

Speaker; Mr Mark McGowan; Mr Paul Papalia; Mr Joe Francis; Ms Andrea Mitchell; Mr Fran Logan; Mr Colin Barnett

CORRECTIVE SERVICES — GOVERNMENT MANAGEMENT

Matter of Public Interest

THE SPEAKER (Mr M.W. Sutherland) informed the Assembly that he was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

MR M. McGOWAN (Rockingham — Leader of the Opposition) [2.46 pm]: I move —

That this house condemns the Barnett government for its mismanagement of the corrective services portfolio.

We have been raising these issues concerning the corrective services portfolio all week and, indeed, prior to this week because major questions have been left unanswered about this very important portfolio in Western Australia. The Premier is now leaving the house even though this matter of public interest is directed at him and we are requesting answers from him. Once again, he does not stay in the chamber and show accountability for the actions of his government. These questions go directly to his integrity. He should come back to the chamber and answer these questions. The fact that he leaves the chamber any time he is under pressure is a poor reflection on him and his courage.

We have spent a whole week raising these issues. We are still none the wiser about the truth of the matter. We do know that the corrective services commissioner, lauded by the Premier as one of the state's best public servants a matter of weeks ago and acknowledged in *The West Australian* as one of the 100 most influential people in Western Australia, dealt with a major portfolio with thousands of employees in a dangerous environment, perhaps as dangerous an environment as we can imagine in any workplace in this state. This person was arbitrarily dismissed by the government. We know that that is what happened. He left the job and then we asked questions about why that took place. Considering his record, his resume and all the plaudits he received, we asked basic questions. We asked why that happened. We also asked all sorts of questions about the performance of the portfolio and the ministers in that portfolio, particularly considering the information that has come to light today in relation to what happened at Banksia Hill Detention Centre and Rangeview Remand Centre and the fact that the government was warned a year ago that that would be the outcome of its own actions. We have seen failures of administration and then failures to account for what has happened to one of the most senior public servants in the state. Then we get all sorts of stories from the minister and the Premier. Today the Premier deigned to answer a question in question time about this issue. What answer did we get from the Premier? Basically, the answer we got from the Premier is that he had nothing to do with Mr Ian Johnson's departure. His answer today was that it was all news to him and that it occurred between the new Minister for Corrective Services and the Public Sector Commissioner. It was all news to the Premier when it took place; it all happened outside of him. However, when I look at the record of what the minister said in this place on numerous occasions on Tuesday and Wednesday this week, I find that the minister said that he had been discussing the matter with the Premier—he had been raising the issues with the Premier. Yet the Premier denies any knowledge of these matters. He said that these are matters between the minister and the Public Sector Commissioner. If the Public Sector Commissioner decides everything, why do we not have Premier Wauchope in here? Where is Premier Wauchope, because he decides all these things? This Premier slopes his shoulders when it comes to making any of these decisions and apparently does not know anything about the execution of a senior public servant. We saw the minister stand in this place on a few occasions this week and say that he had discussions with the Premier about it. One of them is not telling the truth. The minister said that he discussed it with the Premier, but he said yesterday and the day before that he had a discussion with the Premier and the Public Sector Commissioner and that we needed to ask the minister for public sector management about that.

Mr T.R. Buswell: That's not what he said; you made that up.

Mr M. McGOWAN: Yes, he did; that is what he said.

Several members interjected.

The SPEAKER: Members! Minister for Transport!

Mr M. McGOWAN: He said on Tuesday that we needed to ask the minister for public sector management about that. When I asked the minister for public sector management—for new members, that minister is the Premier—what happened, he said that he knew nothing about it; it was the minister and the Public Sector Commissioner. What is the truth of the matter about how and why senior public servants are dismissed in this state? Why has this happened? We are still none the wiser, because two different stories are being put out by the minister and the Premier. I then asked the minister what happened when the Commissioner of Corrective

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Services was dismissed and he said, “I was not in the room; I have no idea what took place. You need to ask the Premier and the Public Sector Commissioner.” The Premier is saying that it was the minister, and the minister is saying that it was the Premier. The truth is somewhere in between. I am sure that Premier Wauchope is the one we need to go to now to get the answer to this important question. We do not know the answer because there are mutterings amongst both of them. The Premier and the minister agree on one thing: there are issues in the department that need to be resolved. But they do not tell us what the issues are. What are the issues? Why have they not come into the house and explained the issues to us? We know one of the significant issues, and that is what happened at Banksia Hill, but the Premier said that that had nothing to do with the dismissal of the Commissioner of Corrective Services. We know one of the issues for which he was not dismissed, but we do not know why he was dismissed. The Premier can define with absolute certainty why he was not dismissed, but he cannot define why he was. That is decisiveness from this Premier! He knows why things do not happen; he just does not know why they do happen.

