

The Hon Joe Francis MLA Minister for Emergency Services; Corrective Services; Small Business; Veterans

Our ref: 51-09351; 51-09356

Attention: Mr Mark Warner Committee Clerk Estimates and Financial Operations Committee Legislative Council Parliament House PERTH WA 6000

Dear Mr Warner

QUESTIONS TAKEN ON NOTICE – 2014-15 ANNUAL REPORT HEARINGS – DEPARTMENT OF CORRECTIVE SERVICES AND DEPARTMENT OF FIRE AND EMERGENCY SERVICES

Please find attached original hard copy responses to questions taken on notice – 2014-15 Annual Report Hearings for the Department of Corrective Services and the Department of Fire and Emergency Services.

Yours sincerely

Stephen Barton CHIEF OF STAFF

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

The following questions (B1 - B14) have been answered based on financial year, rather than calendar year for the purposes of adhering to Department of Corrective Services' (the Department's) reporting standards, which includes the Department's Annual Report.

Five years of data, including prison census data as at 30 June and Daily Average Population (DAP) are provided to assist with making comparisons over time. The DAP provides a better measure of yearly prison population, as census counts are for the nominated date only and are not representative of any given day.

B1 - Hon Alanna Clohesy asked:

- 1) I would like the total prison population and then proportion by specific categories for the calendar year ending 31 December 2014 (Page 2).
- a) The total prison population

Answer:

Table 1. Number of Adult Prisoners by Aboriginality by Gender - Census*

Data		Aboriginal		Non-Aboriginal			All
Date	Male	Female	Total	Male	Female	Total	Prisoners
30 June 2011	1,619	154	1,773	2,677	198	2,875	4,648
30 June 2012	1,760	212	1,972	2,758	234	2,992	4,964
30 June 2013	1,763	214	1,977	2,712	235	2,947	4,924
30 June 2014	1,830	249	2,079	2,942	221	3,163	5,242
30 June 2015	1,852	264	2,116	3,177	260	3,437	5,553

^{*} The actual prisoner population at the end of the day on the date stated.

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Table 2. Daily Average Population of Adult Prisoners*

137		Aboriginal		N	on-Aborigiı	nal	All
Financial Year	Male	Female	Total	Male	Female	Total	Prisoners
2010-2011	1,613	170	1,783	2,644	206	2,850	4,633
2011-2012	1,693	176	1,869	2,720	206	2,926	4,795
2012-2013	1,786	209	1,995	2,722	234	2,956	4,951
2013-2014	1,796	225	2,021	2,773	236	3,009	5,030
2014-2015	1,858	267	2,125	3,028	248	3,277	5,402

^{*} The DAP is the sum of the daily population at the end of each day in the period, divided by the number of days in the period. Totals may not equate precisely to the aggregate of figures from other cells due to rounding of decimal places.

b) The total receptions for the calendar year

Answer:

Table 3. Number of Adult Prisoners Received into Custody - All Prisons*

Financial Year	All Receptions
2010-2011	7,109
2011-2012	7,528
2012-2013	8,120
2013-2014	8,035
2014-2015	8,355

^{*} The number of adult prisoners received into custody during the period. A prisoner may have been received into custody more than once during the period. Excludes receptions for "re-captures".

c) The proportion of the prison population that are female and male

Answer:

Table 4. Number and Percentage of Adult Prisoners by Gender - Census*

Date	Male		Fer	nale	All Prisoners
	No.	%	No.	%	No.
30 June 2011	4,296	92.4%	352	7.6%	4,648
30 June 2012	4,518	91.0%	446	9.0%	4,964
30 June 2013	4,475	90.9%	449	9.1%	4,924
30 June 2014	4,772	91.0%	470	9.0%	5,242
30 June 2015	5,029	90.6%	524	9.4%	5,553

^{*} The actual prisoner population at the end of the day on the date stated.

