

Division 27: Justice — Services 8 and 9, Corrective Services —

Ms M.M. Quirk, Chair.

Mr P. Papalia, Minister for Corrective Services.

Mr B. Royce, Commissioner of Corrective Services.

Ms C. Ginbey, Deputy Commissioner, Women and Young People.

Mr A. Beck, Deputy Commissioner, Offender Services.

Ms K. Maj, Acting Director General.

Mr T. Clark, Deputy Director General, Corporate Services.

Ms J. Kingston, Executive Director, Strategy and Engagement.

Mr R. Montilva, Acting Executive Director, Finance.

Mr R. Harte, Senior Policy Adviser.

Mr R. McFarlane, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: The estimates committees will be reported by Hansard and the daily proof will be available online as soon as possible within two business days. I will allow as many questions as possible. Questions and answers should be short and to the point. Consideration is restricted to items for which a vote of money is proposed in the consolidated account. Questions must relate to a page number, item or amount related to the current division, and members should preface their questions with these details. Some divisions are the responsibility of more than one minister. Ministers shall be examined only in relation to their portfolio responsibilities.

A minister may agree to provide supplementary information to the committee. I will ask the minister to clearly indicate what information they agree to provide and will then allocate a reference number. Supplementary information should be provided to the principal clerk by noon on Friday, 31 May 2024. If a minister suggests that a matter be put on notice, members should use the online questions on notice system to submit their questions.

The member for Vasse has the call.

[10.50 am]

Ms L. METTAM: I refer to paragraph 4 under the heading “Significant Issues Impacting the Agency” on page 422 of budget paper No 2, volume 2, and the development of a crisis care unit at Banksia Hill Detention Centre. When was the idea of a new crisis care unit first brought to the minister’s attention? Did this request come to the minister’s office or was it brought to his attention by the department?

Mr P. PAPALIA: The requirement for a new crisis care unit was identified prior to me assuming my role. I might ask Christine to answer, if she can.

Ms C. Ginbey: It was brought to the attention of the previous minister by the department. We have an intensive supervision unit at Banksia Hill. It looks after young people who have myriad different needs and risks. It is a place that helps people who have been involved in incidents within the department. There might have been a fight between some young people or a critical incident involving aggression between young people, and they are held there. If a young person who is going through withdrawals comes into the detention centre, they are also held in the intensive support unit, as well as young people who are at risk of self-harm or suicide. As members can imagine, having that mix of young people together in the one unit is not very therapeutic. We have been very fortunate that we have been able to do some interim work in that unit to support young people with a variety of needs and risks. Having a purpose-built crisis care unit is the most therapeutic environment in which we can hold young people who are at risk of self-harm or attempted suicide. It also allows us to staff it with professional staff who are particularly trained in that area. We look forward to having that on board.

Mr P. PAPALIA: The deputy commissioner recalls that it may have been brought to the former minister’s attention in late 2022.

Ms L. METTAM: When will the business case for this unit be completed?

Mr P. PAPALIA: I understand that the business case has already been completed. A total of \$20.7 million has been allocated for the construction of the crisis care unit, which will provide dedicated support to young people experiencing mental health crises. Tenders for construction of the CCU are currently being evaluated.

Ms L. METTAM: When will construction take place or when will the facility be operational?

The CHAIR: They are two separate questions.

Mr P. PAPALIA: The tenders are being evaluated. The normal process will play out. Once a successful tenderer is identified, we will be able to give the member those answers but I cannot answer those questions now.

Ms L. METTAM: Will more beds be available than are available in the current unit 18 complex?

Mr P. PAPALIA: This unit will not replace unit 18; it is not the alternative to unit 18. This facility will enhance and support services inside Banksia Hill for the cohort that is managed in that facility. The member may be conflating the tasks. There is another business case for a dedicated facility that will be a new youth detention facility in its entirety. That business case will focus on developing a facility to house the cohort that is currently housed in unit 18. It is a different facility altogether. That is the one to which we allocated \$1 million in the previous *Government mid-year financial projections statement*. That business case is underway.

Ms L. METTAM: What will be the capacity of this unit? How many beds will it contain?

Mr P. PAPALIA: All of that is part of the business case, which will determine the capacity and the nature of the facility. That work is being done. It is almost complete. It is underway.

Ms L. METTAM: Again, I refer to the third significant issue on page 422, which states —

The Department is continuing to progress a range of measures to enhance safety and wellbeing at Banksia Hill Detention Centre and Unit 18 ...

How many employees are earmarked, which is referred to in that paragraph, for Banksia Hill and unit 18?

