



**The Hon Joe Francis MLA
Minister for Emergency Services; Fisheries;
Corrective Services; Veterans**

Our Ref: 51-12566

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

Via email: lcefoc@parliament.wa.gov.au

Dear Mr Warner

ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE

Thank you for your email of 8 November 2016 attaching a copy of the uncorrected Hansard transcript with highlighted questions that the Department of Corrective Services (the Department) has elected to take on notice.

Please find attached the response prepared by the Department.

Yours sincerely



**HON JOE FRANCIS
MINISTER FOR CORRECTIVE SERVICES**

ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE

2015/16 ANNUAL REPORT HEARINGS ANSWERS TO QUESTIONS TAKEN ON NOTICE

Department of Corrective Services

Hon Sally Talbot asked:

- E1) Do you have data relating this reporting period and the previous year for the out of cell hours of young people (Page 3).

Answer:

For the 2014-2015 reporting year, the average out of cell hours for young people in custody was 10.77 hours per day, compared to 10.90 hours per day in 2015-16. The average number of hours per day that young people in custody were not confined to their cells increased by 1.2 percent from 2014-15 to 2015-16.

- E2) In the previous year in which spit hoods had been used, and were used eight times, were they used on eight separate offenders? (Page 4).

Answer:

The Department of Corrective Services has reviewed data pertaining to the use of spit hoods and can confirm that in the 2015-16 reporting period, spit hoods were used eleven times on seven distinct young people. Four of these occasions relate to one distinct young person.

- E3) Do you have some data that will illustrate your point about the reduction in the routine use of handcuffs for this reporting year and the previous one (Page 4).

Answer:

There were a total of 4521 external escorts of young people in detention undertaken in 2014/15 and 4758 undertaken in 2015/16. These figures include both outgoing and incoming movements.

However it is not possible to provide an exact figure on the routine use of handcuffs for external escorts as there are some exceptions to their use. These exceptions are outlined in Standing Order 13 and listed below.

Standing Order 13: Escort of a Detainee and Placement at Police Lock-ups

10.3 All detainees are to be restrained when escorted outside of the YCS facility, unless:

- a medical condition dictates otherwise. In these cases, External movement risk assessment – Appendix 2 shall be completed and medical staff are to confirm that the detainee's medical condition precludes the use of restraints. This form shall be approved by the Superintendent or their delegate.
- If a detainee is seriously ill to the extent that it is apparent that security will not be breached, the escorting officer may seek the Superintendent's approval to remove the restraints.



- the removal of restraints is at the request of a medical officer while the patient is undergoing consultation, examination or treatment. This is subject to the directions of the Superintendent and any delegations to the senior escorting officer, who may do so after assessing that their removal will not jeopardise the security of the escort. If this occurs, the Superintendent shall be advised immediately
- the detainee is pregnant as per section 5 unless the Superintendent or their delegate has determined (in each case) that there is a significant risk of a compromise to public safety
- airline staff instruct their removal as per section 4.8
- the detainee is placed within a secured purpose-built escort vehicle
- the detainee is rated as minimum security and has been assessed as not requiring mechanical restraints (s10.2 refers).

E4) Has non-routine use of handcuffs declined as well (Page 5).

Answer:

Between 1 July 2014 and 30 June 2015, handcuffs were used to restrain young people for non-routine purposes in 359 separate incidents at Banksia Hill Detention Centre.

Between 1 July 2015 and 30 June 2016, handcuffs were used to restrain young people for non-routine purposes in 248 separate incidents at Banksia Hill Detention Centre. This is a 30.9 percent reduction from the previous reporting year.

E5) How many times the escort chain has been used in the current year and the year before (Page 5).

Answer:

Between 1 July 2014 and 30 June 2015, a Security Chain Link restraint was used on two separate occasions involving two distinct young people.

Between 1 July 2015 and 30 June 2016, a Security Chain Link was used on two separate occasions, relating to one distinct young person.

E6) Can you let the committee know how many times there has been an authorised and unauthorised use of chemical and medical restraint that involved young offenders for this reporting year and the one before (Page 7).