Table 5. Daily Average Population Counts and Percentages of Adult Prisoners by Gender*

Financial Year	Male		Fer	nale	All Prisoners
	No.	%	No.	%	No.
2010-2011	4,257	91.9%	376	8.1%	4,633
2011-2012	4,413	92.0%	382	8.0%	4,795
2012-2013	4,508	91.0%	443	9.0%	4,951
2013-2014	4,569	90.8%	461	9.2%	5,030
2014-2015	4,886	90.4%	516	9.6%	5,402

^{*} The DAP is the sum of the daily population at the end of each day in the period, divided by the number of days in the period.

d) The proportion that are Aboriginal female and Aboriginal male

Answer:

Table 6. Percentage of Adult Prisoners by Aboriginality by Gender - Census*

Data		Aboriginal	al		on-Aborigii	All	
Date	Male	Female	Total	Male	Female	Total	Prisoners
30 June 2011	34.8%	3.3%	38.1%	57.6%	4.3%	61.9%	100.0%
30 June 2012	35.5%	4.3%	39.7%	55.6%	4.7%	60.3%	100.0%
30 June 2013	35.8%	4.3%	40.2%	55.1%	4.8%	59.8%	100.0%
30 June 2014	34.9%	4.8%	39.7%	56.1%	4.2%	60.3%	100.0%
30 June 2015	33.4%	4.8%	38.1%	57.2%	4.7%	61.9%	100.0%

^{*} The actual prisoner population at the end of the day on the date stated.

Table 7. Daily Average Population Percentages of Adult Prisoners by Aboriginality by Gender*

77		Aboriginal		Non-Aboriginal		ıal	All
Financial Year	Male	Female	Total	Male	Female	Total	Prisoners
2010-2011	34.8%	3.7%	38.5%	57.1%	4.4%	61.5%	100.0%
2011-2012	35.3%	3.7%	39.0%	56.7%	4.3%	61.0%	100.0%
2012-2013	36.1%	4.2%	40.3%	55.0%	4.7%	59.7%	100.0%
2013-2014	35.7%	4.5%	40.2%	55.1%	4.7%	59.8%	100.0%
2014-2015	34.4%	5.0%	39.3%	56.1%	4.6%	60.7%	100.0%

^{*} The DAP is the sum of the daily population at the end of each day in the period, divided by the number of days in the period.



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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B2 - Hon Alanna Clohesy asked:

1) The proportion of the current prison population that has an intellectual disability as at 31 December 2014, compared with 31 December 2013 (Page 3).

Answer:

To assist with operational management of prisoners, the Department records those prisoners who have an intellectual disability, cognitive impairment or acquired brain injury (ABI). These prisoners are not necessarily registered with the Disability Services Commission (DSC), who use different criteria for their assessments.

Data on prisoners with an intellectual disability alone (i.e. excluding the other disorders), and whether or not they are registered with DSC is not recorded in a format that is able to be extracted.

Table 8. Number of Adult Prisoners with a Disability Services Unit Alert - Census*

Date	Count	Percentage prisoner population
30 June 2011	29	0.6%
30 June 2012	29	0.6%
30 June 2013	32	0.6%
30 June 2014	37	0.7%
30 June 2015	31	0.6%

^{*} Includes prisoner with a possible or diagnosed intellectual disability, cognitive impairment or ABI. The data has been reported based on census (30 June) rather than DAP due to the small number of cases.

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B3 - Hon Alanna Clohesy asked:

- 1) In relation to prisoners with an intellectual disability: (Page 3).
- a) How does the department take that definition?

Answer:

The Department uses the international definition for 'intellectual disability', as described below:

- "Significant sub-average general intellectual functioning resulting in or associated with concurrent impairments in adaptive behaviour and manifest during the development years".
- b) Do your numbers for people with an intellectual disability include people with a brain injury?

Answer:

Yes. People with a known ABI would be included in the statistics provided in Table 8.

c) The proportion of the current prison population that have a mental illness for the 2013 and 2014 calendar years.

Answer:

The number of prisoners with a diagnosed mental illness as at 30 June 2015 was approximately 1980 or 36 percent of the muster on that day.

