

**Division 28: Justice, \$569 611 000 -**

Mrs D.J. Guise, Chairman.

Mrs M.H. Roberts, Minister for Justice.

Mr A. Piper, Director General.

Mr T.W Simpson, Executive Director, Prisons.

Mr P.J. King, Director, Financial Management.

Mr A. Andersson, Registrar of Births, Deaths and Marriages.

Mr P.E. Robinson, Manager, Budgets and Planning.

Ms J.T. Tang, Executive Director, Community and Juvenile Justice.

Ms A.R. McLaren, Public Trustee.

Ms M.S. Scott, Public Advocate.

Mr R. Warnes, Acting Executive Director, Court Services.

Mr P. Mitchell, Sheriff.

Ms S.E. WALKER: I refer to page 455 of the *Budget Statements* and significant issues and trends that, in large part, are exactly the same as those in last year's budget. The first dot point states -

Western Australia continues to have the highest rate of imprisonment of all Australian States, . . .

Last year, that dot point had exactly the same wording except that after the words "Australian States", it had in brackets "except the Northern Territory". Is the Western Australian rate of imprisonment now higher than that of the Northern Territory? Surely the figures have changed from those quoted in the fourth dot point for crimes associated with drug use and the cost of each drug crime. If they have not, why not? If they have changed, why are they not included in the *Budget Statements*?

Mrs M.H. ROBERTS: There has been a reduction but our rates are still higher than those of the other States. However, they are not higher than the Northern Territory. We have seen some increases of late because of programs put in place such as Operation Clearance, which deliberately targets repeat burglars and the like. I am told that from June 2001 to June 2003 the prison numbers fell from 3 170 to 2 800, which represents an 8.6 per cent reduction in the rate of imprisonment. We have seen an increase in the rate of imprisonment in recent times, which is largely due to government policy and the changes made in allocating additional funds to the Police Service to conduct operations such as Operation Clearance. The Police Service has established what is known as a linked crime desk. It looks at offenders who have committed a number of crimes. The Police Service has gone after them because they are repeat offenders. That has seen a significant increase in the number of people in jail for burglary, in particular, because juveniles are responsible for a large percentage of them. We have seen a large increase in the overall number of juveniles in the system as well.

Ms S.E. WALKER: The minister did not finish answering why the figures are still the same.

Mrs M.H. ROBERTS: I find the member's accent very difficult to understand. Could the member speak more clearly please?

Ms S.E. WALKER: Why are the figures the same in the fourth dot point?

Mrs M.H. ROBERTS: Why are what figures the same?

Ms S.E. WALKER: If the minister looks at the fourth dot point, she will see the figures are the same as in last year's budget papers.

Mrs M.H. ROBERTS: As I understand it, the member is referring to the fourth dot point at page 455, which states -

Crimes associated with drug use cost the State some \$220 million each year.

Is that what the member is referring to?

Ms S.E. WALKER: Yes.

Mrs M.H. ROBERTS: It continues -

The costs associated with each drug crime start at \$7,200, for each burglary \$16,200, robbery \$35,000 and murder \$3,207,100.

That is to do with the cost of crime, not the numbers of crimes.

Ms S.E. WALKER: I know that. I am saying that the same sentence was in last year's budget papers at page 439. There has been no shift?

Mrs M.H. ROBERTS: What is the point?

Ms S.E. WALKER: Has there been a shift?

Mrs M.H. ROBERTS: Clearly not if they both state the same.

Ms S.E. WALKER: Should there not be some sort of shift? The significant issues and trends are just the same. Are they just put in each year? Has there been no increase in the cost of trials?

[8.10 pm]

Mrs M.H. ROBERTS: The highest rate of imprisonment that we have hit in Western Australia was 204 per 1 000 of population. The current rate is 199.7. That is still clearly significantly lower than the rate in the Northern Territory, which I understand is 530.5. The next highest rate is Queensland, at 180.3. One of the factors that obviously drives our higher imprisonment rate is our higher indigenous population, as I am sure the member is aware.

Ms S.E. WALKER: Would the minister say, then, that the Government's reducing imprisonment strategy has failed?

