

MINISTER FOR CORRECTIVE SERVICES — PERFORMANCE

Standing Orders Suspension — Motion

MR D.T. REDMAN (Warren–Blackwood) [2.44 pm] — without notice: I move —

That so much of standing orders be suspended as to allow the following motion to be moved forthwith —

That this house condemns the Minister for Corrective Services for his lack of leadership across the prison system as evidenced by his response to a significant security breach of the Eastern Goldfields Regional Prison on 5 March 2019.

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [2.45 pm]: We have had discussions with the opposition, and obviously there are issues around not utilising matters of public interest, but the government has agreed, subject to the following amendment. I move —

To insert after “forthwith” the following —

, and that debate on the motion be restricted to 10 minutes for government members and 10 minutes for non-government members

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The SPEAKER: Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MR D.T. REDMAN (Warren–Blackwood) [2.46 pm]: I move the motion.

The Minister for Corrective Services has a history in this portfolio. He has presided over the most significant prison break in Western Australia’s prison history. There has been massive tension in the prison system for the last two and a half years, as regularly reported in the media. Of course, as recently as October last year —

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: — we had the Corruption and Crime Commission report —

Mr D.J. Kelly interjected.

The SPEAKER: Minister for Water!

Mr D.T. REDMAN: — talking about concerns with corruption. The headline of an article that appeared in *The Weekend West* on 27 October last year was “Corruption rife in jails: CCC report”. I quote the article —

... the CCC complained the Department of Justice still had neither a corruption prevention framework nor a coordinated approach to dealing with risks. The CCC found the department’s investigations unit remained badly understaffed ...

This minister is presiding over these challenges. It starts with him; he is the head of the fish. What we have here is a backdrop to an incident I personally saw inside a prison. I visited the Eastern Goldfields Regional Prison on 5 March this year. Just like at an airport, if a person going through security has packages, they put them on a conveyor belt and the packages are watched as they go through the x-ray machine, and then the person walks through a metal detector that checks whether they are carrying any metal. I did that. The officer at the other end gave us a scan and then we sat down to wait. Right behind me was a prison contractor who turned out to be from Honeywell, as the minister mentioned today. He put a package onto the x-ray machine and walked through as the rest of us did. He got scanned as we were all waiting on the other side. The prison guard went out through a side door into the area that controls —

Point of Order

Dr D.J. HONEY: I am finding it extremely difficult to hear the member for Warren–Blackwood.

The SPEAKER: I can hear him very clearly here.

Several members interjected.

The SPEAKER: Members, if you want to have a meeting, go outside.

Extract from Hansard

[ASSEMBLY — Wednesday, 14 August 2019]

p5523c-5527a

Mr Terry Redman; Mr David Templeman; Mr Sean L'Estrange; Hon Fran Logan

Debate Resumed

Mr D.T. REDMAN: The prison guard went out through a side door. Before that door closed, this contractor went out through the same door, went around the control panel of the x-ray machine and pushed the button that started the conveyor belt. His package went through the machine. He walked back through the door, picked up the package and walked into the prison. I mentioned it to the staff sitting behind the counter at the time and they said, “Look, he’s just like one of us; the officer will look at that when he gets back.” That is not acceptable. Clearly, as a former corrective services minister, I was very concerned. I raised it with the superintendent of the prison and I thought it appropriate to raise it with the minister, which I did with the minister’s office. I got a call from the Commissioner for Corrective Services to say he was going to look into it. That was the backdrop of the situation.

