

Chairman; Mr Rob Johnson; Ms Margaret Quirk; Mr Christian Porter; Mr John Hyde; Mr Max Trenorden; Mr Paul Papalia; Mr Paul Andrews

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**Division 63: Corrective Services, \$555 012 000 —**

Mr P.B. Watson, Chairman.

Ms M.M. Quirk, Minister for Corrective Services.

Mr I. Johnson, Commissioner.

Mr G.A. Doyle, Acting Deputy Commissioner, Adult Custodial.

Ms H. Harker, Deputy Commissioner, Community and Juvenile Justice.

Mr N. Fong, Assistant Commissioner, Aboriginal Justice.

Mr L. McCulloch, Acting Deputy Commissioner, Offender Management and Professional Development.

Mr M. Kuzminski, Director, Finance.

Ms C.D. Ginbey, Acting Assistant Commissioner, Corporate Support.

Mr J. Dunstan, Assistant Commissioner, Custodial Operations.

**The CHAIRMAN:** This estimates committee will be reported by Hansard staff. The daily proof *Hansard* will be published at 9.00 am tomorrow.

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. This is the prime focus of the committee. While there is scope for members to examine many matters, questions need to be clearly related to a page number, item, program, or amount within the volumes. For example, members are free to pursue performance indicators that are included in the budget statements while there remains a clear link between the questions and the estimates. It is the intention of the Chairman 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 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. For the purpose of following up the provision of this information, I ask the minister to clearly indicate to the committee which supplementary information she 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 committee clerk by 6 June 2008, so that members may read it before the report and third reading stages. If the supplementary information cannot be provided within that time, written advice is required of the day by which the information will be made available. Details in relation to supplementary information have been provided to both members and advisers and accordingly I ask the minister to cooperate with those requirements.

I caution members that if the minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office. Only supplementary information that the minister agrees to provide will be sought by 6 June 2008.

The member for Hillarys.

**Mr R.F. JOHNSON:** I refer the minister to the third dot point on page 1026 of the *Budget Statements*, which relates to workload management in the area of community justice services for adults and juveniles. It has been widely publicised that there are approximately 1 750 —

**Ms M.M. QUIRK:** Sorry; I cannot hear the member. Can he speak up, please? It is the third dot point on page 1026.

**Mr R.F. JOHNSON:** I am referring to the third dot point on page 1026.

**Ms M.M. QUIRK:** I thank the member; I can now hear him.

**Mr R.F. JOHNSON:** It relates to the workload management in the area of community justice services for adults and juveniles. It has been widely reported that approximately 1 750 offenders are not in incarceration and are either on parole or doing supervised orders or community-based orders. I understand that those people are now asked to simply tick a box to indicate whether they are still living at the same address and whether they are employed. The other box they are asked to tick is to indicate whether they have committed any crimes or have done anything wrong. I suggest that no-one will tick the yes box in answer to that question. There is a chronic shortage of supervising officers for those offenders. I want to know exactly what the minister is going to do about this situation. It is a public safety concern when some offenders who have committed dangerous criminal acts are on parole. What is the minister going to do to ensure that those people are properly supervised? The

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community justice officers who regularly contact me tell me that they just cannot cope with the demands for pre-sentence reports, which take a helluva long time, and generally monitoring and supervising those offenders.

**Ms M.M. QUIRK:** I will need to address a number of premises in the member's question that are not totally correct, and I will probably need to go back to first principles to explain them. For example, implicit in the member's question was the so-called tick-a-box methodology for offenders under supervision. That is not, in fact, correct. I will go through some of the issues that we have faced recently at the Industrial Relations Commission, such as workload issues and the strategies we have in place to make sure that supervision is adequate and in accordance with court orders and that the outcome for community safety is optimal. The member is right that there has been a significant increase in the number of people who are subject to supervision; in fact, since 2001 there has been an increase in orders from 5 357 as at 1 May 2001 to 6 414 as at 1 May 2008. In percentage terms, that equates to a 16.5 per cent increase in the workload of community justice officers over those seven years. However, in the same period staffing numbers have increased substantially as well.

[10.10 am]

**Mr R.F. JOHNSON:** From when to when? Can the minister give us those figures on the increase in staff numbers?

**Ms M.M. QUIRK:** I will ask Heather Harker to talk about that shortly, if I can just give some more background information so that we can contextualise this matter.

**Mr C.C. PORTER:** I am sorry, what was the percentage increase?

**Ms M.M. QUIRK:** In order, 16.5 per cent. As I said, there has been an increase in adult work orders from 6 000 to 6 470 in the past four months. There is a high number of juvenile orders, around 780 in the past 12 months. There has been a 20 per cent increase in the number of pre-sentence reports that we have to provide. It was around 7 800 in the full 2003-04 year, whereas this year we are predicting that more than 9 480 such reports will be required. There is an increased complexity in case management and there are also changes in police practices whereby a better clear-up rate, the use of technology and Frontline First strategies are all creating more clients.

**Mr R.F. JOHNSON:** That is just a lot of spin; the minister knows that and I know that.

**Ms M.M. QUIRK:** No, I am giving the member this information so that he understands what the Community Justice Service —

**Mr R.F. JOHNSON:** Give us the factual information, not the spin. We have had enough of that from your government.

**Ms M.M. QUIRK:** What the Community Justice Service contends in terms of workload is correct: it is increasing. We will talk about staff numbers shortly, but I want to tell the member about what we have done to address those particular challenges that have arisen in the past year or so. Firstly, we have been aggressive in recruitment; however, that, in itself, has created some problems. There is a high incidence of new staff members, which has created some problems with the level of supervision they require. As the member appreciates, the more high-risk offenders require more experienced people to supervise them and a greater level of supervision. Although we are recruiting more people, some of those people are, therefore, less experienced. There are fairly strict parameters as to whom they can supervise, which Deputy Commissioner Harker will go into shortly. The member will also be aware that we were involved with the Community and Public Sector Union-Civil Service Association of WA in a matter before the Western Australian Industrial Relations Commission. That matter effectively concluded last month. Prior to that matter concluding, which was a protracted negotiation—is the member for Hillarys listening to this?

**Mr R.F. JOHNSON:** Every word. I am going to read it as well. I am definitely going to read it word by word, I promise the minister.

**Ms M.M. QUIRK:** Prior to the matter being formally resolved—it was settled in mid-April in the WA Industrial Relations Commission—interim orders were made that created some caps on case load levels. It was those interim orders that caused some problems. Now that the scope of those disputes and the strategies we have for progressing the issues are effectively agreed and settled, we are confident that with the cap removed some of the issues we face in the interim period can be resolved. As part of this ongoing discussion with the union and the officers in CJS, we have established benchmarks for both the standard of supervision and the volume of work that staff can undertake. These benchmarks take into account job requirements, local circumstances, the complexity of the work, and the experience and skills of individual officers.

**Mr R.F. JOHNSON:** Are these benchmarks the ones that are itemised in the workload strategy that has gone out from the department to various officers?

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**Ms M.M. QUIRK:** I will ask Heather Harker to answer that in a minute. However, it is my understanding that yes, that is true.

Secondly, there is a workload management strategy that will prioritise and allocate work. Thirdly, there is a workload reduction strategy, which involves looking at existing policies, procedures and practices with a view to streamlining and simplifying them. It is always a really tough balancing act between acknowledging appropriate levels of accountability and transparency and not forgetting our core functions and why we are there. We do not want people drowning in paperwork, but there must be a paper trail of the steps that have been taken in individual cases. We are also refining the tool to support and sustain resource bids to Treasury, which I think will better calculate and predict resource requirements. They are some of the overriding strategies that we are using. I have to say that the job is not done. The settlement of the issue in the Industrial Relations Commission means that we can effectively move forward. Deputy Commissioner Harker might want to expand on some of those issues. In particular, she can confirm whether the document that the member referred to was the one that was promulgated to staff.

