

HAKEA PRISON, BANNED ITEMS

544. Mr JOHNSON to the Minister for Justice and Legal Affairs:

I refer the minister to the arrest of a convicted prisoner at Hakea Prison yesterday for arranging a kidnapping from his prison cell.

- (1) Will the minister explain how the prisoner was able to access a mobile phone and use it to make thousands of unmonitored calls in a supposedly maximum security prison environment?
- (2) Given the recent arrest of a guard at the prison for smuggling drugs and other banned items into the jail, when will the minister act to stop the influx of drugs and other items into our jails?

Mr McGINTY replied:

- (1)-(2) A number of significant measures have been undertaken, of which I am sure the member for Hillarys is aware, to address this chronic problem of drugs in prisons. About 70 per cent of the people who are in prison are there for a drug-related crime. Therefore, people who take drugs into prisons in order to feed that habit, in my mind, are engaging in one of the most despicable undertakings imaginable. That is particularly the case when somebody who is in a position of authority, such as a prison officer, is involved.

I was appalled when I was made aware that Brett Maston had been charged with masterminding a kidnapping from his prison cell. He is a special profile offender - one of the most serious offenders in prison in this State. I have asked the Department of Justice for a comprehensive report on this issue - maybe it arrived this morning - and the way in which it arose. My understanding is that there is a connection between the mobile phone and the crime that has allegedly been committed by Mr Maston, and the arrest of the prison officer on charges of bringing drugs and mobile phones into the prison. However, it is a sensitive matter. On both fronts, charges have been laid, and they are due to go before the courts. They will test the veracity of the evidence in respect of each of the matters and the connection between the two.

However, my concern is how someone could make a seemingly large number of calls when that person is one of the more serious offenders in the prison system. We need to be able to stop that dead in its tracks. It happened. It should not have happened. I am waiting for a report from the Department of Justice, and we will act with a great sense of urgency on it.

When Labor came to power, the issue of drugs in prisons was a pressing one. I am sure it was for the previous Government as well. Members will recall an occasion on which I arranged to have the prisons drug unit stop all visitors going into Hakea one Sunday afternoon, with the unit's sniffer dogs there to detect people who were carrying drugs into the prison. On that occasion, a vast array of drugs and drug-related paraphernalia were seized from visitors who were going into the prison.

As a result of that and my awareness of the acute problem there, a shortcoming in the law was revealed; that is, that there is no power for the prison authorities in this State to ban from visiting prisons someone whom they know has been constantly trying to get drugs into prisons. We gave an undertaking on that occasion that we would amend the law in Western Australia to give the prison authorities power to ban people known to be associated with the importation of drugs into prisons. That power does not exist at the moment. The Government will bring legislation on that issue into this Parliament, and I hope it will enjoy the support of both sides.

I will make another point, and then I will happily take the member for Hillarys' interjection. At that time, there was some criticism that we were focusing on the friends, relatives and family of prisoners, and it was said that we should start looking at the activities of staff and of contractors who visit the prisons. Again, it is my understanding that the arrest that was recently made of the prison officer was the product of considerable ongoing surveillance, going back over a number of years, and the use of technology to ascertain for sure that that was the day on which he would bring the drugs into the prison. Prior to that, there was a belief that that activity warranted investigation. Therefore, we were intent on making sure that when we moved, we would catch someone red-handed; otherwise, we would have blown any prospect of ever ultimately obtaining the evidence and, therefore, a conviction.

I do not wish in any sense to prejudice the trial or the right of this prison officer to have his case determined in a court. We have acted in the strongest way possible under the Prisons Act; that is, to suspend him without pay. We have received a request that he be paid while he is facing these charges, and that request has been emphatically rejected.

Mr Day: I think you were of the view that police officers should not be suspended without pay, if I recall correctly.

Mr McGINTY: That is a matter appropriately directed to the Minister for Police. In a situation like this, my adamant view is that when facing charges of that nature, suspension without pay, or even stronger action if it were allowed under the Prisons Act, is the appropriate action to take.

Mr Johnson: I agree with the minister. I can understand somebody smuggling drugs and a mobile phone into the prison, but when a prisoner is able to make thousands of calls and recharge that phone time and again, without being detected, something must be wrong in the prison system. What will you do about that?

Mr McGINTY: The first thing I will do is to get a comprehensive report from the prison system stating that this is what happened and how it happened. I also want from the prison system details of specific steps that can be taken to stop it occurring again. One of the most serious prisoners in this State has been able to mastermind an extremely serious crime from behind bars. I give the House this commitment: the people associated with that crime will have no mercy from this Government. They will have the book thrown at them. We will pursue to every last point the capacity of the State to act against the people associated with that crime and to put in place in the prisons appropriate steps to make sure that the likelihood of that recurring is nil.