Answer:

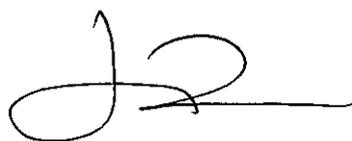
Neither chemical restraints (pepper spray) or medical restraints (injected sedatives) were used during the reporting period.

Hon Rick Mazza asked:

E7) Regarding the Staff drug and alcohol testing, has there been any positive results since June 2016 (Page 11).

Answer:

There have been two confirmed positive results for alcohol since the commencement of this program on 6 May 2016



- E8)** There are some inmates who have had access to drugs in the past. Has there been a reduction in that since you have put this drug testing in place for officers (Page 11).

Answer:

Drug testing of prison officers commenced in May 2016. It would be premature to draw a correlation between the drug testing of offenders with any reduction in prisoner access to drugs in prison.

Hon Helen Morton asked:

- E9)** I read in here that the team you are referring to, the injury management consultants, are made up of four – I am assuming it is four people. This is on page 134. Do any of those injury management consultants have a specific background in psychological health? (Page 13).

Answer:

No. Two have backgrounds in Occupational Therapy, one in Physiotherapy and one in Nursing.

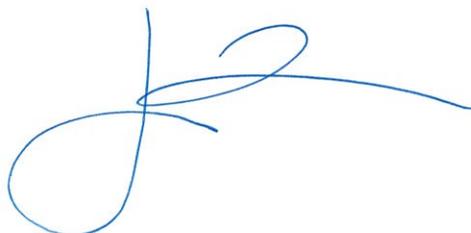
- E10)** There are lots of people out in the community walking around, doing everyday jobs et cetera, who are receiving involuntary ongoing injections or involuntary medication of some form, and I am just curious why that cannot happen in a prison. (Page 15).

Answer:

The Prisons Act 1981 provides that the Commissioner, Department of Corrective Services is responsible for the provision of medical care and treatment of prisoners in each prison.

The provision of involuntary treatment for mental illness is governed by the *Mental Health Act 2014* (MHA 2014), affording appropriate protections to patients. Only a psychiatrist can decide whether involuntary psychiatric treatment is required.

Prisoners who are considered at risk to themselves or others, owing to their mental state, are appropriately referred to the State Forensic Mental Health services for assessment by a psychiatrist in an authorised hospital for consideration to be admitted as an involuntary patient under the MHA 2014.



Hon Allana Clohesy asked:

E11) Can I get, by facility – by prison, basically – the top five regions or towns from where prisoners come from. For the 2015-16 financial year including community corrections. (Page 15).

Answer:

Top five Local Government Areas based on prisoners last known address, by prison facility as at 30 June 2016

ACACIA PRISON	502
STIRLING	153
WANNEROO	104
SWAN	101
GOSNELLS	74
COCKBURN	70
ALBANY REGIONAL PRISON	157
ALBANY	44
STIRLING	26
GOSNELLS	21
PERTH	21
BELMONT	15
WANNEROO	15
SWAN	15
BANDYUP WOMENS PRISON	149
STIRLING	33
WANNEROO	30
GOSNELLS	30
PERTH	28
SWAN	28
BORONIA PRE RELEASE CENTRE	45
WANNEROO	12
STIRLING	7
SWAN	7
BELMONT	7
ARMADALE	4
BAYSWATER	4
ROCKINGHAM	4
BUNBURY REGIONAL PRISON	143
BUNBURY	65
BUSSELTON	24
COLLIE	19
MANDURAH	18
HARVEY	17