Mrs M.H. ROBERTS: No, because there have been some reductions in those areas. Had it not been for some very proactive policing strategies, the rate would be much lower now. It will always be a matter of balance. We are finding that because of more effective policing, the numbers are going up. Based on future predictions that have been done by the Department of Justice, it is estimated that in May 2004 there are approximately 500 fewer prisoners in the system than there would have been had we not implemented the reducing imprisonment strategy. In addition, I suspect that that 500 is probably an underestimate, because it does not take account of the crackdown on burglary that has been undertaken during the past six months, so that figure will probably need to be adjusted upwards.

Ms M.M. QUIRK: I refer to page 470, output 7, which deals with the management of adult offenders. Will the minister advise whether there are proposed plans to change the lock down and shift hours for prison officers at maximum security prisons?

Mrs M.H. ROBERTS: Yes. Some changes to the lock down and shift hours were proposed recently by the Department of Justice at maximum security prisons, including Hakea, Casuarina, and Albany. The reason for this change to the lock-down hours was to address training needs within the prisons area, and to enable training, particularly of industrial officers, in general prison officer duties. This would have meant that prison officers would be working 10-hour shifts instead of 12-hour shifts. As a result, prisoners would have been locked down for lengthier periods. While our lock-down hours compare more than favourably with those in other States, I believed that the following factors needed to be taken into account: the current increase in overall imprisonment due to the success of operation clearance and other police and legislative initiatives; the recent report by the Inspector of Custodial Services into deaths in custody at Hakea Prison; Western Australia's historically high rate of indigenous imprisonment; and the effect on prison guards, other staff and their families of such a change. As a result of taking those factors into account, I can advise the member for Girrawheen that it has been determined that there will be no change to the prisoner lock-down hours and shift hours at maximum security prisons, or, for that matter, any other prison. Any future proposal to change the hours would need to take into account the points that I have just mentioned.

Mr S.R. HILL: I refer to page 472, output 8, juvenile offenders managed. As members will be aware, there have been recent calls in regional Western Australia to build a juvenile detention centre. Can the minister please provide some advice on that?

Mrs M.H. ROBERTS: I thank the member for Geraldton for the question. The main advice I have received from the Department of Justice is that the vast majority of juveniles come into contact with the justice system just once. The first appearance for the vast majority of juvenile offenders is as minor offenders, and after that they have no further contact with the Department of Justice. This is partly the nature of things and partly, hopefully, due to some of the good work that is being done in diversionary programs for minor juvenile offenders. Sadly, the department also advises me that between 200 and 250 juvenile offenders are responsible for about 80 per cent of all serious juvenile crime. That is an area that requires some further attention. As people will be aware - I have already referred to it tonight - because of the success of our burglary campaigns, a lot more juvenile offenders have been apprehended. In fact, there has been a 25 per cent increase in the number of juveniles taken into custody in the last two quarters, and a significant proportion of those have been caught for

burglary. When they have been caught for burglary, they have been jailed. Detention is only part of the equation. We need to ensure that we turn around the offending behaviour of as many of these young people as possible, so that they do not reoffend and we can reduce the recidivism rate. A further announcement I have made is that repeat serious juvenile offenders will be electronically monitored so that they can be properly monitored in the community. I also intend to make some further announcements shortly about legislative and policy measures specifically designed to deal with the problem of serious and repeat juvenile offenders.

Ms S.E. WALKER: Still on the subject of the significant issues and trends, Western Australia continues to have the highest rate of imprisonment. In June 2003 your Mr Piper, minister, told Parliament that, on the back of the Government's reducing imprisonment strategy and reliance on community-based orders, there had been a reduction in the prison population from 3 100 to 2 800, or 11 per cent, in that calendar year, and that the prison population had stabilised. He further said that the prison population would normally increase by three per cent due to normal demographic drivers in the process and that it was envisaged that the new Sentencing Act amendments would reduce prison numbers by a further 150. He said that he did not expect any dramatic increases in the prison population unless there was significant change in sentencing practices. Is the population increase due to the tightening of the slack breaching policies that we saw last year for high-risk parolees and community-based offenders? Given Mr Piper's comments last year, how does the minister account for the increases otherwise? Will she now admit that the Government's reducing imprisonment strategy is a failure?