The number of prisoners with a diagnosed mental illness for the previous year as at 30 June 2014 was approximately 1800 or 34 percent of the muster.

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B5 - Hon Alanna Clohesy asked:

- 1) In relation to Bandyup Women's Prison, for the 2013 and 2014 calendar years: (Pages 3-4).
- a) What was the prison population as at 31 December?

Answer:

Table 9. Number of Adult Female Prisoners at Bandyup Women's Prison - Census*

Date	Aboriginal	Non-Aboriginal	Total
30 June 2011	93	125	218
30 June 2012	145	157	302
30 June 2013	116	150	266
30 June 2014	148	137	285
30 June 2015	161	172	333

^{*} The actual prisoner population at the end of the day on the date stated.

Table 10. Daily Average* Population of Adult Female Prisoners at Bandyup Women's Prison*

Financial Year	Aboriginal	Non-Aboriginal	Total
2010-2011	98	134	232
2011-2012	108	130	238
2012-2013	128	151	279
2013-2014	132	142	274
2014-2015	154	158	312

^{*} The DAP is the sum of the daily population at the end of each day in the period, divided by the number of days in the period.

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b) What was the intake for Bandyup this year (2015)?

Answer:

Table 11. Number of Adult Prisoners Received into Custody at Bandyup Women's Prison*

Financial Year	Receptions
2010-2011	749
2011-2012	796
2012-2013	947
2013-2014	966
2014-2015	1,011

^{*} The number of adult prisoners received into custody during the period. An offender may have been received into custody more than once during the period. Excludes receptions for "re-captures".

c) What number and proportion of the population are Aboriginal Women?

Answer:

The number of Aboriginal Women is reported in Table 9.

Table 12. Percentage of Adult Female Prisoners by Aboriginality at Bandyup Women's Prison*

Date	Aboriginal	Non-Aboriginal	Total
30 June 2011	42.7%	57.3%	100.0%
30 June 2012	48.0%	52.0%	100.0%
30 June 2013	43.6%	56.4%	100.0%
30 June 2014	51.9%	48.1%	100.0%
30 June 2015	48.3%	51.7%	100.0%

^{*} Percentage based on the actual prisoner population at the end of the day on the date stated.

d) What number and proportion of the population have an identified mental illness?

Answer:

The number of prisoners with a diagnosed mental illness as at 30 June 2015 was approximately 160 or 48 percent of the muster on that day.

The number of prisoners with a diagnosed mental illness for the previous year as at 30 June 2014 was approximately 148 or 52 percent of the muster.

e) What number and proportion of the population have an intellectual disability?

Answer:

To assist with operational management of prisoners, the Department records those prisoners who have an intellectual disability, cognitive impairment or acquired brain injury (ABI). These prisoners are not necessarily registered with the Disability Services Commission (DSC), who use different criteria for their assessments.

Data on prisoners with an intellectual disability alone (i.e. excluding the other disorders), and whether or not they are registered with DSC is not recorded in a format that is able to be extracted.

Table 13. Number of Adult Prisoners with a Disability Services Unit Alert - Bandyup Women's Prison*

Date	Count	Percentage prisoner population
30 June 2011	0	0.0%
30 June 2012	1	0.3%
30 June 2013	2	0.8%
30 June 2014	2	0.7%
30 June 2015	2	0.6%

^{*} Includes prisoners with a possible or diagnosed intellectual disability, cognitive impairment or ABI.

f) What number and proportion of the population have identified that they have been victims of domestic assault?

Answer:

Data on who has been a victim of family and domestic violence is not currently recorded by the Department.

g) What number and proportion of the population have been convicted of a domestic violence-related crime by type of crime?

Answer:

There are currently no criminal offences that relate specifically to domestic violence related crime. It is not possible to delineate domestic violence related crime based on the offence type.



2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B6 - Hon Alanna Clohesy asked:

1) The terms of reference and membership details for the Women's Estate Reference Group (Page 6).