**Mr R.F. JOHNSON:** She has indicated that it is.

**Ms M.M. QUIRK:** She has indicated, has she?

**Mr R.F. JOHNSON:** Yes.

**Ms M.M. QUIRK:** I cannot see at the back of my head.

We are also using a new tool for assessment of case management, and that is supposed to be much more robust than the tool we were using previously. It is called the harm and supervision assessment tool. We actually think that is a more robust tool to have in place. As I have said, we have also been pretty aggressive in recruitment. We are keen to retain existing staff. I have to say also that, despite some of the comments I have heard in this place, staff attrition is actually quite low; I am advised that it is around the 4 per cent level. I was very fortunate to be at the inaugural graduation from the foundation program for correctional officers, which provides CJS officers with really good fundamental training on the methods to use. That is a solid foundation. We are therefore providing more staff and we are giving them the tools and skills to do their jobs better. However, having said that, we need to be pretty rigorous in making sure that the job is streamlined. That includes, for example, discussions with the judiciary about what it needs to do its job. There has been much talk, for example, with Judge Reynolds of the Children's Court about whether the reports we are producing to the court are what the court needs. He has in fact advised us that he wants to revise the format of the material we give him. That should, in itself, have some positive workload implications. We are therefore working on not just one strategy, but also currently a range of strategies that we think will lead to a much more robust system, and a system that the community can be confident we are running effectively to supervise offenders.

**Mr R.F. JOHNSON:** I will state again the nub of the question I asked. The minister gave a very comprehensive answer in her commentary, and I take my hat off to her. It was very good; in fact, she took about 12 minutes to say all that.

**Ms M.M. QUIRK:** Gee, how time flies when I am enjoying myself!

**Mr R.F. JOHNSON:** Absolutely! I suppose the nub of the question was two or threefold. Firstly, I would like to know the ratio of offenders to corrective services officers 12 months ago to date so that we can know the increase in the number of officers to deal with those people who are either on parole or under supervision. The minister said that there had been an increase in the number of officers taking up positions and that the attrition rate was very low. I need to know—I think we all need to know because I understand the number of offenders has not increased—for the past 12 months, the ratio of offenders to community justice officers who deal with those offenders. That is the nub of the question.

However, following on from that, I have a very important question that needs to be answered. I want to know how many programs are in place, such as sex management offender programs, anger management offender programs and those types of programs, for offenders who need them. It is clear from the reports that the department's officers put up that those programs are needed. I want to know how many programs are in place, and how many individuals are available to run those programs, as at today's date. That is not a hard question. The department has psychologists who normally conduct these programs. Those offenders who are outside the jail system are supposed to be under supervision. I question whether they are properly supervised. There are now 1 750 offenders in the system; actually, it might be 2 000 by now. How many of those offenders require those specialised programs and how many officers or consultants will be hired to run those programs? I understand that none of those programs is being run today. Is that correct?

[10.20 am]

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**Ms M.M. QUIRK:** I will get some clarification from the deputy commissioner but my impression is that some of that information will not be available. For example, we can advise of the number of orders that we are responsible for supervising. The member says that the number of offenders has increased; I am not necessarily sure that that is the case. We are talking about the number of orders increasing. The member would appreciate that distinction. I understand that the member wants to know what programs are available for offenders under supervision and how the need for those programs is assessed.

**Mr R.F. JOHNSON:** I think they are assessed by the minister's officers and are put to a magistrate in Joondalup. In the case of a man who wilfully exposed himself on Marmion Avenue, it was recommended that he receive sex management offender counselling, but the magistrate knew that nobody in the department could offer that counselling to a person in that position; therefore, all the magistrate did was fine him \$1 000.

**Ms M.M. QUIRK:** Is the member talking about someone whose offence was so minor that he was only given a fine for exposing himself?

**Mr R.F. JOHNSON:** I think it was his fourth offence.

**Ms M.M. QUIRK:** I am happy to provide by way of supplementary information a list of the programs that offenders under community supervision undertake from time to time. However, I have a problem with being able to give accurate information, because whether we recommend that a person undertake a program, or whether the magistrate or the judge orders that an offender undertake a program, are two different things. I am certainly in a position to give the member information about what programs are available and the number of offenders who complete those programs. Very specific programs are required from time to time. However, because of their specialised nature, there may not be anyone within community justice or outside who is capable or qualified to provide that program. The member will be aware that a range of programs are available for serial sex offenders who are in custody. The member will also know from things that I have spoken about in this place that we are expanding the range of programs.

**Mr R.F. JOHNSON:** The minister has answered a lot of the questions but she has not told me how many individuals can facilitate those programs. I understand that none of those programs is being performed.

**Ms M.M. QUIRK:** Is the member talking about programs for people who expose themselves?

**Mr R.F. JOHNSON:** I am talking about those people who have done time or are on supervised orders who require sex management offender programs. I am told that no programs are being undertaken for people who are not in prison, and very limited programs are carried out in prison. Is that true?

**Ms M.M. QUIRK:** As I said, we have to remember that those offenders who are given only some sort of community order are at the lower end of the scale. Yes, that is disturbing and obviously that conduct cannot be condoned. The hardcore sex offenders are invariably incarcerated and programs are available for them.

**Mr R.F. JOHNSON:** But these offenders get out at some stage; they are let out on parole. It is recommended that they continue sex management offender programs. The question is very simple.

**The CHAIRMAN:** Member for Hillarys, I will let this question go, but the member has been going for 25 minutes on the one question. Other members want to ask questions. Also, other members are having problems hearing the member for Hillarys. The speakers cannot be turned up any more. I ask the member for Hillarys to speak up and lean a little closer to the microphone.

**Ms M.M. QUIRK:** I will ask the acting deputy commissioner, offender management and professional development, Lex McCulloch, to answer the question about community sex offender programs, bearing in mind that the member for Hillarys initially talked about a low level exposing offence, but he is now talking about hardcore offences.

**Mr R.F. JOHNSON:** That was only one example I gave the minister.

**Mr L. McCulloch:** The community-based sex offender program is in suspension at the moment. One finished just recently. We have done that because we are going to skill up the staff in the community-based programs branch to deliver that program. It will be running again in July. There are 14 people on the waitlist for that program. To back up what the minister said, the nature of the offences committed by the people who are on the waitlist include indecent exposure and pornography-type offences. They are not at the high end of offences.

**Mr R.F. JOHNSON:** Those offences can obviously lead to other sex offences. If offenders are in need of those programs, they should be getting those programs.

**Mr J.N. HYDE:** Is this a new question?

**Mr R.F. JOHNSON:** The member has his dorothy dixer ready.

**The CHAIRMAN:** Member for Hillarys, my patience is running thin.

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**Mr R.F. JOHNSON:** So is mine, Mr Chairman, because I am the shadow minister for this portfolio.

**The CHAIRMAN:** The member has spent 25 minutes on one question. I think he has had a pretty good run.

**Mr R.F. JOHNSON:** The minister has used more than half that time responding.

**The CHAIRMAN:** The member for Hillarys should not argue; otherwise, I will go to the next question. He should get his point across quickly.

**Mr R.F. JOHNSON:** I think I have done that; I have received the answer. There are no programs for offenders outside the prison centres.

**Ms M.M. QUIRK:** I am not a forensic psychologist but I do take issue with the statement that indecent exposure leads to more criminal offences. It is a criminal offence and it should be treated seriously. I am not diminishing the importance of it. To say that one type of criminal conduct immediately leads to something more serious is a leap, and some criminologists would take issue with the member on that.

**Mr M.W. TRENORDEN:** I refer to page 1033 and the line items under "Works in Progress". The estimated expenditure for site acquisition is \$239 000. What sites have been acquired and what are the intended purposes of those sites?

**Ms M.M. QUIRK:** No sites have been acquired at this stage.

**Mr M.W. TRENORDEN:** Was there not an announcement about a year ago that the department was looking for three more prison sites?

**Ms M.M. QUIRK:** We are involved in prudent planning. Clearly, the population of Perth and the state as a whole is expanding. With natural population growth trends, we anticipate that there will be a certain cohort of prisoners, so we are planning for the next generation of prisons. There was some publicity about this time last year about a so-called prison precinct. It is the trend both interstate and overseas to have a number of sites co-located for reasons of economies of scale, shared services, equipment, programs and so on. However, that is at the planning stage. There is no proposal before cabinet. No site has been acquired. No funding has been allocated by the expenditure review committee. I see our priorities in the short to medium term as being in regional Western Australia. We have received report after report from the Inspector of Custodial Services saying that too many prisoners are housed out of country. My next priority is in the regions. We are constructing a new prison at Derby. The mid-west and eastern goldfields will be the next cabs off the rank. It would be imprudent of us not to plan for the future. Clearly, demand for land in the metropolitan area is robust. Also, such an exercise takes a lot of work. However, at this stage, no firm proposal is before cabinet or the ERC. As I have said, my priorities are currently elsewhere.