Mrs M.H. ROBERTS: Sadly, the member for Nedlands seems to want to run a commentary, rather than just ask straightforward questions.

Ms S.E. WALKER: It is important.

Mrs M.H. ROBERTS: I have said that I find the member's accent very difficult to understand.

Ms S.E. WALKER: I find the minister's accent difficult to understand and she is just being personally insulting.

Mrs M.H. ROBERTS: I cannot help it if the member finds an Australian accent difficult to understand.

Ms S.E. WALKER: I find hers difficult.

Mrs M.H. ROBERTS: Madam Chair, I do not think this kind of trading of insults by the member for Nedlands -

Ms S.E. WALKER: I am just copying what the minister has said to me.

The CHAIRMAN (Mrs D.J. Guise): Order!

Mrs M.H. ROBERTS: It is not helpful.

Ms S.E. WALKER: Do not say them then; just answer the question.

Mrs M.H. ROBERTS: I also do not think it is helpful that the member for Nedlands continually interjects. By the time she has carried on like this, one can barely remember the little one understood of what she asked in the first place. She has made quite a number of assertions.

Ms S.E. WALKER: It is in *Hansard*.

The CHAIRMAN: The member will find that if she holds that thought for a moment, the minister will answer her question.

[8.20 pm]

Mrs M.H. ROBERTS: Many of those assertions are not necessarily correct. I will note one thing. First, clearly the implementation of the abolition of sentences of six months and less was implemented at a later stage than was originally anticipated. Therefore, the effect of that arguably would not have been able to kick in at this time. It is unrealistic for the member for Nedlands to expect the results of the implementation of legislation to occur before the legislation has been proclaimed. That is the first point I make. In respect of the other details, I do not know whether the Director General of Justice would like to make some comment.

Mr PIPER: I am happy to comment on the issues raised by the member. As was indicated last year, our forward projections were based on the implementation of the changes to the sentencing legislation, which were then due and imminent. The relevant part of that legislation was delayed for six months in the Legislative Council and has, in fact, only just been proclaimed. The legislation is a very significant component of the forward projection. In addition, when we commented on the prison population last year, the police had not implemented their strategies for burglary offences. Clearly, there has been an increase in imprisonment flowing from that strategy. I recall that my comments were made in the context of other policy changes not having been implemented. Clearly, a police strategy to clear up burglaries is a new policy initiative that is working. There has also been an increase in the lengths of imprisonment for some serious offences. The number of people in prison is a result of both the number of charges and the length of time that people stay in prison; because of those aspects there have

been some increases. Overall, if the changes that have been made progressively in the management of imprisonment had not been implemented, our projection made mid-2001 could have resulted in a prison population of some 500 prisoners more than we currently have, which is the equivalent of one large prison. Although this multifaceted program has taken some time to work through, we are still seeing an impact. We maintain our prediction that implementation of the sentencing regime changes will level out the curve of imprisonment, not counting the impact of burglary, as obviously that legislation has just been proclaimed. It is, therefore, a little hard to be fully confident until we see how that will flow through the system. As I said, overall the strategy is multifaceted and I believe the comments I made last year in the context of the changed circumstances were accurate.

Ms S.E. WALKER: I have a supplementary question. Will the minister provide me with the prison muster for each month in the previous year, please? I am happy to have that information given to me tomorrow.

Mrs M.H. ROBERTS: I believe we have the information. Mr Simpson might be able to respond to the member now. About which period is the member asking?

Ms S.E. WALKER: From June last year until now.

Mrs M.H. ROBERTS: In June 2003 it was 2 883.5; July 2003, 2 916.6; August 2003, 2 919.45; September 2003, 2 949.8; October 2003, 2 956.58; November 2003, 2 966.07; December 2003, 2 931.1; January 2004, 2 961.84; February 2004, 3 019.45; March 2004, 3 045.52; and April 2004, 3 106.

Ms M.M. QUIRK: I refer to output 7 on page 460, on adult offenders managed. Will the minister advise the committee of the progress of the implementation of the recommendations in the Skinner report?

