

Ms Wendy Duncan; Mr Paul Papalia; Mr Joe Francis; Mrs Michelle Roberts; Ms Margaret Quirk; Mr Jan Norberger; Mr Nathan Morton; Ms Lisa Baker; Mr Murray Cowper

Division 65: Corrective Services, \$826 880 000 —

Ms W.M. Duncan, Chairman.

Mr J.M. Francis, Minister for Corrective Services.

Mr J. McMahon, Commissioner of Corrective Services.

Mr G. Kessar, Director, Financial Management.

Ms L. Penman, Policy Officer, Strategic Policy.

[Witnesses introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 19 June 2015. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

The member for Warnbro.

Mr P. PAPALIA: I refer to the table headed "Adult Corrective Services" on page 732 of budget paper No 2 and the line item "Cost per Day of Keeping an Offender in Custody". No doubt the minister is very familiar with the Auditor General's report that was released this week, and I see that the Department of Corrective Services has responded to it. There is reference in the report to the disproportionate cost of the early introduction into the prison system of a defendant. It indicates that someone who is remanded while arranging bail conditions generates a cost of about \$5 390 over the course of a week. The report notes that the cost of bringing a defendant into the prison system is directly related to the short time that they stay there. Where did the Auditor General obtain the statistic that indicates that the first seven days or less of incarceration incur a significantly higher cost than the cost indicated in this part of the budget?

Mr J.M. FRANCIS: I will ask the commissioner to elaborate on this. Obviously, there will be an inherent increase in the cost for an initial placement in the prison system because a lot of processes have to be gone through when someone first enters either remand or even transfers between jails that is not part of the average ongoing cost associated with holding a prisoner for a certain amount of time. I am not quite sure where the Auditor General got that figure from. When I saw that figure, my initial reaction was that it seemed like an awful lot of money for that service.

Mr J. McMahon: I do not know exactly where the Auditor General got those figures, but we applaud the report because we will use it, particularly from a multiagency perspective, to deliver more effective bail services. Given that the Auditor General has done a number of reports into the agency in the last couple of years, he will have drawn those pieces of information from a range of sources. I cannot tell the member exactly where he got the figures from, other than from the figures we keep within the department.

Mr P. PAPALIA: Do any of the other advisers know?

Mr J.M. FRANCIS: I know what the member is getting at, but I am happy —

The CHAIRMAN: Excuse me, member for Warnbro. Do you want to elaborate on your question?

Mr P. PAPALIA: Yes, that might make it clearer why I want to know whether anyone here knows the answer. My next question is: how much does it cost to bring a person into the prison system, as opposed to the daily rate of incarceration over a long time? Clearly, the Attorney General was capable of discerning that figure. It is significantly higher than the rate listed per prisoner per day, so I would like to know what that cost is per prisoner being accepted into the adult system; whether it is the same cost for every prison that accepts

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someone; and whether that cost is then replicated when a prisoner is transferred between prisons after being in prison for a period of time or whether that cost is purely for that first acceptance into the system.

Mr J.M. FRANCIS: I will ask the commissioner to elaborate, and it is the Auditor General not the Attorney General.

Mr P. PAPALIA: Sorry, the Auditor General.

Mr J. McMahan: Thank you for the clarification. A range of factors go into determining the cost of a person coming into prison. I do not know the exact figures, but we can go down to those figures. However, the complexity—I will put it into context—in part of the question asked by the member involves the severity of crime and how we need to deal with that individual in the assessment centre. I will give the member some examples: we have to consider the mental health and the health aspects of the prisoner, and we have to determine whether we can hold that person in the same area as other people coming in on that specific event. Their gender and specific medical needs must also be considered. I am making the point that when we get down to a specific cost, it will be different for each case. However, the cost of \$322 per prisoner per day, which is found on page 732, is worked out on a macro level by basing it on the daily average prison population for the whole of the state.

Mr P. PAPALIA: If possible, I would like as supplementary information, because it is probably a little complicated, the cost of the initial processing and receiving of a prisoner into the system. Notwithstanding all the categories the commissioner referred to, I understand that every prisoner accepted into the prison system is subjected to the same classification until they are sentenced and processed. They are assumed to be a high risk and requiring a high level of observation. Even without an elevated threat associated with an individual based on the type of offence they have committed, the rest of them are kept at a much higher level of demand of service than a person whose incarceration is ongoing. I would like that cost because the Auditor General suggests in his report that it is up to \$770 a day. That is very interesting to me. The costs of that initial processing and reception into the system can be separated. If the Auditor General is capable of separating those figures, the minister must be able to do so, too. I would like to know what that is.

[11.10 am]

Mr J.M. FRANCIS: I will undertake to provide supplementary information to the member for Warnbro that will provide a clear breakdown on the basic level costs that every prisoner receives into the prison system, plus an estimate of all the other factors on a case-by-case basis.

Mr P. PAPALIA: It would be good if the minister could do that, but I am not as concerned about those as there are fewer of them, and I am not as worried about them but about the vast majority of people who come in. Is it possible also to get that figure for each prison in the state that receives prisoners? Some prisoners go into prisons other than Hakea Prison for other reasons and they are received into the system around the state.

Mr J.M. FRANCIS: It will be different for Bandyup Women's Prison from Hakea or from Broome.

Mr P. PAPALIA: Correct. Could the minister provide that costing for each of those sites?

Mr J.M. FRANCIS: We can provide that information.

The CHAIRMAN: Minister, can you clarify exactly what you will be providing in the supplementary information?

Mr J.M. FRANCIS: I will provide to the member for Warnbro as supplementary information a breakdown on the basic cost of receiving a prisoner into the prison system, with a comparison for different prisons within the state, noting that obviously it will vary between Bandyup, Hakea, Albany Regional Prison and even Broome Regional Prison. I will also provide an estimate on specific case-by-case requirements additional to that base.

Mr P. PAPALIA: I assume that information is for all of them, apart from the two private prisons; every other prison, other than Casuarina Prison, receives prisoners. Do Casuarina and Albany receive fine defaulters and people like that?

Mr J.M. FRANCIS: Commissioner.

Mr J. McMahan: There are local arrangements under which people are held. I understand the aspect of the member's question. There are initial costs, which we can break down, which I suggest to the member are around \$770. An amount of detail is required to provide a response to that. Let me give a very simple example. One person coming in on a Saturday evening who is meth-affected will be extremely violent. They might take up to six prison officers to process compared with a female who is not violent and requires one prison officer. I make the point that we can get the figures for the member, but we need to provide the dynamics about how that cost

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varies across a period. When we do the classification of how we do the security rating, and then the performance, and then how we do the initial management plan, they do vary.

Mr P. PAPALIA: Is Hansard comfortable with what we have asked for?

The CHAIRMAN: I am advised by the clerk that because we went off on a tangent, we need the minister to clarify again what he will provide in supplementary information.

Mr J.M. FRANCIS: I agree to provide by way of supplementary information to the member for Warnbro a baseline estimate on what it costs to accept a prisoner into prison; an outline of additional costs on a case-by-case basis that would make that initial cost of accepting a prisoner more expensive; and also a breakdown on that prison by prison across the state.

[Supplementary Information No A61.]

Mr P. PAPALIA: I wish to pursue this subject further on the same line item. The Auditor General estimated that in 2014 an amount of \$1.5 million was spent on receiving people into prison on remand for less than a week while their bail was organised or for people who could not get bail organised. That is \$1.5 million on people who were eligible for bail but who could not get their act together or were incapable of meeting the surety requirements or whatever. I would add to that a rough estimate for last year. I know how many went in for fine defaults and they are not part of that statistic—so that is another \$1.1 million or so for fine defaulters last year who were locked up on average for 4.24 days. We know what it costs per day. The figure is much more than \$1.1 million because we know that the cost of that initial reception is double what it normally is; it is probably \$2 million on fine defaulters. I was pursuing the minister on the challenge associated with locking up fine defaulters but it is actually an elevated figure. I was underestimating the cost because all the costs are front-loaded. I was using a daily cost calculation that is here in the budget, but the minister has indicated that that is not the actual cost and that it is more like the Auditor General says—that is, double that. What is the government doing to figure out a cheaper and more efficient way of dealing with fine defaulters than locking them up in prison?

