

**Division 29: Justice — Services 8 and 9, Corrective Services, \$1 055 944 000 —**

Ms L.L. Baker, Chair.

Mr F.M. Logan, Minister for Corrective Services.

Dr A. Tomison, Director General.

Mr T. Hassall, Commissioner of Corrective Services.

Mr A. Kerr, Executive Director, Corporate Services.

Mr S. Maines, Executive Director, Professional Standards.

Mr T. Palmer, Chief of Staff, Minister for Corrective Services.

Ms R. Marton, Senior Policy Adviser.

[Witnesses introduced.]

**The CHAIR:** This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 30 October 2020. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

Member for Churchlands.

[7.20 pm]

**Mr S.K. L'ESTRANGE:** I refer to page 436 of budget paper No 2, volume 2, specifically the seventeenth point under "Significant Issues Impacting the Agency", which refers to the Kimberley Juvenile Justice Strategy. I notice in the spending changes table on page 434 that funding for the Kimberley Juvenile Justice Strategy drops from \$2.124 million in 2020–21 to \$357 000 in 2023–24. Can the minister explain the significant drop in funding for what I would think is a pretty important program?

**Mr F.M. LOGAN:** I thank the member for Churchlands. The Kimberley Juvenile Justice Strategy is being led by the Department of Justice on behalf of the government, and Dr Tomison is its key note leader. At the moment, \$6.52 million has been allocated for the KJJS. Some of that money has been expended and other money will be expended in the forthcoming financial year. We will then go back to the Expenditure Review Committee to seek further funding following the work that is being done by the Department of Justice with local groups in the Kimberley on the co-design models for achieving things such as reducing juvenile criminality in the Kimberley and assisting with family issues, as well as dealing with adults and females. I will pass to Dr Tomison, who will give the member a bit more of an idea about the KJJS.

**Dr A. Tomison:** The minister is correct; the intent of the last couple of years with the Kimberley Juvenile Justice Strategy has been to implement some relatively short-term initiatives to try to reduce risk, if you like, or youth crime and antisocial behaviour in some key towns in the Kimberley while at the same time running a large consultation process with the Kimberley Aboriginal Law and Culture Centre, which is part of the Kimberley Land Council up north, to try to get an idea of what the community thinks we should be doing; that is, the Aboriginal community as well as the non-Indigenous community. We will then go back to the ERC to propose longer term strategies based on co-design having worked with Aboriginal people to create better strategies that they support and can be involved in partnership with the government to deliver. That is essentially why the moneys peter out or drop down in the out years.

**Mr S.K. L'ESTRANGE:** If the program is important enough to warrant a \$2.124 million spend this financial year and next financial year, will the government pull away from the initiative once it is in place with the expectation that it will keep going forward without funding or is there another reason for the drop from \$2 124 million in 2021–22 to \$352 000 in 2022–23?

**Mr F.M. LOGAN:** No. I will pass to Dr Tomison, but the objective of this exercise is to deal with a number of issues that are in various towns at the moment—Kununurra, Fitzroy Crossing, Port Hedland, Broome or Derby—with programs and opportunities to engage with young people and families to address some of the problems before those towns. The objective is also to have long-term strategies in place that can be driven by local Indigenous groups. Through the KJJS, the department is now working on the design of those long-term strategies. They will require funding, but obviously we do not know what that funding is at the moment, member for Churchlands, because the design has not been completed.

**Dr A. Tomison:** In our first year of operation with the KJJS, we funded things such as the Broome Youth and Families Hub, the Mens Outreach Service Aboriginal Corporation in Broome and the Shire of Derby–West Kimberley to provide some structured activities for young people in the Derby community. We funded the Kununurra Waringarri Aboriginal Corporation to take young people on camps around Kununurra. In Halls Creek, the Wunan Foundation was funded through criminal property confiscation grants to provide a range of structured activities. We are building on that with the next \$6.2 million so now we are talking about further place-based activities of \$1.2 million over two years for activities in Broome, Derby, Fitzroy Crossing, Halls Creek, Kununurra and Wyndham and night patrols to establish programs in Derby, Halls Creek and Wyndham. The agreements for the programs in Derby and Halls Creek are being signed off by the shires at the moment and that money is ready, too. There is a youth engagement program whereby the Aboriginal Legal Service WA will help young people on bail to make sure that they turn up to their court hearings and engage with services and do not breach their bail conditions. That service already runs in Perth and it will be running in Broome. Finally, there is an integrated learning program, an alternative education pathway into TAFE-type employment for Aboriginal kids in Broome and Kununurra through North Metropolitan TAFE. That is what the \$6.2 million is for but in the meantime, as the minister said, we still have to go back with a plan for a larger investment, which is that larger partnership co-design model. Communities across the Kimberley have suggested things ranging from a residential facility at which kids can go for time out—not a detention centre—when they are sentenced on a community-based order to get treatment and to get back into education and training all the way through to things such as a justice reinvestment model, which Halls Creek has been doing, that is more like the communities working together to create more targeted interventions in the town so that kids are safe and not acting up at night, for example. It is a real melange because wherever we go in the Kimberley, there are different views about what we should be doing and, unfortunately, teasing that out takes significant time. KALACC did great consultation but now we have the next iteration and the shire presidents are all actively involved. We are working with them and with other government services and the community to try to create these longer term plans. I want to go to the next budget, obviously government permitting, and make that request for further funding but we are not ready yet because we are still doing the work.

**Mr S.K. L'ESTRANGE:** Will the outcomes of the strategy to date be published? Will there be a review of the strategy; and, if yes, when does the minister expect that review to take place?

**Mr F.M. LOGAN:** It is probably a bit early to do a review given that we do not have the longer term strategies in place.