The issue here is not the incident because incidents in prisons do occur. The issue here is the minister’s response to an issue that in my mind is a very significant breach of prison security. When I got the first response from the minister, after I had written him a letter, three things were done. He said that the Honeywell contractor had been stood down pending the outcome of all reviews. The contractor—the person who went through—was stood down. The minister said that the matter has been referred to the Department of Corrective Services professional standards division and the Eastern Goldfields Regional Prison staff have been reminded of their responsibilities in respect of gatehouse security. The contractor was stood down and staff simply counselled pending a review. When that review came back, the outcome was to sack the contractor and ensure that procedures are followed by prison staff. The other thing of concern was that no-one from the staff at the front of that prison, right through to the superintendent, saw that this was an incident that should be recorded on the total offender management solution internal system. I would have thought that it was a pretty critical incident, but it was not considered, right through to the superintendent of the prison, that it was significant enough to record on that system. TOMS contains the data in the system that tells us what is going on. Clearly, there has been under-reporting in the prison system, and here is something that is potentially contributing. At best, it is a major failure of process; at worst, it is corruption in letting drugs and stuff into the prison. We do not know the answer to that; nevertheless, it has happened. The matter went to the standards division in the agency that reported and said, “There is nothing to find here”, and referred it back to the prison to follow-up—the very organisation that said that the incident did not meet the threshold for reporting on its system to say that anything had gone wrong in the prison. Only an internal memo went from the front desk to the superintendent two days after the incident.

I do not think that is good enough. I do not think that meets the minimum standards of what should occur in our prison system in Western Australia. People in my electorate have been touched, sadly, by methamphetamine through their kids, and they have said, “I’d rather they were in prison because at least they might have a chance of getting over it.” Sadly, these are the sorts of things that happen that do not give them confidence that in our prison system we can keep their kids away from drugs. I asked some questions on notice about what is happening with contraband. Over two years, there has been a 330 per cent increase in contraband going into that prison. It is not necessarily related but it gives us a view about what this minister thinks of an incident like that when clear data says there are some issues there.

The minister then pointed his finger at me and asked whether I was happy that someone had been sacked as a result of this. I do not want anyone sacked, but I will not put my views on that in the way of making sure our prisons have a secure front gate so that prisoners do not have access to these sorts of things in prison. This minister’s response was, quite frankly, unsatisfactory. He will not release the footage to the public forum to show what happened.

I want to know three things. If I had not been there, what would have happened? The answer is nothing. There was an issue about reporting on the TOMS system, which was massively under-reported if it has been repeated anywhere. Also, the matter was passed back to the very prison that said this was an incident that did not meet what the prison considered a minimum threshold for an incident in the prison.

MR S.K. L’ESTRANGE (Churchlands) [2.53 pm]: This is a serious matter because we have a minister of the Crown responsible for our prison system in Western Australia who has lost his ticker. He has given up. There is a bygone era when this minister had a fair bit of energy and enthusiasm—very often misdirected enthusiasm, as we know from media reports of his last ministerial period. Nonetheless, he had energy and vigour and tried to put it to some good use. We are now finding that he is, essentially, asleep at the wheel. The member for Warren–Blackwood has highlighted that we have a system in which the standard operating procedures in the prison system exist, but when there is a breach, the minister says that it has nothing to do with him. I am sorry, but in terms of organisational leadership, the minister is at the head of the organisation; he is the minister of the Crown. If he is not resourcing his prison system properly, if he is not liaising with his directors general and senior staff to make sure systems and processes are in place to ensure that when mistakes are made they are corrected immediately and if a potential security breach is not immediately investigated, that is on his watch. That is his responsibility. He cannot simply abdicate that responsibility and then blame a member for bringing something to his attention and saying it is his fault that someone lost their job. That is most unfortunate. It should never have got to that because, in the first instance, he should have been all over the prison resourcing requirements and known what was required to make it operate effectively. He should have made sure that the systems and processes were in place so that people could

not make the mistake. However, we accept that sometimes due to human behaviour, people make errors. The minister is responsible for the system.

The “Report into misconduct risks in WA prisons” put out by the Corruption and Crime Commission in October last year is damning of the minister’s leadership. I will quote from the document. I will read to him paragraph 61 of chapter 4, which states —

Several members interjected.

The SPEAKER: Members!

Mr S.K. L’ESTRANGE: It states —

Mr Hassall told the Commission that “there may be some work [on a corruption prevention framework] in its infancy, but at present there isn’t one”. Mr Hassall said he had recently delegated this task to Mr Maines and Mr Elderfield.

That tells us everything. It says that the minister is running a prison system that does not have an anti-corruption framework in place. The member says that he noticed a breach of standard operating procedure, which might have been human error and could require some counselling and support or a review of the SOP to make sure it does not happen again. However, also at stake is this CCC report. It is saying that under the minister’s watch, he does not have an anti-corruption plan. That means that he is completely asleep at the wheel. The minister needs to either resign—I think he wants to do that; I think he would love nothing more than to kick back in his chesterfield armchair in Swanbourne sipping on a nice chardonnay—or step up and make improvements.

