

WARBURTON WORK CAMP

Grievance

MS W.M. DUNCAN (Kalgoorlie — Deputy Speaker) [9.47 am]: My grievance this morning is to the Minister for Corrective Services. I thank the minister for agreeing to accept this grievance. This grievance is not so much with the current minister but more an expression of concern that a very expensive government asset is not being fully utilised when there is a great need for a facility like this in the community. I am talking about the Warburton Work Camp. The camp was built at a cost of \$13 million. It is situated approximately 900 kilometres north east of Kalgoorlie–Boulder and opened in 2011. It is located in the Shire of Ngaanyatjarraku in the Western Desert region of my electorate. The work camp was constructed in response to the tragic death of Mr Ward as he was transported 920 kilometres from Warburton to Kalgoorlie in a prison van with malfunctioning air conditioning on a stinking hot day in January 2008. At the time of making the commitment to build a work camp in Warburton, the government, through the Minister for Corrective Services Hon Christian Porter, decided to close the Mt Morgan work camp between Leonora and Laverton. I objected to this decision at the time and I still believe it was wrong. However, that is a debate for another day.

The Warburton Work Camp is a purpose-built facility to meet the specific needs identified by community consultation. It includes 24 minimum-security beds, a six-bed secure unit, a workshop, a commercial kitchen, laundry facilities, staff and visitor accommodation units and an office. When I last visited Warburton, I also saw a very impressive vegetable garden. The work camp was intended to hold suitably selected, low-risk prisoners. The work camp, in partnership with the community, facilitated the interaction of prisoners and offenders within the community. The work camp has not been occupied to full capacity, with the highest number being 19 in June 2012, down to five in September 2014. When I visited Warburton around the time of the highest occupancy, I received very positive feedback from the community. It was also great to see the work crews around Warburton keeping the place clean, tidy and safe. The camp also enabled offenders on community-based orders from the Ngaanyatjarra region and surrounding areas to undertake skill-based reparation activities while receiving family and community support in their cultural lands. Priority was given to maintaining and strengthening relationships between offenders, their families and the communities they will eventually return to. In fact, Daisy Ward said a really important factor is having the elders in the lands, even if they are in prison. Having them sent so far away is breaking down their structure.

Since that time I have been told that the Department of Corrective Services changed its assessment classification system. My understanding is that the decision about the suitability of a prisoner was taken from the goldfields, where there is a much better knowledge of the families and people in question, through to Perth where it was done purely on the specified criteria alone. The trouble is that the criteria specified such low gravity and low security prisoners that they were often released before the decision-making process was complete. I am told that it takes around 28 days for a prisoner to be identified as suitable and then another 28 days to go through the process of approval for transfer, and by that time it is not worth proceeding with the transfer. Alternatively, the prisoner may be deemed violent but the offence may have occurred where alcohol was available, which is not the case in Warburton.

When I was last in Warburton at the end of July I received a very strong message from not only the Shire of Ngaanyatjarraku and the Ngaanyatjarra Council, but also family members of Mr Ward that they signed up for a work camp that would house prisoners who could receive education and training and be reintegrated into the community. They are very disappointed to see this facility with no occupants. Daisy Ward, a highly regarded elder of the Ngaanyatjarra Lands, told me that they would welcome prisoners from other areas as long as the prison was used for the purpose intended.

I am aware that discussions are taking place about alternative uses for the Warburton work camp, including an on-country educational facility for prolific juvenile offenders. The aim would be to connect these young people to the Aboriginal cultural identity program as well as provide them the opportunity to resume their education and improve their job readiness. This is something that is sorely missing in Western Australia's corrections system. The reminder of the need for this sort of facility is no more stark than the recent events in Kalgoorlie–Boulder where a young man was allegedly run over and killed on a stolen motorbike. That young man was being raised by his grandfather as his parents were not up to the task and he was well known to police. However, the juvenile justice system is failing not only our juveniles, but also our community. Our magistrates have little option between jail and bail and it is most understandable in light of the deaths in custody royal commission, and the more recent Don Dale Youth Detention Centre footage, that a magistrate would avoid incarceration at all costs. It is also understandable, although absolutely not excusable, that people get fed up with loss and damage of property and fearing for their safety and feel tempted to take the law into their own hands. However, the message that I have received loud and clear from the people of the Ngaanyatjarra Lands is that an Indigenous land use agreement is in place that was signed and registered on 20 April 2010, which relates to the 21 hectares of the Warburton work camp and which consents to the lease specifically, and, I quote, for “the construction and

operation of the Work Camp”. The lease itself states that the subtenant must use the premises for the purpose stated in schedule 1, item 4 and must not use them for any other purpose. Schedule 1, item 4, headed “Use of Premises”, states that it is for the construction and operation of a work camp.