Mr J.M. FRANCIS: We have had this conversation a number of times. At the end of the day, the government believes that there must be an endgame for people who refuse to pay fines. To put it into context, less than half of one per cent of the prison population right now—probably less than 10 people in prison out of the 5 530-odd adults in custody today—are there for fine defaults alone. When we use the term “fine defaults”, we must keep in mind that the judiciary uses fines for things other than parking tickets and speeding offences.

Mr P. PAPALIA: The minister is missing the point.

Mr J.M. FRANCIS: After a lengthy process—after not paying a fine and going through the fine enforcement registry, having multiple opportunities to pay and the ability to do community work or whatever it might be—if people absolutely still refuse to play the game and pay their fines and make amends, the government believes there must be an endgame that results in incarceration. I know it costs money.

Mr P. PAPALIA: Is the minister just going to say that there are no new initiatives?

Mr J.M. FRANCIS: If there were not custodial arrangements as the end of the line for those who refused to pay, there would be so many other people in there who would not pay their parking tickets because there would be no consequences.

Mr P. PAPALIA: Is the government doing anything different—or not?

Mr J.M. FRANCIS: As to what we are doing on developing orders for those so that we can make arrangements before they get to the custody stage, I will ask the commissioner to elaborate. With the issue of those who are remanded on bail and then given a particular amount of time to either raise their bail or meet their bail conditions, that is a matter for the courts and the Attorney General, not the Department of Corrective Services.

[11.20 am]

Mr J. McMahan: I will provide the exact number by way of supplementary information, if I can, because I do not have the exact number in my mind.

Mr P. PAPALIA: Sorry, it does say “four” here. If the commissioner could find out where they are.

Mr J.M. FRANCIS: I undertake to provide further information to the member for Warnbro about the location of the four bail coordinators employed by the Department of Corrective Services.

[Supplementary Information No A62.]

Mrs M.H. ROBERTS: I have some questions that relate to the first dot point on page 733 regarding the new women’s custodial centre. There is also a budget line for \$22 million. Where did the money for this project come from? Is it from within the current budget or is it an additional allocation? I also want to know when the new

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women's custodial centre will be operational, whether the gatehouse will include a dedicated reception facility and how many holding cells it will contain.

Mr J.M. FRANCIS: I will ask the commissioner to provide detail on that, but the plan is to use units 11 and 12 at Hakea Prison, which have a combined total of 256 beds when fully occupied. They were the two units used to house the juveniles after the Banksia Hill Detention Centre riot two and a half years ago. The plan is to segregate that entirely from the rest of the Hakea estate. It is to include a separate reception area—obviously entirely separate facilities considering it will be used to house female prisoners, and in particular remanded female prisoners. The \$22 million was put within the current budget of the department.

Mr J. McMahon: I understand that some of it was in the current budget and we will get some supplementary funding on top of that to achieve that. Just to get the questions right, if I may, the operation of the gatehouse, is that —

Mrs M.H. ROBERTS: Whether the gatehouse will have a separate reception facility and visiting area.

Mr J.M. FRANCIS: The answer is yes, it has to.

Mrs M.H. ROBERTS: Will there be any new education, employment or recreation facilities as part of this? The minister can see what I am getting at: whether other parts of Hakea Prison will be utilised for those purposes or whether there will be dedicated areas.

Mr J.M. FRANCIS: It will be a stand-alone facility for all intents and purposes, but I will ask the commissioner to elaborate.

Mr J. McMahon: It is a stand-alone facility. We have done a lot of work on the initial potential design. We formed a women's committee within the department to get all areas together to focus on how we can make it unique for a women's remand facility. We have done that side of it. Regarding the operation of it and how it works, we are working through a number of options that we will present to government. We want to make it specifically for remanded women and that will be different from what we currently have at Bandyup Women's Prison. As the member knows, at Bandyup there are both sentenced and remand prisoners and there are maximum, medium and minimum-security prisoners. I think it is entirely, conceptually it is —

Ms M.M. QUIRK: Prisoners sleeping on the floor.

Mr J.M. FRANCIS: That is not correct. Sorry, I need to correct that. There is not a single female prisoner sleeping on the floor at Bandyup.

Ms M.M. QUIRK: They are sleeping on mattresses on the floor.

Mr J.M. FRANCIS: They are on mattresses on beds on the floor and there are excess beds and mattresses in Bandyup. I just want to put that on the record.

Mrs M.H. ROBERTS: Can I just get back to my question, please? Can I specifically ask whether the women placed on remand in this separate unit at Hakea Prison will need to use facilities in other parts of Hakea Prison? I might just give by way of example that a prisoner who is there on remand or more permanently will need access to medical facilities. Will female prisoners go to the same area at Hakea where male prisoners are looked after for their medical needs; and, if not, what arrangements will be made?

Mr J.M. FRANCIS: The short answer is no. It is entirely stand-alone and independent, and I will ask the commissioner to elaborate.

Mr J. McMahon: It is completely independent. It is a new facility in that it is conceptually new. It will be divided off. It will have a command and control structure completely separate from Hakea. From a security and rehabilitative perspective, we need to do that. It is completely separate and it needs to be that. Those two units though, units 11 and 12, are the newest ones at Hakea. They are the new designed ones we have put into the estate and they are completely sectioned off. The only thing that will be similar will be the outer security and how we do the coordination of that, because the macro of the wall outside is the same, if that makes sense.

Mrs M.H. ROBERTS: So will separate medical facilities be established within those units?

Mr J.M. FRANCIS: Yes, correct—stand-alone and independent. The only thing, for all intents and purposes, that it will have in common is the geographic footprint of the estate.

Mr P. PAPALIA: With the separation of units 11 and 12 for the future women's centre at the current Hakea Prison, will there be a new inner and outer perimeter fence as though it were a stand-alone facility? What is the nature of this separation being built between that and the rest of the current prison?

Mr J. McMahon: From a public perspective, I do not want to go into all the major security issues, but I will say very clearly that it is separated by a fence, separated by soundproofing and separated by vision. We are using

some technology from a visual perspective and also a sound perspective, and that is important to make it completely separate. The outer perimeter wall will remain the same because of the integrity, and then a range of inner security measures, including physical barriers, will be used. It is a separate facility with a separate entrance and I think that is most probably the key piece. It has a completely new gatehouse.

Mr P. PAPALIA: Further to that, I just have a simple question: is a wall being built or is it something else?

Mr J. McMahon: It is a wall, but I am trying to give the member more clarity. It is a wall, but there are a number of walls to separate noise and vision as well as security.

Mr P. PAPALIA: Is it the case that three years ago a wall was knocked down in exactly that location against the advice of the strategic asset services review?

Mr J.M. FRANCIS: I am advised that that is the case.

Mr P. PAPALIA: How much will the wall that we knocked down cost to rebuild?

Mr J.M. FRANCIS: I know what the member is getting at, but a different type of wall is being built.

Mr P. PAPALIA: How much will the new wall cost? How much will the wall around to the external wall cost?

Mr J.M. FRANCIS: Would it have been cheaper had we not knocked down the original wall? Probably. The original wall should not have been knocked down, but the wall going up now will be different from the wall that was originally there. I will ask the commissioner to elaborate.

