

CORRECTIVE SERVICES — WORKPLACE CULTURE

Standing Orders Suspension — Motion

MS L. METTAM (Vasse — Leader of the Liberal Party) [2.51 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be debated forthwith —

That this house calls upon the Premier to acknowledge the disgraceful culture within the corrective services system in Western Australia. Despite the minister's oversight, months have passed with allegations and chaos persisting within numerous facilities across the state.

Standing Orders Suspension — Amendment to Motion

On motion by **Dr A.D. Buti (Minister for Education)**, resolved —

To insert after “forthwith” —

, subject to the debate being limited to 10 minutes for government members and 10 minutes for non-government members

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

MS L. METTAM (Vasse — Leader of the Liberal Party) [2.53 pm]: I move the motion. The opposition had a number of options this morning for the suspension motion that we could have called on the government. There is the Minister for Health overseeing significant issues at ward 5A and the government's failure to address those matters, some two years on; the minister is not here. There is also the sports rorts issue, but the Minister for Sport and Recreation is not here either. Of course, there are also the matters relating to the Corruption and Crime Commission report that was tabled today, and we do not have the Attorney General here.

These issues are very concerning. They go to the heart of the honesty and integrity —

Several members interjected.

The SPEAKER: Order, please, members!

Ms L. METTAM: The issues that have been exposed today are not isolated incidents. It goes to the heart of the honesty and integrity of the government when it comes to such an important portfolio. It reflects what has been described as pervasive toxicity that plagues the department of corrective services in Western Australia. The fact that a staff member had to resort to seeking help from the media after experiencing continuing sexual harassment in the workplace is an indication of the failure of the government and the minister to provide a safe and respectful work environment for the department's employees.

The initial response to this incident is also deeply concerning. The fact that a “hurt feelings report” was given to the staff member, instead of immediate and appropriate action being taken to address the harassment, speaks volumes about the lack of empathy and support provided by this government. The fact that workplace bullying is so prevalent under a Labor government is alarming in itself. This is a party that purports to be a champion of the workers. That is illustrative of some unacceptable behaviour within the department. It also points to the government's absolute failure in this area.

How would anyone in this chamber feel about having a document handed to them —

Several members interjected.

The DEPUTY SPEAKER: Members, there is a fairly high level of background noise out there. If you could keep the conversations down, it would be appreciated.

Ms L. METTAM: In the face of serious concerns, the employee was handed a document relating to so-called “whiner's” details. The employee was also asked, according to my notes, the “name of the person who hurt your pansy ass feelings” and to “tell us in your own sissy words how your feelings were hurt, as if anyone cared”.

It gets better, though, members. Another part of the document advised that the department took complaints seriously, so it was going to organise a hug. It states, according to my notes —

In the event, a hugger cannot be found, an EMS Team will be dispatched to soak your socks in coal oil to prevent ants from crawling up your leg and eating their way up your candy ass. If you are in need of

supplemental support, upon written request, we will make every reasonable effort to provide you with a 'blankie' ...

It goes on. It is not surprising that this report has sparked outrage and calls for accountability.

Unfortunately, it is not an isolated incident. Regulatory bodies such as WorkSafe have issued improvement notices, with limited change and no compliance or adherence to the positive duty obligations. The Office of the Inspector of Custodial Services has recognised and documented what has been described as a decline in morale and staff-on-staff abuse. We have seen repeated breaches of the Public Sector Management Act, all of which has resulted in a severe issue with understaffing at the department, causing a ripple effect and a number of significant issues in corrective services across a number of different sites. There is poor staff satisfaction, associated safety breaches, and risks to prisoners and employees. There is also a significant cost to the taxpayer.

This is not just an issue of honesty and integrity. It is also an issue of basic human rights and dignity. The department of corrective services, under this government's leadership, must take immediate and concrete steps to address a toxic culture that has been allowed to fester for too long. We again heard the minister today dismissing these very real and distressing concerns that have been raised. I will leave my contribution there and let the Leader of the Opposition make a contribution.

MR R.S. LOVE (Moore — Leader of the Opposition) [2.59 pm]: We have had seven years of denial from this government. We have had seven years of pretending to see no issue and Premiers who refused to take responsibility for the problems. We have waited seven years to see some sort of arrest in the culture of the department of corrective services.

