



Annual Report 2018/19

Court Security and Custodial Services Contract

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1 Key Areas of Focus and Achievements 2018/19

This Annual Report of the Contract for the Provision of Court Security and Custodial Services ('the Contract') covers the period 1 July 2018 to 30 June 2019 inclusive. It is the second full year of service under the current Contract for Broadspectrum (Australia) Pty Ltd.

The Contractor progressively commenced operation of primary security checkpoints at the following metropolitan courts from 1 December 2018 as a variation to the contract:

- Northbridge, which operates on Saturday and Sunday, on 1 December;
- Joondalup, Midland and Armadale on 3 December,
- State Administrative Tribunal, Rockingham and Mandurah on 10 December, and
- Fremantle on 17 December.

The Contractor has progressively worked towards a solution on increasing their capacity to facilitate a greater number of hospital sits through the utilisation of its subcontractor Wilson Security. It is anticipated this increased capacity will become available in the first quarter of the next reporting period.

2 Contract Background & History

This Annual Report of the Contract for the Provision of Court Security and Custodial Services ('the Contract') covers the period 1 July 2018 to 30 June 2019 inclusive.

A contract for the Provision of Court Security and Custodial Services has been in existence since January 2000.

In 2008, the Department of Justice (formerly the Department of Corrective Services) became responsible for assisting the Minister for Corrective Services in administering the *Court Services and Custodial Services Act 1999*. As such, the Director General of the Department is the Principal to the Contract for the Provision of Court Security and Custodial Services.

Under the Contract, the Contractor is responsible for the provision, maintenance and replacement of the Secure Vehicle Fleet, as well as air and coach transportation of persons in custody across the State. Regional Police lock-ups are cleared within 24 hours and air transport is also used for regional prisoner movements. Contract officers are required to be trained to a specified level of proficiency in order to secure an improved quality of service.

The Contractor's performance is measured against Key Performance Indicators (KPIs) and Service requirements. The Contract allows for application of an Abatement Regime consisting of Specified Events and KPIs.

The Contract also provides for a Performance Incentive Payment which is calculated as a percentage of the monthly service fee. The monthly Performance Incentive Payment is reduced based on the total Performance Assessment Points the Contractor accumulates each month for failing to meet a KPI.

The Department monitors and reviews the Contractor's provision of court security and custodial services State-wide. This has resulted in greater scrutiny of service delivery which enables the Department to identify issues in a timely manner, and seek prompt remedy from the Contractor when issues of concern arise.

The Contract focuses on services being carried out with regard to the security of persons in custody, staff, and the general public at the highest levels, within set timeframes and with a high degree of duty of care. The monitoring processes developed, together with the Abatement Regime, support the provision of high levels of service delivery throughout the State.

3 Overview of Contract Cost of Service

In total, the cost of delivering the service during the period 1 July 2018 to 30 June 2019 was \$51,150,978.

A breakdown of the Contract costs associated with the Court Security and Custodial Services Contract is below (rounded to the nearest dollar).

Description	Payment
Custody Movement Services (metropolitan and regional areas)	\$24,171,577
Court Custody and Court Security Services (metropolitan and regional courts)	\$26,979,401
Gross Total	\$51,150,978
Abatements applied	\$601,151
Net Total	\$50,549,827

4 Custody Movement Services

4.1 Person in Custody Movement Services (Transport)

4.1.1 Description of Service

The provision of movement services for persons in custody includes the transportation of such individuals between police lock-ups, courts, court custody centres, prisons and remand centres.

Movement services are also provided for persons in custody to attend medical appointments, funerals or other locations for approved purposes. The Contract also provides security services when a person in custody is admitted to a hospital.