Mr J. McMahon: We have just done the initial designs and we are waiting for the costings to come back, so I cannot give the member a specific on that wall.

Mr P. PAPALIA: So it is not about \$22 million?

Mr J. McMahon: It is, that is what I am saying, but the costings have not come back, so we are waiting for them to come back. As the member can appreciate, with the optimisation work we are doing at Bandyup, we want to get this up and running as soon as possible to alleviate some of the issues we have at Bandyup. We are doing that and the sooner we get it done and get it operating, the better it will be for the women's estate overall. That will not only help units 11 and 12, the remand section, but also have a significant impact on sentenced women out at Bandyup. We are doing it as quickly as we can. The concept of the design has been put in. We are waiting for costings to come back. However, we know, because we have done that initial work, that \$22 million is what it should take.

[11.30 am]

Mr P. PAPALIA: Further to that.

The CHAIRMAN: Last further question, member for Warnbro.

Mr P. PAPALIA: It does seem an extraordinarily low figure to achieve what the department intends achieving. Also, it is a very small footprint. The commissioner suggested in response to the member for Midland that there were going to be new facilities. I do not know whether he specifically said that there would be new education, recreation and employment facilities. It is intended that those three areas, which are key components of a normal prison, will be included in this footprint near units 11 and 12.

Mr J. McMahon: The definition of a "normal" prison is interesting. It is a remand prison, so we have to focus on how we are doing education and medical, and even our management. We are actually building specialist management facilities separate to the units, because that is a key concern for mental health and health. So, we have all those things put in there. The visitors centre is in there; I have seen that. The medical suite is in there. There are some educative facilities on a smaller scale than the facilities for sentenced. However, I am trying to make the point that it is a remand facility and the length of time that women are in there is dependent on that. Outside employment activities and how we are doing educative programs are part of the operating model.

Mr P. PAPALIA: It is true that women on remand do not normally get entitlements to education programs or any intervention, so this could just be a new "rack 'em and stack 'em" holding area for women.

Mr J. McMahon: The term "rack 'em and stack 'em" is not something we use in Corrective Services.

Mr P. PAPALIA: What else is the government going to do?

The CHAIRMAN: Order, member for Warnbro! Allow the commissioner to answer, please.

Mr J. McMahon: That is not a term—"rack 'em and stack 'em"—we use in Corrective Services. We try very hard every day to do security and rehabilitation on behalf of Western Australian people. I think from a women's perspective, we want to get it up and running to separate sentenced and remand. As the member knows, and he has just articulated, the types of programs we do there are very different from a sentenced; so that is accepted.

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We deliver that, as I have said previously, by coming back with operating models for the government to decide on, and we will present them. However, the reality is that, from a rehabilitative perspective, we need to put the right programs in there. We are not doing this as a “rack ’em and stack ’em” approach; we are doing this as a specialist remand facility for women.

Mr J.M. FRANCIS: Can I add to that? All the evidence has shown, since we have concentrated resources on those juveniles who were remanded at Banksia Hill Detention Centre, that the outcome of the investment in specialist programs for those remanded rather than those sentenced has been a significant reduction in the total number of juveniles at Banksia Hill. If we went back two and a half years to the time of the riot, the population at Banksia was 224 or 230.

Mr J. McMahan: It was 220.

Mr J.M. FRANCIS: It was 220 and we are down to just under 150-odd now.

Mr J. McMahan: Yes.

Mr J.M. FRANCIS: There has been a significant reduction in the total population. What we do —

Mr P. PAPALIA: So the government is planning to do more than just what they get at Bandyup?

Mr J.M. FRANCIS: It allows us the latitude to do different things when we start to segregate—absolutely!

The CHAIRMAN: Member for Warnbro, I think we will move on to give others a chance, and then if you have more on this line, we will come back to it. I will go to the member for Girrawheen.

Ms M.M. QUIRK: I refer to the dot point at the very top of page 730, which relates to a reform agenda focused on aligning the structure of the department with strategies, systems and processes to achieve the department’s mission. Have any consultants or non-government advisers or outside specialists—whatever the department likes to call them—been engaged as part of this reform agenda?

Mr J.M. FRANCIS: Yes. I will ask the commissioner to elaborate on that. He might have some information to provide.

Mr J. McMahan: A number of consultants have knocked on our door. We have not used a lot of them. We are using a consultant. We are breaking up Shared Services and coming out of the Department of the Attorney General with all the information and communications technology, so we are using expertise there. And I will be open: we are using expertise and a bit more capacity to get that Shared Services project up and running, which we need so that we can run our own finance, workers’ compensation et cetera; so we are using consultants there. We are using a very small number of consultants to help us with our restructure, which we are still in the middle of, and it should be finished, hopefully, in September this year from a headquarters perspective. However, I make the comment that we have been asked by a number of consultants to come and join us and help implement our reform. We have chosen, and I have discussed this with the minister, to do the reform ourselves, if you like, and the concepts and the policies and the ideas have come through our strategic plan and we are now implementing those reforms. We have created through the structure what we call the “Office of Reform”. We have brought in a chief of staff to do that, to align us and to drive the projects we need to do, and I think the member will be aware of the strategic plan we put out, which was generated and developed by the department, not by consultants.

Ms M.M. QUIRK: Further to that, is the chief of staff someone from within the department? The minister has mentioned that a few consultants have been brought on board. Can he indicate their names and what their roles are?

Mr J.M. FRANCIS: Yes. The chief of staff is a member of the staff of the Department of Corrective Services. As for the consultants, we might want to take that as supplementary.

Mr J. McMahan: Yes.

Mr J.M. FRANCIS: I will take that and get the member a proper list.

The CHAIRMAN: Is that a supplementary question?

Ms M.M. QUIRK: The supplementary would be which entity or company or individual has some sort of consultancy in relation to the reform process? I would also like to know from the minister the cost of each of these contract arrangements and the duration for the agreements to run.

Mr J.M. FRANCIS: Sure. I agree to provide further information, although I am advised that no consultants for the restructure or reform have been engaged.

Mr J. McMahan: Yes, we have. I just said that.

Mr J.M. FRANCIS: I agree to provide in supplementary information a list of consultants who have been engaged and are working on part of the reform process of the Department of Corrective Services and, additionally, what their contract terms are in regard to the amount of money they are being paid for those services.

Ms M.M. QUIRK: In relation to that supplementary, can I make it clear that there is a pretty narrow definition of “consultants” that the government uses? I am actually using it in the broader sense of the word. Whatever the arrangement is, whether it be a consultancy or something else, the minister knows what I mean. A “consultant” might be an independent contractor or whatever it is they are called.

Mr J.M. FRANCIS: I will be liberal in the interpretation of the figure.

Ms M.M. QUIRK: Yes.

The CHAIRMAN: Is that agreed, minister?

Mr J.M. FRANCIS: Yes.

[*Supplementary Information No A63.*]

Mr J. NORBERGER: I refer to page 736 of the budget papers that details the statement of financial position. At the bottom of the page, a small footnote states that the audited financial statements are published in the agency’s annual report. I had a chance to have a quick look at the annual report and those financials in preparation for today. I was a bit concerned to note that the Auditor General provided DCS with a qualified audit last year and, in doing so, some concerns related to the governance arrangements for the payment and asset management system of DCS. Could the minister provide some details on what has been done to address those concerns and improve the asset management process?