[10.30 am]

**Mr M.W. TRENORDEN:** There has been a fair bit of publicity about this matter in the Avon community, because in that community there is already Wooroloo Prison and Arcadia Prison. I have had almost no response to the proposal for a prison precinct in that area. I am sure that a cluster of prisons near Wooroloo and Arcadia would not be opposed by the vast majority of the residents of that part of the world, although it might be opposed by the communities that are closer to the prison; that is, Wooroloo, and perhaps also Wundowie. Several businesses in my community are doing quite well by providing goods and services to those prisons. Therefore, although I am not saying it would not cause any angst, I am sure it would not cause a great deal of angst in the local community. However, if building a cluster of prisons in my community was being contemplated, it would be good if the community could be involved in some of the planning and consultation processes. As I say, Wooroloo Prison has been a part of my community for a long time. There has been very little impact on the surroundings from either that prison or the new one.

**Ms M.M. QUIRK:** I am gratified to hear that comment, and I will be mindful of that if at some future time we do go down that path. A range of issues need to be considered. One issue is the community. Other issues are the environmental impact, such as the impact on the watertable and so on, and the capacity for the prison infrastructure to be located close to other infrastructure. We are very mindful that community consultation needs to take place a long way out. For example, in the Derby exercise, we have already appointed two committees. Those committees are looking at a range of issues that impact on the community. With my Minister for Small Business hat on, we also know the positive economic benefits of locating a prison at a particular site, such as the spin-offs for local businesses, and the increase in population. Another issue that we will need to take into account is the need to source prison officers and provide them with a location in which they are prepared to work. I note the member's very positive comments. I can let the member know that the capacity at Wooroloo has been increased by 18 beds. That is a small step. The community of Wooroloo has been actively involved in that decision and is very supportive.

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**Mr M.W. TRENORDEN:** I should say that there were significant repercussions felt by farmers and other people who drove past that paddock that the minister has destroyed by putting 1 000 trees in there! People love that paddock and the adjoining paddock at Wooroloo. It is amazing how people get attached to simple things like a landscape.

**Mr P. PAPALIA:** I refer to page 1028 and the table headed “Outcomes and Key Effectiveness Indicators”. The second-last entry under that table refers to the imprisonment rate per 100 000 of the adult population. I note that the estimated figure for 2007-08 was 241 and that we are aiming at a target of 230 next year. Could the minister indicate how that compares with the average imprisonment rate per 100 000 of the adult population in other jurisdictions?

**Ms M.M. QUIRK:** Despite all the rhetoric, more people are imprisoned in Western Australia than in any other jurisdiction bar the Northern Territory—and there are a whole lot of other issues there. The imprisonment rate in Western Australia is 243.2 per 100 000 population, as opposed to South Australia, 148; Queensland, 169; Victoria, 105; New South Wales, 179; Tasmania, 150; the Northern Territory, which is going in the other direction, at 547; and the Australian Capital Territory, which sends its prisoners to New South Wales, which it does not like doing, at 66. Western Australia is way above the national average. Western Australia has the second highest imprisonment rate of the states. Western Australia also has the highest Indigenous imprisonment rate. I find that unacceptable. It is not a question of having differential justice. We need to drill down and find out why that occurs, and we are currently very actively involved in doing that. This is about making sure people do not reoffend, and that the community is safe. Yes, we will imprison people when appropriate. However, we need to know what other options are available.

**Mr P.W. ANDREWS:** My question is pursuant to a question that I asked the minister last year during the estimates about the treatment of prisoners with chronic diseases. As the minister knows, I am lobbied quite strongly—with some quite underhanded tactics, I might say—on that matter. I refer the minister to page 1029. The sixth dot point under “Major Achievements For 2008-09” refers to the introduction of a telemedicine system for prisoners. Could the minister explain how that system works, and perhaps also inform us of the reduction in the number of visits by prisoners to tertiary hospitals as a result of that system?

**Ms M.M. QUIRK:** I thank the member for the question. We need to deal with a number of important issues in prisoner health. The first is that during the period that prisoners are incarcerated, they are not covered by any commonwealth funding. That includes both the pharmaceutical benefits scheme and Medicare. Therefore, that is a substantial cost that the state needs to bear. Secondly, prisoner cohorts are, by their very nature, from disadvantaged communities and generally have a high level of chronic disease, such as diabetes and hepatitis. We need to get that matter under control and put in place management plans for those prisoners so that when they are released they do not present a chronic risk to the community. We therefore take the medical treatment of prisoners very seriously, because it has some broader implications for the community. We are trying to implement more proactive health prevention measures. For example—we will probably talk more about this later—80 per cent of prisoners smoke. We need to address those sorts of issues very aggressively. Having said that, there are people already in the system who are sick. Those people often need to be transported to tertiary facilities such as Royal Perth Hospital. That requires secure transport. In some cases, it also requires guards to sit with those sick people for the duration of their hospital stay. That is very expensive.

Therefore, as is mentioned at page 1029, we have introduced a telemedicine system. That system is similar to video link or video conferencing. The patient sits in a room in the prison health centre and is “seen” by a medical specialist at Royal Perth Hospital using interactive cameras and television screens. The use of this technology within a custodial setting will obviously reduce the number of prisoners who need to be physically transported to public health facilities. This system is already being used quite extensively in remote and rural areas of Western Australia. In fact, I think the system that is used in the south west won a Small Business of the Year Award at the award presentation that was held last week. We believe that this system will reduce the need for prisoners to visit hospitals, increase community safety, reduce transport costs, and improve access to health services generally. That will reduce our overall costs substantially. We believe that up to 30 per cent of current medical appointments will be eliminated by using this system. Last year, more than 6 000 external medical appointments were attended by prisoners and a further 2 300 were booked but were unsuccessful either due to transport not being available, the prisoner cancelling, or some other contingency. Again, that puts an extra strain on the public health system. There were more than 8 500 requirements for external medical appointments in 2007. We estimate that there will be a saving of about \$630 000 if about 30 per cent of external medical visits are converted to telemedicine.

[10.40 am]

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**Mr C.C. PORTER:** I refer to page 1028 of the *Budget Statements* and to the successful completion of community correction orders under “Outcomes and Key Effectiveness Indicators”. Before I ask the question, and referring to the previous page, the member for Hillarys asked a question about community-based orders, which have increased from 6 000 to 6 470. Is the terminology “community correction orders” also meant to include community-based orders? Is it the same thing?

**Ms M.M. QUIRK:** Yes.

**Mr C.C. PORTER:** There was a quite sharp increase in community-based orders from 6 000 to 6 470. The minister has indicated that there were other demands on community service officers, including professional service reviews, yet the successful completion rates for community correction orders for adults and community-based orders for juveniles have remained incredibly steady.

**Mr R.F. JOHNSON:** Low.

**Mr C.C. PORTER:** They are impressive. The completion rates represent an absence of a breach action. I presume that breach actions are initiated by community service officers.

**Ms M.M. QUIRK:** That is correct.

**Mr C.C. PORTER:** Does the department keep statistics on the number of breach actions that were initiated by community service officers?

**Ms M.M. QUIRK:** I am sure it does.

**Mr C.C. PORTER:** What was either the increase or decrease in the number of breach actions initiated by community service officers between 2006-07 and 2007-08, and what is the figure expected to be in 2008-09?

**Ms M.M. QUIRK:** I am not sure whether I can put my hands on the exact number.

**Mr C.C. PORTER:** My point is that, with these quite radically increased work demands, how is it that the number of successful completions is remaining steady? Does it indicate that less checking is being done by community service officers and that there are fewer breaches?

**Ms M.M. QUIRK:** No. My understanding is the opposite. We are being more robust regarding enforcement and we now have a central breach unit that is being much more aggressive than when it was decentralised. I can get Deputy Commissioner Harker to reflect on that in more detail. The advice I have is that we are being more robust dealing with breaches.

**Mr C.C. PORTER:** The sorts of figures I am interested in are the number of breach actions in 2006-07 compared with those of 2007-08. Also, what is the basis upon which breach actions were initiated?