Table 1. Total Individual Custody Movements Performed

Services	Movements	Comments
Inter-prison Transfers	9,434	Inter-prison movements include metropolitan to regional and vice versa, and within regional areas and the metropolitan area. Movements are conducted by coach, air or secure vehicle.
Court to Prison	5,770	Court to Prison and Prison to Court movements are from court and prison locations specified in the Contract.
Prison to Court	6,878	
Medical Appointments	5,805	Medical appointments include scheduled and unscheduled appointments in the metropolitan and regional areas.
Funerals	216	Funeral movements include movements to funeral services locations as approved.
Day Admissions	224	These services are for prisoners who are admitted to hospital for surgical or other procedures.
Prison to Hospital	187	These movements are undertaken to facilitate hospital admissions for longer than a day.
Hospital to Prison	118	
Lock-up Clearance (Metropolitan and Regional) ¹	10,741	For regional areas, this service clears persons in custody from 24 WA Police Hub locations to local regional prisons. This service requires persons in custody to be cleared within 24 hours' notice. During this reporting period lock-up clearances from metropolitan areas for persons in custody were cleared from the Perth Police Complex (PPC) in Northbridge.
Visits	53	These services include visits to ill relatives and other approved escorts.

¹ This data is drawn from the Contractor reported data

A total number of 39,426 person in custody movements occurred by various means (air, coach, secure vehicle, or other vehicles) for the reporting period.

Figure 1. Monthly Contracted Adult Transport Services

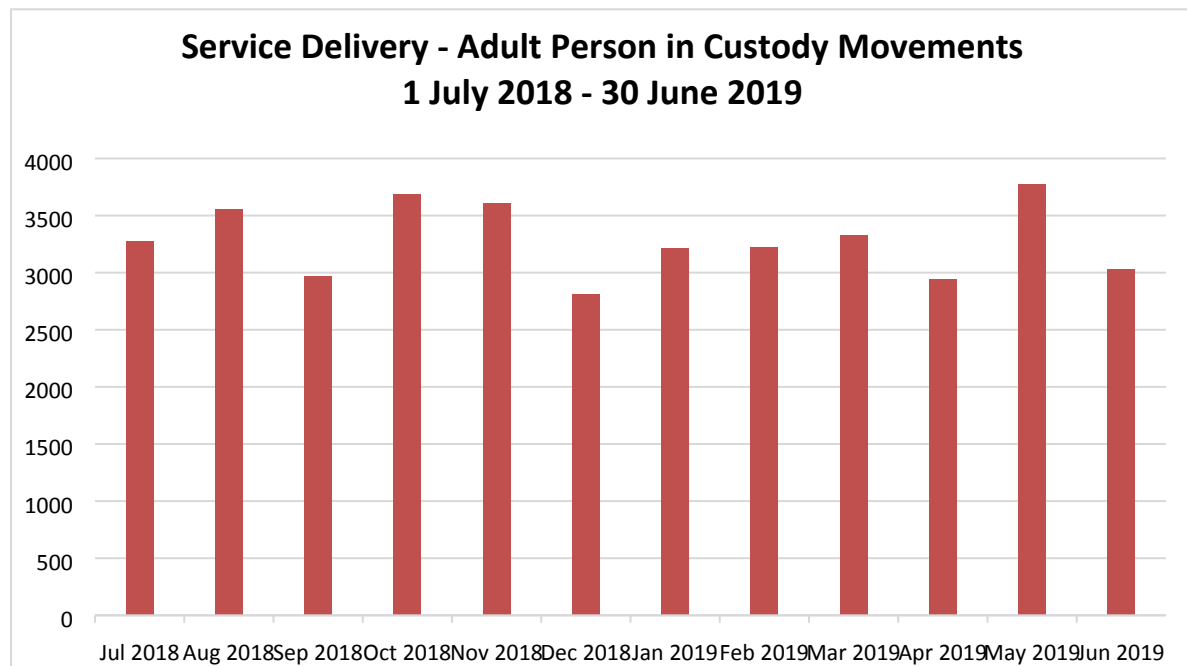
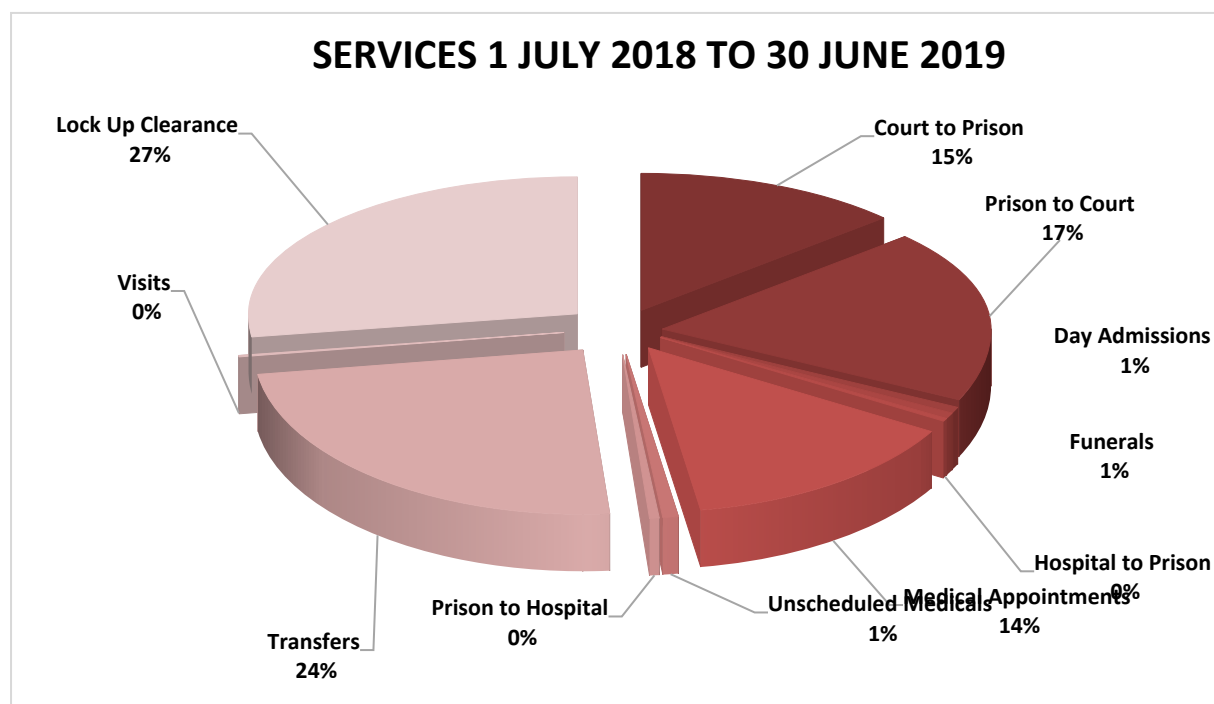