[11.40 am]

Mr J.M. FRANCIS: I will not take up too much time with this. The answer is in three parts. Firstly, my initial concerns with the administration of the department when I got this job were around a host of issues that I outlined after the previous commissioner had moved on. One of those issues was the financial management of the department. We spoke to the Auditor General then, who looked at some of the financial management issues in the Department of Corrective Services. He provided a report last year with 15 recommendations on changes that needed to be made, mostly around accounting within the department. Eleven of those 15 recommendations have been implemented. Further to that, we have had other conversations with the Auditor General. Other issues have come to my attention about improper accounting practices within the department: assets are not put on the register as they should be; assets are put on registers after they should have been; assets are listed incorrectly on registers, such as cars being listed as buildings; and a staff member was buying food on a Woolworths’ account and using their own rewards card to get the points benefit for their private use. Clearly, that should not have happened so we have asked the Auditor General to look at that again. I am expecting him to report back on those kinds of issues in the near future. As the whole process of reform of the department requires, financial management and accounting is a key issue that is in the process of being reformed.

Mr J. McMahan: Another thing that is important to know is that we got 15 requirements from the Auditor General last year. We signed off 11 or 12 of those this year, so the Auditor General is very comfortable that we are heading in the right direction. It is important that someone keep coming in to do those reviews. There is a range of processes that we are not doing as well as we should at the moment. In saying that, programs such as the decoupling from the Attorney General’s shared services—owning our own finance, our own human resources and our own information and communications technology—will allow us to better manage overtime, workers’ compensation and all those things. The other side is we have put in an assurance cell, located with me, with an individual whom we recruited that allows us to look at the governance holistically, in not only the operational area but also the corporate services area. That is an important step forward. We have a governance structure that we did not have 18 months ago. We meet on a regular basis to make sure we are tracking those things. With the structural changes we have made, we have set a first, second and third line audit process and assurance process into the department itself.

Mr P. PAPALIA: I refer to the first dot point on page 730 about the office reform, which the minister has mentioned. How many people—he may have to answer this by supplementary information—are employed in that office and at what public service level?

Mr J. McMahan: I can come back to the levels, but we have 37 people in that department as we speak. I want to make the point, though, that the office of reform has also picked up strategic policy, the work we do with women and the work we are doing with Aboriginal over-representation in our prisons. It has picked up the tasking and the coordination of that. It also does a lot of work from the commissioner’s perspective. The office of reform has

been brought in from other parts in the restructure; it has not been just created. If I can be very straightforward, it is the strategic headquarters for me.

Mr P. PAPALIA: How many public servants from the commissioner's office—this may have to be provided by supplementary information—were made redundant in the last two years?

The CHAIRMAN: Minister, I cannot hear you if you are looking away. If you are deferring to the commissioner, make sure I can hear that. That would be good, thank you.

Mr J.M. FRANCIS: Certainly; I am sorry, Madam Chairman. We will provide that as supplementary information.

Mr P. PAPALIA: I am interested also in their public service levels.

Mr J.M. FRANCIS: I will provide as supplementary information to the member for Warnbro the number of staff in the office of reform, their public sector levels and how many redundancies have been made in the department's head office in the last two years and their level.

[*Supplementary Information No A64.*]

Mr P. PAPALIA: How long is it intended the office of reform will exist? Does it have a specific objective or will it go on forever reforming? How will we measure the outcomes?

Mr J.M. FRANCIS: That is a very good question. Significant issues have to be addressed with the department. We have talked about these many times over the last couple of years, from cultural issues to systems issues, accounting issues, physical security issues, processes around movement, transfer, management of prisoners and to rehabilitation programs—you name it. The office of reform has a whole lot of work to carry out. I do not want to be the person who underestimates the task. I think some significant achievements have been made under the commissioner, but there is still an awful lot of work to do.

Mr J. McMahan: The office of reform's initial intention is to deliver the strategic plan, which has been put out publicly. It is a six-page document on our website. I suggest that it will transfer into the strategic headquarters for the department. As I think the member is aware, we have the strategic headquarters office of reform. My office is linked into that and the restructure is adult justice, youth justice, operational support and corporate support—the big four divisions.

In delivering outcomes, at one end, our mission is the safety of the community. The hard edge of that is the number of escapes. The number has obviously come down and improved markedly. We are getting some of the results we need in some of our reoffending rates. Results have even been achieved with the number of young people at Banksia Hill Detention Centre. We are working very hard to be prudent fiscal managers. Over the last five years the daily average prison population has grown at this level, but our cost of services has grown at a much greater level over that time. Our figures for the last 12 months tell us that that has been completely reversed, so our DAPP has grown far outside our particular costs. I think the member will find that the figure for the daily average prison population is around 7.4 per cent, and our figure for total cost of services has gone up by around five per cent in that period.

[11.50 am]

Mr P. PAPALIA: For when?

Mr J. McMahan: For the last 12 months. Part of the question was how we actually articulate what we have done; being prudent fiscal managers is critical, particularly in the environment we are in. So that has been a turnaround for a five-year trend, and I think the member will find that, from a security perspective, there has been a turnaround. I think the member will find that, in some of the reoffending rates, we are starting to get there. It is not right; we have a long way to go.

Mr P. PAPALIA: Is Mr McMahan suggesting that the provision of service cost has reduced in the last 12 months?

Mr J. McMahan: No, I am not suggesting that; I am talking about the last five-year trend. For example, DAPP went up by three per cent five years ago, the next year I think it was 3.2 per cent, last year it was 1.6 per cent, and this year it is 7.4 per cent. That is what we believe the actuals will be. The cost of that has always been greater than that rise, but in the last 12 months from this period now, it has reversed.

Mr P. PAPALIA: I am not convinced. It is a difficult-to-use measure that is being applied there. All I know is that the daily adult population has expanded by 40 per cent in the last seven years, the rate of growth, as Mr McMahan has indicated, has escalated in the last 12 months, and the cost of service provision has blown out by about 4.7 per cent on average every single year of the Barnett government. I find it hard to comprehend how that argument that has just been offered up can be made.

Extract from Hansard

[ASSEMBLY ESTIMATES COMMITTEE A — Thursday, 11 June 2015]

p437b-453a

Ms Wendy Duncan; Mr Paul Papalia; Mr Joe Francis; Mrs Michelle Roberts; Ms Margaret Quirk; Mr Jan Norberger; Mr Nathan Morton; Ms Lisa Baker; Mr Murray Cowper

Mr J.M. FRANCIS: I will ask the commissioner to elaborate on that.

Mr J. McMahon: If we go to page 732 of the *Budget Statements*, it is the relative cost, if I could say. If we look at the 2013-14 actuals of \$334 a day, and then we look at our estimated actual —

Mr P. PAPALIA: Yes, but it gets cheaper the more people there are in there.

Mr J. McMahon: It says \$334 versus \$322; there has been a change.

Mr P. PAPALIA: It is pretty pointless, but, as I said, if there are more people in the prison, the cost per person is going to go down because there is the same number of prisons, obviously.

Mr J.M. FRANCIS: I can elaborate on that. That is not necessarily the case. The member will remember when the population —

Mr P. PAPALIA: Let us not debate it; let us just go on.

Mr J.M. FRANCIS: — at Banksia Hill came down and the member for Warnbro criticised me because the daily average population cost for a juvenile went up. So that is not necessarily the case at all, member for Warnbro.

The CHAIRMAN: The member for Murray–Wellington has indicated that he is anxious to ask a question, but I have the member for Forrestfield first. Who wants to go first? It is the government's turn.

Mr N.W. MORTON: I draw the minister's attention to the third dot point on page 730 of the *Budget Statements* under the heading "Significant Issues Impacting the Agency" related to the youth justice innovation fund. I see an initial \$2 million has been given to fund innovative, community-based programs targeting Aboriginal young people. In my former life as a deputy principal, I dealt with, obviously, a lot of high school-age children, and a number of them were Aboriginal children who were engaged with juvenile justice. Overwhelmingly, I was left with the feeling that a lot of these kids, unfortunately, are invariably victims of their circumstance. I was wondering whether the minister could give us an update on the Youth Justice Board and particularly the youth justice innovation fund.

