

**Division 34: Office of the Inspector of Custodial Services, \$3 749 000 —**

Ms L.L. Baker, Chair.

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

Mr E. Ryan, Inspector of Custodial Services.

Mr D. Ferguson, Deputy Inspector.

Mr D. Summers, Manager, Corporate Governance.

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.

The member for Warren–Blackwood.

**Mr D.T. REDMAN:** I refer to the inspection and review of custodial services on page 503 of the budget papers. Clearly, one of the roles of the Office of the Inspector of Custodial Services is to inspect prisons. Has there been an inspection of Greenough Regional Prison following the escapes that occurred, and was that inspection either formal or informal? Work has been done on that prison subsequently. I am interested in the minister's comments on the office's response to that.

**Mr F.M. LOGAN:** I thank the member for Warren–Blackwood. Yes, the member will remember that after the incident at Greenough Regional Prison, I asked the Department of Justice to evaluate exactly what happened and for that evaluation to be overseen by the Inspector of Custodial Services so that we had independent oversight of the evaluation done by the Department of Justice. That was duly done, published and tabled in Parliament. I believe that since then there has been one more inspection, but I will pass over to the inspector to provide information on that. Meanwhile, the reconstruction is continuing apace. I am going there on Saturday to look at the new fence that has been put in place around the women's facility. That is virtually completed and now the construction will start on the various components inside what will be a totally separate women's compound prison. It has a very high-security fence.

**Mr D.T. REDMAN:** Has the construction not been completed?

**Mr F.M. LOGAN:** No. No-one is in the women's compound at the moment. The prisoners are split between those who are on remand at Greenough Regional Prison—of which there are very few—and the remainder, who are at Bandyup Women's Prison or Melaleuca Women's Prison. With regard to the reconstruction of what will now be the women's compound, the fence is finished and the work inside will begin.

**Mr D.T. REDMAN:** How long has it been since the breakout?

**Mr F.M. LOGAN:** It was in July 2018.

**Mr D.T. REDMAN:** So we are talking about two years, yet the construction works that were to be put in place have not been completed.

**Mr F.M. LOGAN:** No, they have not because of the design of the facility, the negotiations with the prison officers on what they thought was appropriate for the running of the prison, the issuing of the contract, COVID, and a whole series of other things.

**Mr D.T. REDMAN:** The minister mentioned that the Office of the Inspector of Custodial Services has been to the prison since the formal report, which was tabled.

**Mr F.M. LOGAN:** I will pass over to the inspector.

**Mr E. Ryan:** The minister mentioned the review by the Department of Justice, which was done by Jan Shuard and is referred to as the Shuard review. Subsequent to that, we undertook a review largely of the recovery phase. Jan looked at the causes of the riot and the immediate response, while we looked more broadly at how the prison recovered. Our 125<sup>th</sup> report, titled “Inspection of Post-incident Management of Prisoners at Greenough Regional Prison”, was published and tabled in this place, and provides a report on the outcome of that. We made five recommendations, four of which were supported by the department. The recommendations were largely around having good, systemic processes in place to ensure that following the response and after the dust had settled, essentially, there was a structured plan to make sure that the welfare of prisoners, communication issues, support for the management and those kinds of things were ticked off. They are the recommendations that we made.

Subsequent to that, as the minister has said, unit 4, which is the women’s unit, is being largely overhauled, and a hard barrier is being put between the main prison and the women’s prison. That is the work in progress. In addition, units 2 and 3, which were significantly damaged during the riot, have been largely refurbished and hardened with harder barriers and facilities. The prison liaison officer and I went to Greenough Regional Prison not long after we tabled the report to see how it was tracking and to meet the senior management team and prisoners. We also held a town hall meeting with all the staff to listen to them and find out how their concerns were going. Subsequently, we have not physically monitored the prison because of the COVID restrictions and the difficulty of getting flights; there is now only one flight there and back rather than one in the morning and another in the evening. However, we have closely monitored the prison and it seems to be—knock on wood—reasonably settled and stable. There have not been a lot of critical incidents among the prison cohort. I hope I am not tempting fate, but it seems to be much more settled. It also has a settled leadership team, which is crucial for any organisation.

**Mr D.T. REDMAN:** When is the next formal assessment of Greenough Regional Prison expected to take place? My recollection is that they occur about three years apart. Is that the case?

**Mr E. Ryan:** Yes, it is on a three-year cycle; that is a statutory requirement. Our next inspection of Greenough Regional Prison will probably be in 2022. I do not think that it is in the calendar for next year. I was talking to one of our staff members today about a liaison visit. Hopefully, that will be a one or two-day visit to the prison before the end of the year, if not early next year.

**Mr F.M. LOGAN:** Can I also add that Nationals WA member Mr Ian Blayney was recently provided with information on the progress of the prison construction because he asked questions about local content and things like that. We have briefed Mr Blayney on where it is up to. I also inform the member that while the negotiations continued on the design of the compound, what it should look like and what should be in there, and about the actual fence itself, which is a completely different style of structure, men were brought into that facility. The facility was repaired and men were put into it, so we did not leave it empty.