**Mr S.K. L'ESTRANGE:** What I was saying —

**Mr F.M. LOGAN:** That is about what we have done so far.

**Mr S.K. L'ESTRANGE:** Yes.

**Mr F.M. LOGAN:** When we have announced them all, I think it would be very good if the department reviewed them. As an organisation, the department is leading a cross-government approach to it. Those involved include the Western Australia Police Force, the Department of Education, the Department of Communities, including housing and child protection. The Department of Justice is leading that for the government. It is a question of getting the information about the outcomes. For example, the feedback so far from the police about the PCYC in Kununurra is that it is working well. It is getting young people into those facilities and they are not wandering the streets at night. We have to put a lot more effort into reviewing that, remembering that it applies across the Kimberley. It is not an easy task to get that information.

[7.30 pm]

**Mr S.K. L'ESTRANGE:** I understand that the department is rolling out a suite of programs; I get that. Does the minister envisage when he will want to review that so that he can then make a decision on when to make this program a more permanent fixture—for example, a five-year program? I sense from the minister's answer that at the moment the department is trying to pull it together with different stakeholders and community groups to create something that will have an effect. It is the measuring of that effect and the cementing of that program into the future that I am looking for. Does the minister have a date for a review that he is aiming for?

**Mr F.M. LOGAN:** Dr Tomison is leading this, so I will pass it to him.

**Dr A. Tomison:** The short-term stuff that we already have in place consists of relatively simple measures because we do not want to overtax the agencies. We are trying to measure success—for example, how many kids are turning up for a particular program and whether it is worth refunding. So far, the success of those short-term projects has been pretty good. In the longer term, the sort of co-design that we are talking about will take quite a while to implement. Although we want to have a continuous improvement model and see some benefits, I do not expect it will be a fix that creates a significant drop in youth offending in the first or second years. It will depend on the nature of the program. If, for example, it became a justice reinvestment-type program such as Halls Creek has, which is having really good success and has shown quite significant drops in criminal behaviour among young people, and we continued that through government funding, we could review that type of program quite regularly. We could review that quite a lot—every six months to a year. If it were something like creating a whole new residential complex for healing, youth development, leadership and training, that would be a bigger thing and we would be looking at reviewing it at least two years after implementation. That would be a reasonable time frame to look at it. We would want to get it working and do quality assessment as we were going. That is the best that I can probably say.

**Mr D.T. REDMAN:** I refer to “Adult Corrective Services” on page 445. One of the line items in the table is full-time equivalent staff across, I am assuming, the custodial estate as well as community corrections. In the footnote there is a reference to the difference between the 2019–20 budget and the 2019–20 actual. From the 2019–20 actual to the 2020–21 budget target there is also a jump of some 140. Can the minister give me a response about the drivers of that?

**Mr F.M. LOGAN:** If the member looks at the top of the page, he will see that this is about adult corrective services. These are the staff who work with offenders who have left the system, for example, and are in the general public on either work orders or orders of the court. They might have electronic bracelets. They might be monitored for a whole series of different reasons. It could be for bail, given the new legislation that we have passed, or family and domestic violence reasons. A whole series of work is being done by adult corrective services. Six months ago, immediately after the passing of the Family Violence Legislation Reform Bill 2019 by this chamber and the upper house, we announced that we would be putting on 45 extra people in adult corrections to undertake monitoring and review.

**Mr D.T. REDMAN:** Is it in the custodial side?

**Mr F.M. LOGAN:** It is the community side. These are community workers.

**Mr D.T. REDMAN:** Is the minister saying that all the FTE here are just in community corrections?

**Mr F.M. LOGAN:** No. I apologise. That is the total number of employees of the Department of Justice. I am sorry.

**Mr D.T. REDMAN:** I would not have thought that it was the Department of Justice. This is just the custodial side, is it not? Is it the custodial staff and the community corrections staff?

**Mr F.M. LOGAN:** It is the corrections department of the Department of Justice. I am looking at the top, where we are talking about adult corrective services. For example, in adult corrections we have taken on 50 more people for the purposes of providing support —

**Mr D.T. REDMAN:** Can I get some clarity about what this piece is referring to?

**The CHAIR:** Are you asking what the FTE count is? Who are they?

**Mr D.T. REDMAN:** Yes. Service 8—what is the scope of adult corrective services?

**Mr F.M. LOGAN:** It includes prison officers; staff related to corrections; adult corrections, which is why it is at the top of this page; and youth justice officers.

**Mr D.T. REDMAN:** No, it is not youth. Is there not a separate section on youth justice services on the next page?

**Mr F.M. LOGAN:** Yes. I apologise. This is just adult corrections and prison officers.

**Mr D.T. REDMAN:** Therefore, from the 2019–20 actual to the 2020–21 budget figures there has been a lift of some 140 FTE. What is driving that?

**Mr F.M. LOGAN:** I will go back to where I was a minute ago. People are being taken on in adult corrections for the purposes of beefing up —

**Mr D.T. REDMAN:** Does “adult corrections” mean that they are prison officers?

**Mr F.M. LOGAN:** No.

**Mr D.T. REDMAN:** Is it community corrections?

**Mr F.M. LOGAN:** Yes, it is adult community corrections. People are being taken on because of the extra workload that it has generally and also because of the legislation that was passed by this house. Then there is the ongoing regular increase in the number of prison officers who are being taken on.

**Mr D.T. REDMAN:** I am talking about just the adult space. I am not talking about the next service, which is the youth justice services. Can the minister provide a breakdown of the custodial staff as distinct from community corrections staff that make up that FTE total of some 4 760?

**Dr A. Tomison:** Obviously, the minister is correct. It covers the gamut of adult corrections —

**Mr D.T. REDMAN:** He took a while to get to the correct point, I might add!

**Mr F.M. LOGAN:** I am just reading from the top of the page—adult corrections.

**Dr A. Tomison:** One of the big changes has been the expansion of our infrastructure in the prison network. As the member would be aware, we have built a number of units. We have 160 new beds at the expanded Bunbury Regional Prison and Casuarina Prison has been expanded. We have four units of 512 beds, all of which have to be staffed. Melaleuca Women's Prison was returned to the public custodial estate. It was run by Sodexo until this year and is now run by the department. As the minister said, there are also additional staff to implement justice reform initiatives that came about through some legislative changes that he has mentioned. It was only a few weeks ago that the minister opened the new alcohol and drug unit at Casuarina Prison—the male unit. We will have to staff that as well as provide the male rehabilitation unit.