Mrs M.H. ROBERTS: Quite a number of recommendations arose out of the Skinner report. They encompassed the sharing of information between the WA Police Service and the Department of Justice; that the risk definitions of offenders be made more meaningful to staff and easier for the community to understand; that a professional practice and standards unit be established to develop, monitor and advise on practice standards; that greater attention be given to induction training and handover between officers; and that there be ongoing research and monitoring of offenders in the community. I am pleased to advise that all the recommendations of the Skinner report have been implemented or their implementation is ongoing. In particular, I can advise that the professional practice and standards unit is to be fully resourced by 1 July 2004, that relevant community justice services staff have been trained in the application of new case management assessment and the new management model, and that all CJS centres will have implemented that transition by 1 June 2004. A project officer has commenced work on an abbreviated CJS policy and procedures manual. Regular meetings and correspondence have occurred with the WA Police Service with regard to those protocols and improvements in data transfer.

There is a proposal for an amalgamated training event involving the Department of Justice, the police and the Department for Community Development. A joint Department of Justice and WA Police Service liaison committee has been established to build on the interagency structures relating to offender management, data exchange and shared training. A CJS breach unit is to be implemented by July 2004. A comprehensive training program has been developed for 2004-05, and training will be delivered at an earlier stage for newly employed community justice officers. If the member looks at page 457 of the *Budget Statements*, she will see that listed under the major policy decisions is the community justice services professional practice and standards unit with a budget estimate of \$470 000 and other ongoing amounts.

Mr M.P. MURRAY: I also refer to output 7 and to adult offenders managed. The Government has announced that it is implementing a comprehensive drug strategy in prisons. How well is it working and how is it measured?

Mrs M.H. ROBERTS: The justice drug plan 2003 has resulted in a major plan being put in place, prior to the implementation of new and improved initiatives to reduce the supply of and the demand for drug use in the prison system as well as reduce the harm that is obviously caused. In 2003-04 the Department of Justice instigated the following: it expanded by 15 the number of intensive drug intervention programs for high risk and recidivist offenders in prisons and it increased the number of intensive program places to 150 a year. A process of evaluation of the newly implemented pharmacotherapy program has commenced. The evaluation will provide timely information on whether the model is meeting its objectives, the extent of prisoners' knowledge and awareness of the pharmacotherapy process, the achievement and milestones, any unintended consequences and the recommendations for continuous improvement. There has been a review of the drug-free units that already operate in two prisons in the State. That has identified that the model works. It provides a framework for implementation of drug-free units. Based on the findings of the review, it is expected that we will be able to establish a further two drug-free units to be introduced into a metropolitan and a regional prison this year. The infrastructure for the expansion of the drug detection dog teams has also been completed. A drug detection dog and handler has been placed permanently at Bandyup Women's Prison, and that is a further advance. A range of

other activities is planned for 2004-05. They will include the employment of drug teams at four prisons after training has been completed, completion of a saliva-testing pilot study, the continued use of intensive drug therapy programs and investigation of the efficacy of the prison-based therapeutic community. This is an area in which we have made significant advances since 2003, particularly, and we are moving ahead to ensure that, as far as possible, drugs will be removed from the prison system and that will diminish the prisoners' reliance on drugs. Hopefully, if a prisoner has a connection between drugs and offending, he will leave the prison system clean and thereby break the recidivism cycle.

[8.30 pm]

Ms S.E. WALKER: I refer to the seventh resource agreement output, "adult offenders managed", on page 458 and to the minister's press release today about the adult offenders she manages at Wooroloo Prison Farm. Her press release referred to part of an internal investigation unit report. Given that it is an internal investigation, in determining the management response, does the minister think that she will ever get to the bottom of the issue by speaking only to staff members and prisoners and taking as gospel what they say; namely, that prisoners do not leave the prison and return undetected and that women do not come into the prison at night?

The CHAIRMAN: Will the member please refer to the appropriate section in the budget.

Ms S.E. WALKER: I referred to resource agreements on page 458 the seventh output, adult offenders managed.

Mrs M.H. ROBERTS: It is something of a strange question. I could answer the member by asking whether she thinks that we should take as gospel the word of the convicted prisoner who gave the report. The answer is no, we do not take anyone's word necessarily as gospel. That is a silly thing to ask.