Answer:

Women are the largest growing cohort of the prison population. The Department has established the Women's Estate Reference Committee (the Committee) to advise on initiatives concerning the women's estate, and identify proposals that address specific issues.

The Committee will:

- identify and promote opportunities to enhance the welfare and wellbeing of women in contact with the corrections system;
- advise on culturally competent and responsive services for Aboriginal women and their families;
- identify and encourage innovative service design and delivery, and the commissioning of new services for women throughout the state;
- enhance the provision of constructive services to women in metropolitan and regional prisons;
- identify options to make community corrections more effective and strike an appropriate balance between punitiveness, community safety, and rehabilitation;
- ensure continuous evaluation and improvement of programs and services delivered to women and their families; and
- raise awareness about the complexity of social, economic and individual factors that are associated with female offending.

The Committee members bring a wealth of expertise to the Department and will be able to provide advice on the specific needs of Aboriginal women prisoners, potential links with industry and the best ways to support prisoners with substance abuse issues.

Membership of Committee as at October 2015 is as follows:

- Mala Dharmananda, Chair, Department of Corrective Services
- Mary Cowley, Aboriginal Family Law Services
- Ashley Reid, Ngala
- Karen Shepherd, Barrister and Solicitor
- Karen Farley, Legal Aid Western Australia
- Laurel Sellers, Yorgum Aboriginal Corporation
- Deidre Willmott, Chamber of Commerce and Industry
- Mandy Wilson, Curtin University
- Gningala Yarran-Mark, United Group Limited

2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B7 - Hon Ken Travers asked:

1) Did the Department of Corrective Services submit their finance documents to Treasury after the deadline of 25 July 2015? (Page 22).

Answer:

The Department of Treasury's (Treasury) deadline for the 2014/15 annual actuals financial information was Friday 24 July 2015.

The Department submitted the financial information on Monday 27 July 2015.

The Department did not receive any correspondence from Treasury regarding this matter.

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B8 - Hon Ken Travers asked:

1) Provide a list of all occasions where there was procurement without proper procurement or without proper justification, or other problems with the procurement process? Include the name of the company where they were purchased from, the total value of purchases made and the number of purchases. (Page 22).

Answer:

There were 10 instances of non-compliance reported by the Office of the Auditor General. Further investigation of these indicated that only two were in fact non-compliant.

For the remaining eight, competitive quotes were sought where required if they were not covered by a Common Use Arrangement or an Agency contract.

The non-compliant supplier transactions were:

Table 14. Non-compliant supplier transactions

Supplier	Number of Transactions fro Transactions 1 July 2014 to 30 April 2015		Comments	
Campbells Janitor Supplies	118	\$375,762	Outside of Contract Arrangements	
Red Earth	15	\$158,413	Outside of Contract Arrangements	

In the Standing Committee on Estimates and Financial Operations hearing, one other set of supplier transactions was mentioned relating to Dick Smith. Purchases for Dick Smith were compliant as they were undertaken either as an agency contract, or competitive quotes were called, as required. There is no Common Use Arrangement for the items purchased from Dick Smith.

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B9 - Hon Ken Travers asked:

1) Provide a general summary of what the 31 matters raised in the Auditor General's qualified audit are, what your response is and when you expect to have them in place (Page 23).

Answer:

In summary the 31 Office of the Auditor General (Auditor General) recommendations relate to:

Assets

12 recommendations were made for improving and maintaining the Department's fixed asset register requiring the Department to:

- Conduct a physical stocktake of all of its fixed assets;
- Review its asset management policies and procedures, including the review of the asset depreciation rates; and
- Update the Department's Portable and Attractive item register.

Inventory

Four recommendations were made for improving the recording of the Department's inventory requiring the Department to conduct a physical stocktake of its inventory items, including the pharmaceuticals and prison industries.

Payroll

Six recommendations were made for improving the Department's payroll controls. The recommendations were primarily associated with timely processing of employee cessation checklists, payroll certification statements and follow up notifications of overpaid employees. Recommendations also included the need for the Department to manage its leave liability, and ensure the roster books and timesheets are signed and reviewed.