Today, the minister again denied that he had a problem to address. Yesterday, we saw the same response from the minister when asked questions by me and the member for Central Wheatbelt about incidents in the prison system. In private members' business yesterday, the Minister for Corrective Services again claimed that anybody who had made allegations about ghost noises made by an officer in Cleveland Dodd's unit 18 cell or some of the other allegations could not be believed because they were people who had been put into unit 18 and had done some pretty bad stuff, and their character, words, activities and issues bring the claims into question. Maybe they do, but it does not mean that there is not a continual pattern here, as demonstrated today by the shocking language revealed by the member for Vasse's contribution. I referred to it earlier today in a question to the minister, and he denied that there was an issue.

It has taken seven years for the government to take any action. We heard from the minister that the leadership at the department of corrective services has changed, but what happened in the seven years when they refused to take any notice of the chaos that was going on? The words from the minister yesterday afternoon were reminiscent of the views of the former Premier who said, "All the problems are caused by the inmates." The system is supposed to be there to regulate, moderate, incarcerate and turn those people away from crime. It is not there to make it worse. We will not make a young criminal going into the system turn away from crime if the people in charge are writing those things to the people who are making complaints to them about the behaviour they are experiencing in the organisation. What sort of an organisation would have a system in which a person making a complaint about an officer has to make the complaint to that officer? Apparently, that was the situation. This is the sort of mismanagement that we have seen for years.

The former Minister for Corrective Services, the member for Cannington, denied that there was anything wrong with the system. He completely denied it, despite the fact that prisons and youth correction centres were burning down around him. There is a denial of a problem within the department.

The member for Central Wheatbelt spoke about a fire in Hakea Prison and its unfortunate, terrible ramifications. The minister said, "These things happen all the time." Sexual harassment happens all the time, so perhaps we should not do anything about it and just accept it, too! That is the culture that the government is accepting. The values the government seems to espouse here are blaming victims instead of taking action to ensure that the department turns itself around and becomes a place where workers feel safe and supported when they go to work.

What is the government doing to ensure that the workforce is safe and supported and that attitudes change?

MR P. PAPALIA (Warnbro — Minister for Corrective Services) [3.03 pm]: I will address this motion on behalf of the government. I advised the Premier not to bother with this motion because it is ridiculous.

Mr R.S. Love interjected.

The DEPUTY SPEAKER: Members!

Mr P. PAPALIA: I wonder, Leader of the Opposition, how many prisons have you been into?

Mr R.S. Love: Me? I have been to a couple of prisons.

Mr P. PAPALIA: I have been to every prison and every corrective services facility in the state many times.

I make these observations about the issue in Bunbury, the story on which the entire motion is based. Firstly, it is years old. Secondly, neither individual involved made a complaint at that time. Thirdly, as I indicated during question time, neither individual involved is an employee of the department any longer. It is a story about people who did not make a complaint at the time and are no longer employed by the department, and a claim that nothing has been done about the culture. Somehow, I am refusing to acknowledge that there is a cultural issue within corrective services. By the way, it is the Department of Justice, not the department of corrective services; it is the corrective services part of the Department of Justice.

As I said in question time, when we appointed Brad Royce—an exceptional former police officer and known change agent—as Commissioner of Corrective Services, I acknowledged that there were cultural challenges within the agency that I looked forward to him addressing. I have to say that I hope members opposite have met with Commissioner Royce. They are willing to throw around criticisms of the agency he heads and criticisms of that agency’s procedures to deal with matters of this nature. I hope that they have sought him out for advice since he has been appointed because he is an exceptional commissioner, and he knows what is going on inside his agency. He also knows that he confronts a significant challenge.

If they want to garner some insight into how significant the challenge is, I urge members of the opposition to google “Minister Joe Francis” and “corrective services culture” and see what their former colleague had to say about the culture within corrective services when he was the minister. A serious challenge is confronted. It is a long-term and serious matter that needs to be addressed. That is why we have appointed such an excellent leader as Commissioner Royce to get the task done.

I can guarantee that Commissioner Royce takes allegations of this nature seriously. A robust system is in place to ensure that complaints of this nature are taken seriously, although the matter to which members refer was never formally reported. Neither party ever complained. The prison officer accused of sending the appalling document referred to had no managerial role. They were not the complainant’s supervisor and, as I said earlier, no longer work for the department. Formal complaints of this nature are received and assessed by the people, culture and standards division, and they are taken seriously. If a complaint were made, it would have been taken seriously. It will be taken seriously now. If a complaint were made by somebody at this time, it would be investigated. That is the situation for the matter on which the opposition has based its entire motion.