The investigation group is located within the Department of Justice, but it is completely separate from the prison system. This is not a matter of the prison section investigating the prison system. I have confidence in the people in the investigation unit to conduct that investigation in an appropriate manner. The fact is they did not interview only other inmates. Of course, if other inmates there have been doing the wrong thing, they are not necessarily likely to admit to it. Clearly, the senior and experienced people who are involved in the investigations unit are well aware of that. They are not silly or naive people and will not necessarily take the word of only prisoners. They had a responsibility to do a thorough investigation. I understand they have done one. I understand they have interviewed a range of people, including people from the community, prison guards, officers, people who visit the prison and people who have other roles at the prison. It has been a very thorough review. The question has been asked whether I can rule out that none of this has ever happened. No, we cannot rule out that none of it has ever happened. In fact, an offender who appeared in court today pleaded guilty to leaving the prison and committing other offences in the company of another prisoner. However, I can say with some confidence that there is no evidence of any widespread abuse. Insofar as there may have been occasions, we must address the real issue; namely, that the community has a rightful expectation that people will not come and go from a minimum security prison. The real issue at Wooroloo, and probably Acacia to a lesser extent, is that they were once very remote locations. However, more and more, as the metropolitan area has expanded, communities of people now live much closer to those facilities and are therefore more aware of what goes on in prisons. They may well feel in more danger, albeit because they are in the vicinity of a minimum security prison. That is why we have instigated the system of electronic bracelets to be worn around the ankle. We will know instantaneously when someone tampers with such a bracelet. We will also know within 20 seconds whether someone has gone out of bounds, because that is how often a pulse is sent to the main station. There will be about 10 base stations throughout the Wooroloo site, so the moment anyone does anything silly with a bracelet or goes out of bounds we will know which base station that person was last near. People will be able to know in real time. This is a major step forward in prisoner management. The traditional model has been to conduct a prison muster and have head counts on a regular basis throughout the day. Since the incidents that have been referred to, the number of head counts has been increased to include an additional one in the evening. Other initiatives have been put in place with the use of dogs and other techniques. I am quite confident and excited that we are putting in place best practice in Australia in making sure that minimum security prisoners do not go out of bounds, but, if they do, they will be detected immediately and dealt with.

Ms S.E. WALKER: I have a further question. This report rests on disputing or refuting a claim by Mr Quartermaine only. Another prisoner, who was out of prison, also spoke to the Press about this. Apart from that, there were no out of bounds places prior to this and no random prisoner counts. The electronic monitoring devices will not stop other people from coming into the prison and bringing drugs in after hours, because the unlock hours are between 10.30 pm and 7.00 am. It does not mean that other people such as girlfriends or mates cannot come into the prisons after hours, does it?

Mrs M.H. ROBERTS: What it does mean, and I highlight this for members who are present, is that during the evening, for example, the electronic parameters can be reduced. Further places in the vicinity of the prison or

within the prison can become out of bounds in those lockdown hours. No, it is not a failsafe provision to stop people from entering the prison, but there are a range of other initiatives currently in place to deal with those occurrences.

Ms S.E. WALKER: What?

Mrs M.H. ROBERTS: The member for Nedlands is essentially asking for some kind of response to a situation that has not been proven. Convicted criminals have made claims about people entering the prisons at night. There has been no proper substantiation of those claims. In essence, she is asking us whether we want to shadow box at some claims that a convicted criminal and his mate, who also happens to be a convicted criminal, have made. There needs to be a stronger basis than that. That having been said, the director of prisons and all our prison superintendents fully understand their responsibility in ensuring that visits that have not been approved and are not made during regular visiting hours do not occur. They have appropriate measures in place to ensure that they do not occur, so far as is possible. If they do occur, they are dealt with as quickly as possible.

Ms S.E. WALKER: I have a further question. If the claims are not proven or substantiated, as the minister claims, why are electronic monitoring devices being used?