Today I ask that this excellent purpose-built facility does not sit idle any longer. It should be used for the purpose originally intended or, with thorough consultation and consent of the people of the Ngaanyatjarra Lands, used for a purpose that will benefit the people of the central desert and goldfields region.

MR J.M. FRANCIS (Jandakot — Minister for Corrective Services) [9.53 am]: I thank the member for Kalgoorlie for her grievance on the Warburton work camp. I take this opportunity to place on the record my respect for the elders of the Ngaanyatjarra people, the community in which Warburton and the work camp are centred. The member is correct: the Warburton work camp was developed as part of the 2009 remote and regional prison strategy following the tragic death of Aboriginal elder Mr Ward in 2008. It cost about \$13.3 million to build. It was opened in August 2011 and it provides 24 minimum security beds, a workshop, commercial kitchen, laundry facilities, staff and visitor accommodation and an office, and obviously all of the gardens and vegie patches and things that go along with it, as the member knows; she knows the facility far better than I do.

It is no secret that it has been underutilised; it was held in mothballs, for want of a better word. In 2015–16 four prisoners were eligible for placement at that facility. The Inspector of Custodial Services, Professor Morgan, has also commented on the failure of the work camp model in remote locations to be utilised. In November 2015 the Department of Corrective Services placed the facility in a maintenance and care regime. The bottom line is that with just four prisoners out there it was costing an absolute bucket of money and not achieving its objectives, which I will touch on shortly. There was increased interest from the local community, as we would expect, and from other members of Parliament in the future of the Warburton work camp. I, for one, would hate to see it considered a stranded asset. The government wants to utilise every asset it owns to the best of its ability, but obviously a number of challenges remain when it comes to filling the work camp with minimum security prisoners.

I understand that one of the suggestions the member for Kalgoorlie has raised is that the department could change the classification of prisoners in order to increase the use of the Warburton work camp. However, the unfortunate fact is that the majority of offences committed by prisoners from the Ngaanyatjarra Lands are offences against the person, and in most cases the individual has had previous sentences of imprisonment. That is another issue for another debate. I do not want to take up my time now on that; however, significant social issues lead us to the situation that exists way before people come under the responsibility of the Department of Corrective Services. The two factors, crimes against the person and repeat offending, have had a significant impact on risk assessments and as a result many of those, predominantly Aboriginal men, are in medium or maximum security ratings.

The other significant issue is that the remote location of the facility, as I hinted earlier, has made the provision of appropriate rehabilitation, education and training—all very important issues—not just difficult, but near impossible. In effect this means that prisoners at the Warburton work camp are missing out on programs and services that would help them reduce their reoffending. It is almost a no-win situation. I absolutely get the idea that it is more beneficial for rehabilitation for Aboriginal people to do their time in-country, which is why the government has significantly invested in the new prison there and why even in Derby the system is specifically designed around trying to get as many people as possible to do their time in-country. They get to see their family more often and they have a strong cultural bond with the land in which they are being held, so that they see their family and gain all the rehabilitation positives that come with that.

The government wants to rehabilitate them but it is about finding a balance. The opening of the new prison in August this year has also changed the custodial options for the region. Forty minimum security beds in the eastern goldfields will come online in the next 12 months and the location of this facility will offer greater access and more comprehensive rehabilitation and reintegration programs than could ever be provided in a fairly remote work camp. Where we are at the moment though, which is the crux of what the member is getting at, is that in March 2016 the Department of Corrective Services agreed to work with the Regional Services Reform Unit, of which I am sure the member is aware, to explore future use options for the Warburton work camp, ensuring that the facility provides social and economic benefits to the Ngaanyatjarra people. That is the first key priority. They have engaged PricewaterhouseCoopers Indigenous Consulting to consult with the Ngaanyatjarra community, local government and other government and non-government stakeholders. This work is due to be completed by November 2016. It will allow for a wide range of options to be considered, including, but not limited to, leasing to a not-for-profit to provide services to the community, leasing or gifting to the community to provide commercial services within the community and developing a community hub for the provision of government services. It could be utilised for non-custodial justice-related purposes, such as work development orders, as the member suggested, and was visited by the RSRU on 21 and 22 September to commence consultation with the Ngaanyatjarra community and local council. Preferred options will be developed and approved by the Commissioner of Corrective Services and presented to the Aboriginal affairs subcommittee of

cabinet, I am advised, on 5 December 2016. The bottom line is that we are very aware of the issue. We want to see this facility used for the greatest benefit of the Ngaanyatjarra community. That is why we are going through a process to explore those options, and hopefully we will have some more definitive answers for the member at the beginning of December.