CASUARINA PRISON	431
SWAN	84
STIRLING	80
WANNEROO	68
GOSNELLS	61
ARMADALE	46
PERTH	46
ROCKINGHAM	46
EASTERN GOLDFIELDS REGIONAL PRISON	68
KALGOORLIE/BOULDER	37
NGAANYATJARRAKU	16
LEONORA	5
LAVERTON	4
HALLS CREEK	3
ESPERANCE	3
GREENOUGH REGIONAL PRISON	193
GERALDTON	103
CARNARVON	39
WILUNA	21
GREENOUGH	19
ROEBOURNE	11
HAKEA PRISON	369
STIRLING	102
WANNEROO	81
GOSNELLS	68
ARMADALE	63
SWAN	55
KARNET PRISON FARM	113
ROCKINGHAM	32
GOSNELLS	23
STIRLING	21
WANNEROO	19
MANDURAH	18
PARDELUP PRISON FARM	33
ALBANY	11
WANNEROO	7
NEW SOUTH WALES	5
COCKBURN	5
MANDURAH	5
ROEBOURNE REGIONAL PRISON	151
ROEBOURNE	61
PORT HEDLAND	44
EAST PILBARA	30
ASHBURTON	10
CARNARVON	6

WANDOO REINTEGRATION FACILITY	39
COCKBURN	9
WANNEROO	9
STIRLING	8
GOSNELLS	7
SWAN	6
WEST KIMBERLEY REGIONAL PRISON	250
WYNDHAM-EAST KIMBERLEY	76
BROOME	68
DERBY-WEST KIMBERLEY	55
HALLS CREEK	46
PERTH	5
WOOROLOO PRISON FARM	154
STIRLING	49
SWAN	34
WANNEROO	31
CANNING	22
JOONDALUP	18
Total	2797

Top five Local Government Areas based on adult community offenders last known address by community corrections site as at 30 June 2016

ALBANY	135
ALBANY	94
PLANTAGENET	19
DENMARK	11
CRANBROOK	7
PERENJORI	4
BROOME	102
DERBY-WEST KIMBERLEY	52
BROOME	48
MANDURAH	1
KWINANA	1
BUNBURY	187
BUNBURY	90
HARVEY	35
COLLIE	23
CAPEL	21
DARDANUP	18

BUSSELTON	81
BUSSELTON	47
MANJIMUP	15
AUGUSTA-MARGARET RIVER	13
CAPEL	2
BRIDGETOWN-GREENBUSHES	2
BUNBURY	2
CARNARVON	71
CARNARVON	62
SHARK BAY	2
EXMOUTH	2
UPPER GASCOYNE	2
ROEBOURNE	1
GERALDTON	1
GREENOUGH	1
CENTRAL LAW COURTS	5
WANNEROO	2
MUNDARING	1
GOSNELLS	1
MANDURAH	1
CENTRAL WEST METRO	400
STIRLING	163
BELMONT	68
PERTH	64
SOUTH PERTH	53
BAYSWATER	52
COURT ASSESSMENT & TREATMENT SERVICE (CATS)	48
STIRLING	15
JOONDALUP	10
WANNEROO	8
GOSNELLS	8
SWAN	7
ESPERANCE	41
ESPERANCE	34
DUNDAS	2
JERRAMUNGUP	1
STIRLING	1
WANNEROO	1
ALBANY	1
GERALDTON	1

GERALDTON	182
GERALDTON	125
GREENOUGH	36
MULLEWA	10
NORTHAMPTON	6
IRWIN	5
HALLS CREEK	22
HALLS CREEK	21
WYNDHAM-EAST KIMBERLEY	1
KALGOORLIE	139
KALGOORLIE/BOULDER	71
NGAANYATJARRAKU	34
LAVERTON	18
COOLGARDIE	8
LEONORA	8
KARRATHA	71
ROEBOURNE	62
ASHBURTON	3
MANDURAH	1
EAST PILBARA	1
PORT HEDLAND	1
CARNARVON	1
KWINANA	1
GINGIN	1
KATANNING	33
KATANNING	25
WOODANILLING	2
TAMBELLUP	2
GNOWANGERUP	2
KOJONUP	2
KUNUNURRA	39
WYNDHAM-EAST KIMBERLEY	35
HALLS CREEK	4
MANDURAH	221
MANDURAH	163
MURRAY	39
ROCKINGHAM	10
WAROONA	5
GOSNELLS	2
KWINANA	2