Why was the commissioner dismissed in the way that he was? That is the simple question that we are asking in this matter. What are the issues inside the department that need to be resolved that caused all this muttering between the minister and the Premier? Come clean on what they are. We know one big issue for which he was not dismissed, and that was the riot at Banksia Hill. But we also know, courtesy of today’s *The West Australian* and the good work of the shadow minister, the member for Warnbro, that the government and previous ministers were warned that in closing the Rangeview Remand Centre to juveniles, a situation would be created at Banksia Hill that could promote a riot. The government increased the likelihood—because of a report that had been given to the minister—of a riot at Banksia Hill. Yet the person who was sacked was the Commissioner of Corrective Services, not the minister.

So, millions of dollars’ worth of damage was caused, there was disruption to the system, and court cases were going on, all because of this riot and the moving of children—broken promises. The minister said that the government would build a new young persons’ correctional facility, not move kids out of Rangeview—more broken promises—yet the person who was sacked was someone who had nothing to do with any of those things. The Commissioner of Corrective Services is not the person who broke the government’s election promises; the government is the one that did that. The government made the promise in the lead-up to 2008 that it would build a new young persons’ correctional facility. By “young persons”, I mean persons aged between 18 and 25. The government made the promise that it would do that. However, instead of building that facility, what did the government do? It closed Rangeview to children and put them into Banksia Hill. It then put the 18 to 25-year-olds into Rangeview. What happened then? Rangeview—the newly termed Wandoo—is then only half full, because there are not enough prisoners to be put into that facility. The government no longer has the flexibility that it should have to move prisoners around and perhaps to reconvert Rangeview into a children’s facility, because it has outsourced that facility. All of the incompetence around these things is on the shoulders of the government. It is not on the shoulders of the Commissioner of Corrective Services. The Premier recognised that, because the commissioner was not sacked for that reason; he was sacked for something else, but we do not know what it is. The failures in the corrective services portfolio are the government’s failures. The failures at Banksia Hill are the government’s failures. The failures at Rangeview are the government’s failures. They are not Ian Johnson’s failures. Yet, for some reason, he has been made the scapegoat, and there are numerous stories around about why he has been made the scapegoat, but the government will not come clean on what they are.

Further, today we see other issues related to the corrective services portfolio. I think that opening up the court system to more public scrutiny is a good thing. Obviously the Chief Justice of Western Australia, Wayne Martin, thinks that as well. It is not *Judge Judy*. Wayne Martin is not Judge Judy. Trust me. Yet the Premier seems to compare the Chief Justice of Western Australia, Wayne Martin—one of the most eminent judges in the country, and I would have thought a person destined for the High Court, should he choose to do so—to Judge Judy! For goodness sake! What sort of Premier goes out there and does that, even flippantly—perhaps even worse, flippantly? That is what we see in the administration of justice in this state. All the Chief Justice wanted to do, after working for some years on this issue, is make public information more openly available. He has even said that of course there would be strict protocols around the publication of any such trials or proceedings before the court. That is also a correctional services matter. The public has great interest in the courts.

Mr T.R. Buswell: How is it a correctional services matter?

Mr M. McGOWAN: There is great interest in the courts. We see it on Channel 7 every night. Maybe the Treasurer does not watch Channel 7, but a lot of people do, and corrective services —

Mr T.R. Buswell: How is it a correctional services matter?

The SPEAKER: Treasurer, I call you to order for the first time!

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Mr M. McGOWAN: I have lost my train of thought here.

Mr T.R. Buswell: That's because you don't have one.

Mr M. McGOWAN: Where was I, Mr Speaker?

Mr T.R. Buswell: You were prattling on about something!

The SPEAKER: Member for Vasse!