Figure 2. Annual Service Delivery of Adult Contracted Transport Service



4.1.2 Total Expenditure: Custody Movement Services

The cost of providing Custody Movement Services between 1 July 2018 and 30 June 2019 for metropolitan and regional areas was \$26,979,401.

The 2018/19 cost of Movement Services includes the provision of air charter, coach movements, Police Lock-up Hub Clearances within 24 hours, and the cost of maintaining and managing the Secure Vehicle Fleet.

4.2 Person in Custody who died while in hospital

Nine deaths in custody occurred while the persons in custody were at hospital under guard between 1 July 2018 and 30 June 2019, six of which were from apparent natural causes. The Coroner has yet to conduct inquests for the nine deaths in custody.

4.3 Management of Persons in Custody

Broadspectrum utilises the electronic Prisoner Escort Management System (ePEMS), a data collection management system, which has been built on a simple Microsoft database platform and operates on Windows compatible computers.

ePEMS is an 'off-the-shelf' software solution that has been designed and developed to support the delivery of prisoner escort services. ePEMS draws information from the Department's Total Offender Management System (TOMS). This enables transport requests and necessary information relating to a person in custody to be available to Broadspectrum for appropriate tasking.

Confidential and sensitive data and information created and held within the system is encrypted. Only authorised users with explicit permissions are able to enter, view or amend records.

4.4 Secure Vehicle Fleet

The Secure Vehicle Fleet was transferred to Broadspectrum at service commencement as provided for under the Contract.

5 Court Security and Court Custody

5.1 Description of Service

The Contract provides for court security and court custody services at major metropolitan and regional courts throughout WA and in designated jurisdictions.

Court security is the provision of security services (excluding custody) and generally includes court orderlies, gallery guards, perimeter security to external premises and internal security of public areas within major courts.

Court custody is the provision of security services within the court custody centre and the secure circulation paths leading to and from courtrooms. This includes dock guards in courtrooms for the management of persons in custody, and the management of custody centres where one forms part of a court complex.