MEEKATHARRA	42
MEEKATHARRA	16
WILUNA	10
MOUNT MAGNET	7
GERALDTON	3
GREENOUGH	1
STIRLING	1
YALGOO	1
IRWIN	1
CUE	1
LEONORA	1
NARROGIN	59
NARROGIN	37
WAGIN	8
PINGELLY	7
CORRIGIN	4
BROOKTON	3
NEWMAN	41
EAST PILBARA	23
ASHBURTON	14
VICTORIA PARK	1
ROEBOURNE	1
PORT HEDLAND	1
MOUNT MAGNET	1
NORTH EAST METRO	379
SWAN	260
MUNDARING	42
KALAMUNDA	33
STIRLING	23
BASSENDAN	21
NORTH WEST METRO	524
WANNEROO	253
STIRLING	120
JOONDALUP	119
SWAN	19
MOORA	13
NORTHAM	89
NORTHAM	60
MERREDIN	11
YORK	8
TOODYAY	5
GOOMALLING	5

ROCKINGHAM	372
ROCKINGHAM	234
KWINANA	128
MANDURAH	4
SERPENTINE-JARRAHDAL	3
COCKBURN	3
ROEBOURNE	39
ROEBOURNE	36
ASHBURTON	2
QUEENSLAND	1
SOUTH EAST METRO	517
GOSNELLS	205
ARMADALE	166
CANNING	67
KALAMUNDA	51
SERPENTINE-JARRAHDAL	28
SOUTH HEDLAND	61
PORT HEDLAND	51
WYNDHAM-EAST KIMBERLEY	3
EAST PILBARA	3
ROEBOURNE	2
ASHBURTON	2
SOUTH WEST COASTAL	328
COCKBURN	170
FREMANTLE	73
MELVILLE	62
CANNING	14
MOSMAN PARK	9
Grand Total	4244

E12) I am after raw figures, so the number of people who have entered the prison system in each of the financial years 2014-15 and to 2015-16 and the length of sentence that they are going to serve. So, to serve a sentence of less than 12 months; of between 12 months and 24 months; and of between 24 months and 36 months, and for those people, by their sentence period, the number of people who require an addictive substance rehabilitation program, and how many received that program, and in what financial year (Page 16).

Answer:

Number of sentences commenced by financial year of commencement

SENTENCE LENGTH	2014-2015	2015-2016
LESS THAN 12 MONTHS	2863	2969
12 TO 24 MONTHS	716	755
24 TO 36 MONTHS	170	176
36 MONTHS OR MORE	276	254

Due to limitations in the Department of Corrective Services' business information systems, it is not possible to provide details of prisoners requiring and receiving substance abuse treatment by their length of sentence.

E13) For 2014-15 how many people entered the system and exited the system (Page 16).

Answer:

The Department of Corrective Services advises that, for 2014-15 there were:

- 8,355 receptions (excludes recapture); and
- 8,036 exits (excludes deaths and escapes).

E14) Are you able to provide figures by category of crime? For example, I am interested in the numbers that have been sentenced for assault as a result of family and domestic violence (Page 16).

Answer:

Number of Prisoner Receptions by most Serious Sentenced Offence 2014-15 to 2015-16*

ANCO DIVISION CODE	ANCO DIVISION DESCRIPTION	2014-2015	2015-2016
1	OFFENCES AGAINST THE PERSON	997	1119
2	ROBBERY AND EXTORTION	236	154
3	BREAK & ENTER & OTHER OFFENCES INVOLVING THEFT	816	853
4	PROPERTY DAMAGE AND ENVIRONMENTAL OFFENCES	63	132
5	OFFENCES AGAINST GOOD ORDER	705	823
6	DRUG OFFENCES	426	455
7	DRIVING, MOTOR VEHICLE, TRAFFIC & RELATED OFFENCES	602	528
8	OTHER OFFENCES	23	19
9	CHILD WELFARE MATTERS/OFFENCE UNKNOWN	45	211
NULL	NULL	10	18
GRAND TOTAL		3923	4312

* Excludes receptions of prisoners who were never sentenced and/or not yet sentenced.