MR F.M. LOGAN (Cockburn — Minister for Corrective Services) [2.56 pm]: I will first deal with the member for Churchlands. He really needs to do a bit more research —

Mr A. Krsticevic interjected.

The SPEAKER: We do not mention in the chamber where members live, please.

Mr A. Krsticevic: Sorry.

Mr F.M. LOGAN: If the member for Churchlands had read the CCC report fully, he would have found that it was looking historically at all the issues under the period when the Liberal–National Parties were in government.

Mr S.K. L’Estrange interjected.

Mr F.M. LOGAN: He should go back and read it. In reply to his accusations about not putting things in place according to that report, he will be surprised very shortly when the CCC reports back on all the things we have done, including all the provisions we have put in place to deal with corruption and proper standards in prisons. I can guarantee that all those things are in place with the leadership there. I would not worry about that, member for Churchlands. He should do a bit more research and he will get it all right.

I say the following to the member for Warren–Blackwood, which goes a little to what the member for Churchlands said: is the member for Warren–Blackwood happy with the information I provided him? I provided him will all the information he needed.

Mr D.T. Redman interjected.

Mr F.M. LOGAN: Is the member for Warren–Blackwood happy with the information I provided him?

Mr D.T. Redman: Yes.

Mr F.M. LOGAN: So, the member for Churchlands made an accusation about me not showing leadership on this issue. Member for Warren–Blackwood, do not get me wrong; I appreciate what you have done, as I said publicly on radio the other day. You did the correct thing in reporting this matter straight to me. As soon as the member for Warren–Blackwood reported it to me, member for Churchlands, I took it straight up with the agency and investigation started straight away, and I kept the member for Warren–Blackwood informed blow-by-blow as all was unfolding with the investigation and what came out of it. The accusation about me not showing leadership on this is just wrong. If he learns the detail from speaking to the member for Warren–Blackwood, he will find that that is absolutely incorrect.

There is no turning away from what happened. That contractor broke all policies and procedures. There is no argument about that. He did not go into the prison, but it does not matter anyway. The member for Warren–Blackwood saw him go through the door behind the control room and then into the control room and then he disappeared. That is where all the Honeywell contractors are.

Mr D.T. Redman interjected.

Mr F.M. LOGAN: Can I just respond. The member had his go. He should let me respond to everything he said.

The contractor did not go into the prison but it does not matter. It makes no difference whether he went straight into the prison where the member went or whether he went to the area where he works as a contractor, where the

Honeywell contractors are. It does not make any difference; he still entered the prison grounds and he still did the wrong thing. He put his bag through the scanner. By the way, he had no authority to operate the scanner. He had no authority to be in that room. We saw the footage. As the member said, the contractor followed the prison officer into the room and operated the scanner himself. There was someone else in that room—the woman who took the member through the door and into the prison, but that makes no difference. The contractor had no authority to operate the scanner.

When the member raised the issue with me, I raised it with the professional standards unit, which did not exist until I established it as a result of the CCC report.

Mr D.T. Redman: They did a desktop assessment.

Mr F.M. LOGAN: No, the unit did not; it went to the prison.

Mr D.T. Redman interjected.

Mr F.M. LOGAN: It initially did a desktop assessment and then it went to the prison and spoke to the superintendent to get the full facts. What the superintendent said to the member—he also outlined that to me—was absolutely wrong. His attitude was, “Oh, well, he’s the same as us. He’s one of us. He is employed here permanently.” He may well have been employed permanently but he was still not allowed to operate the machine or go into the control room unless he was doing work in there. There is no argument that that person did the wrong thing.

As a result of the investigation, as I said, the superintendent was disciplined, as he should have been, particularly in response to the answer that he gave to the member about not putting the information on the total offender management system. That is absolutely wrong. There is no walking away from that. It was an incident and it should have been put on TOMS.

Mr D.T. Redman: He didn’t respond to me about putting it on TOMS. You did. It was your question on notice.