Mr P. PAPALIA: Is the member referring to the increased staffing levels?

Ms L. METTAM: Yes.

Mr P. PAPALIA: I might ask the commissioner to respond.

Mr B. Royce: Banksia Hill is the actual centre and unit 18 has staff from that facility. We move staff to unit 18 as necessary. The actual staff contingent relates to Banksia Hill and unit 18 is run as a unit from that. If we put more young people in there, we lift the staffing. If we reduce the number of young people or change the wings they are in, we can reduce the staffing. Banksia Hill has the full contingent of staff and we move them to unit 18 as necessary.

Ms L. METTAM: It is my understanding that Banksia Hill has 254 positions for custodial staff. Are all those positions filled?

Mr B. Royce: No, they are not.

Ms L. METTAM: When does the minister expect those positions to be filled?

Mr B. Royce: We only have figures for the previous year. If we get all our academies through for youth custodial officers, we will get 144 staff. We have an attrition rate of around 2.5 to five a month, so it is a sliding scale, but I am hopeful that we will be as full as we can get with normal attrition by the end of the year.

Ms L. METTAM: I refer to page 432 of budget paper No 2, volume 2, and the cost per day of keeping a young person in detention. The budgeted amount for 2023–24 was \$1 659, yet the estimated amount increased by 85 per cent to \$3 067 per day. What has led to that significant increase?

[11.00 am]

[Mr S.J. Price took the chair.]

Mr P. PAPALIA: There are a couple of factors. There was an increase in the cost of service. Everybody experienced increases in service costs after the COVID period. Service costs are 44 per cent higher than budgeted. That is one component. The other element is a reduction in the number of young people in detention; therefore, the cost per individual has elevated. There was a reduction of 22 per cent in the daily average of young people managed in detention compared with the budgeted number of young people we began with. Fewer people and higher costs individually have resulted in an increase in cost per person.

Ms L. METTAM: As explained in note 3 for this item, which can be found at the top of page 433, this increase is due to an increase in the cost of managing young persons in detention.

Mr P. PAPALIA: There was also a reduction in the number of people in detention. Fewer people makes the cost per person go up, as does the cost of service delivery.

Ms L. METTAM: Has there been an increase in management associated with this as well or is it just an economies of scale issue?

Mr P. PAPALIA: With service delivery, there is an increase in the cost of individual services. That is something we are experiencing across all sectors. But a greater number of services are also being provided into Banksia Hill and unit 18, including some that we have employed. We have a new Aboriginal services unit. Other services are being delivered by not-for-profits, and we also have new programs, like the mentors or elders program. There are

things of that nature that did not exist before. A significant number of additional services are being delivered and, obviously, they are part of the increase in costs. But individually, costs for services that were already engaged have increased. That is just a consequence of the cost escalation across all sectors. The other part is that we have fewer detainees than we have budgeted for, so the cost per individual has been elevated.

Ms L. METTAM: I refer to the asset investment program on page 433 and the \$22.3 million being spent to provide a safe and secure environment at Banksia Hill and unit 18. What is currently unsafe at a Banksia Hill or unit 18 that requires an increase in services and support?

Mr P. PAPALIA: I do not think the member can make that observation from line 1.2. It reflects an additional allocation of funds to provide an enhanced and wider range of services and support in order to provide a safe and secure environment because the agency is tasked to provide a safe and secure environment. It is just delivering a greater allocation of funding to meet the agency's objective.

Ms L. METTAM: Can the minister outline what these services will include and how they will increase safety?

Mr P. PAPALIA: I gave an indication of a couple just before in terms of the Aboriginal services unit and the elders mentor scheme. I will hand over to the deputy commissioner, who might be able to run through them. There has been a really significant increase in support to Banksia Hill and unit 18, and the deputy commissioner is more familiar with that.

Ms C. Ginbey: Specifically, under the asset investment program, there are a number of works in progress. One of the issues that we are experiencing at Banksia Hill is that, because the infrastructure is aged and has certainly been well used over the years, young people were able to undertake a high degree of damage to sleeping quarters as well as being able to climb onto the roof or cowling, for example. Whenever this happened, it required staff to be diverted from the normal routine and running the normal program for the other young people who were not involved in the incident. Some of the work that is being done is to provide anti-climb fencing and anti-climb roof treatments on each of the buildings so that there will be less of those critical incidents that disrupt the normal routine.