Mr J.M. FRANCIS: If there is one achievement of the many of which I am so proud that the department has nailed in the last couple of years, it is the establishment of the Youth Justice Board. We realised that if we kept doing things the same way, we would keep getting the same results. The fact is that early on we wanted to address, in particular, the number of juvenile Aboriginals within the justice system, particularly the prison system. From day one it was our first priority. We established the Youth Justice Board to, essentially, look at all the services we provide. As I mentioned earlier, that included those outside the walls of the prison but also those inside the walls of Banksia Hill for people both on remand and sentenced. It is exceptionally expensive to incarcerate a juvenile, and juveniles have the greatest amount of human capital to lose if they spend the rest of their lives in prison. We established the Youth Justice Board and gave it seed funding of an initial \$2 million, and that continued with an additional \$2 million this year. I also want to acknowledge the contribution of the Youth Justice Board members; they are volunteers and do not get paid. They are absolute subject matter experts in looking at these issues around juvenile incarceration, in particular with Aboriginals. The Youth Justice Board has allocated funding that we are very proud of to organisations such as the Wirrpanda Foundation and the Aboriginal Legal Service—we announced that last week—basically to try to find alternatives wherever possible, and to help the Children's Court, wherever possible, to do something other than locking up juveniles. At the end of the day, it seems to be working; as I said before, we are now down to about 150 a day.

Mr J. McMahon: The figure is 143.

Mr J.M. FRANCIS: The figure is 143! Who knows how many years or decades it has been since we have had 143 juveniles in custody in Western Australia. It is a good result.

Mr P. PAPALIA: Minister, how much money has been allocated by the board to those intervention programs?

Mr J.M. FRANCIS: In total? Some of the contracts are over multiple years.

Mr P. PAPALIA: No, in total.

Mr J. McMahon: I do not have the exact figure; I am happy to go back and get it. My understanding is that approximately three-quarters of it has been done, but not everything has been announced because we are still working through some contracts.

Mr P. PAPALIA: Can we get as supplementary information how much has been allocated to date and how many individual providers have received that funding, who they are and where?

Mr J.M. FRANCIS: I will find that as supplementary information.

The CHAIRMAN: Can you just describe what you are providing, minister?

Mr J.M. FRANCIS: Certainly. I will provide as supplementary information to the member for Warnbro a breakdown of which service providers have been granted contracts through the Youth Justice Board innovation fund and also how much those contracts were worth.

Mr P. PAPALIA: And which ones, did the minister say?

Mr J.M. FRANCIS: Who gets them and how much.

Mr P. PAPALIA: The providers and where they are located.

Mr J.M. FRANCIS: And where they are located, yes.

Mr P. PAPALIA: Where the intervention is located.

Mr J.M. FRANCIS: Where the service is provided.

[*Supplementary Information No A65.*]

Ms L.L. BAKER: I refer to “Spending Changes” on page 729 of the *Budget Statements*. I am just interested that the royalties for regions allocation there will be gone in the next two years. Could the minister please let me know what the implications are of no longer having that funding available?

Mr J.M. FRANCIS: Certainly. I am going to ask the commissioner to answer that question; he is across this.

Mr J. McMahon: It does have implications, and we are working through those implications. We will obviously take forward the statutory requirements that we need to meet in those areas. That is all the statutory requirements, and that will come out of funding in the youth justice area. We are reviewing some of the other areas in terms of the diversion programs et cetera, and linking with other agencies. But some of the information about the funding for those programs going forward is with government at the moment. We will do and we are doing the statutory stuff, and we have the appropriate staff funded to do that. We are re-looking at how we are doing some of the diversionary programs. In fact, if I may, we have said to a number of our providers that we are funding the programs in adult and youth for a certain time going forward, but we would like to engage all of them, form partnerships and refocus how those programs are delivered. I have put an embargo around the amount of money for programs, but I am saying to people that I want to reshape the way it is used—and that is happening over the next 12 months. To get back to the member’s specific question, statutory requirement will do. We have funded and can account for that in the appropriations that the government has asked me to do. We are working through the diversion side of that, and we have raised the issue of seeking extra funding for those diversions.

[12 noon]

Ms L.L. BAKER: That is useful but concerning, I guess, for the department. The diversionary programs are quite critical. I heard the minister say that he has put proposals to Treasury to ask for funding to cover some of those diversionary programs so that they do not fall over. When does the minister expect to hear about that, and when does the existing funding run out?

Mr J.M. FRANCIS: The decision is in the cabinet process at the moment, so I cannot give the member an exact answer on that question.

Ms L.L. BAKER: But it is in train, so the minister will hear about it?

Mr J.M. FRANCIS: I will not pre-empt the decision of my cabinet colleagues, but it is certainly in the cabinet process.

Ms L.L. BAKER: Can the minister let me know how many NGOs are involved in these diversionary programs, and is Outcare one of them?

Mr J. McMahon: Outcare is one of them, and we will provide the member with the exact number. I do not know the exact number, but it is around the 50 mark.

Ms L.L. BAKER: Can I ask for that as supplementary information—the list of NGOs that might be involved in this process? They will have some concerns, so it would be good to know who they are likely to be.

Mr J.M. FRANCIS: I agree to provide the member for Maylands supplementary information in relation to the non-government organisations that are providing youth justice services to the Department of Corrective Services.

[*Supplementary Information No A66.*]

Ms L.L. BAKER: With regard to the government’s procurement program, it is my understanding that projects are still all indexed, so given the embargo that has been placed on funding for this year, I assume that the contracts being initiated with the not-for-profit organisations are for three years. If they are for three years, are they indexed?

Mr J. McMahon: I will go back to what I said before. I have put an embargo on the current amount for programs. I have done that because I am about to engage all those community non-profit and profit service providers to re-look at how we are delivering our services right across the estate in terms of corrections. I am also looking at a range of initiatives. When the member specifically refers to three years, I cannot answer that question now because I am looking at each specific service provider.

Ms L.L. BAKER: I understand what the commissioner is saying, and it is a good idea to give them some protection in the process. Of course, the concern will be that not-for-profit organisations already operate on shoestring budgets, and most of their overheads go in staffing. When the ship starts to look rocky—that is, we are under review and we are looking at how we deliver services—a lot of staff tend to move. Could the minister let me know how long this is going to take? How long will these projects be waiting for an outcome?

Mr J. McMahon: That is a complex question for all the projects. In terms of engaging the non-profit and the whole corrections sectors, I am engaging them over the next month. I can tell the member that that engagement has been out to the non-profit sector and the profit sector. I also want to make the point that if we look at where we are heading with rehabilitation, we need to really focus on and maximise the great work that the non-profit sector does. It does outstanding work for us and is vocational by nature. The other thing we need to look at is the model itself. I believe that some form of contract incentivisation is needed; if they achieve certain results, they get paid for those. I am not referring to the whole contract, but the incentivisation of an aspect that allows us to evaluate on one hand and pay for performance on the other will allow us to better improve those rehabilitative requirements that I am required to do under my act.

Mr M.J. COWPER: I refer to the heading “Completed Works” on page 733 of the *Budget Statements* and the line item “GPS Offender Tracking of Dangerous Sex Offenders”, which is not being funded into the future. Who is picking up the recurrent cost of running that program?

Mr J.M. FRANCIS: The initial cost was to buy the hardware and the mapping software and make it operational. It is effectively manned now from a little office at police headquarters out at Midland. It is not continued because we now own the hardware, the software and the whole system. The only ongoing requirement is the continued staffing of the system, and this reflects only that change in spending.