5.2 Court Custody and Court Security Costs

The cost of providing court custody and court security services between 1 July 2018 and 30 June 2019, for metropolitan and regional courts was \$24,171,577.

5.3 Industrial Dispute

Broadspectrum had been engaged with the Transport Workers Union (TWU) over the period February 2018 to January 2019 to establish a new Enterprise Agreement (EA).

A number of protected actions had been proposed by the TWU over the period most of which were suspended in the Fair Work Commission (FWC).

The EA was successfully voted on in January 2019, ratified in the FWC on the 7 July 2019, and implemented 20 August 2019.

6 Contract Compliance

The Contract operates under a defined governance framework that is overseen by the CS&CS Board. The purpose of the Board is to provide direction and advice on strategic and policy issues that affect the management and provision of services under the Contract. The Board is chaired by the Commissioner of Corrective Services and includes representatives from WA Police Force, Courts and the Contractor, Broadspectrum

The objectives of the Board are to:

- Examine and resolve strategic issues that affect the Contract;
- Ensure compliance requirements are met;
- Facilitate improvements in the performance of the Contract;
- Review the ongoing relevance of aspects of the Contract;
- Provide a forum for co-ordination of relevant budget processes; and
- Ensure that planning priorities inform the budget process.

6.1 Description of Service

Departmental staff monitor services provided by the Contractor through regular site visits as well as specific site reviews.

Four Compliance Reviews were undertaken in the 2018/19 financial year.

- A review of Kalgoorlie Court was conducted in February 2019.
- A review of South Hedland Court was conducted in March 2019.
- A review of Geraldton Court was conducted in April 2019.
- A review of Broome Court was conducted in May 2019.

Table 2 below, identifies the number of visits per location to undertake monitoring activities at both metropolitan and regional sites where Broadspectrum provide a service.

Table 2. Schedule of Monitoring Visits Completed

Monitoring Visits Completed					
Airport - Marooomba	31	Rockingham Court	37	Sir Charles Gairdner Hospital	25
Cathedral Precinct	31	State Administrative Tribunal	25	South West Health Campus	1
Armadale Court	44	Supreme Court & Stirling Gardens	73	St John of God Hospital	4
District Court Building /Central Law Courts	95	Fiona Stanley Hospital Secure Unit	45	Funerals	11
Fremantle Court	54	Bentley Hospital	1	Northbridge PPC	52
Joondalup Court	51	Fiona Stanley Hospital	100	Acacia Prison	10
Mandurah Court	37	Fremantle Hospital	29	Melaleuca Remand & Reintegration	14

Monitoring Visits Completed					
				Facility	
Midland Court	49	Joondalup Hospital	5	Wandoo reintegration Facility	4
Perth Children's Court	53	King Edward Memorial Hospital	12	Bandyup Women's Prison	33
Northbridge Court	19	Osborne Park Hospital	1	Casuarina Prison	49
Family Court	32	Royal Perth Hospital	56	Hakea Prison	54
				Broadspectrum Base	11
				Total	1,148

6.2 Specified Events and Key Performance Indicators (KPIs)

The Contract applies an Abatement Regime consisting of Specified Events and KPIs. Specific abatement amounts are provided for Specified Events referred to in the Contract. The Contract also provides for a Performance Incentive Payment which is calculated as a percentage of the monthly service fee. The monthly Performance Incentive Payment is reduced based on the total Performance Assessment Points the Contractor accumulates each month for failing to meet a KPI.

The Contract also provides an increase in Specified Event amounts and Performance Assessment Points for repeated occurrences of the same Specified Event or KPI failure.

The total value of abatements applied for the period 1 July 2018 to 30 June 2019 was \$601,151.

The following incidents were subject to abatement during the reporting period with a total abatement amount of \$225,013.

- 21 x Failure to provide a Service, each with a maximum abatement amount of \$5,000 (indexed to \$5,192 from 1 April).
- 1 x Unauthorised release of an unsecure person in custody, with a maximum abatement amount of \$10,000. (indexed to \$10,188 from 1 April).
- 1 x Unauthorised release of an secure person in custody, with a maximum abatement amount of \$25,000 (indexed to \$25,960 from 1 April)
- 2 x Failures to treat all persons fairly and with respect for inherent dignity, with a maximum abatement amount of \$10,000 (indexed to \$10,188).