**Ms M.M. QUIRK:** Excuse me for a minute. I have that information in percentage terms, but I can provide the figures as supplementary information.

**Mr C.C. PORTER:** That would be helpful. While we are on that point, how can it be logically possible that more orders and breaches have been initiated and yet the number of successful completions has remained steady? What is the maths in that?

**Ms M.M. QUIRK:** Just because someone has breached an order does not mean that he does not complete the order, ultimately. That is my understanding.

**The CHAIRMAN:** Can the member clarify the supplementary information he is seeking from the minister.

**Ms M.M. QUIRK:** As I understand it—please correct me if I am wrong—the member wants information on the number of breaches that were actioned in 2006-07, compared with those of 2007-08.

**Mr C.C. PORTER:** And the basis upon which the breach action was initiated.

**Ms M.M. QUIRK:** I presume that information is recorded but I do not know whether it is readily accessible. The information is available and can be provided by way of supplementary information. We are not immediately sure whether that information can be extracted from the computer in that format, but we will make any endeavour we can.

[*Supplementary Information No A2.*]

**Mr J.N. HYDE:** I refer to the capital works program on page 1032 of the *Budget Statements* and to the installation of biometrics in Hakea, Casuarina, Albany and Bandyup prisons to enhance community safety. My good colleague the lead speaker of the opposition is concerned that the minister is giving prisoners a free ride and that biometrics is a bit like calisthenics or Pilates. Can the minister explain to those of us who are not in the industry exactly what biometrics is?

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**Ms M.M. QUIRK:** I thank the member. Biometrics is a generic term for recognition technology. I would not enforce Pilates or calisthenics on anyone. I do not see why anyone else should have to do something that I am not prepared to do! Biometric recognition technology records the details of an individual's physical characteristics and records the person's identity. The technology is being used extensively nationally and internationally at secure facilities to verify a person's identity. The member, who is known to travel, might know that some airports use iris recognition or photographic recognition. Fingerprint scanning and palm recognition is also used. They all fall under the general description of biometrics. Biometric technology to scan a person's iris is being installed at Hakea, Casuarina, Bandyup and Albany maximum-security prisons. That system will take a biometric reading of a prisoner as he enters and leaves a prison. That will ensure the positive identification of a prisoner and prevent a prisoner from leaving a secure facility disguised as someone else. It is a very simple process. I just happen to have a picture of it. Members will see that it is a matter of a person putting his iris up to the camera lens and a record is taken that is matched up with a computer program to make sure that the person is the correct person.

**Mr M.W. TRENORDEN:** You have the wrong place. It is the Dockers who need this in the last quarter!

**Ms M.M. QUIRK:** Because they have gone missing?

**Mr J.N. HYDE:** As a further question —

**Ms M.M. QUIRK:** I am still going.

**Mr J.N. HYDE:** My apologies.

**Mr R.F. JOHNSON:** She has not finished answering the dorothy dixer.

**Ms M.M. QUIRK:** So cynical for one so young!

One of the reasons for having this biometric technology in maximum-security prisons is that, in the course of coming and going, the staff often have two or three things on the go; they are busy people. This technology can give the community an added assurance that security is being maintained. We also rely on physical surveillance and intelligence, and random checks are conducted using iron scans and metal detectors to make sure that illicit goods are not being brought into prisons. We think this technology adds to the overall security of the prisons. As I said, it is not an end in itself; it is a tool to maintain security in the context of having a lot of comings and goings to and from prisons. The community expects us to deploy the technology to the maximum-security prisons when it becomes available.

**Mr J.N. HYDE:** Further to that question, although people like me, who visit prisons on a welfare basis, and perhaps the Minister for Planning and Infrastructure, who conducts political visits —

**The CHAIRMAN:** Just ask the question, member.

**Mr J.N. HYDE:** Has there been any opposition to this technology, which seems to be an excellent initiative?

[10.50 am]

**Ms M.M. QUIRK:** There was some opposition from the Inspector of Custodial Services. He believed that there might be some cultural objections, especially from Indigenous visitors. I sought assurances that there would not be any selective application and that all prisoners would be screened. Obviously, there needs to be an education process for people subjected to that, particularly for those people who are social visitors. That is part of the process of rolling it out. I have had formal talks with the Commissioner for Equal Opportunity. She could not readily see that there was any racist intent in what we were doing. She indicated that so long as the guidelines that I undertook to show her were enforced in a balanced way and did not involve the selective application of the use of technology, she could not envisage a problem. On that basis, we asked the department to progress the issue. I can understand that the Inspector of Custodial Services might have some reservations. Given that this technology is applied widely, both internationally and interstate, this objection is not one that I have heard before. We thought it was better to proceed, bearing in mind that, initially, we would have a close look at how it is implemented.

**Mr R.F. JOHNSON:** The second dot point on page 1025 under "Significant Issues and Trends" relates to high prisoner numbers. I am sure that everybody accepts that prisoner numbers have increased in the past couple of years because more crimes have been committed in Western Australia. Is it a fact that the number of prison cells has not increased in eight years other than at, as the minister often refers to, Boronia Pre-release Centre for Women, which is a replacement prison for women. My question relates to the number of prison officers—by that I mean prison guards. What is the current ratio of prisoners to prison guards and what was it 12 months ago?

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**Ms M.M. QUIRK:** I thank the member, who raised a few issues in his question. Firstly, in terms of the member's contention that Boronia was a replacement for Nyandi, it is my understanding that the capacity of Boronia is much larger than that of Nyandi. I take issue with that.

**Mr R.F. JOHNSON:** What is the capacity of Nyandi as opposed to Boronia?

**Ms M.M. QUIRK:** The capacity of Nyandi is 22 and the capacity of Boronia is 70. There is a major difference. To say it is a replacement for Nyandi is incorrect.

**Mr R.F. JOHNSON:** Does that 70 provide for family members?

**Ms M.M. QUIRK:** It is for offenders.

**The CHAIRMAN:** The member for Hillarys has already asked another question and now he is drifting off onto something else. I ask the minister to come back to the original question.

**Ms M.M. QUIRK:** Yes, this is part of the question. Mr Chairman, you know that the member likes to get a bit of bang for his bucks. I think his question comprised four or five questions.

**Mr R.F. JOHNSON:** The minister is very cynical for one so young.

**Ms M.M. QUIRK:** Thank you, member. I take that as a compliment on both counts.

Secondly, prisoner numbers peaked in September last year at an alarming 3 968, which is very much above optimal. However, they were down to 3 317 at the end of April this year. Although they are still above capacity, we have money to build an additional 112 beds and they will be completed by the middle of this year.

**Mr R.F. JOHNSON:** Is that beds or cells?

**Ms M.M. QUIRK:** Beds.

**Mr R.F. JOHNSON:** In other words it is double-bunking and extra cells are not being built.

**Ms M.M. QUIRK:** We are building cells, as I understand it.

**Mr R.F. JOHNSON:** The minister is not quite sure.

**Ms M.M. QUIRK:** In some cases, yes, it is true that we are double-bunking. I am referring to additional accommodation. Those 112 beds will comprise a self-care unit at Bandyup. If the member drives past Bandyup, he will see that the works are progressing at a pace.

**Mr R.F. JOHNSON:** That development has been going for a long time.

**Ms M.M. QUIRK:** That may well be the case. The member's patience will be rewarded. The development is just about finished and I expect it to be completed within the next couple of months. There is also a new self-care unit at Bunbury. An additional 18 beds came on stream at Wooroloo in February this year.

In terms of the ratio of prison officers to prisoners —

**Mr R.F. JOHNSON:** I will clarify what information I am seeking. I would like to know the number of prisoners in each of the prison facilities and the number of prison officers so that in each facility we can clearly see how many police officers are coping with the number of prisoners. Perhaps the minister will provide the answer by way of supplementary information.

**Ms M.M. QUIRK:** Yes, the answer will need to be provided by way of supplementary information. I understand, though, that Acting Deputy Commissioner Adult Custodial Graeme Doyle has the information in front of him.

**Mr R.F. JOHNSON:** It would save some time if the information was provided by way of supplementary information. I am looking for today's figure and the figure 12 months ago, which I would not have thought that the officer has in front of him. It is easier to provide the answer as supplementary information.