[8.40 pm]

Mrs M.H. ROBERTS: The main concern for the community is that prisoners could leave prison when they should not be leaving prison. People quite reasonably believe that this could pose a threat to them or their children. In fact, people who live in the vicinity of these prisons might be concerned that their homes might be burgled or something might occur because a prisoner has escaped, albeit temporarily, from a minimum security prison. We want to reassure the community that we have modern-day technology in place to prevent that occurring. I believe that is a responsible thing to do. It was an opportune time for us to review the security in place at minimum security prisons. The initiative we have taken today is a great initiative. I believe it will reassure the community that those people who are supposed to stay in prison do stay in prison, and while they are at work, the prisoners are not in their local community. It is an excellent initiative. It is one that we may not have introduced as quickly if the claims had not been made and our attention had not been drawn particularly to the issue of security at minimum security prisons. I further add that with our enhanced efforts with the drug dogs and other mechanisms, we fully expect that if someone were to bring drugs into a prison, that would be detected.

Mr S.R. HILL: I refer the minister to output 7 on page 460. Can the minister advise of progress made in the delivery of offender programs in regional prisons?

Mrs M.H. ROBERTS: Yes, I can provide some advice on that. As the member will be aware, our biggest challenge in this area is attracting suitably qualified staff to deliver those services in remote and regional areas. I am pleased to advise that some of the challenges in providing programs in prisons have nevertheless been addressed. Increased efforts have been made to attract appropriately qualified staff to the programs branch in the Department of Justice. This has been relatively successful, with most of the vacant positions now having been filled. In addition, a senior officer program will commence in June at the Greenough Regional Prison. I know that will please the member. As a result, the indigenous sex offender programs will be recommenced at that prison. An officer has also been stationed at the Eastern Goldfields Regional Prison for the past eight months. All the scheduled programs are up to date in those two prisons.

A review of program schedules has been undertaken to ensure that prisoners with the greatest treatment need receive the treatment during their sentence period. When necessary, low-level risk prisoners with lesser treatment needs will be redirected to community-based programs while they are on parole. Extensive liaison has also occurred with potential external service providers in regional areas. For example, negotiations are in progress with the Men's Outreach Service in Broome to provide an indigenous men managing anger and substance use program in Roebourne. Cognitive skills programs are also undergoing a revitalisation in the regional areas. It is expected that the programs will recommence within the next month at both Greenough and Roebourne.

Ms S.E. WALKER: I would like to ask my supplementary question and then my other question. My supplementary question to the other questions is: will the minister please provide me with a list of all the minimum security prisons in which offenders are wearing ankle electronic monitoring devices? I am happy to get that answer tomorrow.

Mrs M.H. ROBERTS: No, the member will get the answer now. The answer is that we are about to put the ankle bracelets in place at Wooroloo Prison Farm. That will take about two or three months, I expect. We are having a 12-month trial at Wooroloo. We have every reason to believe that that trial will be successful. Maybe it can be improved upon. If we find that is the case, it will be improved upon before it is rolled out to the other three minimum security prisons. That will no doubt be some 12 months away.

Ms S.E. WALKER: My question is about output 3, which is the enforcement of criminal and civil court orders, in relation to fines, costs and infringements. The minister recently re-awarded a contract to Repcol Austwide (WA) Pty Ltd for the collection of fines. In the past four years, Repcol has collected only 18.7 per cent of outstanding fines. That is just \$17.2 million of the \$91.8 million in outstanding fines. The minister received a tender from a consortium of bailiffs that was \$360 000 cheaper than Repcol's tender. That consortium uses local staff and consultants who have strategic offices throughout the metropolitan area, whereas Repcol has only one office in Subiaco. The other consortium has 12 field staff, whereas Repcol has just two. Why did the minister not choose the cheaper tender? The businessmen for the cheaper tender said that they would, at no cost to the Government, collect all the fines that Repcol has failed to collect and they said they would be paid only if the fines were paid. Why did the minister not take up that tender and why did the Government employ Repcol?

Mrs M.H. ROBERTS: I am learning more and more about the fines enforcement area. I was interested to learn lately that the former Attorney General in the previous coalition Government implemented a write-off policy to take into effect -

Ms S.E. WALKER: I cannot hear the minister. She is mumbling.

Mrs M.H. ROBERTS: I recently learnt that the former Attorney General in the previous coalition Government instituted a policy that wrote off all fines that had been outstanding for four or more years. That has had a significant impact on the amount of fines that have been written off and on some of the claims that have been made in that regard. I am confident that the director general would like to address the selection of Repcol as part of that tender process.