Mr M. McGOWAN: Corrective services. That is where I was. Yes, it does relate to corrective services, because of course there is great interest in our court system. All the Chief Justice wanted to do was allow people to watch court proceedings more closely; and, if they do that, perhaps there will be a greater understanding of the sentencing principles and the sentencing arrangements put into place in relation to criminals or people convicted of offences in this state.

Maybe that is a good thing because it actually requires a little bit of flexible thinking. But what do we see from this Premier? He accuses it of being a Judge Judy-style arrangement. What a shocking statement from him, but it is typical of a Premier who will not even come into this Parliament and answer the questions that are put to him as part of a matter of public importance. Anyone who was around in those years would know that Geoff Gallop or Alan Carpenter would be in this Parliament answering these questions.

The SPEAKER: The member for Kwinana—Warnbro! That is the fourth time lucky.

MR P. PAPALIA (Warnbro) [3.00 pm]: I rise to support this motion that condemns the Barnett government for its mismanagement of the corrective services portfolio. At the outset, following on from the Leader of the Opposition, I must make the point in response to the Treasurer, who interjected and suggested that no-one in Western Australia was interested in the transparency of the judiciary —

Mr T.R. Buswell: I didn't say that! You made it up!

Mr P. PAPALIA: Well, what was the Treasurer's concern? He said no-one was interested in looking into the court —

Mr T.R. Buswell: No, I said nobody is interested in what the Leader of the Opposition is talking about!

Mr P. PAPALIA: Ah right! The point I wanted to make —

Several members interjected.

The SPEAKER: Members!

Mr P. PAPALIA: The point I wanted to make is that I was here during the course of the last Parliament when the previous Attorney General who, on many occasions, with the wholehearted full-throated support of the Premier and other senior ministers, chose to undermine the judiciary of this state. He suggested to the people of Western Australia that the judiciary did not reflect nor care about public opinion, that it was soft on crime, and that it had to be directed by the Parliament through legislative changes that implemented mandatory sentencing as the means to ensure the judiciary responded to public concerns.

They said that there was no transparency. On many occasions I heard the former Attorney General in the public domain using the media to suggest that judges were out of touch and that they needed to be responsive and transparent. What we saw today was extraordinary—that is, the Chief Justice of Western Australia responding to the concerns of the public of Western Australian by allowing transparency and permitting people to get an education about what actually happens in court. For the sake of some \$50 000, was it? Some \$50 000 —

Mr T.R. Buswell: Many drops fill a bucket!

Mr P. PAPALIA: It is one-eighth of the payout to Mr Johnson, who was sacked and had to be paid out for the remainder of his contract. Mr Johnson was sacked without justification. As we have heard on many occasions from members on this side of the house, it is because of that pre-emptive sacking that he had to be paid out a considerable amount of money, which would have more than adequately funded the Chief Justice's requirement —

Several members interjected.

Mr P. PAPALIA: For that small amount, the Barnett government has chosen to close down transparency and prevent the people of Western Australian from having the opportunity to witness what goes on in some of our courts. That is just disgraceful.

I will now turn to the motion that refers to the government's mismanagement in the corrective services portfolio. There has been rank mismanagement. I will go into that in a little while, but I will take the opportunity now that

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I am on my feet to address the new minister and ask whether he has noticed that there has been one scapegoat in the corrective services field recently. Does he think there might be another one getting set to be hung out to dry by the Premier? Has the minister noticed that the Premier completely contradicted the minister's own statement in Parliament on many occasions yesterday and earlier in the week? It happened when the minister informed the house that he had raised the concerns within the corrective services portfolio that led subsequently to the Public Sector Commissioner coming to the decision to sack the director general. The minister raised those issues with the Premier and told the Parliament that he did. The Premier sat over there today and said that the minister had never talked to him about it!

Mr T.R. Buswell: He didn't say that!

Mr P. PAPALIA: Do you sense —

Mr T.R. Buswell: He didn't say that at all!

Mr P. PAPALIA: Is there a chill running up the minister's spine? Are the hairs standing up on the back of the neck? The next thing we know is the Premier will be congratulating the minister on such a good job, and we know what that means!

Several members interjected.

Mr P. PAPALIA: The minister knows what that means! If the Premier stands up and says that he is doing a wonderful job, watch out!