**Mr D.T. REDMAN:** The second note refers to the jump between the 2019–20 budget and the 2019–20 actual figures. Many of the things that have been talked about are listed there. That is fine; it looks like those numbers have been bedded down. Is the figure for 2020–21 just extra staff supporting those same initiatives?

**Mr F.M. LOGAN:** No. We will still need to take on more people for the purpose of the AOD facility in Casuarina that Dr Tomlinson just referred to.

**Mr D.T. REDMAN:** What is AOD? Help me.

**Mr F.M. LOGAN:** It is an alcohol and other drugs facility, member.

**Mr D.T. REDMAN:** That is referenced down the bottom, is it not?

**Mr F.M. LOGAN:** No, I am just telling the member. Melaleuca came back in-house and people have been taken on for that. All the various changes in adult community corrections required extra staff, and, of course, we have the AOD facility at Casuarina, which is only partially full at the moment. There are 128 beds in there. Because we are filling it up in a staged approach, there are only about 35 people there. As that number increases, the FTE numbers will increase. Also, there is the need for further prison officers in the system. As the member well knows, a freeze was in place in 2017 and we are still making up for that.

**Mr D.T. REDMAN:** I will come back to my question. Let us look at the 2020–21 budget target. There is an FTE of 4 760 across the adult custodial estate and community corrections. Can the minister give me a breakdown of how much of that is in the custodial estate—prison officers and the like—versus community corrections?

**Mr F.M. LOGAN:** I will take that question on notice. I can tell the member where he can get the figures; they are not in this budget paper, obviously. Those figures are actually in the annual report, which is obviously lodged in this chamber, but we will take that as a question on notice.

[7.40 pm]

**Mr D.T. REDMAN:** Before we do that, there are a few components to this question that I would like to package up, if it is possible. An appropriation is also attached to that, so I guess a certain number of staff are attached to the appropriation for the custodial estate, and the cost of services will be broken up between the two. I am interested in the breakdown of the budget between the custodial estate and community corrections, and the breakdown of FTE between the custodial estate and community corrections—if possible, over the last three years.

**The CHAIR:** Can we just break down for *Hansard* exactly what supplementary information is required?

**Mr F.M. LOGAN:** It is not supplementary information.

**Mr D.T. REDMAN:** Can I have a go at describing it, Chair?

**The CHAIR:** Just hang on one second, before the member launches into a lengthy description, and we will see what the minister wants to do with it.

**Mr F.M. LOGAN:** The member is asking about costings now.

**Mr D.T. REDMAN:** Yes, because I think they are related, minister. That is why I am looking for the two. I think what I am asking will probably have to be on notice.

**Mr F.M. LOGAN:** No, I will go to this for the member. The total of all costs, including labour, for example —

**Mr D.T. REDMAN:** This is for the custodial estate?

**Mr F.M. LOGAN:** This is for the custodial estate. Between 2018–19 and 2020–21—the span the member referred to—the total actual cost of keeping people in custody, including labour, for 2018–19 was \$746 552 936, and for 2019–20 was \$822 151 982. The budget target for 2020–21 is \$814 653 960.

The total actual cost of keeping people in the community, including the labour costs of running community supervision, which is what the member was talking about, for 2018–19 was \$63 978 376, and for 2019–20 was \$75 911 628. The budget target for 2020–21 is \$78 855 448.

**Mr D.T. REDMAN:** Thank you, minister. I know the muster moves, but I would like to try to reference appropriations to the muster. Is there a point in time—it might be the end of the financial year, because these would be financial year figures—for which the minister can give me the muster numbers at the end of each of those financial years, for both the custodial estate and community corrections?

**Mr F.M. LOGAN:** Not here; the member can put that as a question on notice and I can give him those figures. Actually, I can give the member the average daily prison population for each of those figures. For the custodial estate, the average daily prison population numbers for the 2018–19 actual were 6 908, and for 2019–20 were 6 957. The budget target for 2020–21 is 7 164. The figures relating to offenders in the community for 2018–19 were 5 901, and for 2019–20 were 5 884. The budget target for 2020–21 is 5 950.

**Mr D.T. REDMAN:** Thank you, minister.

**Mr S.K. L'ESTRANGE:** I refer the minister to page 446 of budget paper No 2, volume 2, and the service “Youth Justice Services”. I note that the 2019–20 budget target for net cost of service is \$97.317 million, yet the 2019–20 actual for net cost of service is \$68.006 million. That is a drop of \$29.311 million. At the same time, the number of FTE equivalents increase by 41, from 590 to 631. What services, to the tune of \$29.311 million, were not delivered in youth justice?

**Mr F.M. LOGAN:** The decrease in costs from the 2019–20 actual to the 2020–21 budget target is due primarily to the decrease in depreciation in finance and interest costs due to the exclusion in 2019–20 of government office accommodation leases from Australian Accounting Standards Board standard 16 leases. That was partially offset by increased demand for youth justice services. That is the additional 55 FTEs, or the nine per cent increase that we talked about.

**Mr S.K. L'ESTRANGE:** Just to clarify, is the minister saying that the \$29.311 million fall from what the government budgeted to what actually occurred was due to a financing adjustment?

**Mr F.M. LOGAN:** That, and there was a drop in numbers because of COVID in the second half of this year. I might call on Mr Kerr —

**Mr S.K. L'ESTRANGE:** Just before the minister does that, he just referred to the second half of this year. We are talking about financial year 2019–20. COVID came in in March, so it could have had an effect only from March to the end of June. A \$29 million drop from what the minister budgeted the year before to the end of the financial year is a significant drop.