Mr PIPER: I thank the member for the question. The contracting of fines enforcement has been an interesting journey. The recovery rate for all collections under the Repcol contract from the previous status, prior to the contract, was between \$10 million and \$30 million a year. As a result, we are seeing success rates overall, from the point of infringement to the total outcome for infringements' collection, of about 96 per cent. Success rates overall for the collection of court fines, from the placement of the fine to the finalisation of the matter, are about 60 per cent. To my knowledge, even though the information is probably not publicly available, it is certainly better than that in comparable jurisdictions. On the basis of a properly constructed tender, which was evaluated in part through the Department of Treasury and Finance and by the responsible officers, it was clear that Repcol offered a better value-for-money solution. It is dangerous and difficult to try to unpack parts of a tender process without going through the full tender evaluation. A competent tender evaluation was undertaken and reviewed by the State Tenders Committee. The sheriff, Mr Peter Mitchell, is present. Mr Mitchell was part of the evaluation of that tender and, with the minister's consent, I would be happy to have him answer the question in more detail.

Mrs M.H. ROBERTS: I would like Mr Mitchell to provide more information.

Mr MITCHELL: The price was only one of the elements that was considered when evaluating the tender. As much as anything else, the tender process considered the information technology infrastructure of the proponents and a range of other matters, particularly the experience that the successful tender was able to demonstrate to the panel. An independent probity auditor sat on the panel. There was absolutely no doubt that the correct decision was reached.

Ms S.E. WALKER: What about performance? Did that form part of the judgment? Given the appalling performance Repcol appears to have given, did the minister not want to give another contractor a shot?

[8.50 pm]

Mrs M.H. ROBERTS: Of course, performance was taken into account. It seems that the member for Nedlands has formed a view that the performance of Repcol is poor. That is certainly not the view of the Department of Justice. I am not sure whether the director general or the sheriff will comment further on the evaluation of the performance.

Mr MITCHELL: Importantly, the figure quoted earlier is reflective of the amount of money that was actually collected. However, there are other avenues by which these fines can be completed. Primarily, they involved the issuance of work and development orders to those people who have no funds to satisfy the warrants issued against goods. Additionally, under new legislation introduced only last year the sheriff or his delegate through the contractor has the opportunity to make arrangements for these people to be placed under time to pay. Of course, that imposes a far less onerous sanction, and does not cause the seizure and sale of goods etc. Repcol had approximately \$11 million under time to pay arrangements at the time of the conclusion of its previous contract, and it is still collecting, on the department's behalf, on time to pay arrangements in respect of those matters.

Ms M.M. QUIRK: I refer to dot point two on page 471 in relation to major achievements for 2003-04, and to the recent opening of the Boronia Pre-release Centre for Women. What is the philosophy behind this new approach to managing women offenders? The member for Nedlands seems to want to contribute, even though she did not attend the opening.

Ms S.E. WALKER: I will be taking a personal tour of the facility.

Mrs M.H. ROBERTS: On Wednesday, 5 May I officially opened the Boronia Pre-release Centre for Women. It is Australia's first pre-release centre dedicated to the needs and demographics of women in custody. Previously, women's prisons were just seen to be smaller versions of men's prisons, because women made up such a small percentage of the prisoner population. Not much consideration has previously been given to the different needs of women in prison. For example, more than half the women in prison are caregivers or parents of quite young children. In many cases they have sole custody of or sole responsibility for those children. The whole philosophy behind the centre is about reducing reoffending amongst women offenders. In doing so, we look for opportunities to provide for their full reintegration into the community. Some of the women in prison do not have the life skills that people like us take for granted and as a consequence they need special assistance. The pre-release centre provides a different environment to the normal prison for women. It will focus on developing and facilitating what are generically called life skills. Family visits and interaction will be encouraged. There will be opportunities for children, particularly those under the age of four, to stay with their mothers in prison, to prevent any further breakdown in the relationship between the mother and the child. As we know, that has the potential to have lifelong consequences. We are encouraging volunteer involvement in the prison, and interaction with the local community through the community advisory group. We are engaging those women in reparative and voluntary work. The ultimate aim of all of this is to reduce reoffending; to stop the cycle of offending and give women leaving prison the best possible opportunity to fit back into the community in a productive way and not return to their former offending behaviour. A similar centre in Canada has reduced the rate of reoffending considerably. If we can achieve anything like the results they have in Canada, this will be a huge success story.