Several members interjected.

Mr P. PAPALIA: He should have colluded before he stood up in Parliament. It is too late now. They are both on the record as making contradictory statements.

Now I am going to talk a little about the failures of the Barnett government—the mismanagement in the corrective services portfolio. When we are specifically focusing on Banksia Hill Detention Centre and juvenile detention in this state, it is worth going back to 2008; it is worth returning to election commitments—promises that were made by the then opposition, under the leadership of the member for Cottesloe, in the lead-up to the election in 2008. The then opposition promised that, were it elected, it would build a young men's prison. If anyone has a bit of a vague memory—perhaps the minister might want to seek some sage advice—they can seek advice from an individual in the Parliament, because the former police minister, the member for Hillarys, was the one who, in the lead-up to that election, was carrying that entire policy issue. He drafted it. He knows the detail. He knows what the then opposition promised before the election. I would go to him and find out just how big the promise was that members opposite, as a government, broke following the 2008 election when, after they came into office, they determined that they were not going to do what they promised—like a lot of the promises they made at the last election and this one. They decided that, instead of keeping their promise, they would take the cheap option. Instead of building a new young men's prison, in addition to all the other facilities we had, they decided that they would shift remand juvenile detainees from Rangeview Remand Centre over to Banksia Hill—cram them in with the —

Mr T.R. Buswell: Cram them in!

Mr P. PAPALIA: I will explain that terminology in a moment.

They decided they would cram them into Banksia Hill with the sentenced juveniles and undermine all the stability, all the long-term education, all the long-term interventions and all the long-term mentoring programs that went on in that place when it had only sentenced juveniles, which enabled those individuals to have their problems tackled with a view to making them better people when they eventually emerged from that place. They were undermined. The government chose to make that decision. That was not a decision of the commissioner. As the Leader of the Opposition has said, it was a government decision, and it would have gone all the way to the top, because the government chose to outsource the new young men's prison. That would have gone to the cabinet table and the Premier would have decided on that. The Premier would have been sitting there and he would have absolutely been a contributor to that decision. To suggest that it was anyone else's responsibility in the way that the government has—in this underhand way—by sacking the commissioner and not providing an explanation, in the hope that people will attribute blame to him, is just shameless; it is shameful and it is also shameless.

In February 2012, the government was warned by the Inspector of Custodial Services not to do it—he did not say not to do it; he said, "If you close Rangeview, there will be significant, really serious challenges, with shortages of staff and overcrowding at the resultant Banksia Hill complex." That was from the Inspector of Custodial Services. The union representing the youth custodial officers—those people whose reputation the government has maligned in public this week—warned the government not to do it. It said, "Don't do it. Our

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members say, ‘Don’t do it.’ It won’t work and it’ll be dangerous for our members.” The government did it anyway. At the time, the opposition was very vocal about not doing it. It advised the government that it was the wrong decision and said not to do it. The government went ahead and did it anyway. As we have seen today, the government was in possession, from its own department, of risk analysis. I assumed there was risk analysis. I asked Heather Harker when I went to Hakea Prison a couple of weeks ago and she was holding my hand walking around Hakea —

Mr J.M. Francis: She was holding your hand!

Mr P. PAPALIA: I was not allowed to go anywhere without a posse of six people from the minister’s office and central office.

Mr J.M. Francis interjected.

Mr P. PAPALIA: Not literally; figuratively.

I asked her, “Was there a risk analysis prior to you shutting down Rangeview and shifting all juvenile detainees to the one resultant detention centre?” and she said, “Yes, of course there was.” I said, “Oh, good.” So, I have FOI-ed that. That is not the document that is in the public domain today. The document that was reported on in *The West Australian* today was an internal document looking at the risk associated with potentially shutting down Rangeview before the capital works had been finished at Banksia Hill. I know that the minister will waffle on about how it is not relevant. It is absolutely relevant, because the risks were associated with overcrowding at Banksia Hill, and I can tell the minister that in February this year Banksia Hill was overcrowded. In fact one need go no further than Chief Justice Martin’s judgement —

Mr J.M. Francis: In February?

Mr P. PAPALIA: In January this year. When the riot occurred, Banksia Hill was massively overcrowded.