**Mr F.M. LOGAN:** The member is going between the 2019–20 budget and the 2019–20 actual, which goes to July this year, and COVID was from March until beyond July.

**Mr S.K. L'ESTRANGE:** That is right, three months.

**Mr F.M. LOGAN:** That is a component of it, but I will pass over to Mr Kerr.

**Mr A. Kerr:** There was a slight decrease, as the minister has alluded to, in the total cost of services, but the line that is really affecting that net cost of services is the allocation of income, which has gone from \$851 000 in the 2019–20 budget to \$27.7 million in the 2019–20 actual. That was due to a one-off asset revaluation and the share of that. The department had its land and buildings valued upwards by \$105 million. The way the table works is that income needs to be allocated across all our services, and the share of that \$105 million related to youth justice is displayed in the income line. Because we do not know what the valuations are going to be next year, we go back to what income we expect to be generated, mainly at Banksia Hill in this case.

**Mr S.K. L'ESTRANGE:** Can the minister assure the chamber that that \$29.311 million did not actually result in cancellation of programs that were deemed necessary for youth justice services?

[7.50 pm]

**Mr F.M. LOGAN:** No. No programs have been cancelled at all as a result of that. Mr Kerr explained it to the member very well indeed. The bulk of it—\$27 744 000—is set out in the column of the actual. That had no impact on the day-to-day operation of youth justice services. If anything, we had to take on more things, particularly with COVID. We had to move quite quickly because of COVID. To the point the member just made about the delivery of programs, when COVID hit Australia, a number of service providers that are contracted to Banksia Hill Detention Centre refused to come in and deliver their services because they were concerned about their own employees, which was fair enough.

We then had to make up some short-term programs to ensure that we kept the young people engaged and going through their rehabilitation program. The member may have seen one of the programs on TV when Des Headland delivered a high-level football academy program. That was one program we had to quickly get together for Banksia Hill. There was a withdrawal of services, some of which is reflected in the decrease in expenditure.

**Mr M.J. FOLKARD:** On page 438 of budget paper No 2, volume 2, I refer to the outcomes and key effectiveness indicators and the outcome to provide safe, secure and decent corrective services. Can the minister provide an update on what improvements have been made to increase security across the prison estate?

**Mr F.M. LOGAN:** I thank the member for Burns Beach. I know he is interested in this, as one of the only members of this house who has been into a significant number of prisons across Western Australia in the course of his daily work as a policeman.

A number of changes were made over the last financial year and still more will be made. For example, in Casuarina Prison, we intend to significantly upgrade the security system. I will not go into that in detail because it would be ridiculous to put on the record how the security systems work inside our key prisons. It affects the gatehouse and the CCTV systems, utilising the latest types of security technologies that can be used to monitor people, as well as deter people from even attempting to try to escape, including monitoring their movements towards the fences and around the prison. The Eastern Goldfields Regional Prison is another example. Numerous attempts were made by people in Kalgoorlie to get contraband into the prison by throwing things like tennis balls over the prison fence. As the member knows, that has been tried many times before. Other silly attempts were made to get contraband into the prison. The contractor for that prison owns the prison—it is a leaseback by the government. A whole series of quite state-of-the-art, sophisticated technology was put in place to identify people outside the fence. They are in the general public's area but can be monitored as they approach the fence in that jail. It has been very successful in picking up people.

The special operations group, which is based at Hakea Prison, supports both the Casuarina Prison expansion project that I was talking about and the transition of Melaleuca Remand and Reintegration Facility back into public hands through secure-line infrastructure testing and preoccupation security tasks. A funding boost of \$2 million is being given to the special operations group to not only overhaul the facilities at Hakea Prison, but also provide it with new technology to allow it to pick up people's behaviour in and around the prison. Does the commissioner want to add anything?

**Mr T. Hassall:** In addition to that, four additional dog handlers have been appointed. We are trialling new drug detection equipment. We have a procurement process for new searching equipment at the moment. On the back of our lessons learnt from Greenough Regional Prison, a whole range of emergency planning staff have also been employed to improve our emergency planning across the state.

**Mr S.K. L'ESTRANGE:** In one of the minister's answers, he talked about drug detection. How much has been allocated in this year's budget compared with last year to fight the introduction of drugs into our prisons? How much of the budget was allocated to drug detection in 2019–20 and how much is allocated this year?

**Mr F.M. LOGAN:** In Casuarina Prison alone, \$3.27 million was approved in the 2019–20 budget for a lot of the work that was done. Regarding drug detection dogs, Sandy might be able to help regarding the total cost of their rollout. There is not a line item in the budget for security expenditure, otherwise the member would have gone to it to already.

**Mr T. Hassall:** I think the question was about the funding allocated to drug detection and our response to keep drugs out of prison. That would fall into a number of categories. The member heard the minister say we have the special operations group and the minister talked about the \$2 million. Part of its work is to do extra searching, for example. We would have to take the question on notice about the cost of new handlers for drug dogs, but that would be one part of the budget. There is also a procurement process for new equipment. The funding is spread across all the portfolios in that sense.

**Mr F.M. LOGAN:** A significant amount of new technology, as well as new methods, were put into place for Wandoo Rehabilitation Prison for alcohol and drugs. Obviously, we want to keep drugs out of there and we have been very successful, as the member knows. For two years, there have been no drugs in Wandoo. The same is now being applied at Casuarina. There is the overall security upgrade, both internal and external, which includes drug detection equipment as well. For that unit, we want to ensure that, like Wandoo, there is new technology for drug testing on a regular basis. For example, drug testing occurs daily in Wandoo and it will be the same in Casuarina. That was built into the overall cost of building the AOD facility in the first place. We can extract that as a question on notice.

The member wants to hear some of the outcomes for his own information. Between 1 July 2019 and 30 June 2020, there have been 2 751 interceptions of contraband. There were 387 interceptions of illicit substances, 582 of drug paraphernalia and 1 782 other—for example, phones, needles and alcohol. During the COVID lockdown period, as the member remembers I reported to the house, the numbers dropped significantly.