Financial

Four recommendations were made in relation to:

- Establishing policies and procedures dealing with support action requirements to protect threatened Prison Officers;
- Establishing clearer guidelines to all credit card holders prohibiting the use of personal reward cards;
- Ensuring segregation of duties is maintained during the collection and banking of monies; and
- Reviewing the accounting treatment for cash held on behalf of prisoners and the manner in which Royalties for Region funding is disclosed.

Procurement

Three recommendations were made for the Department to review the current procurement practices to ensure:

- Compliance with State Supply Commission polices and best practice standards;
- All contract variations are approved with appropriate level of documentation; and
- Controls are in place to ensure expenditure is in line with the contract.

General

Two recommendations were made for the Department to ensure it has an effective internal audit function, and to complete and endorse a Risk Management framework.

In response to the 31 Auditor General recommendations, the Department has:

- Accepted and supported the majority of the recommendation made by the Auditor General.
- Progressed several of the recommendations during the audit and Auditor General opinion being released.
- Initiated a plan of action to systematically address the issues raised by the Auditor General in advance of the 2015-16 audit process with:
 - Each finding being assigned an owner with responsibility for implementing corrective measures and allocating the required resources to address the issues; and
 - The aim to complete the various elements of the action plan at varying dates between 30 June 2015 and 31 December 2016.
- Implemented a procedure whereby the Department's Performance, Assurance, Risk and Audit Committee review the plan of action progress report, and provide direction as required at each meeting.
- Embarked on an asset and inventory stocktake project that is anticipated to be completed by 30 June 2016.

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B10 - Hon Ken Travers asked:

1) Have we had any resignations of people where there was a good chance that they were going to have a loss-of-confidence notice issued? Have any people resigned before you could issue the loss of confidence (Page 24).

Answer:

The Department cannot provide insight into people's motivation for resigning.

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B11 - Hon Liz Behjat asked:

- 1) In relation to the clearing of metropolitan lockups (Page 25).
- a) Over the last 12 month period, provide the total number of people who were in metropolitan lockups who were not cleared within 24 hours

Answer:

Nil

b) Can I have a breakdown of who was responsible for the transport of the people who fell into that category; and

Answer:

Not applicable

c) When those people were eventually picked up, where they were picked up from and where they were taken to?

Answer:

Not applicable

2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B12 - Hon Liz Behjat asked:

- 1) In relation to the Foetal Alcohol Spectrum Disorder (FASD) project at Banksia Hill: (Page 26-27).
- a) When did the project at Banksia Hill commence?

Answer:

The project at Banksia Hill was commenced in May 2015 by the Telethon Kids Institute.

b) How long is that project going to run for?

Answer:

It is anticipated that the Telethon Kids Institute study will take 12 to 18 months to complete.

c) Is it only funded by Telethon Kids Institute or is there Government funding in that?

Answer:

Telethon Kids Institute was awarded funding from the National Health and Medical Research Council.

d) What do you expect to happen with the data that they will collect?

Answer:

The research project is to develop and test a FASD screening tool suitable for young people in detention in Australia. The findings from the research will inform case management for young people with FASD, and the researchers will also develop a FASD training package for Department of Corrective Services staff.

e) Can you tell me how much the Department has contributed to the funding, what the quantum is?

Answer:

The Telethon Kids Institute Project is facilitated by Commonwealth funding, and the Department has not contributed any funding.

The Youth Justice Board is providing funding under the Youth Justice Innovation Fund to FASTRACK Clinical Services to deliver a FASD training, research and assessment clinic for children and young people. The Youth Justice Board is providing \$194,550 over a two year pilot period to deliver this service.

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2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B13 - Hon Alanna Clohesy asked:

1) For the calendar year 2014 and year to date 2015, what is the number of juveniles who have been transferred from detention in the Kimberley and the Pilbara to be detained in the metropolitan area? (Page 27).