**The CHAIRMAN:** I ask the member to state what supplementary information he is seeking.

**Mr R.F. JOHNSON:** The supplementary information that I am seeking is the statistics relating to each custodial centre—prison facility—that show the number of prisoners in each of those facilities, corresponding with the number of prison guards in each facility at the end of April compared with the same time last year.

**Ms M.M. QUIRK:** The information the member is seeking is the number of prisoners and prison officers in each prison facility from 30 April 2007 to 30 April 2008.

[*Supplementary Information No A3.*]

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**Ms M.M. QUIRK:** I indicate to the member that the information he is seeking would provide a pretty rough estimate of the needs. Obviously, the security classifications of the facilities vary enormously. That information is okay, but in drawing inferences from it, it is probably a limited utility because one would need to match up the relevant security classifications and the management issues at specific institutions.

**Mr R.F. JOHNSON:** I am happy for that extra information to be provided, if the minister chooses to do that.

**Ms M.M. QUIRK:** No. I am making the observation that, depending on what the member does with the information, it will be only a sketch that will not produce the whole picture.

**Mr R.F. JOHNSON:** I think we need the whole picture.

**Mr P. PAPALIA:** I refer to the fourth dot point under “Major Achievements For 2007-08” at page 1029, which refers to the establishment of an Aboriginal Justice Division to focus on the over-representation of Indigenous people in the justice system. As a member of the Education and Health Standing Committee I share the concerns of members of that committee about the over-representation of Indigenous people in our justice system. Can the minister give an indication of some of the programs and services that have been developed to tackle that problem, or is the department still involved in garnering information to develop those programs and services?

**Ms M.M. QUIRK:** There are two schools of thought on whether we should provide a specific focus on Aboriginals. The first school of thought is that by creating specific earmarked positions to look at Indigenous issues to target programs, it is in a way surrendering. In other words, we are giving up by saying we will always be in this situation of having an unacceptably high level of Indigenous imprisonment. The other school of thought is that it is an issue that needs to be specifically targeted. Overseas experience is that if significant cultural issues that lead to reoffending in the Indigenous population are identified, they need to be addressed head on. We need a framework within the department and to change our focus. One of the first things we did to achieve that was create the position of Assistant Commissioner Aboriginal Justice, who is Neil Fong, and I will ask him to tell the committee about the work he has been involved in.

[11.00 am]

Having said that, it is the responsibility of not only Mr Fong but also the department to ensure that we implement measures to reduce the unacceptably high level of Indigenous offending. During the past year the member for Victoria Park, Ben Wyatt, chaired a committee that looked at the nexus between driving offences and Indigenous imprisonment. That report identified that there are major issues with Indigenous offending and imprisonment. Work on this issue is ongoing and money has been allocated in the budget to consider ways to eliminate that cohort of Aboriginal prisoners. There are broader issues. The new Derby prison will have a strong Aboriginal cultural focus because almost 100 per cent of its prisoners are likely to be Indigenous. Last year after I had travelled to Canada I tabled a report in Parliament about some of the positive measures that the Canadian government has undertaken in the area of Indigenous imprisonment. Although Canada has a similar percentage of Indigenous people in its general population—that is, three per cent—its number of Indigenous prisoners is 19 per cent compared with Western Australia’s 42 per cent. We can make real progress because we are starting from an unacceptably high base. We must focus on the causes of that offending. I know that the committee of which the member for Peel is a member was very impressed with the Yirra project in the Kimberley. That program is being looked at because we want to address juvenile offending at an early age and prevent some of the risk factors. I will ask Neil Fong to talk about the big picture and some of the issues that we have been dealing with at an agency level.

**Mr Neil Fong:** Basically, we have been looking at how to engage Aboriginal organisations and communities as well as identifying Aboriginal issues in prisons and custodial services so that we are more responsive to them. We have been reviewing various programs and activities within the department. The offender management and professional development arm is looking at programs. Very few programs target Aboriginal people; they tend to target mainstream Australians rather than Aboriginal people. People in prisons and corrective services are not being assessed. We are working with OMPD and looking at the Aboriginal cognitive skills program so that we are out in the community working with people so that they are making informed decisions. We are in the process of establishing consultative mechanisms so that we deal with Aboriginal organisations in the larger areas as well as those in towns. We are working with the Aboriginal Legal Service and Aboriginal health services around the state to identify and consider the issues that they consider to be important.

**Mr P. PAPALIA:** I am particularly concerned about the incredibly high Indigenous juvenile detention rate. Will the department specifically focus on trying to intercept young Aboriginals so that they do not join the adult prison population?

**Ms M.M. QUIRK:** I will make a couple of points about that before deferring to Mr Fong. Aboriginal Legal Services recently published a report about juvenile offenders. That report stated that something like 98 per cent

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of Aboriginal kids who were remanded in custody were ultimately never sentenced. That is a pretty disturbing statistic, but it relates to social issues that fall outside the issue of offending that relate more broadly to homelessness, who is supervising Aboriginal children and whether they are attending school etc.

At the last election the government promised to build juvenile remand centres in Kalgoorlie and Geraldton. During the community consultation to which the member for Avon referred, we provided the figures relating to how many juveniles were likely to be on remand at any one time. The figure was two or three. We decided not to build a remand centre that costs millions of dollars—and that is expensive to maintain because there must be a certain level of security—when it would impact on only two or three kids, kids who may never be sentenced. During the community consultation in Kalgoorlie and Geraldton—a high percentage of the cohort of offenders in those regions are Aboriginal—we were told that the community wanted a range of issues addressed. We were told about the number of kids who were out until three o'clock in the morning —

**Mr M.W. TRENORDEN:** The new issue, which Aboriginal women come to see me about, is drugs.

**Ms M.M. QUIRK:** I agree. I do not resile from the fact that the impact of drugs is devastating, particularly in remote and regional Western Australia. We must take a hard-line approach. Some of the work that is being done with multifunction police stations in the communities is excellent in that regard because it is helping to stem the flow.

I refer again to the juvenile remand centres that were mooted for Geraldton and Kalgoorlie. The member for Peel's colleagues the member for Geraldton and Hon Vincent Catania, who chaired the community consultation meetings, were anxious for the consultation to conclude more quickly than it did. We have introduced a broader range of programs, including family support programs. We can now intervene earlier when families are concerned about kids getting into trouble. The intensive supervision program has been incredibly successful in places such as Mirrabooka and Midland; indeed, it is an internationally renowned program.

There is also the bail program. If kids are remanded by a magistrate, they do not have to be sent to Rangeview Remand Centre; rather, they can be remanded locally. Bail support will be run by the non-government drug arm in Geraldton and Kalgoorlie. We have expanded juvenile justice teams. The idea is to reach kids a lot earlier and to intervene with not only the kids, but also their families. We are trying to work intensively with those families to prevent the conditions that result in those children becoming hardcore offenders.

**Mr Neil Fong:** I do not have any additional information other than to say that there is a strong desire to ensure that we prevent children moving from juvenile activities into adult custodial activities. Given that it is not only our department that has to deal with children, we are looking to form partnerships with other departments to look at diversionary activities. As the member would be aware, there are few activities for Aboriginal children in remote areas and in that situation drug taking and other antisocial behaviour occurs.

**Mr P. PAPALIA:** I am aware that the intensive supervision program has been trialled. Has it been accepted as part of the accepted range of programs?

**Ms M.M. QUIRK:** It is my understanding that it has been formally rolled out in Mirrabooka, Midland, Maddington and Kalgoorlie. There will be a further team in Geraldton. It is being expanded.

[11.10 am]

**Mr M.W. TRENORDEN:** The third dot point on page 1026 of the *Budget Statements* deals with workload management. I ask the minister for the facts, and she can take the office in Northam in my constituency as the base. What is happening to community-based orders for adults? My perception is that they are not strongly used in the central wheatbelt because they are not resourced. I would like some figures on that. I am asking for some supplementary information perhaps, if the minister cannot provide it today. My perception is that it is not an issue for the adult population, if we consider that people under the age of 30 are not in the adult population. The feedback I get from the central wheatbelt, not just my community in Northam, indicates that juvenile work orders are not working and that that is putting pressure on the local magistrate. I ask the minister whether she would not mind supplying some comparative figures for the Northam office going back, say, two or three years. Can she let me know what is happening with community-based orders in that area? I understand that there are significant issues with skilled staff, but many of these orders are not supervised by skilled staff; they are supervised by people in local communities. I also understand from quite a few people in my community who used to do that work that they got burnt out because of the regulation, control and reporting requirements of that process.