[8.00 pm]

**Mr S.K. L'ESTRANGE:** I will leave it at that. I will make a comment to the minister, if I may, Chair. With regard to the minister's answer, I absolutely get that a prison's role is to obviously monitor the behaviour of its prisoners. The entire budget of a prison is there to do that. I was looking for the specific funding to target the detection of drugs, over and above its normal operations. Obviously, the video surveillance of people throughout the prison and the physical surveillance of people who are at the prison will be looking for this type of behaviour. I am not looking for that cost. I am saying that in an extra effort to detect drugs in the prisons, the minister said that \$3.7 million was allocated for 2019–20. I am looking for the 2020–21 figure.

**Mr F.M. LOGAN:** There is a figure that is essentially provided to it, but it goes to an example. If the member puts it as a question on notice, we can give the member a breakdown, but it means we would have to go to each of the various budgets allocated to each of the —

**Mr S.K. L'ESTRANGE:** The minister might have answered it for me. Is he saying there is no specific budget for drug detection?

**Mr F.M. LOGAN:** No, it does not go like that, because it goes across such a wide area of things. For example, for alcohol and drugs, the special operations group requests the drug detection unit as well. Remember, we have various different organisations within the department that are all involved in drug interception and detection. We do not gather them all under one point in the budget papers and say, "This is how much we are spending on drug detection and this is what we'll do next year." It is probably not a good thing to do from a security point of view either. To give the member an example, for just the Casuarina Prison alcohol and other drugs rehabilitation facility, \$469 000 is being carried forward to next year to provide specialist drug supply mitigation technology and body sample drug testing equipment for use in high-volume drug testing of prisoners engaged in those programs.

**Mr S.K. L'ESTRANGE:** The minister will probably find that there is a program for detection.

**Mr S.A. MILLMAN:** I seek from the Chair whether this question should be a new question or whether it is appropriately a further question. Could the minister explain or update what is being done to tackle the cycle of drug and alcohol addiction in prisons? Although on the one hand we want to mitigate drugs coming into prisons, we also want to rehabilitate those prisoners who are addicted to drugs and alcohol, and I wondered whether I could refer the minister to the tenth paragraph under "Other Significant Issues" on page 435 of the budget papers.

**Mr S.K. L'ESTRANGE:** That sounds like a different line of questioning. We were talking about drug detection, not about rehab.

**Mr S.A. MILLMAN:** I am happy to ask it, as long as I go back on the list.

**The CHAIR:** Let us indulge it; it is on the table. We will get it down, and then we will come back to you bunch.

**Mr F.M. LOGAN:** It goes to the point that the member for Churchlands was making. There are two components of the issue of intercepting contraband or dealing with drugs in prison, as there is in the community as well. It is the stopping of supply and reducing of demand. Those are the two areas and that is the point the member was making.

**Mr S.A. MILLMAN:** That is right.

**Mr F.M. LOGAN:** We have been concentrating a little now on the interception of drugs and drug paraphernalia getting into prisons. That has been increased significantly over the last three and a half years. An example—I will pass on to the commissioner—is the drug detection unit. I do not know how many dogs we had in Western Australia, but it was not many. I think it was two or three dogs across the metropolitan prisons. There were no dogs in regional Western Australia to intercept drugs in places such as Albany, Kalgoorlie or Greenough, but there are now. We have significantly increased the capability of the drug detection unit and significantly increased the number of dogs we have, which are a fantastic resource in the interception of drugs. We have increased the number of people involved in the interception process—obviously, the DDU people. The special operations group itself has been involved in a huge number of projects to turn over prison cells and prison units on a regular basis in its search for drugs. The prisoners do not know that the SOG and other prison officers are going to turn up and turn over those units. They can turn up at any time of the night or day, turn it over, empty all the cells out —

**Mr D.T. REDMAN:** That has always been the case, has not it, minister? They are not going to get a letter in the mail saying that people are coming.

**Mr F.M. LOGAN:** The point I am making, member for Warren–Blackwood, is that it was not being done consistently. The number of actions that have been taken over the last three and a half years is significantly more than what was being done before, backed up by those dogs and by the SOG. This is just in terms of interception for demand. We have the new technologies that are going to be put in place in Casuarina, which is high technology for identifying drugs in the person and also the technology that is in place at Wandoo as well. That is the supply side. On the demand

side is the whole concept of the AOD rehabilitation facilities. It is something that I think both sides of the house should acknowledge. Western Australia is leading Australia and possibly the world with our approach to reducing the demand for drugs in prison. The Wandoo Rehabilitation Prison AOD facility has had no drugs in the prison for two years. No drugs have been detected in any of the prisoners. There have been 127 women who have graduated from that facility. Only one returned to prison over that time. She then went back onto the program and she now has a job, a mortgage and a car; her life is back on track. That is something we should all be proud of. It is a really great outcome and very unusual. We have significantly increased our interception for the supply side, and we are getting great outcomes on the demand side.

**Mr D.T. REDMAN:** The minister mentioned that during the COVID lockdown—I think he gave a brief ministerial statement on it—there was a significant drop in material getting into prisons. In the first instance, was that a surprise to the agency? Secondly, given the outcome, it must have put a real spotlight on where many of the issues were. What has been the agency's response?

**Mr F.M. LOGAN:** That is a very interesting question, member for Warren–Blackwood, because at the time we went into lockdown so that no visitors could come in, I urged the department to continue the regime of drug testing all the time. I said, “Don't drop off the drug testing; keep going on the drug testing”, because it is like doing a scientific experiment. One element of the equation is being withheld to see exactly where the problem could be emerging by doing the testing. No visitors were coming in. There has always been a very strong argument that drugs are getting into the prison via prison officers. The member heard it himself when he was minister as well. If we were able to continue to do the drug testing, with no visitors coming in and no drugs going into the prison, with a significant drop-off in the drugs going into the prisons, we would know for certain where the drugs were coming from. They are coming from visitors, rather than coming from prison officers. That is exactly what was proven as a result of the testing. Does the commissioner want to add to that?