In addition, 258 Performance Failures were abated to a total of \$376,138.

6.3 Performance Improvement Notices

The Contract provides for the issue of a Performance Improvement Notice (PIN) in the event the Contractor has breached an obligation specified in the Contract, or has not sustained any service element. This mechanism enables a specific performance issue to be addressed and promptly remedied.

Contract Management issued one PIN for the period 1 July 2018 to 30 June 2019. On 20 December 2018, a PIN was issued in relation to a failure to provide Contract Workers with Cardio Pulmonary Resuscitation (CPR) training every year as required in the CS&CS Contract.

The Contractor responded to the PIN within the specified time and the Department continues to monitor Broadspectrum's performance against this issue.

A PIN in relation to a failure to report intelligence information as required in the CS&CS Contract and Broadspectrum's Standard Operating Procedures is on 30 November 2017 still remains in place as all corrective actions had not been completed as at 30 June 2019.

7 Training

The Contract requires all Contract Workers to have successfully completed a Certificate III, or for Supervisors, Certificate IV in Correctional Services in their first year of employment.

A training review to examine and evaluate the training provided to Contractor Employees under the CS&CS Contract and as stated in the General Service Requirements contained in Clause 17 and Schedule 5 was completed in August 2018. Subsequently Broadspectrum provided a Training Rectification Plan to address a number of areas that required attention.

To validate the progress of training compliance, including the CPR PIN, a further training review against the recommendations will be conducted next financial year.

8 Contract Reviews

The Contractor's performance is measured against Key Performance Indicators and comprehensive Service Requirements. The Contractor is expected to deliver 100% of all services in accordance with the contracted service requirements. An Abatement Regime applies if the Contractor fails to deliver services as required.

The Department monitors and reviews the Contractor's provision of court security and custodial services State-wide. This has resulted in greater scrutiny of service delivery which enables the Department to identify issues in a timely manner, and seek prompt remedy from the Contractor when issues of concern arise.

The Contract focuses on services being carried out with regard to the security of persons in custody, staff, and the general public at the highest levels, within set timeframes and with a high degree of duty of care. The monitoring processes developed, together with the Abatement Regime, support the provision of high levels of service delivery throughout the State. The following reviews were conducted during the 2018/19 reporting period.

8.1 Review of Contractor's Operational Instructions

A review of selected Broadspectrum Operational Instructions (OIs) was undertaken. The Contractor and the Department reviewed selected OIs in relation to issues and incidents as they occurred.

8.2 Volume (Band) Changes

The Contract provides for service volume changes to Pricing Tables to occur. The Contractor must notify the Principal in writing on a monthly basis when the service volume for a Service exceeds seventy-five percent (75%) and one hundred percent (100%) of the Baseline Volume Band for each Pricing Table. The Principal determines the applicable Baseline Volume Band from the range of Volume Bands set out in the Pricing Tables.

Volume Band changes came into effect during the period 1 July 2018 to 30 June 2019 for court custody at a number of locations in response to service demand.

9 Contract Variations

The following contract variations were finalised during the financial year.

- Provision of After Hours Court Security to relevant courthouses. This variation came into effect in July 2018.
- Provision of medical escorts, hospital sits, funeral escorts and other escorts at Wandoo Prison. This variation came into effect in July 2018.
- Provision of Primary Security Checkpoints to relevant metropolitan courthouses. This variation came into effect in December 2018. This variation is also referred to in section 1 of this report.
- Increase in volume bands for Metropolitan Interprison Transfers. This variation provided for the increase to the existing volume bands in the relevant contract pricing table to meet the current and future demand for metropolitan interprison transfers. This variation came into effect in February 2019.

10 2018/19: The Year Ahead

The Department will continue to closely monitor service deliverables throughout the second year of the Contract in order to quickly identify areas of concern as they arise.

The Contractor has advised the Department of its plan to concentrate on Fleet utilisation, optimisation, and future replacement in the next reporting period.