Mr F.M. LOGAN: Sorry, member for Warren–Blackwood; I thought he said that to the member as well.

Mr D.T. Redman: No.

Mr F.M. LOGAN: Okay. It does not matter because he did not do it. The point is that the member raised it. It was wrong. His attitude towards the member that everything was fine —

Mr D.T. Redman interjected.

Mr F.M. LOGAN: Member for Warren–Blackwood, please let me finish answering this.

The SPEAKER: You have had your go.

Mr F.M. LOGAN: What he said to the member and the way he said it was incorrect and, as a result, he has been disciplined, and that is taken note of.

The two prison officers were there helping the member, by the way; if we look at that footage, they were only there to help the member get into the prison. Nevertheless, the officers ignored the fact that a contractor was undertaking actions that he was not allowed to undertake, and they should have stopped him. Therefore, they have been disciplined as well.

When the issue was raised directly with Honeywell, Honeywell terminated the contractor. The two prison officers have been retrained in how they are expected to comply with policies and procedures on a gate. The member for Warren–Blackwood was involved in the process of putting the entire contract in place with Honeywell. It is a great prison. It is the most modern prison in Western Australia. It is a very high-tech prison because the maintenance and electronics are operated by Honeywell, one of the world’s leading electronic companies. It is very good at picking up contraband coming into prisons. Only last week a woman was jailed as a result of being caught trying to get drugs over the fence and into Kalgoorlie prison. She was jailed just last week as a result. We are having more and more interdictions of drugs going into prisons.

I am not running away from the fact that it was the wrong thing to do. I have said that to the minister numerous times in answer to questions put to me by the member for Warren–Blackwood. The member was correct to raise the matter, and there have been consequences, which resulted in the person who was most at fault losing his job. He knew that what he was doing was wrong; he knew he was breaking policies and procedures. The contractors are aware of those policies and procedures, as are the staff.

There has been no drugs strategy in place to interdict drugs going into prisons since 2014. What happened between 2014 and 2017? There were no policies, procedures or guidelines for prison officers or the superintendent. The former government let the whole thing go into abeyance. That is what the CCC said in its report. That is now in place. We have more people on the ground who are part of the special operations group interdicting drugs. We have more dogs in place, including in Kalgoorlie on a regular basis, and dog handlers in the regions, which was not happening before. We have more dogs in that area of interdiction of drugs. We have more staff on board interdicting drugs as people go through the gatehouse and we have better scanning technology around the place.

I answered a question for Bunbury ABC today about some of the action that has been occurring in Bunbury Regional Prison. We have reduced the access of drugs in Bunbury prison from 16 per cent to two per cent. The member for

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Warren–Blackwood came into this place and claimed that we are doing nothing. That is not true. The work that the department is doing, the changes we are making to the department and the great work that the people who work for the Department of Justice are doing, particularly intercepting drugs and also improving the health of prisoners so there is no demand for drugs through our alcohol and other drug facilities at Wandoo Rehabilitation Prison and eventually in Casuarina Prison, are leading Australia. The member should not come into this place and criticise us. I have dealt with his issue in Kalgoorlie. He should be satisfied.

Division

Question put and a division taken with the following result —

Ayes (15)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey

Dr D.J. Honey
Mr P.A. Katsambanis
Mr Z.R.F. Kirkup
Mr A. Krsticevic

Mr S.K. L'Estrange
Mr J.E. McGrath
Ms L. Mettam
Dr M.D. Nahan

Mr D.C. Nalder
Mr D.T. Redman
Mrs A.K. Hayden (*Teller*)

Noes (36)

Ms L.L. Baker
Dr A.D. Buti
Mrs R.M.J. Clarke
Mr R.H. Cook
Ms J. Farrer
Mr M.J. Folkard
Ms J.M. Freeman
Ms E.L. Hamilton
Mr T.J. Healy

Mr M. Hughes
Mr D.J. Kelly
Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray

Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts
Ms R. Saffioti
Ms A. Sanderson

Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Pairs

Mr P.J. Rundle
Mr R.S. Love
Mr W.R. Marmion

Mr W.J. Johnston
Ms C.M. Rowe
Mr J.N. Carey

Question thus negatived.