[8.10 pm]

**Mr T. Hassall:** As the minister said, that is exactly right. We maintained our testing regime through the COVID period—both our drug prevalence testing, which is a computer-generated list, and our random testing. The testing results proved that everything was coming in via visitors. When we had the first day of visits, for example, when we reopened, it coincided with the new penalties that the government introduced for drug trafficking, so we did a campaign with all visitors. We SMS-ed visitors on those penalties to basically tell them the activities that we would carry out to keep drugs out of prisons. As the minister and the director general said, we have also put additional resources into the special operations group. We have a really good intelligence team. I guess what I am saying is that we know where our problems are and we can target them much better when issues come up.

**Mr F.M. LOGAN:** It is an unusual outcome of COVID but it actually helped.

**Mr S.K. L'ESTRANGE:** I refer to paragraph 15 at the bottom of page 435 of budget paper No 2, volume 2, which refers to the regional recruitment and training of prison officers. How many FTE positions are vacant and, by way of comparison, how many were vacant, say, at the end of last financial year and the end of this financial year, and how many does the minister expect to be vacant at the end of the next financial year?

**Mr F.M. LOGAN:** I will give the member some figures. We forecasted the need for 458 prison officers. So far, 549 trainees have commenced, 140 of whom have been trained in regional locations. I think it is the first time in probably a decade or more—it is not the first time it has been done but it is the first time it has been done in a long time—that the advertising and the recruitment of people was done in regional Western Australia, and it was very successful. It was undertaken in Albany, Kalgoorlie, Geraldton, Derby and Roebourne. There will be another advertising campaign in Kalgoorlie and I think there will be another one in Albany in the future. A total of 140 out of 549 trainees were recruited in regional WA. This comes back to the numbers that we talked about earlier. Also, 125 vocational support officers were employed over that time. The member for Warren–Blackwood knows what VSOs do to educate and assist, mainly in industry and training, and moving prisoners around the prison. I will ask the commissioner to run through the other figures.

**Mr T. Hassall:** I have the vacancy figures to the end of September. Since the end of September, we have had people go through the training school. I will read out the number of custodial vacancies for prison officers: Albany Regional Prison, four; Bandyup Women's Prison, one; Boronia Pre-release Centre for Women, three; Broome Regional Prison, five; Bunbury Regional Prison, 2.5; Casuarina Prison, 8.5; Eastern Goldfields Regional Prison, 10; Greenough Regional Prison, nine; Hakea Prison, nil; Karnet Prison Farm, 2.5; Melaleuca Women's Prison, 12; Pardelup Prison Farm, one; Roebourne Regional Prison, one over; Wandoo Rehabilitation Prison, 6.5; West Kimberley Regional Prison, 10.5; and Wooroloo Prison Farm, five over. As I said, those figures are as at 30 September. I know that a small number of people at eastern goldfields have graduated since then, and we have schools for the other vacancies.



**Mr S.K. L'ESTRANGE:** I am unable to do arithmetic that quickly but I am guessing that figure is under 100, yet the minister just said that there are 549 trainees.

**Mr F.M. LOGAN:** They were recruited over that period of time.

**Mr T. Hassall:** That is the total number of vacancies as at the end of September. It changes every day as people move and people transfer. We have a recruitment program that goes up to the middle of next year. We have a training school. We know from our HR planning what our churn rate is. We have about four schools that cover people who leave and we have additional accommodation coming onstream and stuff like that. At some of the prisons, we prioritise. For example, even though there were 10 prison officer vacancies at eastern goldfields, the prison is only 60 per cent full.

**Mr S.K. L'ESTRANGE:** Just help me a bit. I get it that the vacancies add up to under 100 and 549 trainees are going through training at the moment. There is a difference of 450 trainees. Are those 450 covering off on retirements or is there already a need to expand for other reasons?

**Mr F.M. LOGAN:** That is right. It is a mixture of rolling recruitment as people leave. There is a regular turnover in the job for a series of reasons, such as retirement and people moving and taking up other positions et cetera. We have rolling recruitment, the expansion of the prison estate, for which we had to recruit more prison officers, and the general increase that we wanted for the purposes of catch-up from the employment freeze that was put in place in 2016–17.

**Mr D.T. REDMAN:** The minister mentioned earlier that for the first time, a regional recruitment process for the prisons was carried out.

**Mr F.M. LOGAN:** It is not the first time; it was the first time in a long time. It has been done before.

**Mr D.T. REDMAN:** One of the issues that the agencies had is that the officers used a regional location as an entry point to get a transfer to a preferred location. Is that program designed to reduce that so that people are prepared to stay in those locations?

**Mr F.M. LOGAN:** That is exactly the case. I think the member for Warren–Blackwood has asked a question on that before—about Kalgoorlie, if he remembers.

**Mr D.T. REDMAN:** From memory, 16 per cent were on relocation.

**Mr F.M. LOGAN:** Do not ask me why but a number of people had transfers in. They would be taken on as a prison officer and they would go to Kalgoorlie, and as soon as they possibly could, they would seek a transfer out of there. I think there was a mixture of industrial issues, some people did not like Kalgoorlie, or they saw that as an entry point to go somewhere else. They had an opportunity to go to Kalgoorlie and then they decided to go somewhere else. That was one of the reasons we decided to recruit locally and put an end to this silly behaviour. We wanted to start employing people who lived in those regions and wanted to stay there.