There are a number of other works that are taking place. The crisis care unit is one that we have mentioned. We certainly have quite a difficult cohort there, so we are undertaking that roof and fence remediation and the work on the intensive support unit, which I have already explained. The intensive support unit was fairly bleak some time ago, and we have tried to make it a more therapeutic environment for young people who are spending time there by having additional exercise areas, colourful equipment, murals painted, noise-attenuating flooring treatments so that noise does not reverberate and observation cells to give staff a really good ability to observe the young people who might be at risk, and we have created a new staff area that enables staff to view CCTV camera footage within those cells more clearly. All of these have contributed to the safety of young people held in that area.

We have also put in some window protections. If young people in the units are lashing out, often the first thing that they do is to smash the windows, so we have put some treatments over those. We have put in some transportable dongas for those additional services that we are having come in so that they have somewhere to work from. We have also improved the education IT upgrade. A number of works are happening at Banksia Hill, all of which contribute to safety and security in that asset management area.

Ms L. METTAM: On matters of self-harm, is there anything specifically that is captured by that line item?

Mr P. PAPALIA: Just about everything the deputy commissioner referred to contributes to addressing that challenge because you can self-harm through climbing on a roof and potentially endanger yourself and suffer a consequence. All the measures around the intensive supervision unit are absolutely focused on making it a more accommodating environment and less harsh, and therefore will assist with a reduction in the likelihood of self-harm. That includes the observation cells and the provision of better facilities for staff to monitor people. Elements of this spend are associated with unit 18 as well, so I might ask the deputy commissioner to respond to the member and also reflect a little on that, because a lot of money has been spent on unit 18.

[11.10 am]

Ms C. Ginbey: Across both sites, there are additional psychology services. Youth justice psychological services has a team of clinical counselling and forensic psychologists who work across both sites, as well as in the community and the courts. A number of strategies have been put in place to increase its capacity and focus on offence-specific counselling, including recruitment and the use of community-based psychologists to commence counselling with young people while they are in custody. It also takes the through-care services out to the community. We have found that a number of our young people spend a number of short periods in custody and often the education, psychology and health services for them can be a bit stop-start. We are trying to provide better through care for them as much as possible.

We also have mental health services. The mental health, alcohol and other drugs nurses work with any young person when there are concerns that a young person might be showing signs of a major mental illness. They also work

closely to support our custodial operations in managing any risk pertaining to that small cohort of individuals who have ongoing, chronic and acute behaviours and who are a high risk to themselves, often with attempted suicide or violent conduct. That can happen in the community as well as while they are in custody. Our custodial staff also work with those services and their queries about how to work with those young people.

We have daily at-risk assessment group meetings that are held to discuss young people who are at risk of self-harm. The attendees at those meetings include custodial staff, mental health services nurses, psychologists and Aboriginal youth support workers. Our Aboriginal mental health workers have commenced and have made a real difference. They attend both unit 18 and Banksia Hill Detention Centre. The Child and Adolescent Forensic Service—CAFS—has started. That is an in-reach service that includes neuropsychologists, psychiatrists, speech pathologists and paediatricians. The focus of that team is very much on developing the service model and addressing the operational challenges. Those clinicians are working to do psychological testing, as well as supporting referrals to the National Disability Insurance Scheme and providing assistance in developing behavioural management plans, when required.

Mr P. PAPALIA: I think the member's question was on the infrastructure investment to address self-harm in the facilities. Is that something she is specifically interested in, such as how much of the spend is allocated to that?

Ms L. METTAM: It was in relation to the line item around safety.

Mr P. PAPALIA: The member will see that the line item refers to Banksia Hill Detention Centre and unit 18. There has been a fair amount of spending on infrastructure enhancement at unit 18 as well as Banksia Hill. As I suggested with respect to the spend that the deputy commissioner initially referred to at Banksia Hill, there is an element of reduction in self-harm or mitigating that likelihood in just about everything when spending on infrastructure in the facilities. At unit 18, a lot of work has been done to change the structure to prevent access to roof spaces and climbing points where the detainees could hurt themselves or other people or do damage and then make the infrastructure more hazardous. A lot has been spent—we are talking about millions of dollars—over the term of unit 18 being employed as a juvenile detention facility. Even in the last financial year, that has been an ongoing process.

With respect to self-harm, despite the use of the terminology, ligature-free facilities do not really exist. It is impossible to prevent any cell or facility from having ligature points of some description, but every effort is made to reduce the opportunity to use points inside the accommodation as ligature points. There is an ongoing spend. When damage is done, because damage is regularly done by detainees, that is rectified and the detainees are moved to other cells where there is no damage.

Ms L. METTAM: Can I get some clarification? Are we dealing just with corrective services at the moment and then dealing with the Inspector of Custodial Services, or can we do them together?