Mr M.J. COWPER: I understand the funding of it, because I signed off on it when I was the minister. The situation, though, is that there is a recurrent cost in maintaining those. Can the FTEs, if you like, be absorbed into the greater cost somewhere else in the budget?

Mr J.M. FRANCIS: That is correct because the only changes in spending are itemised on this.

Mr M.J. COWPER: How many people are currently being tracked?

Mr J. McMahon: They are being tracked by different methods. We can break that down differently, so I can give the —

Mr M.J. COWPER: Using the GPS?

Mr J. McMahon: In terms of the overall number under the act, there are 44, and as at today, there are 21 in the community.

Mr M.J. COWPER: That is 21 dangerous sex offenders on GPS?

Mr J. McMahon: I would have to double-check that, but I would be surprised if they are not all on GPS. I have not gone down to that level of detail, but I know the exact numbers in terms of how many there are in the community and how many are in detention. I check regularly.

Mr M.J. COWPER: Has the minister had any further discussions with Robert Cock, QC, the chair of the Parole Board of WA, in relation to violence restraining orders and the use of GPS tracking for people who have been released on parole?

Mr J.M. FRANCIS: We have a get-together of justice ministers, including the Attorney General, the Minister for Police and me, and our officers, and we look at and explore some of the options as far as this is concerned. I know that the Attorney General has been looking at options for other ways of using that technology. I am not in a position to answer the question as to where he is at with those negotiations.

Mr M.J. COWPER: When I was the minister, I was approached by Robert Cock, QC, former Director of Public Prosecutions, who said that he was confident that, within the existing legislation, we could use GPS tracking to track paroled offenders under violence restraining orders. I understand that some work was done in that space, but it is now more than two years later and I am interested to know whether that matter has been progressed or ignored.

[12.10 pm]

Mr J.M. FRANCIS: I have not had that conversation with Robert Cock. That is not my understanding. My recollection is that the ability to use GPS tracking required an amendment to legislation that impacted only on dangerous sex offenders. I may be wrong. I have commented previously that essentially once we know its options—we are limited by the imagination of the human being in technology evolving—of course we should be open to using it on other categories of offenders.

Mr M.J. COWPER: Minister, my understanding is that the technology that we bought had the capacity of tracking up to 140 people. At the time, we had only around 20 and I would anticipate, given the information that has been provided by the commissioner, that we have somewhere in the vicinity of 30 dangerous sex offenders. It is simply being quarantined to dangerous sex offenders, not paedophiles and not those on violence restraining orders. I gave an undertaking on *Four Corners* on behalf of the government that we would start to track dangerous, repeat violence restraining order personnel. Robert Cock, QC, said that he had the capacity under the existing legislation to deal with it. Notwithstanding that, I had the dilemma of whether to push through with the amendment to the Dangerous Sexual Offenders Act 2006 to get the GPS up and running. I did that prior to the election. Following the election, unfortunately, I did not get an opportunity to bring in legislation that was going to deal with these very issues. Currently, when paedophiles are released, they are not being tracked.

The CHAIRMAN: Question, member?

Mr M.J. COWPER: Thank you. Comment, minister?

Mr J.M. FRANCIS: The answer is that the member should take that up with the Attorney General. He is responsible for that legislation. The member has just argued in the same sentence that he did not need legislative amendment to roll it out to other categories of offenders and that he did require legislative amendment to roll it out to other offenders.

Mr M.J. COWPER: No, what I said was —

The CHAIRMAN: Members! Can we just have brief questions and brief answers. You are running out of time, so let us manage this as best we can.

Mr J.M. FRANCIS: The short answer is that technology other than GPS is used to track other categories of offenders. The ultimate responsibility for who gets tracked with what technology is a matter for the Attorney General.

Mr M.J. COWPER: Clearly, someone has dropped the ball in the department.

Mr P. PAPALIA: I refer to page 733 of the *Budget Statements* and the asset investment program. This may need to come through as supplementary information, I suspect. Since September 2008—since the commencement of this government—how much in total has been expended on building new prisons, building new units in existing prisons, adding additional bunks to existing cells, building new work camps, and upgrading or expanding existing work camps? I want to make sure that the minister understands that I want all sources of funding, not just dedicated capital funding; I want any other type of funding for those activities. I want the total. The reason I am asking is that I have asked this type of question on notice. For years I was told that the government was spending \$655 million on putting in bunks and a few additional units, and then I got an answer in response to my question on notice indicating that it was \$440 million or something. It is obviously more than \$665 million. I want to know what that total figure is.

Mr J.M. FRANCIS: I agree to provide to the member for Warnbro as supplementary information the total amount spent since 2008 on building new prisons, new units within prisons, bunks, new work camps and existing work camps.

[*Supplementary Information No A67.*]

Ms M.M. QUIRK: I refer to the fifth dot point on page 730 of the *Budget Statements*. I want to talk quickly about programs. One of the orthodoxies was that if a paedophile did not want to do a program, there was no point in giving them one because they would not be receptive. Is it the case that someone who has been convicted of sex offences can serve their full term and be released without having done a program and, because they have done their full sentence, is not subject to supervision?

Mr J.M. FRANCIS: Yes, it is the case. The reason that is the case is that a prisoner, in any category of offending, will be given two dates—their earliest release date and their latest release date. The only exception is dangerous sex offenders, who are in a totally different category, as the member is very aware. If a prisoner has, let us say, a five-year sentence, they will have a three-year non-parole period. As part of their rehabilitation, they can choose to undertake the programs and try to get out early, or they can choose to not be part of it and do their full sentence of five years. At the end of the day, human beings being human beings, whether they are prisoners

or free people, we cannot force people to sit in a classroom and pay attention. We can force someone to sit in a classroom and switch off, but that does not help them whatsoever if they are just there for the sake of physically being there. Herein lies the challenge: how do we absolutely physically and mentally make someone attend a rehabilitation course? If they choose to do their full sentence and not be eligible for parole because they have not ticked the boxes along the way, that is their choice. I cannot physically make someone change their behaviour.

Ms M.M. QUIRK: Is the minister aware that there was a program for these people but it was abolished under this government?

Mr J.M. FRANCIS: Yes, and how successful it was is a different issue. I think the member for Warnbro also raised this last year or the year before. Certainly, at the end of the day —

Ms M.M. QUIRK: It was abolished within about three months of the Liberal Party coming to government.

Mr J.M. FRANCIS: There is a whole range of different programs for sex offenders and a range of other offenders. At the end of the day, as I said, I cannot absolutely make someone pay attention during the program and complete the program to an acceptable standard that makes them eligible for parole or to tick that box.

Ms M.M. QUIRK: How many people who have been convicted of a sex offence are currently in that category in which they are leaving prison without having done a program? I will take that as supplementary information.

Mr J.M. FRANCIS: We have to exclude from that the DSOs, because they are held under post-sentence, different legislation. How many non-dangerous sex offenders are currently being —

Ms M.M. QUIRK: So the non-DSOs could not do a program either?

Mr J.M. FRANCIS: That is what I thought the member was asking about.

Ms M.M. QUIRK: They might get out with a bracelet.

Mr P. PAPALIA: Does the member mean the actual DSOs?

Ms M.M. QUIRK: Right, okay. Yes.

Mr J.M. FRANCIS: We have to get the member the information on non-DSOs.

Ms M.M. QUIRK: Yes.

Mr J.M. FRANCIS: I just need to make it clear, because I have to put this on the record for Hansard. I agree to provide as supplementary information to the member for Girrawheen a breakdown of the number of sex offenders, but not those who are categorised as dangerous sex offenders, currently being held who have engaged in —

Ms M.M. QUIRK: No, those who have currently been released without having done a program.

Mr J.M. FRANCIS: For what period?

Ms M.M. QUIRK: The last 12 months.