[7.10 pm]

**Mr S.K. L'ESTRANGE:** I refer the minister to page 502 in volume 2 of budget paper 2. At the bottom of that page, under the heading “Explanation of Significant Movements”, note 2 states —

The majority of the Office’s recommendations were either supported, partially supported, or support existing initiatives. Only 13 of the 57 recommendations were not supported in the 2019-20 Actual.

Can the minister outline what 13 recommendations were not supported and why not?

**Mr F.M. LOGAN:** The member will find all 13 reasons for that in documents that were tabled in this house. In fact, members can get them all from the bills and papers office. There is always a whole series of reasons why they are not supported. It may well be that a financial cost requires us to go back to the Expenditure Review Committee to ask for a significant amount of money, which is not appropriate at this point; things like that.

**Mr S.K. L'ESTRANGE:** Of those 13 recommendations, would the minister be prepared to reconsider any, if the budget allowed?

**Mr F.M. LOGAN:** I would have to think about what those recommendations were, without having them before us, because they go back over the year. Can the inspector think of one that the department knocked back?

**Mr E. Ryan:** Probably 13!

**Mr F.M. LOGAN:** Fair enough!

**Mr S.K. L'ESTRANGE:** They were his recommendations!

**Mr E. Ryan:** In a perfect world, I do not think there would be a great deal of pushback for all of them, but if I had my way I would look at some of the infrastructure deficits that we have identified. The department agrees—everything cannot be a priority; things have to be prioritised. That is one area that I think would be good, and mental health support.

**Mr F.M. LOGAN:** Yes. I can give the member an example now, now that I have remembered it, and that is the issuing of iPads or computing facilities for individual prisoners. That issue was raised by not only this inspector, but also previous inspectors. The department has fairly strong views on that from a security point of view. The type of people who would be able to play around with those iPads and get up to no good really does cause some concern. However, we have given a commitment, even though we knocked it back, and a committee is looking at how we can actually deliver easier electronic access to a controlled internet that is probably more like an intranet within the prison itself, so they can get access to legal documents and library documents. Appropriate material would be censored for the purposes of not causing a problem within prisons but provide support for their rehabilitation.

**Mr S.K. L'ESTRANGE:** Understood. Picking up on the infrastructure side, what would the minister say is the number one infrastructure priority that formed part of those 13 recommendations that cannot be dealt with in the current budget?

**Mr F.M. LOGAN:** One of the things that the inspector put up—I think he put it up as part of the Bandyup inspection—was the mental health facility. The inspector was quite firm about that, as other people outside also have been, such as non-government organisations, the Mental Health Commission and others. They have been quite firm about the fact that there are no facilities available for women with severe mental health problems when they are in prison. That was a recommendation from the former inspector, but has been raised informally with me by the current inspector as well. At the time, we could not agree with it. Even though we went to the Expenditure Review Committee to ask for funding for that, we did not get it approved. Other funding was approved, but not that. I am happy to say that not only has that funding now been approved, the designs are now underway for the new mental health unit, which will be part of unit 1A at Bandyup, and it will be the first time that women in Western Australia will have access to mental health services within prison, rather than going to the Frankland forensic facility. That is a really critical piece of infrastructure.

**Mr S.K. L'ESTRANGE:** We may be able to talk more about infrastructure in the next division.

I now refer to the service summary table on page 502. The 2018–19 actual was \$3.962 million and the 2019–20 budget was \$3.629 million. There was quite a significant drop; the actual spend was lower again. What is the reason for that?

**Mr F.M. LOGAN:** I will let the inspector answer that. It is voluntary severance.

**Mr E. Ryan:** That would be the adjustment of the voluntary severance scheme that was introduced. The actual was \$3.962 million whereas the budget was \$3.629 million. In addition, in that year the office took on a number of additional reviews. Essentially, an overspend on the budget resulted in the greater expenditure. The member will see that it was \$3.409 million in the 2019–20 actual. That was a correction that we implemented to try to bring cash reserves and that kind of thing back into equilibrium. It is a little overspend in one year and an underspend over the two years.

**Mr F.M. LOGAN:** As the member knows, departments can either ask for extra expenditure or take a one per cent increase and not go before the ERC. That is offered to all departments. Previous budgets, say 2018–19, just took the one per cent; the one before that did as well.

**Mr S.K. L'ESTRANGE:** Why has it jumped back to \$3.609 million in the 2020–21 budget?

**Mr E. Ryan:** That is our standard appropriation. Our ongoing budget is \$3.609 million and that is what we will spend this year. The actual in 2019–20 was \$3.409 million because we had a saving of \$200 000. That is recollected further in the budget paper.

**The appropriation was recommended.**