The Chief Justice, in his judgement delivered on 3 May 2013, told the people of Western Australia —

The decision to put Rangeview Remand Centre to another use, and the growth in the number of detainees generally, combined to significantly increase the demand for accommodation at Banksia Hill. During 2009, the average muster was around 90. In 2012, following the closure of Rangeview, the muster at Banksia Hill was, at times, more than double that number.

It did not matter what capital works were done out there, the number of detainees doubled. The number of staff was not doubled. The risk analysis that identified the potential for staff shortages was not taken into account. Five risk areas were identified, but staff levels being inadequate was the one that leapt off the page at me, not just because it was coloured red—most of them were coloured red—but because the likelihood of staff shortages was identified as being almost certain. The consequence was identified as being major. They are both at the top end of the assessments. The risk rating was determined to be extreme. The risks associated with inadequate staffing were extreme should Rangeview be closed and all detainees crammed into Banksia Hill—which happened—and the numbers way in excess of what they were capable of dealing with. The current Minister for Corrective Services was not in the job, I fully accept that, but this government did it anyway.

Forget about the riot, I do not care about that—this risk analysis is not the only risk analysis; I am sure there were others. There must have been a risk analysis that identified the risks associated with shutting one of only two facilities and shifting all our eggs into one basket, all our juveniles into one facility, and taking the risk at that facility to a critical point of failure, which it subsequently went to. There must have been a risk analysis. If there was not a risk analysis, then that is inept. If there was a risk analysis and the minister still went ahead and did it, despite all those extreme risks being identified, I want to know why and how that came to be. The minister needs to explain. Those juveniles will go from Hakea back to Banksia Hill but nothing will have changed except a few bars on windows. The people of Western Australia want to know that the minister has more of a plan than just shifting the juveniles back and letting it all happen again.

MR J.M. FRANCIS (Jandakot — Minister for Corrective Services) [3.12 pm]: I will start on the points the member for Warnbro raised and come back to the Leader of the Opposition’s issues.

Today’s report in *The West Australian*, which I first became aware of last night, was prepared. I accept that there were some serious threat analyses in that report. I have not seen a colour version—the member for Warnbro is luckier than I am! The report prepared with that threat assessment pre-dated the transition by eight months. I am advised that of course there was another threat analysis or risk assessment—I will stop the Navy lingo shortly!—done before the juveniles were actually moved. A couple of points need to be put on the record. I am not doing this just to correct some of the mistakes that the member for Warnbro has made in his public commentary of this. I understand the member for Warnbro said that all of these juveniles were moved without any additional staff.

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My understanding is that the majority of youth custodial officers at Rangeview moved with them. There was in fact an increase —

Mr P. Papalia: How many of them were on sick or stress leave?

Mr J.M. FRANCIS: I will get to that as well when I get to the issues that I have become aware of relating to the concerns within the department that I raised with the Public Sector Commissioner.

Members should be aware that the number of youth custodial officers increased at Banksia Hill when that transition was made. I am advised that another risk assessment was made. I have asked for that; I have yet to see it, member for Warnbro. I would be concerned if a particular instruction said there would be serious concerns with safety, security and welfare of the juveniles if they were moved straightaway. I would therefore expect another assessment to have been done, and I understand it was. The issues raised in that report, which was done eight months before the transfer, were mitigated. I have asked for a copy of that report. I have not seen it yet but I am looking forward to it.

Let us just go back to some of the issues to make it perfectly clear what happened in my conversations with the Public Sector Commissioner about the management of the Department of Corrective Services. The Public Sector Commissioner made an appointment to see me—I will check the date—about two weeks after the government was sworn in. He came to me and asked me about my impressions of the department and how I thought it was run. I was starting to raise my eyebrows at a number of issues that came up in what the member for Warnbro ridiculed me for saying was a cold-eyes review. Part of those issues have come out now and are quite obvious in the public eye. Yesterday, as the member for Warnbro knows, the Auditor General tabled this report on the management of injured workers in the public sector, and the Department of Corrective Services does not come out of the report too well. The member would have seen in *The West Australian* today an article on a number of issues that were raised about the management of workers' compensation claims in the department. For example, between 2010 and 2012 the premium paid for workers' compensation cover went up from roughly \$11 million to about \$31 million. It went up roughly \$20 million over two years. To me that rings alarm bells and is a concern. Obviously, there has been an increase in the number of staff in the department to cover that but nowhere near the extent at which —

Mr P. Papalia: There's been another factor, minister. Two years before that you increased the prison muster by 27 per cent in 18 months. Don't you think that would have had an impact?