The Leader of the Opposition has made some general, unsubstantiated and baseless claims about unit 18. He has also expanded his criticism and suggested that the juvenile detention system is in chaos. In response to the Leader of the Opposition’s baseless claims, I want to bring to the house’s attention information about what is happening in Banksia Hill Detention Centre and unit 18. It is true that juvenile detention is a tough place, a tough gig and a hard task. I can tell members in the chamber that in recent times an incredible improvement in conditions has been achieved inside Banksia Hill Detention Centre and unit 18. I have regularly reported that, for months now, Banksia Hill Detention Centre has been experiencing average out-of-cell hours well above eight hours. In the last week of February, the average out-of-cell hours at Banksia Hill Detention Centre was between eight and 10 hours. At unit 18, the average out-of-cell hours was five hours and 20 minutes. It is a complex task. Obviously, within those numbers, some get fewer hours out of their cell, but the vast majority at Banksia Hill get more, now that the more robust management regime has been applied under which the most challenging, most difficult and often most dangerous individuals are housed at unit 18. They are now managed in a three-cohort system at unit 18, in which the most challenging are in one wing of the building and have their own team. If there is an incident, it does not necessarily impact the others, so we do not get mass, blanket lockdowns as frequently as they used to happen. A mid-range cohort is housed in another wing. Under a process of reward for effort and encouragement, they can progress to a third wing that has far less supervision and much more self-supervision. Ultimately, that is a stepping stone back to Banksia Hill if they remain in detention or to outside.

Detainees on both those sites are receiving education and intervention in the form of counselling and professional services. There is in-reach program from Mental Health Commission specialists. The detainees at Banksia Hill are going to school. They are getting an education. They are playing sport. They are getting other interventions. An elders visitor scheme is now in place to give direct support to both juveniles and staff. There are programs in unit 18 to enhance the capability of staff to deal with juveniles who are suffering from fetal alcohol spectrum disorder. NOFASD Australia, an excellent organisation, has run a series of training regimes. That is continuing. That group provides the skill set to the youth custodial officers and other staff in that facility to address the management of that challenging cohort, who often have comorbidities but who certainly, in many cases, suffer from FASD. There is a range of other interventions. External providers are going in there. Aboriginal organisations are providing mentoring and visits. We have an Aboriginal services unit in unit 18 and Banksia Hill led by Will Hayward, who is a great guy; he is an excellent man. Will and his team provide mentoring and support to the detainees. We are looking for more opportunities all the time. I can tell the member for Vasse that there have been some very promising offers from private enterprise to get involved and assist in building the skill sets of juveniles in detention and offering

them work on the outside as they transition out. The Minister for Education has stepped up and is looking to assist us with the transition from the very good support they get at the education centre at Banksia Hill to when they go outside that facility.

It is not the chaos and destruction that the member has claimed and continues to suggest. It is wrong for her to do that. What is most galling about it all is some of her criticism of the good people who are committed to doing this hard work. They have to go on and do that work whilst she is out there in the world being very critical of their characters and motivations. That is shocking.

Division

Question put and a division taken, the Deputy Speaker casting his vote with the noes, with the following result —

Ayes (6)

Ms M. Beard
Dr D.J. Honey

Mr R.S. Love
Ms L. Mettam

Mr P.J. Rundle
Ms M.J. Davies (*Teller*)

Noes (36)

Mr G. Baker
Ms L.L. Baker
Ms H.M. Beazley
Dr A.D. Buti
Mr J.N. Carey
Ms C.M. Collins
Mr R.H. Cook
Ms D.G. D'Anna
Mr M.J. Folkard

Ms E.L. Hamilton
Ms M.J. Hammat
Mr M. Hughes
Mr W.J. Johnston
Mr H.T. Jones
Mr D.J. Kelly
Dr J. Krishnan
Mr P. Lilburne
Mrs M.R. Marshall

Ms S.F. McGurk
Mr D.R. Michael
Mr S.A. Millman
Mr Y. Mubarakai
Ms L.A. Munday
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch

Ms M.M. Quirk
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Ms C.M. Tonkin
Mr R.R. Whitby
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Question thus negatived.