**Ms M.M. QUIRK:** The member wants by way of supplementary information the numbers of community-based orders for juveniles.

**Mr M.W. TRENORDEN:** The information could be for more than just juveniles.

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**Ms M.M. QUIRK:** Juvenile and adult offenders.

**Mr M.W. TRENORDEN:** I am really interested in figures for those people under the age of 30.

**Ms M.M. QUIRK:** It will be split into either juveniles or adults. That is for the Northam office for the past three years.

**Mr M.W. TRENORDEN:** When I say the "Northam office", I mean all that area.

**Ms M.M. QUIRK:** Yes, all the area that is serviced by the Northam office.

[*Supplementary Information No A4.*]

**Ms M.M. QUIRK:** The member makes a very valid point. It is said that imprisonment is one of these try-it propositions, but imprisonment should be the last resort. I am keen to ensure that the judiciary has a range of options and that those options are sufficiently robust that it has confidence in them. A lot of the work that we are trying to do with the community justice service is about giving the judiciary a better range of options. I accept that that might be more limited in the regions than it is in the metropolitan area. We have a way to go, but the work we are doing is about making the judiciary confident that if it gives an order for community work, it can be completed. That is a general proposition. I do not know whether this can be extrapolated to Northam, but fewer community work orders are being given and the reason is that these days offenders are more likely than not to be employed in the current market and are more able to pay a fine. Clearly, they do not want to lose their job by having to undertake community work. The trend is that more people are paying fines rather than doing community-based sentences. That is a bit of a trend in this economic climate. Having said that, I know that the issue the member has raised is slightly different, but I think it is germane to this discussion.

**Mr M.W. TRENORDEN:** One of the reasons I made the comment is that the magistrate in the central wheatbelt is very well respected. There is a criminal element in the central wheatbelt. I would like to make sure, as the minister has just said, that community-based work orders are an option for the magistrate.

**Ms M.M. QUIRK:** We see quite significant variations in sentencing practices from magistrate to magistrate. Some magistrates do not want to avail themselves of those options at all, and others like to remand kids, for example, just to give them a bit of a scare but have no intention of imposing custodial sentences in the final determination. That quite significantly skews things across the board. As I have said, we have to provide a range of options, and then obviously it is within the discretion of the particular sentencer as to how he or she imposes sentences.

**Mr C.C. PORTER:** I refer to the third dot point on page 1026 about workload management. I have a question with three parts. To preface the question, community-based orders are said to have increased from 6 000 to 6 470. My understanding is that community-based orders will include a range of dispositions, such as community-based orders, intensive supervision orders, youth community-based orders, intensive youth supervision orders and IYSOs with detention, although they are also called conditional release orders because there is no detention involved. Attaching to each of these things is, for want of a better word, community work; that is, hours spent gardening at a primary school or something of that nature. That is the position, is it?

**Ms M.M. QUIRK:** Yes.

**Mr C.C. PORTER:** Given the increment in community-based orders and thereby the increment in the amount of community work that no doubt is being required to be undertaken, how do corrective services officers measure whether offenders have discharged their obligations pursuant to community-based orders? Ancillary to that, is there any recording of hours spent by community service officers on such a function? Secondly, if there are measurements for how this community work is discharged, what are they and have there been any changes in those measurements in recent times? Thirdly, is there any self-assessment —

**The CHAIRMAN:** I hear several questions at once. Let us deal with the questions that have been asked and then I will allow further questioning; otherwise we will get ahead of ourselves.

**Ms M.M. QUIRK:** The member has asked how the performance hours of community work orders are recorded.

**Mr C.C. PORTER:** Recorded, measured or policed, yes.

**Ms M.M. QUIRK:** I will ask Deputy Commissioner Harker to answer.

**Ms H. Harker:** Yes, community work orders are measured. The hours completed are measured and reported on on a regular basis. They are recorded both at the branch office and by the community work unit that oversees the projects for community work that are undertaken. In relation to some of the numbers on work completed, 29 000 offender hours on the Repay WA graffiti scheme equated to over \$460 000 of offender labour, and that was quite a significant achievement. Since July 2006, 4 000 hours of graffiti removal have been completed in the metropolitan area. We keep those kinds of figures on a global basis, but we also keep them by individual

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offender. Clearly, when an individual offender has completed his hours, he has completed that element of his order. It is that kind of recording that takes place.

**Mr C.C. PORTER:** I understand that they are measured in hours. How are they measured? Is someone there supervising them, do they self-assess, or do they log on and log off?

**Ms H. Harker:** They are supervised while doing their community hours.

**The CHAIRMAN:** Minister, advisers do not get to respond directly unless directed.

**Ms M.M. QUIRK:** Yes, they are supervised directly; there is someone onsite when they perform that work.

**Mr C.C. PORTER:** For the entire time of the work?

**Ms M.M. QUIRK:** Yes. In fact, there has been a bit of an issue about those officers who are in the community with offenders. We have had a bit of an industrial issue about the fact that they are not able to take lunchbreaks during that time. They take their job very seriously and they keep a very close eye on the offenders who do that work.

**Mr C.C. PORTER:** Every time an offender is discharging some of the community work hours, a community service officer is watching?

**Ms M.M. QUIRK:** That is my understanding, yes.

**Mr C.C. PORTER:** Is a log kept of hours expended on those tasks by community service officers?

**Ms M.M. QUIRK:** We would need to check on that, but I imagine that it would be available in some form. Clearly, there are some issues involved in our being able to have that information. I think we should have it in some form. I am happy to answer that by way of supplementary information.

**The CHAIRMAN:** Can the minister clarify for the purpose of *Hansard* what she is going to supply?

[11.20 am]

**Ms M.M. QUIRK:** We are supplying for the member —

**Mr C.C. PORTER:** The number of hours expended by community service officers.

**Ms M.M. QUIRK:** On the supervision of offenders on community-based work orders?

**Mr C.C. PORTER:** Yes, and if could I have them for 2006-07 and 2007-08.

[*Supplementary Information No A5.*]

**Mr M.W. TRENORDEN:** My question was going to be about exactly the same issue.

**The CHAIRMAN:** Then I will allow it.

**Mr M.W. TRENORDEN:** It could be provided as part of the supplementary information, so I hope the Chairman does not mind if I jump in. At page 1028 under “Successful completion of community-based orders”, the outcomes and key effectiveness indicators show 66 per cent actual for 2006-07, 66 per cent budgeted for 2007-08, 65 per cent estimated for 2007-08 and 66 per cent targeted for 2008-09. Going back to my previous question, my concern is that the orders performed in my electorate are basically done by paid officers. Most of them are done by contracted people, or whatever the correct term is. The concern of my community is that often these orders are not robust, if that is the correct word to use. The problem in the community is that people are seen doing these orders but there is a concern that some orders are not robust. Going back to my previous question: what does the magistrate, who also lives in the community and hears what the community says, do about that? I would like, if possible, a breakdown of the same orders that are done by non-professional individuals.

**Ms M.M. QUIRK:** By “non-professional” the member probably means non-CJS staff.

**Mr M.W. TRENORDEN:** Yes, non-state employees.

**Ms M.M. QUIRK:** We do have a lot of cases of non-government organisations and voluntary organisations effectively oversighting the orders, because we have arrangements with those organisations.

**Mr M.W. TRENORDEN:** Is there a different assessment for a successful outcome? I am concerned about those cases in which there is a concern—whether or not they are anecdotal—that the hours are not successfully completed. I can tell the minister about a few cases. There was a case in my town in which the hours were completed but the task was not. When a person fills in the form, is it to say just that the 10 hours have been completed? Is there an assessment of the quality of those 10 hours? I am certain there is with the minister’s staff, but in my area some people are basically press-ganged into enforcing those community orders. They are

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pressured because very few people are prepared to do them. Some of these people are not as robust as others would be in enforcing those community orders.