Mr J.M. FRANCIS: Okay. That is for sex offenders who have not completed a sexual offending rehabilitation program in the last 12 months.

Ms M.M. QUIRK: In other words, those who have served their full term.

Mr J.M. FRANCIS: It is for those who have served their full term, because they would not have been eligible for parole.

[*Supplementary Information No A68.*]

Ms M.M. QUIRK: Does it concern the minister that there are people who have gone through the system—I have heard the word “rehabilitation” used on a number of occasions today—who are out in the community and not subject to supervision and, frankly, do not have any incentive not to reoffend?

Mr J.M. FRANCIS: They do have an incentive not to reoffend; that is, if they get caught, they will be back in prison. Of course it concerns me. It concerns me whenever someone who has any history of violent offending is released from prison. Of course it does. It concerns every single one of us. The point is, though, that a judge or a magistrate—predominantly a judge for these kinds of offenders—has sentenced someone to a custodial sentence that has an end date, but also an earlier date if they choose to reform themselves and be part of a program.

[12.20 pm]

Ms M.M. QUIRK: With the expectation they would have a program in prison.

Mr J.M. FRANCIS: But then the judge could have turned around and said that they will never be released unless they complete their program. As far as that kind of policy is concerned, it is not the kind of question to ask the Minister for Corrective Services, but it is certainly the kind of question to ask the Attorney General. If the sentence says 10 years or five years with parole —

Ms M.M. QUIRK: The minister has a responsibility in terms of rehabilitation.

Mr J.M. FRANCIS: That is right, but I cannot physically force someone to pay attention and reform themselves if they choose not to and to serve their full 10 years—woe be them.

Ms M.M. QUIRK: And blame the judges.

Mr M.J. COWPER: I refer to the table under “Asset Investment Program” on page 733 of the *Budget Statements*. Listed under completed works is the West Kimberley Regional Prison, which is arguably one of the best prisons of its kind—I was told in the world.

Mr J.M. FRANCIS: The member opened it, did he not?

Mr M.J. COWPER: I did. The issue I have is that at the time the workers in the Department of Corrective Services were concerned about the tenure arrangements with Broome Regional Prison. When I was the minister, I was told there was a transition plan. I am interested to know whether the minister has a transition plan for that prison and why has the date to maintain the Broome prison been extended from 31 December 2014?

Mr J.M. FRANCIS: I think the member is on my side on this one. When the member was minister, he would have been given advice from the then commissioner about the options and future sustainability and use purposes for Broome Regional Prison. Likewise, when I got the job, I went up there to look at it and the options in the context of the entire prison estate, and the fact that it is more beneficial to keep some offenders in the country. The West Kimberley facility is an absolutely brilliant facility and without doubt one of the jewels in the crown of the prisons estate, if I can use that term. However, it is not a maximum-security facility or a remand facility. Broome is essentially a regional hub. It has a lot of geographical advantages to warrant the continuation of Broome Regional Prison operating as a remand facility and partly as a maximum-security facility. If it did not exist, many prisoners would have to be returned at extra cost to the metropolitan area to serve short periods in remand or to continue their sentences down here rather than in the country; that would be without the rehabilitation qualities. That facility also supports part of Broome’s local economy. There are many factors involved. The member for Kimberley, Josie Farrer, went up to Broome Regional Prison with me. We looked at the options and I discussed it at length with the commissioner. He reviewed the recommendations on the future of Broome Regional Prison, and then just last month I announced that we will not proceed with the closure of that facility, which I think is the right decision.

Mr M.J. COWPER: When I was minister, indicative plans were presented to me on options to build a remand centre attached to either the courthouse or a new justice facility, and also the potential for it to be built near the new Broome International Airport. The Office of the Inspector of Custodial Services completed reports into Broome Regional Prison, and in the past he has been very critical of the existing Broome prison. It has not changed since the 1980s when I was stationed there; it still has the hitching post to which prisoners were chained when they were brought in. Is the minister saying that we will continue to operate this antiquated prison, arguably the worst in the system, when paradoxically down the road is the best —

The CHAIRMAN: Does the member have a question?

Mr M.J. COWPER: The minister is now saying that he will not look at any remand centres but will simply keep open an old facility.

Mr J.M. FRANCIS: I have a lot of sympathy for the member and the quality of advice he was given by the department at the time.

Mr P. PAPALIA: I refer to the table under “Spending Changes” on page 729 and the line item on adult prisoner growth. I have a few questions. Perhaps the answers can be provided by way of supplementary information; that might be the fastest way of doing this. How much did the adult prisoner muster grow in the last calendar year? How much did it grow by in the calendar year to date? What does departmental modelling suggest the low, medium and high forecast adult prisoner muster figures will be for the next calendar year? Finally, as a consequence of the resumed steep growth in the prison muster, are there any plans for another new prison beyond the Eastern Goldfields Regional Prison?

Mr J.M. FRANCIS: I believe the commissioner has that information at hand.

Mr J. McMahon: We will get back on the specific detail, but I can give the member a clear overview of where we have been. At the start of this financial year, the muster figure was 5 030 and the midyear figure was 5 150.

We anticipate that at the end of this financial year—we have another month to go—our daily average prison population will be around 5 400. This is the average figure. As of today, as the member knows, it is 5 525.

Mr P. PAPALIA: I am interested in the calendar years.

Mr J. McMahon: That is for the financial year, which is what I base the figures on. Over the last five years, the number has grown by 17 per cent. Last year we had an increase of up to 7.4 per cent. We are not sure why that happened, but some reasons that have been articulated in the community are to do with drugs and other things. The year before that we had an increase of 1.6 per cent; it has been 17 per cent over the last five years. The issue is where do we head in the long term? I will get the member the exact details on this, but the trends show that at the lower end, it is three per cent and at the upper end it is six per cent. If we keep growing at this rate—I am being conservative—in the medium term we potentially need to be walking into a new facility over the next three years. That has been discussed at a range of levels that I cannot go into, but I am well aware of the figures and the projections.

Mr P. PAPALIA: Could I get the numbers, not the percentages? Can the minister give me the bottom number, the middle number and the top number?

Mr J.M. FRANCIS: Yes. I agree to provide supplementary information to the member for Warnbro on the calendar-year prison population.

Mr P. PAPALIA: I want the growth in the prison muster for the last calendar year and the calendar year to date and also the modelling forecast for the low, medium and high —

Mr J.M. FRANCIS: For the prison population.

Mr P. PAPALIA: No, the total adult —

Mr J.M. FRANCIS: Only one of us can say this. I must repeat it back so that Hansard gets it down. I agree to provide the member with information on the prison population for the last calendar year, so far in this calendar year, and the modelling for the next five years for the low, medium and high-range projections.

[*Supplementary Information No A69.*]

Mr P. PAPALIA: I have a further question for the minister with respect to what the commissioner said. The minister made a conservative suggestion that in three years we need to be walking into another prison, which I assume is the process of preparing to plan, fund and build another prison. What scale of prison are we talking about? Is the three years the delivery date or is that the final point at which we must be moving into a serious plan?

Mr J.M. FRANCIS: Future planning for expenditure or modelling for a particular new prison will be subject to the cabinet proposal. I should point out that although the population today is just over 5 500 adults, the actual capacity is 6 940. We have a fair amount of space still with the one constraint of the women's estate, which we are addressing. But within the male estate we have a fair amount of capacity to go with almost 1 500 spare beds. The key to that, obviously—the commissioner can elaborate on this—is that the breakdown has to be correct. It costs more to keep someone in maximum security than it does in medium security and it costs more to keep them in medium than it does in minimum. A minimum security prisoner can be kept in medium security and a medium security prisoner can be kept in maximum security, but a maximum security prisoner cannot be kept down. It is not just about the net numbers of beds; there is a fair bit more complexity to the model.