Ms S.E. WALKER: I refer to output 4 on page 467, the administration of victim support and counselling services. Recently Mrs Margaret Hunter, whose daughter was horrifically murdered by Mr Marks, was not informed - she may have read it in the newspaper, but she was not informed - that the Mentally Impaired Defendants Review Board was considering a community or social day release for the offender 10 months after he had been the subject of a custody order by a Supreme Court judge. Can the minister tell me, in terms of the Victim Support Service and the Victim Notification Register, what the protocols are between the Mentally Impaired Defendants Review Board and the Victim Notification Register for secondary victims?

Mrs M.H. ROBERTS: I make it clear at this point that I do not have any responsibility, as far as I am aware, for the Mentally Impaired Defendants Review Board.

Ms S.E. WALKER: But you do for victims of crime?

Mrs M.H. ROBERTS: The member has asked her question. Perhaps she can try to show a little patience for a change.

Ms S.E. WALKER: I am speaking on behalf of Mrs Hunter.

Mrs M.H. ROBERTS: Obviously the member cannot show any patience on any occasion, which is very sad for her.

The CHAIRMAN: Order, members!

Ms S.E. WALKER: I am quite passionate about this matter.

Mrs M.H. ROBERTS: I am more than happy for Jacqui Tang, if she likes, to address the broader issue that was raised by the member for Nedlands about victim support.

Ms TANG: There is a protocol between the Mentally Impaired Defendants Review Board and the Victim-offender Mediation Unit and the Victim Notification Register that notification will occur. That notification may occur notifying a victim that there is an upcoming hearing and the subsequent result of that hearing.

Ms S.E. WALKER: Why was Mrs Hunter not told or given more information about why Mr Marks was being released? Can you get that information?

Ms TANG: I do have that information. I am aware of the particular case. My understanding is that Mrs Hunter was notified of the initial notification that he was being considered for release - both supported release within the grounds of the Frankland unit at Graylands Hospital and also subsequent escorted release into the community. However, that was in relation to the overall approval, not the specific approval of when that would occur. In relation to the latter matter, when consideration was given to a review of escorted release in the community, my



Ms Sue Walker; Mrs Michelle Roberts; Ms Margaret Quirk; Mr Shane Hill; Chairman; Mr Mick Murray

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understanding is that the Mentally Impaired Defendants Review Board did notify both the victim mediation unit and the Victim Notification Register on the day the decision was made. In relation to that, there was an error of judgment on behalf of the victim notification unit in connection with checking that particular information, and Mrs Hunter, when that information came to light, was immediately notified by telephone. In response to that, there were clearly issues around the administration of notification, and a number of issues have been discussed with both victim notification and the victim notification unit in relation to improving services, particularly to victims, but also increased communication with the Mentally Impaired Defendants Review Board concerning protocols about victim notification.

Ms S.E. WALKER: Can the minister tell me who escorts Mr Marks when he is in the community, because Mrs Hunter is concerned she may see him?

Mrs M.H. ROBERTS: I take a point of order. I think we have been considerably indulgent in this individual case. This is not a subject for estimates; this is not what estimates are about.

Ms S.E. WALKER: Yes, it is.

Mrs M.H. ROBERTS: If the member wants to conduct an interrogation and ask questions, she should pop them on notice and get the answers.

Ms S.E. WALKER: It is about policy, and the minister is uncomfortable answering it.

Mrs M.H. ROBERTS: The member is asking about a specific case. Put the question on notice!

Ms S.E. WALKER: With regard to victim notification people by the Mentally Impaired Defendants Review Board, has a protocol already been established or is the department in the process of establishing one?

Ms TANG: There is an existing protocol between the Mentally Impaired Defendants Review Board, the Victim Notification Register and the Victim-offender Mediation Unit. However, further discussion is continuing on how to enhance those protocols in the future so that this will not happen again, and on how the board manages notifications and how we receive them in both areas.

**The appropriation was recommended.**

*Committee adjourned at 9.02 pm*

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