Mr P. PAPALIA: The Inspector of Custodial Services is an independent commission. We will do that separately and the member can ask him questions then.

Ms L. METTAM: Okay. I will backtrack slightly to get some clarification. I refer to paragraph 3 under the heading “Significant Issues Impacting the Agency” on page 422, which I referred to before, about staffing at Banksia Hill and unit 18. Can I get some clarification on what the shortfall of those positions is at Banksia Hill and unit 18? I talked earlier about Banksia Hill having 254 positions for custodial staff and the shortfall. I would also like information on the shortfall for unit 18.

Mr P. PAPALIA: Here is the thing, member: it is similar to the police. We committed to increasing the resources and the number of staff and then we allocated those positions. We are building towards those positions. It does not mean that there is a shortfall. Compared with the past, the member will find that there are more staff. We have made a commitment to increase the number of staff. In 2023, 86 probation officers graduated from five training programs at the academy and a further six programs are scheduled to be run in 2024, with the potential, as the member heard from the commissioner, for 144 new recruits. Obviously, that is tempered by the attrition rate. From experience, the attrition rate of youth custodial officers is linked to the conditions and the environment. The more staff we get, the safer the environment is, the less trauma they are exposed to and the more likely they are to stay. That includes showing up to work, because that was a challenge that we confronted not long ago when there were significant levels of workers compensation leave and sick leave. That is less so now because more people are showing up to work. I think that is a reflection of the environment being perceived to be a better and safer working environment. That is true for Banksia Hill and unit 18. I will ask the commissioner to respond, although she may not be able to give the information right away. I think the information that the member is after is where we are at in either achieving or being short of our allocation of additional staff. Sorry, I will ask Mr Clark to answer that.

Mr T. Clark: As at 31 March 2023, we had 253 approved FTE and 230 FTE. As of 31 March 2024, we had 343 approved FTE. That is a significant increase. The number of approved and substantive FTE is 254. Our numbers have gone up over 2023 and 2024 and we are recruiting to fill the 88 required FTE.

Mr P. PAPALIA: The member would recall when the Premier and I took on the role and committed to responding to the challenges at Banksia Hill and unit 18 and said that one of the things we would do is increase the number of staff. That allocation has been done.

It is now a matter of growing numbers. Other services are being delivered that are external to the agency, and there are additional number in those services as well.

[11.20 am]

Ms L. METTAM: Can I clarify those numbers?

Mr P. PAPALIA: The member will have to go through me, but yes.

Ms L. METTAM: Minister, can I clarify that as of March, 253 was the allocation and there were 230 FTE; in 2024, it is 343 and we currently have 254? That is for Banksia Hill.

Mr P. PAPALIA: Mr Clark confirmed that, but as we indicated, we are running training. The capacity at the academy is very tight. The academy trains both prison officers and youth custodial officers and other staff like veteran support officers. There is significant demand. We have adequate courses programmed to add an additional 144 youth custodial officers.

Ms L. METTAM: Are we able to get similar figures for unit 18?

Mr P. PAPALIA: As the commissioner indicated, there is a global figure of youth custodial officers and they are allocated from Banksia Hill to unit 18. It is one pool of people. When the Premier and I made our commitment to take on the roles, at that time there was a significant impact on service delivery and issues like time out of cell and the like that could be attributed to shortages of personnel. The member would have repeatedly heard claims made about lack of personnel having an impact on conditions. That has improved significantly and that is in advance of getting additional numbers of the personnel they refer to. It has improved as a consequence of conditions improving and the management regime around the challenging and complex cohort who are housed in unit 18, meaning that Banksia Hill is a lot safer, as is unit 18. There is a new regime inside unit 18 that separates into three different cohorts. Those measures have resulted in a greater presence of staff than we have experienced. People are showing up to work; there is less sick leave and workers compensation than there was. There is less disruption of the greater population of detainees because there are fewer incidents of that very disruptive nature. That has all had a consequence. We are still going to grow more staff and we expect that means it will be even better, because we will have a bigger pool of people and enhanced delivery of service. It has already vastly improved from what it was when we took on the job—I have lost track; I think it was nine months ago.

Ms L. METTAM: I refer to the service summary on page 424. The level of funding under the eighth service, “Adult Corrective Services”, falls from \$1.11 billion in 2023–24 to \$1.073 billion in 2025–26.

Mr P. PAPALIA: What is the member referring to?

Ms L. METTAM: It is under “Service Summary”.

Mr P. PAPALIA: Is it in the table? Is it the eighth point?

Ms L. METTAM: It is in the funding for corrective services. At a time that we see crime increasing, what is driving this reduction and have any services been cut?