[12.30 pm]

Mr P. PAPALIA: I have not had my question answered. Does that mean that in three years there will need to be a prison opening or in three years there needs to be preparation?

Mr J.M. FRANCIS: It depends on how well we go with the projections. We need to plan almost just in time, but we also do not want to leave ourselves short of facilities —

Mr P. PAPALIA: The commissioner said it was conservative.

Mr J.M. FRANCIS: — in case specific classifications of prisoners grow faster than what is predicted. We have an obligation to ensure that we can handle growth within the prison system and any future facilities that will be built will be subject to the cabinet process.

Mr P. PAPALIA: I am not asking the minister to reveal a cabinet process or anything of that nature; I want to know whether, based on the conservative modelling, we need a new prison to open in three years, beyond the eastern goldfields one.

Mr J.M. FRANCIS: The simple answer is probably, but we do not know for certain. However, we are planning for another facility; we just started that process.

Mr M.J. COWPER: The commissioner mentioned seven per cent growth this year. What component of that is the female cohort?

Mr J.M. FRANCIS: That is a really good question. One of the two key areas that have put pressure on the estate or increase the numbers the most is the female remand, which has given us very little space at Bandyup Women's Prison. I think I talked about the female estate before the member for Warnbro! The other area is remanded adults. There has been a significant increase in adults on remand as a percentage of the total prison population. Off the top of my head, last year it grew by about 22 per cent. Adult males on remand significantly increased the total number of prisoners. They are the two key areas that have seen growth.

Mr P. PAPALIA: This answer may need to be provided by way of supplementary information, but can the minister tell us in the last calendar year how many people entered the adult muster, males and females separately, on remand? Of those who came into the prison system on remand, how many of them were there for six months or less and how many were there for three months or less?

Mr J.M. FRANCIS: I agree to provide to the member for Warnbro supplementary information on how many prisoners were accepted into the prison system on remand in the last calendar year, how many were held on remand for less than six months and how many were held on remand for less than three months.

Mr P. PAPALIA: Without them subsequently having received a sentence beyond what they already received.

[*Supplementary Information No A70.*]

Ms L.L. BAKER: I refer to the fourth dot point on page 730 of the *Budget Statements*, which is about health services in state-run prisons. In the calendar year 2014, what funding was expended on those health services?

Mr J.M. FRANCIS: We will have to take that on notice. Suffice it to say that the entire department's health program is currently pretty much under review. I agree to provide supplementary information to the member.

Ms L.L. BAKER: I wonder whether I could be given the figures for each calendar year from 2008 to 2014 as supplementary information, if that is possible.

Mr J.M. FRANCIS: Firstly, I agree to provide the member for Maylands the amount the department expended on health services each calendar year for the last five years. However, I will give her this information I have in front of me now. The department's health services are largely focused on primary health care and are delivered and coordinated through the health services directorate, which has an operating budget for the 2014–15 financial year of \$36.9 million.

[*Supplementary Information No A71.*]

Ms M.M. QUIRK: I know it is a very movable feast, but what is the official percentage of Aboriginal prisoners in the current muster?

Mr J.M. FRANCIS: I would have to get the exact numbers, but as a breakdown of the prison population of 5 500 adults, 10 per cent are female, so there are about 500 females in the prison system and 5 000 males. As a breakdown of that, about 39 per cent of the total adult prison population is Aboriginal. That is the exact number as of 9 June 2013—39 per cent.

Ms M.M. QUIRK: Is there a percentage breakdown on the number of people with diagnosed mental illness?

Mr J.M. FRANCIS: We have been having a lot of conversations about this issue in recent times. I will ask the commissioner to elaborate.

Mr J. McMahan: For the exact number we would have to come back to the member with the diagnostic. I will give the macro, not diagnosed mental illness. In terms of a mental health issue, just under 80 per cent of people who go there have mental illness. When we get down to the treatment side, last time I checked I think it was around 15 per cent or in that range. That is the approximate figure.

Mr P. PAPALIA: Is that prisoners who come in already having been treated?

Mr J. McMahan: Correct.

Ms M.M. QUIRK: I have a final question about the cohort make-up. There are some issues with older prisoners; what plans are being made to deal with that cohort?

Mr J.M. FRANCIS: That is a really good question. Like other organisations in the community, the prison system has, to a degree, an issue with an ageing demographic of prisoners. Predominantly, they require different medical treatment, different facilities and even different accessibility arrangements than normal able-bodied prisoners. We have had conversations about that recently. I do not know whether the commissioner wants to elaborate on Casuarina Prison?

Mr J. McMahan: All I can say is that I have presented options for the minister and the government about using existing facilities and converting some of those, because those prisoners need specialist medical care and we currently do not have that in the estate. It is quite a way down the track to the point of allocating an area.

Ms Wendy Duncan; Mr Paul Papalia; Mr Joe Francis; Mrs Michelle Roberts; Ms Margaret Quirk; Mr Jan Norberger; Mr Nathan Morton; Ms Lisa Baker; Mr Murray Cowper

Ms M.M. QUIRK: On the topic of a specialist medical facility, are there any plans, subject to budget constraints, to have a specialised forensic medical facility?

Mr J.M. FRANCIS: That is part of our current conversations and considerations as well and I can see the merit in that. It is on the radar at the moment.

Ms M.M. QUIRK: There is a proposal cooking around somewhere if the minister delves around.

Mr P. PAPALIA: I refer to the perimeter obsolescence program in the asset investment program table on page 733. It is listed as being a completed work. Can the minister confirm that all perimeter obsolescence issues identified in that comprehensive study undertaken some years ago that led to this program have been dealt with and the program is now complete?

Mr J.M. FRANCIS: We were talking about this exact issue yesterday. I will ask the commissioner to elaborate.

[12.40 pm]

Mr J. McMahan: I will double-check whether they have all been completed. However, that program has finished. I was pursuing this matter recently. We are using the maintenance budget to do what we have to do, so that is where we have got that money. The member will see that that is right out to the 2018–19 areas. The other aspect is that we have a fairly comprehensive top 10 checklist. Perimeter security and the associated security elements that go with it, including the alarms and lights and all the other things we do, are done on a routine and regular basis. We are far better at targeting where we need to do the work, but I will check for the member whether it has been done.

Mr P. PAPALIA: The reason I want to know is that that perimeter obsolescence program was in response to a specific audit that looked at all the estate and determined which ones needed to be done. It was fixing specific problems; it was not just an ongoing maintenance issue. That is what I want to know about.

I will ask a final question and it relates to the fourth dot point under “Significant Issues Impacting the Agency” on page 730 of budget paper No 2. Has any money been allocated towards banning smoking in the prison system?

Mr J.M. FRANCIS: It is an ongoing saga. That is a good question. I have given a lot of consideration over the past couple of years to whether or not smoking in prison should be banned. My personal view is that it is still a bridge too far at the moment, as long as those who still choose to smoke do so in a designated smoking area so their smoking does not have an adverse health impact on any other prisoners or the staff. Every single time I walk into a prison, I ask the staff whether they want smoking banned.

Mr P. PAPALIA: So that would be a no.

Mr J.M. FRANCIS: My straw poll was 50–50. There is concern about the operating temperature of a prison if that were done and the fact that it would create another contraband product at the moment. Because Banksia Hills Detention Centre is a juvenile facility, there is no smoking for staff there now.

Mr J. McMahan: No; it still has a designated smoking area, but away from everyone.

Mr J.M. FRANCIS: The smoking area is away from the juveniles.

Ms M.M. QUIRK: When is going to be the right time?

Mr J.M. FRANCIS: I am still not prepared to agree to a smoking ban in prisons.

The appropriation was recommended.