the visiting hours for family members and civil and criminal legal representation to visit youth detainees at Banksia Hill Detention Centre and unit 18 at Casuarina Prison respectively?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. I note that this question was asked on Wednesday, 10 August, so this answer is correct as at that date. The following information has been provided to me by the Minister for Corrective Services.

- (1) Yes.
- (2) Communications with legal representatives include the following. Correspondence from the department was sent to identified stakeholders, including the Aboriginal Legal Service WA and Legal Aid, on 18 July 2022. On 19 July 2022, the Aboriginal Legal Service WA and Legal Aid attended Casuarina Prison and were provided a briefing and a tour of unit 18. On 21 and 22 July 2022, each of the young person's legal supports were contacted, including the Aboriginal Legal Service WA and Legal Aid, to advise of the young person's movement. A second letter was sent on 22 July 2022 to the Aboriginal Legal Service WA and Legal Aid. All young people requesting contact have had a form of contact with their legal representatives since their movement to unit 18. A discussion regarding historical representation occurred with Legal Aid on 29 July 2022. Contact has been made with the Law Society of Western Australia, with arrangements to brief its criminal law committee on 7 September 2022.
- (3) Not applicable.
- (4) All young people accommodated in unit 18 have had contact with legal representatives by way of phone, e-visits or contact visits on various dates. Multiple face-to-face, telephone and e-visits have occurred for the young people with their legal representatives following their transfer.
- (5) The total combined in-person official visit capacity on a weekly basis is 100 individual visits. The total combined e-visits official capacity on a weekly basis is 60 individual visits. For both facilities, official visit times for in-person visits are from 8.45 to 9.45 am from Monday to Friday. E-visits are from 10.00 to 10.30 am, 11.00 to 11.30 am, 1.00 to 1.30 pm and 2.00 to 2.30 pm. For both facilities, social visit times for in-person visits are from 8.45 to 9.45 am from Monday to Friday. Online e-visits are from 3.30 to 4.30 pm. On weekends, visiting times on Saturday and Sunday are 8.00 to 9.00 am or 4.00 to 5.00 pm for in-person visits, and 10.00 to 11.00 am or 2.00 to 3.00 pm for online e-visits.