**Mr D.T. REDMAN:** Good work. It was a good idea.

I refer to the heading “COVID-19 Pandemic Response” on page 435. The seventh paragraph refers to the task force that was obviously charged with ensuring that the government is managing what no doubt could have been a massive risk issue. There have been reports that the pandemic has gone right through some overseas corrections facilities. No doubt, that would turn those facilities upside down. I am also very aware that there is a fairly significant turnover of prisoners during the year, with people going in and coming out, whether they are on remand and/or finishing their time. It is a surprising figure. I cannot remember what it was but it is a big number. I have not seen any kick in the budget that has shown any extra resources in the 2019–20 year. It shows that the actual was above the budget by some \$50-odd million, but page 445 gives another reason and refers to a revaluation. There is nothing in the budget papers that references a COVID response, but I would have thought that would be a massive risk that the agency would have to put a plan in place for.

Can the minister identify the extra resources that were deployed in response to COVID, particularly around testing? I imagine that when we were all in lockdown and staying home, the concern about community transmission would have been quite high. Officers were coming and going from the facilities and prisoners were coming and going through the remand process and the like. What was the testing regime and what extra resources were directed to that?

[8.20 pm]

**Mr F.M. LOGAN:** I thank the member for Warren–Blackwood. The actual expenditure for the 2019–20 financial year was \$2.06 million. That is in the line item “COVID-19 Expenditure” in the table of spending changes on page 434.

**Mr D.T. REDMAN:** That is for the whole Department of Justice, is it not?

**Mr F.M. LOGAN:** Yes, it is. It is basically for setting the task force in place and putting those measures in place that were part of the COVID strategy. I will run through some of the things in the strategy if the member likes. I will not go through the figures unless the member wants me to.

**Mr D.T. REDMAN:** No.

**Mr F.M. LOGAN:** The majority of that \$2 million was used for the issuing of personal protective equipment. It was also used for emergency food supplies, cleaning supplies, working-from-home supplies, COVID-19 training, COVID-19 prisoner strategies, medical supplies, prisoner e-visit equipment, drafting emergency legislation—that is part of the department's requirement—emergency management software and other supplies. That is the total expenditure of that \$2 million.

I will go through some of the measures that were put in place for prisoner movements. The member will recall that all prison visits were stopped for quite a time. I have referred to that in the expenditure. E-visit stations were installed to allow Skype visits with families, and free phone calls were provided. Normally, the prisoners would pay for them but free phone calls were provided during the COVID period. The e-booths that were established in all the prisons around Western Australia are still there because they proved highly successful. From a security point of view, reducing the number of face-to-face visits and all the issues that come with that—we have talked about the contraband that is brought into prisons—is a good way of reducing the movement of people into and out of our prisons in the future. All section 95 activities, which the member knows about because they are used a bit down his way, were stopped. The prisoner employment programs in which prisoners are able to go out and undertake education or work in a workplace and then go back to prison were stopped.

**Mr D.T. REDMAN:** Were programs still running internally during the COVID lockdown?

**Mr F.M. LOGAN:** Yes, and we have restarted both. All the internal programs continued to run as much as they could be, bearing in mind that it was done on the basis of social distancing and hand sanitising and so on. The programs continued to run, but the number of people who had access to them was reduced. The gymnasiums were off bounds, for obvious reasons, following the normal guidelines on COVID, and industries were off bounds for the same reason. Each prison—I have said this in Parliament—had its own COVID-19 plan in place and all prison officers were trained in that plan. All the prisons had hand sanitiser across all facilities, and that is still in place. The prisons were provided with demonstration posters on hygiene and received regular information from the commissioner about what was happening during the pandemic. Prisoners began making masks and they continue to do so. I talked about that in Parliament the other day. Our prisons in Western Australia are in the mask-making business. We have invested COVID-19 recovery money into the Department of Justice's corrective services division to ramp up mask-making for the general public. We want to make one million masks to stock for the general public, just to be prepared. Those masks were being made as soon as COVID hit and were to be provided to staff and prisoners if they were needed. Temperature screening and testing for all staff, officials and visitors to prisons has continued.

**Mr D.T. REDMAN:** Is temperature screening being done currently?

**Mr F.M. LOGAN:** Yes. All interstate transfers were, and still are, suspended. Certainly, we are not transferring anyone from the eastern states to WA. The provision of mental health support to prisoners continued. Team and group sports activities stopped during the stage 5 restrictions, which covered all gyms and team sports.

The task force is in place preparing for and working on our preparedness in the future. The cleaning regime continues. Prisoners have been putting their hand up to become part of the cleaning workforce. Those prisoners who work will receive extra gratuity for taking on the role of being a COVID-19 cleaner to keep the sanitisation of prisons up to speed. Masks for prisoners and detainees is going along, as I said. We have restricted social visits. Certainly, since phase 5 of the COVID restrictions, we have continued to allow social visits, but they are restricted insofar as prisoners cannot embrace or hug their family. Children can embrace their parent who is a prisoner, but there is no contact between prisoners and their other loved ones.

**Mr D.T. REDMAN:** Did you see in the prisons a spike in reportable instances with prisoners' mental health as a by-product of the lockdown?

**Mr F.M. LOGAN:** I will pass that on to the commissioner.

**Mr T. Hassall:** We saw a slight increase in self-harm, but nothing notable. That was attributed to a very small number of prisoners. As the minister said, our strategy was to communicate with the prisoners by telling them what was happening. We put out a lot of information about wellness, wellbeing and general hygiene and, where we could, we tried to normalise things as much as possible during that period in terms of what went on in the prison. That seems to have been very successful.

**Mr F.M. LOGAN:** The commissioner put out a regular bulletin to all the prisoners about where things were at with COVID-19, because obviously the concern was that if the prisoners were fearful, they could cause trouble. It was absolutely critical for information to be provided to the prisoners.

**Mr D.T. REDMAN:** Was any COVID testing done?

**Mr F.M. LOGAN:** Yes, COVID testing took place, particularly for the people coming in on remand and when police raised concerns that a particular individual may need to be COVID tested. They were isolated in the designated isolation units and cells and then they were COVID tested.