**Ms M.M. QUIRK:** I suspect the member is right in the sense that there is probably some variation; that is obviously not desirable. I will get Deputy Commissioner Harker to answer this question, but my understanding is that the court order relates to hours rather than a specific task. Often at the time the court order is made, it is not known which task will be allocated to the offender, and to some extent that might relate to the offender's particular skills, if the offender has any skills. Unfortunately, many offenders do not have any skills, or any inclination or capacity to learn a skill. We are dealing with a cohort of individuals who are, by their very nature, probably most skilled at crime and less skilled at anything else. They are therefore not "ideal employees". That, in itself, presents challenges, but I accept that there must be some consistency in supervision.

**Mr M.W. TRENORDEN:** My concern is not that as much as it is the minister's own argument about keeping people out of prison. To keep people out of prison these orders must be successful, otherwise magistrates will go back to putting people in prison.

**Ms M.M. QUIRK:** I might get Deputy Commissioner Harker to talk a bit more about levels of supervision and how the supervision is monitored.

**Ms H. Harker:** Yes, the member is correct. In terms of completion of orders, the focus is very much in relation to hours; it is not necessarily about the type of work that is actually done. There is a tremendous variety in the range of projects that are undertaken right across the state. Some of them are fairly low level and some of them are a lot higher level. Some of them involve working closely with individual people during the day. Some of them, as we have said, are about cleaning graffiti, decorating and things like that. However, the important thing is that we assess the capability of the individual offender at the outset and try to match him or her with the various projects that we have. Obviously, as the minister said, the skill levels and abilities vary tremendously. We therefore try to make sure that we get the best match that we can so that an individual offender gets the most that that person can get out of the program being undertaken. There would be no point in putting somebody with a very low skill level on a program that required significantly more from that person, and vice versa, because boredom etc creeps in for someone who is a bit more able. The focus therefore of the orders is very much the hours, but there is a raft of different types of programs that offenders can be involved in, depending on their capability.

**Ms M.M. QUIRK:** I will add that there are a couple of other variables that have caused us some issues. One is the raising of the school age. There is a law in this state that states that when someone is of school age and must be at school, they must be at school. That limits the hours in which we can have juveniles perform other work. That is an issue that we are trying to work through with the Department of Education and Training at the moment because, frankly, some of our clients are recalcitrant. It may therefore be better overall for them if they are performing community work than recalcitrant and truanting from school.

**Mr M.W. TRENORDEN:** Penalties for truancy are not enforced in the regions either.

**Ms M.M. QUIRK:** Yes. That is certainly an issue. It is to some extent the scope and significantly limited times in which these orders can be undertaken. As the Deputy Commissioner said, it is very important to match the work with the kids involved. For example, we have just launched a program in the southern suburbs in which offenders who have been convicted of property damage, graffiti or vandalism have to clean up property damage on buses. We believe that gives them the capacity to empathise with the damage that has been done in that they realise how hard it is to get the item clean again and the damage remediated. We are hoping that may well lead to fewer offenders. Another aspect to bear in mind with juveniles is that this is kind of a journey for them—without meaning to sound like a bleeding heart. It takes them a few times to get it right and to get on the right path. It is therefore very problematic and difficult work, and I acknowledge the people who do work with juvenile offenders, as it is particularly difficult work.

**Mr M.W. TRENORDEN:** I will make one quick statement. I know of two cases in which people have gone back to complete a task after their hours were up. I am not saying it is all negative; it is just that the really negative ones are the ones that the community sees.

**Ms M.M. QUIRK:** Yes. I must say that we spend a lot of energy talking about a small proportion of really hardcore offenders who create a lot of difficulties. I am very pleased to say that a lot of kids actually see the error of their ways and go on to be upstanding members of the community. However, the problem is those hardcore recalcitrants on behalf of whom we expend a lot of energy.

**The CHAIRMAN:** Two members have indicated that they wish to ask a further question along the same line. First, the member for Hillarys and, second, the member for Southern River; is that correct?

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**Mr R.F. JOHNSON:** Yes.

**The CHAIRMAN:** I will allow a further question each on this matter and then I will go to their substantive questions, as they are next in line.

**Mr R.F. JOHNSON:** As a carry-on from the previous questions in relation to the successful completion of community service orders —

**Ms M.M. QUIRK:** I am sorry, what page?

**Mr R.F. JOHNSON:** On the issue we have just been talking about.

**Ms M.M. QUIRK:** Yes, but what page?

**Mr R.F. JOHNSON:** The same one we have just been looking at.

**Ms M.M. QUIRK:** Page 1028?

**Mr R.F. JOHNSON:** It is a further question on the issue we have been talking about.

**Ms M.M. QUIRK:** It is for the purpose of *Hansard*. It is the fifth dot point under “Successful completion of community correction orders—adults”; is that correct?

**Mr R.F. JOHNSON:** Yes, both adults and juveniles.

**Ms M.M. QUIRK:** And the next one, “Successful completion of community-based orders—juveniles” on page 1028. I said that so that when the member reads it back, he will know what the hell he is talking about!

**The CHAIRMAN:** The minister is doing the work for the member for Hillarys. It is good cooperation. Go with the flow!

**Mr R.F. JOHNSON:** It is further to those questions that have been asked of her. It is very simple.

**Ms M.M. QUIRK:** They were asked so long ago that I cannot remember what they were about!

**Mr R.F. JOHNSON:** That is probably because of the long answers the minister gives!

**Ms M.M. QUIRK:** They were comprehensive, member.

**Mr R.F. JOHNSON:** I just want to say that there are two lines in the budget on successful completion of community correction orders for adults and community-based orders for juveniles. I understand that roughly 60 per cent of those community-based orders for both juveniles and adults were completed, perhaps 40 per cent were never completed, and some were never even started. The minister has listed the successful ones. How many of those individuals, both adults and juveniles, end up being incarcerated because they have not completed or even started their community-based orders?

[11.30 am]

**Ms M.M. QUIRK:** I think we have the percentages. I do not have the individual numbers in front of me. The member is concerned about what happens to the people who breach or do not effectively complete community-based orders.

**Mr R.F. JOHNSON:** I am told that some do not even start. What happens to those people?

**Ms M.M. QUIRK:** I will ask the deputy commissioner what happens to those who do not start.

**Ms H. Harker:** Those offenders who do not start may have reoffended very quickly once the order has been made. In those instances, it is obviously up to the court to determine what happens to them; it decides whether they are allowed to continue on the order or whether they are put into custody, and likewise for those who start the order and do not complete the order. There may be a number of reasons they do not complete it; it might be pure noncompliance or the result of things that are happening within their life at any one time. The reasons they are not able to get through that order relate to whether they have actually breached and are taken back to court. For straight noncompliance with an order, once it has started, both adults and juveniles would be returned to court for the breach.

**Mr R.F. JOHNSON:** What happens to those people who breach the order and go back to court? Do they end up going to prison or a juvenile detention centre or are they given another order but do not start or complete it again? Does that sort of continuum keep going so they do not spend any time in jail or are not effectively punished for their crimes?

**Ms M.M. QUIRK:** Without wanting to be evasive, that depends on the circumstances under which they breach. There would be a range of outcomes, from incarceration to maybe reinstating the order. I do not think I can give the member a specific answer because it would depend on the merits of the individual case.

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**Mr R.F. JOHNSON:** Can I have the information by way of supplementary information?

**Ms M.M. QUIRK:** I am not sure that we will be able to access that readily.

**Mr R.F. JOHNSON:** The minister must know how many offenders there are. They must be on a database. If they have not completed their community-based order —

**Ms M.M. QUIRK:** Are we talking about adults or juveniles?

**Mr R.F. JOHNSON:** Both; I am interested in adults and juveniles.

**Ms M.M. QUIRK:** The member wants to know the number of people who have breached and go back to court and what ultimately happens to them in court. I am told that we may not necessarily have that information in a form that we can extract for the member readily without burdening the overworked community justice services officers. We can certainly give the member information about the number of times people breach an order, which is effectively reflected in the percentages. We cannot actually say what the ultimate determination is without physically pulling out individual cases. Once they go to court, that information is recorded in the Attorney General's system. As I said, I do not know that we can readily extract that information system wide.

**Mr R.F. JOHNSON:** I think it is in the public interest that the public knows what happens to those people who ignore or breach community-based orders. The perception is that nothing happens; they get a slap on the wrist, they get another order and there is no effective punishment. That is what we want to know. The minister has that information.