Mr J.M. FRANCIS: And we have increased the number of prison officers as well, so the whole department —
Several members interjected.

The SPEAKER: Members!

Mr P. Papalia: Would that not have had an impact on the stress levels and sick leave of those people who had to deal with that tough environment?

Mr J.M. FRANCIS: It would have had some impact on them, as would the growth in the entire payroll of this department.

Mr P. Papalia: Because you did double-bunk them.

Mr J.M. FRANCIS: I will get to double-bunking.

Mr P.B. Watson: Go and talk to your prison officers.

Mr J.M. FRANCIS: When I state that figure, I am not just talking about youth custodial officers; I am talking about the number across the entire department.

Mr P. Papalia: So am I.

Mr J.M. FRANCIS: There was a significant increase in the workers' compensation premium. To be honest, there have been a number of significant failings—they are highlighted in the Auditor General's report—in workers' compensation injury management, especially in dealing with individual cases. That is why the department is obviously now starting to wind down the premium and becoming very proactive in addressing that issue. However, the massive increase in premium is obviously ringing alarm bells.

I am fortunate to be responsible for two almost similar departments—the Department of Fire and Emergency Services and the Department of Corrective Services. I say “similar” but I am obviously not comparing apples with apples. In referring to a high-risk job for people who are under the pump and exposed to a number of pressures physically and emotionally in carrying out their job, I consider the comparison with emergency services' firefighters, who put themselves in harm's way, run into burning buildings and are exposed to

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unfortunate situations including dealing with deceased people. I compare that with the job prison officers do; it is a very difficult job. I do not back away from my comment that a person needs a certain thickness of skin to be a prison officer. If anything, that is a compliment to prison officers, as I am respecting that they need to be a little bit tougher than the average person to do the job they are doing. It is a tough job being a prison officer. Prison officers deal with the most dangerous people known to society. That is why they are behind bars—because they are dangerous.

Mr P. Papalia: But with respect to this year, you are discussing your government's policies resulting in double-bunking throughout the prison system that has actually added to the stress level. Consider this: every time they go to a door there are two blokes behind it, not just one—or more in some cases.

Mr J.M. FRANCIS: The member for Warnbro has to understand that we are running prisons, not hotels. What does the member for Warnbro want to do; put them all up in the Hyatt? The member for Warnbro talks about double-bunking—I spent years of my life hot bunking on a submarine.

Mr P. Papalia: I am saying take responsibility and acknowledge that you contributed!

The SPEAKER: Member for Warnbro!

Mr P. Papalia: He's talking to me.

Mr J.M. FRANCIS: I will get on to the issue of double-bunking shortly, but let me just continue to go with the figures that raised alarm bells to me early on.

Looking at the amount of the payroll that is paid in overtime and sick leave entitlements, the total wages budget just for adult custodial prison officers alone in the financial year that finished nearly a year ago was \$182.5 million for just over 2 000 prison officers. That is \$182 million for about 2 000 prison officers.

Mr W.J. Johnston: Is that out of control?

Mr J.M. FRANCIS: Let me see if this rings alarm bells with the opposition.

Mr W.J. Johnston: Is it out of control in your view?

Mr J.M. FRANCIS: The percentage of that \$182.5 million, the amount that was spent on overtime—of course people are going to get overtime and of course people are going to get sick—was \$35 million.

Mrs M.H. Roberts: It didn't bother the former Treasurer of this state; he didn't do anything about it.

Mr J.M. FRANCIS: So, 19 per cent was spent on overtime and entitlements to do with paying people above what their basic role is. I compare that with the amount in the Department of Fire and Emergency Services budget, which is only nine per cent.

Mr P. Papalia: They're not doing the same thing; they didn't have a 27 per cent increase in their job.

Mr F.M. Logan: They didn't have the huge turnover of labour and people missing. That's the reason they are doing overtime.