Answer:

Table 15. Incoming transfers to Banksia Hill Detention Centre

Financial Year	Year Pilbara Kimberley		Total
2012-2013	97	75	172
2013-2014	87	79	166
2014-2015	69	68	137

2014/15 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

B14 - Hon Alanna Clohesy asked:

- 1) In relation to fine defaulting for the calendar year 2014 and year to date 2015: (Page 27-28).
- a) What proportion of the prison population was categorised or in prison because of fine defaults?

Answer:

It is not possible to provide the proportion of the prison population for fine defaults. On any given day, fine defaulters are only around 0.4% of the population.

The below table shows the number of receptions for prisoners received into custody, which may be multiple receptions per person per year.

Table 16. Number and Percentage of Receptions* for Fine Default Only Sentences

Date	Fine Det	Fine Default only			
Dute	No.	%	No.		
2010-2011	1,480	20.8%	7,109		
2011-2012	1,081	14.4%	7,528		
2012-2013	1,304	16.1%	8,120		
2013-2014	1,127	14.0%	8,035		
2014-2015	603	7.2%	8,355		

^{*} The number of adult receptions into custody during the period. A prisoner may have been received into custody more than once during the period. Excludes receptions for "re-captures".

b) For the receptions for fine-default only sentences for 2014-15, what proportion were Aboriginal?

Answer:

Table 14. Number and Percentage of Receptions* for Fine Default Only Sentences by Aboriginality

Date	Aboriginal		Non-Al	ooriginal	All Fine Default Only Receptions	
Date	No.	%	No.	%	No.	
2010-2011	588	39.7%	892	60.3%	1,480	

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2011-2012	474	43.8%	607	56.2%	1,081
2012-2013	563	43.2%	741	56.8%	1,304
2013-2014	516	45.8%	611	54.2%	1,127
2014-2015	247	41.0%	356	59.0%	603

^{*} The number of adult receptions into custody during the period. A prisoner may have been received into custody more than once during the period. Excludes receptions for "re-captures".

c) For the receptions for fine-default only sentences for 2014-15, what proportion were women?

Answer:

Table 18. Number and Percentage of Receptions* for Fine Default Only Sentences by Gender

Date	М	Male		male	All Fine Default Only Receptions	
Butt	No.	%	No.	%	No.	
2010-2011	1159	78.3%	321	21.7%	1,480	
2011-2012	866	80.1%	215	19.9%	1,081	
2012-2013	994	76.2%	310	23.8%	1,304	
2013-2014	842	74.7%	285	25.3%	1,127	
2014-2015	452	75.0%	151	25.0%	603	

^{*} The number of adult receptions into custody during the period. A prisoner may have been received into custody more than once during the period. Excludes receptions for "re-captures".

d) For the receptions for fine-default only sentences for 2014-15, what proportion were Aboriginal women?

Answer:

Table 19. Number and Percentage of Receptions* for Fine Default Only Sentences - Aboriginal

Date	Aborigi	inal Male	Aboriginal Female				Non- Aboriginal Female		All Fine Default Only Receptions
Date	No.	%	No.	%	No.	%	No.	%	No.
2010-2011	405	27.4%	183	12.4%	754	50.9%	138	9.3%	1,480
2011-2012	338	31.3%	136	12.6%	528	48.8%	79	7.3%	1,081
2012-2013	374	28.7%	189	14.5%	620	47.5%	121	9.3%	1,304
2013-2014	319	28.3%	197	17.5%	523	46.4%	88	7.8%	1,127
2014-2015	153	25.4%	94	15.6%	299	49.6%	57	9.5%	603

^{*} The number of adult receptions into custody during the period. A prisoner may have been received into custody more than once during the period. Excludes receptions for "re-captures". Totals may not equal precisely to the aggregate of figures from other cells due to rounding of decimal places.

e) The proportion of prison population as fine defaulters for calendar year 2013 and 2014 and financial year 2014/2015.

Answer:

Refer to response to part a).

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