Mr P. PAPALIA: I want to clarify: is the member talking about the budget year allocation column in the eighth point? Is she talking about the \$1.11301 billion as opposed to the estimated actual of \$1.113 billion the previous year and the budgeted amount of \$1.03 billion? That means an increase, not a decrease.

Ms L. METTAM: I am looking at —

Mr P. PAPALIA: Is the member looking at the subsequent years—the out years? Is that what she is talking about?

Ms L. METTAM: Yes. The out year 2025–26 is \$1.073 billion for adult corrective services.

Mr P. PAPALIA: I am informed that in any one year there might be funding that may not have been in the previous budget for a specific project or task. It would likely have occurred this year. In next year’s anticipated budget, specific additional funding may not yet have been identified. It was elevated this year because an additional \$83 million was received for the prison service’s evaluation reform project, which is not the only part of it; however, \$32 million of it was for that. The increase in services provided by the Western Australia Police Force was \$7 million. The reallocation of Western Australia Police Force costs from courts and tribunal services to adult corrective services was \$12 million. There are other elements to the budget that have not necessarily been identified at the time of the budget composition or compilation. That may happen again next year. There may be more allocated than what was budgeted.

Ms L. METTAM: I refer to “Successful completion of community correction orders” on page 425. I note that in 2022–23, it was 69.2 per cent; we had a budgeted amount of 64 per cent and the actual was 66 per cent. Our next

target is 64 per cent. Can the minister explain why there is a reduction in what he anticipates the successful completion rate will be? The figure seems very low; however, this is not my shadow portfolio. Can the minister explain the reduction in what is anticipated?

Mr P. PAPALIA: Is the member asking why the budget target is lower than the actual achieved outcome?

[11.30 am]

Ms L. METTAM: Yes.

Mr P. PAPALIA: I am informed that there have been incremental improvements in achievement, but it is not a significant change that would elicit a change in the budget target. That is arrived at through work with Treasury and the agency to set an objective. But there were improvements in the capability of staff in managing offenders in the community, and that resulted in incremental improvements since 2015–16. There were amendments to the adult community corrections handbook in May 2019 that impacted by placing an emphasis on motivation engagement with the offender to reduce noncompliance from occurring, in consideration of strategies to achieve the shared goal of compliance, but those improvements have been incremental. We do not necessarily have confidence that that will be a year-on-year improvement, once that incremental improvement has been made, that would justify setting a different target. It is work that is done with Treasury. If consistent improvement is achieved, we can expect that the target would then change and it would be budgeted for.

Ms L. METTAM: I have a new question. I refer to budget paper No 3, page 131, and the heading “New Young People Directorate”.

Mr P. PAPALIA: Yes.

Ms L. METTAM: The reference reads —

A new dedicated Young People directorate will be established within Corrective Services portfolio to enhance the Department’s focus on young people, at an additional cost of \$2.2 million over the forward estimates.

How many staff will there be in this directorate?

Mr P. PAPALIA: I might get the commissioner to answer, and then if I need to provide any further information, I can.

Mr B. Royce: The directorate is just a small portfolio office over the existing young people area. Of the “young people” part of the women’s and young people’s directorate that is coming out, it is only the very significant leadership part that is bringing in new positions. There will be a deputy commissioner, an assistant commissioner and a small staffing contingent to run the young people part separately.

Ms L. METTAM: Can you confirm how many FTE will be provided for this effort?

Mr P. PAPALIA: I am told it will be five additional personnel, noting that there is a women’s and young people’s directorate now. It is a separation of components into different areas of responsibility. There will also be the recruitment of a new deputy commissioner for young people.

Ms L. METTAM: How will the advice that body is to provide be any different from what is currently provided? Are there key performance indicators?

Mr P. PAPALIA: It is essentially just a recognition that we want to resource and staff the effort in juvenile detention to a greater degree. That means seeking out, recruiting and employing a dedicated deputy commissioner for the role and separating the two elements of the agency so that they are more focused on their specific fields. That will result in a more dedicated focus, and I have no doubt that ultimately, having dedicated, suitably qualified people for the two different roles of women and young people, will result in a greater focus on each of those tasks.

Ms L. METTAM: One final question before we go to the Inspector of Custodial Services. When will this be put in place?

Mr P. PAPALIA: With respect to what I was saying, that is not a criticism of the structure; we are throwing more resources and effort and support to the agency in each of those areas.

Ms L. METTAM: When will these five FTE be in place?

Mr P. PAPALIA: I think some already are. The new deputy commissioner process is not yet quite complete, but it is very close.

The appropriation was recommended.