Mr J.M. FRANCIS: And if some of what the opposition says is right—I will accept there were pressures on it that would have made that figure go up—the difference between nine and 19 per cent is unacceptable and it rings alarm bells.

Mr P. Papalia: Your government drove the massive overcrowding in the prison system. The mess that has been created is your challenge to deal with; don't blame it on the workers.

The SPEAKER: Member for Warnbro, you have had a chance, okay; let the minister have a chance.

Mr J.M. FRANCIS: I will go back to the points the Leader of the Opposition raised.

Obviously, I had concerns with a number of factors, one of which was outlined yesterday by the Auditor General, and some of which members have read in the papers, about the financial integrity in a number of areas within this department and about the systems that were in place, and, as I said yesterday, about the recruitment process for new prison officers. I used the *Top Gun* analogy, and I think that is a pretty good analogy to use. I think that when we look at what we are asking prison officers to do—to be particularly thick of skin, to handle and deal with, on a daily basis, very dangerous people—I think there is some merit, as does John Welch from the Prison Officers' Union, in reviewing the whole criteria that we select new prison officers by; on the selection criteria, on the merit by which we choose them, on the system by which we train them and on the curriculum they go through. That is so that prison officers who are already in the system know that when someone else comes out of the prison officers' academy they are safe and that the person standing next to them will have their back if something goes wrong. I will come back to that in a second. This is just one of the issues that I think need

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to be addressed when we are talking about changing the direction of corrective services in Western Australia; the other one, I will not dwell on. The other two key ones, obviously, are trying to stop juveniles who are at risk—who are almost at crossing that line that will land them in jail from stopping —

Mr P. Papalia: You shut down the only program that directly targeted those people.

Mr J.M. FRANCIS: The member for Warnbro says that, but what I am advised, after the member said that to me yesterday—I did go and follow that up—is that an independent report examined that program and it was not —

Mr P. Papalia: Be aware that I have that report; I know exactly what it says. Be careful about what they tell you.

Mr J.M. FRANCIS: I am saying that I am advised—I have not read it, and I will get around to reading that report so I am not going to dwell on that issue —

Mr P. Papalia: Don't believe what they told the previous minister.

The SPEAKER: Member for Warnbro.

Mr J.M. FRANCIS: I will have a look at that, but I am advised that that particular program, at about \$2.5 million, was not delivering value for money for taxpayers as other programs did.

Mr P. Papalia: Do you know what it cost? It cost \$110 000 a year an individual. It cost a lot of money.

Mr J.M. FRANCIS: Look, the member for Warnbro makes a good point. It costs about \$630-odd a day —

Mr P. Papalia: It costs \$220 000—twice as much—to lock them up!

Mr J.M. FRANCIS: It cost about —

The SPEAKER: Member for Warnbro. Can you please now, minister, address the Chair and stop talking across the chamber? Thank you.

Mr J.M. FRANCIS: It costs about \$636 a day to keep a juvenile in detention in Western Australia. When we talk to the people in the Department of Corrective Services who run the at-risk intervention programs that are targeted at the young, mainly male, mainly Aboriginal—they have a high incarceration rate in Western Australia which we, as a government, would obviously like to address—and when we look at the amount it costs to keep these juveniles in custody, we have to ask ourselves, as I have asked the department: if we put \$1 million more into it, would we be able to stop more juveniles from crossing that line that will land them in jail in the first place? The answer is yes, but of course it is not an unlimited amount. We cannot just keep spending more and more money. It is about finding the point of equilibrium. It costs about a quarter of a million dollars a year to keep a juvenile in custody in Western Australia. If we put another \$1 million into programs to try to stop them crossing that line that means they will have to be incarcerated, can we save four of them at \$250 000 each? That is the purely economic argument. The answer I am getting is yes, we can. We can probably save more. But if the answer alone was just yes, we can save four of them, clearly that is still worth doing. If it gets to the point at which it is just throwing good money after bad, we have to say that we have passed that point of equilibrium and we have to cut back on our spending on these programs.

Mr P. Papalia: Can you talk about the risk analysis and the staffing at Banksia Hill prior to shutting down Rangeview?

Mr J.M. FRANCIS: I have addressed that.

Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro! You have had a long time to speak. I have now asked you three times to let the minister make his speech.