**Mr D.T. REDMAN:** Were there any positive results?

**Mr F.M. LOGAN:** No, there were none at all, which we are super grateful for, given what the member said earlier.

**Mr S.K. L'ESTRANGE:** I refer to page 448 of budget paper No 2, volume 2. The table on page 448 is an extension of the table for the asset investment program that starts on the previous page. I notice that the total cost of asset investments drops by 59 per cent, or \$46 million, between 2020–21 and 2023–24. Can the minister explain why the amount of funding for asset investments will fall by that amount?

[8.30 pm]

**Mr F.M. LOGAN:** Can the member take me to the particular line item; sorry?

**Mr S.K. L'ESTRANGE:** The last line item on page 448, “Total Funding”, drops from \$77.648 million to \$31.519 million.

**Mr F.M. LOGAN:** In the out years. That will be because of the completion of a number of our build projects. I will hand over to the commissioner or Dr Tomison. The member will see at the top of that page, for example, “Expansion—Stage 2”. That is the stage 2 expansion of Casuarina Prison. It will drop from the estimated total cost of \$182 million down to \$27 million. It keeps going into the out years but then drops off in 2023–24. “Expansion—Stage 1”, which is right above it, drops from actual expenditure of \$94 million up until the end of this financial year to the estimated budget expenditure of \$1.7 million. The member will see that from the table. I think the member for Churchlands has visited Casuarina Prison. Stage 1 of Casuarina Prison comprised the four new units. One is an alcohol and drug facility and one is for people with what they call P1 mental health issues, which are low-level mental health issues. Stage 2 is another unit. It is similar to one that the member saw elsewhere. A 40-bed mental health unit will be built there. That is for what is called P2–P3—those are the people who are having episodes and who would normally go to the Frankland forensic facility. As the member knows, the Frankland facility has very few beds. We have got to the point at which we have to look after our own. We will now look after them within Casuarina Prison. That means taking on mental health nurses et cetera. An aged-care facility will be built, mainly because of the age of people who have committed historic sex crimes, who will probably die in prison. We have to build an aged-care facility because they are currently blocking up our infirmary. We are building a supermax prison. The supermax will be for prisoners who just will not behave and continue to disrupt prisons, or they could be outlaw motorcycle gang members who present a threat to prison security.

**Mr S.K. L'ESTRANGE:** To flip this question the other way around: what known infrastructure needs are not included in this year's budget and asset investment program?

**Mr F.M. LOGAN:** What we want—we do not know how much it will cost but we are working on trying to reach that end objective—is a new Broome prison. The member for Churchlands knows that over the past 12 years, certainly prior to 2017, the issue was whether to keep it open or close it. The problem was nothing was being spent on maintenance because there was indecision about whether to keep it or not keep it. As a result, the place fell into quite significant disrepair. We have addressed that disrepair by putting money into it, but it has to be replaced.

We are having discussions with the Yawuru group at the moment about the location of the facility. We have allocated \$1.4 million to negotiations, the design, and basically preparing the contractual documentation for that new prison. Two sites are currently under consideration in negotiations with Yawuru. We are trying to define which site is agreeable to all parties. There were three sites, but I think Yawuru really wants only two to be considered. We had three sites but we have brought it down to two. We do not know how much it will cost for that prison because the site will determine a significant part of the cost. The \$1.4 million will get us to determine exactly what those costs are. That is a good example.

**Mr S.K. L'ESTRANGE:** Broome prison was going to be my next question, so I appreciate the minister raising that. I have done a desktop analysis of the cost of prisons around the country. The land price actually can form a very small portion of the actual cost to build a prison. From what I have looked at, the capital build itself is the major cost. I am wondering why the minister does not have, at the very least, a ballpark planning figure in the budget for a capital works program linked to the relocation of Broome prison.

**Mr F.M. LOGAN:** As the member knows, because of the native title in and around Broome, all the discussions would have had to be with Yawuru, regardless of site selection. We want to ensure that the new Broome prison is

established along lines similar to the ones on which West Kimberley Regional Prison in Derby was originally set up. That prison has close links to traditional owners in the area, and also has a more therapeutic and appropriate landscape for those prisoners, who would virtually all be 100 per cent Aboriginal. We want to reflect something that is similar to Derby but on a smaller scale because we are not going to build a big prison there. That involved us in negotiations with Yawuru. We asked them to select a site. It would make the process of approvals a lot easier. They started with three sites; they have come down to two. One site is on Roebuck Bay station and the other is on government land. I am not going to guess the overall cost of that land. If it is on government-owned land, it would, hopefully, cost the Department of Justice nothing.

**Mr S.K. L'ESTRANGE:** I will finish with this question. I understand that if it is on government land, it will be a lot cheaper than buying private land; I completely get that. If I did a desktop analysis of a new 1 000-bed prison build around the country, I imagine that it would be about \$1 billion. The land cost would not be anywhere near that. The land and all the infrastructure, depending upon where it is, could be up to \$20 million. Notwithstanding that, I imagine a prison of the size the minister is looking at for Broome would be probably 100 beds?

**Mr F.M. LOGAN:** Yes, probably 100 beds.

**Mr S.K. L'ESTRANGE:** I would expect the minister to have some understanding of a ballpark figure for the budget in the out years. Whilst the minister is already negotiating a site, I am curious why the budget does not include what is being set aside for the building of that prison.

**Mr F.M. LOGAN:** I think the overall size we are looking at is 20 hectares. Obviously, the footprint of the prison will not be anywhere near 20 hectares, but it depends. For example, of those two sites, if it is on Roebuck Bay station, which is owned by the Yawuru group, I would presume they would be seeking payment for the extrication of that part of the station. The lease would be held by Yawuru. It would still be under the pastoral estate, but the lease would be held by Yawuru. I would presume they would be looking for some compensation for the extrication of that part of the pastoral station land for the prison. The other site that has been identified belongs to the state government. It all depends on what we agree to at the end of the day. One will have some cost to it; the other will probably have no cost to it. Treasury would not cop us putting it into the budget. Treasury would want some certainty.

**The appropriation was recommended.**

[8.40 pm]