**Ms M.M. QUIRK:** As I said, I can certainly give the member information relating to the number of breaches but I do not know that we can readily extract other information from the system. I am more than happy to try.

**Mr R.F. JOHNSON:** If the minister is happy to try, I will accept that.

**Ms M.M. QUIRK:** We will endeavour to provide the number of breaches for adults and juveniles during 2007-08 and the outcome of those breaches.

*[Supplementary Information No A6.]*

**The CHAIRMAN:** I think the member for Southern River had a further question on the same subject, and then I will return to the substantive question.

**Mr P.W. ANDREWS:** The debate has moved on a little. My question related to page 1029 and was about reducing imprisonment strategies, in particular the prisoner employment programs.

**The CHAIRMAN:** That is a different question. I might come back to the member.

**Mr C.C. PORTER:** I took it from what the deputy commissioner was saying that breach action is not initiated in every instance against someone who fails to complete his community work. Is that the case?

**Ms M.M. QUIRK:** It is my understanding—the deputy commissioner will correct me if necessary—that if a bus breaks down, there may be some legitimate reason —

**Mr C.C. PORTER:** They often do.

**Ms M.M. QUIRK:** I am talking about an ordinary bus, not any of ours. There might be a good reason someone does not turn up. There might be a bereavement in the family. Even though that is a formal breach, there may be legitimate reasons the person would not be hauled back into court and suffer punitive action. Breach action does not necessarily connote incarceration.

**Mr C.C. PORTER:** The first answer the minister gave is that breach action does not always follow from noncompliance with a work order.

**Ms M.M. QUIRK:** That is my understanding.

**Mr C.C. PORTER:** Are any statistics kept on the number of times in which noncompliance with a work order results in a breach?

**Ms H. Harker:** Yes, in terms of the number of breaches that actually take place. As the Minister said, there are many reasons we would not necessarily go to a breach, depending on what is happening with the offender. There could be an illness or some other legitimate reason the person is not able to get through the order. In those instances, again dependent on the case, we may take it back to court and ask the court to impose a different kind of order. Each case is dealt with on its merits. As I said earlier, for those who quite overtly do not comply with the order and have no intention of complying with the order, automatic breach would be the result.

**The CHAIRMAN:** Member for Hillarys, I come back to your substantive question.

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**Mr R.F. JOHNSON:** I refer to the dot point on page 1030 of the *Budget Statements* just above “Major Initiatives For 2008-09”.

**Ms M.M. QUIRK:** Is that the eleventh dot point?

**Mr R.F. JOHNSON:** It is the one prior to that. There are two actually.

**Ms M.M. QUIRK:** The second last dot point in that section is “Commenced scoping of responsibilities for the Perth Watch House.”

**Mr R.F. JOHNSON:** Yes, and two dot points above that is a dot point relating to a review of prisoner transport. There are two questions.

**Ms M.M. QUIRK:** Yes, there are two questions. The member is quite right. Which one will the member start with?

**Mr R.F. JOHNSON:** Is the minister capable of answering them both?

**Ms M.M. QUIRK:** I imagine I might be.

**Mr R.F. JOHNSON:** I assume that they both rely on private contractual arrangements. Can the minister update us on the likelihood of our hardworking police officers being relieved from duty at the Perth Watch House and for watching the people who are incarcerated there? I would assume that the responsibility will be taken over by the private corporation that deals with prisoner transport and court security. If so, when is it likely to take place?

**Ms M.M. QUIRK:** The member is quite right in that allowance is made in this budget for the responsibility of managing East Perth watch-house to go to private contractors. That has been budgeted for. Over the preceding few months we have been in intensive and long negotiations with the police as to the feasibility of that transfer. At the end of those negotiations and discussions, the police took the view that they wanted to retain that function. Having said that, they will make alternative staff arrangements. I understand that will free up the existing officers. At this stage it is not proposed by the police to go to a private contractor; namely, the contractor who is currently undertaking prisoner transport.

[11.40 am]

**Mr R.F. JOHNSON:** That is global securities.

**Ms M.M. QUIRK:** Yes—GSL.

**Mr R.F. JOHNSON:** Further to that question, the Commissioner of Police has said publicly that he wants his officers to be doing frontline duties rather than looking after prisoners in the watch-house. Is the minister saying that the commissioner has now changed his view and wants police officers to stay in the watch-house, or is the minister saying that it might be a 50-50 situation, whereby the watch-house is staffed half by police officers and half by private security officers, such as those who provide security at Acacia Prison and for the courts and prisoner transport?

**Ms M.M. QUIRK:** I assure the member that I have never verbalised a police officer, and I am certainly not going to verbalise the Commissioner of Police. We have had lengthy and quite complex and detailed discussions with the police. We have been more than willing to cooperate in assessing whether this is a viable option. The police want to go down another path. I am not the Minister for Police. Therefore, I think this matter is probably better directed to my colleague Hon John Kobelke, who has responsibility for the police portfolio. I do not want to impute motives or put words in the commissioner’s mouth. We were more than happy to assist. I think the option that the police want to take will still enable the police to free up frontline police officers. However, I do not want to proceed any further on this issue because it is a matter for my colleague Hon John Kobelke.

**Mr R.F. JOHNSON:** Is there some sort of secret deal that the minister does not want to tell us about?

**Ms M.M. QUIRK:** It is just that I know my limits, member for Hillarys. I am not the Minister for Police. I also do not want to impute motives to the Commissioner of Police.

**Mr R.F. JOHNSON:** Okay. I will take that up with the Minister for Police this afternoon.

**Mr C.C. PORTER:** I refer to page 1029. The second dot point under “Major Achievements For 2007-08” refers to the development of strategies for reducing imprisonment. Those strategies include, in the second line, doubling re-entry services, and, in the third line, prisoner employment programs. I am interested to know whether any specific budgetary figures are kept on how much is spent on those two items; that is, on what might be called post-release programs. The minister had some interesting comparative statistics at her fingertips earlier when the member for Peel asked his question. I understand that in Victoria a significant amount of money is

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spent on post-release programs, and the recidivism rate is fairly low. What is the actual expenditure on those two programs? Are any other post-release programs provided by the Department of Corrective Services?

**Ms M.M. QUIRK:** I can tell the member that the global amount that I have been allocated for this suite of initiatives is \$32 million over four years. I need to say also that to talk about reducing the rate of imprisonment is a bit of a misnomer. It is really about reducing the rate of reoffending. For example, providing extra prison cells or extra prisons is about the demand side. This is about the supply side. I can certainly find out what funding has been allocated for those programs. It would be fair to say that the focus in the past 18 months has been on the high prison muster and the day-to-day management of that muster, which presents particular challenges. Now that the prison muster has been reduced to a more manageable level, we clearly need to look at how those people can be kept out of prison long-term. I will see whether we can provide those figures by way of supplementary information. There has also been a change to the Prisons and Sentencing Legislation Amendment Act 2006, which was proclaimed in April last year. We are in the process of finalising the guidelines for that legislation. That will enable prisoners to engage in employment prior to release. I have talked to a range of employers who are interested in providing that form of employment. I have just been given some figures. In 2008-09, the finding for prisoner employment programs is \$1.625 million—that is additional, because some money is already being spent in that area—and the funding for re-entry programs is \$4.708 million.

**Mr C.C. PORTER:** Just as an ancillary question, what do bail coordinators do?

**Ms M.M. QUIRK:** An important issue that we need to face—it is an Australia-wide trend, and it is certainly of concern in this state—is that not only are a much higher percentage of prisoners being placed on remand, but also the average time on remand has increased. When we drill down and look at that, many of the people on remand are people who are unable to arrange bail. The purpose of bail coordinators is to ensure that we maximise the number of people who are able to secure bail. It is basically making the phone calls and identifying people who are able to provide sureties for bail.

**Mr C.C. PORTER:** So these are not individuals who are helping people to meet their bail requirements, because those requirements are usually pretty rudimentary, such as reporting to a police station on a regular basis?

**Ms M.M. QUIRK:** No. It is more about seeking out sureties. When I visited Hakea Prison earlier this year, I was told about a fellow who had been on remand for a number of months. The problem was that although the surety that the magistrate had imposed was only \$10, or a ridiculously small amount like that, no-one would go surety for that fellow.

**The appropriation was recommended.**