Mr J.M. FRANCIS: The point I am trying to make is that we are committed to changing direction in a number of different areas. Firstly, we are trying to put a bit more effort into early diversion programs and put a greater focus on stopping those at-risk young people from crossing that line that lands them in custody in the first place. As the member knows, anyone in jail is simply a waste of human capital and we need to do everything we can to try to protect not only the community, but also those people who are at risk and who may cross that line and basically write off a large section, if not all, of their life.

The other thing that we need to try to put more effort into is reforming those in the corrections system. One of the reasons Rangeview—now Wandoo—was changed in its purpose was that we could pick out the 18 to 24-year-olds, who were there for a shorter time and who were going to have the best chance of rehabilitation, ostracise them from the mainstream prison population, put them in a specially redesigned unit in Wandoo and target programs specifically at them. At the moment, that unit is obviously not fully utilised. It has about 80 beds

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and I am advised that as of today there are 38 people in that facility and tomorrow or the next day there will be another four.

Mr P. Papalia: How much are they being paid for that?

Mr J.M. FRANCIS: It is paid for in tiers, by the way, member for Warnbro. Serco does not get paid full freight for having empty beds; there are layers in the contract. One of the reasons that it has taken some time to fill that or start to fill capacity is because it has essentially been a building site. When I was out there just last week, the tail end of building works was going on. They have done a lot of work out there. They have redesigned and rebuilt the visitors centre so that when families come to visit these young males, they are not confronted with the image of effectively being inside a prison. It is a bit more like a high school campus, for want of better words. Obviously it has the secured perimeter, but it is not quite as confronting as a prison because, at the end of the day, if we want to give people the best possible chance of succeeding in life and landing on their feet when they get out of prison, we need to ensure as much as possible that their last day in prison is as close to their first day of freedom, and the only thing in the perfect sense would be the pillow on which they lay their head on their last night in prison. That is the reason that Rangeview had its purpose changed; so that we can direct and target resources to try to save as many of these people as we can and stop them from reoffending. One of the other things the department was doing out there was building a kitchen so that people could do cooking courses. There was some work going on out there, and now we are at the tail end of it we will start to see the population of that facility increase to its capacity of approximately 80 people. Not only that, but also I understand there are around 120 to 160 young men in the corrections system who would fit the category to move into Rangeview Remand Centre. I was given that advice today.

Mr P. Papalia: So you compromised all the juveniles so those young men can get the best opportunity?

Mr J.M. FRANCIS: I stand behind the decision that changing the use of Rangeview into Wandoo was the right thing to do. It was in my electorate. I visited it when it was formerly in my electorate, when it was Rangeview. It was a pretty hardcore kind of prison up there at Murdoch. It is now in the member for Bateman's electorate. I went there last week and I had a look at it and it is a totally different facility. I think it will be a brilliant step forward in trying to give that hand up so when people get out of prison, they stay out of prison, and it can actually make a meaningful contribution to society.

That is the second point that I believe the Department of Corrective Services needs to change its direction on. There are a lot of programs out there already that help address a number of different issues amongst the population of the prison system, to help them train and to help them get a qualification in a whole range of different areas. Acacia Prison is at the tail end of finishing a massive update to its kitchen so prisoners can basically be put through almost the essential equivalent of a TAFE course, and when they get out of Acacia they will be qualified cooks. Members who go to Acacia will see that prisoners are being trained to build dual-axle trailers. They are skills for which there is a particular demand when prisoners get out of the correction system. The old days of making numberplates in prisons are gone, but I am still a bit concerned that some of the things that prisoners are trained to do are obsolete in today's day and age. There is a prison that has a program to make shoes and some prisoners actually make shoes in Western Australia.

Mr P. Papalia: Yes, they wear them.

Mr J.M. FRANCIS: But the point is that we have to be realistic about this, and I challenge anyone to show me here and now an Australian-made shoe, unless someone has a pair of R.M. Williams shoes on. There is not really a demand —

The SPEAKER: Excuse me, member for Wanneroo.

Mr J.M. FRANCIS: There is not a demand for shoemakers in the public sector for when people get out of prison. So let us train them —

Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro!

Mr J.M. FRANCIS: The point I make is let us train prisoners and give them skills so that when they get out of prison they will have skills that help them get a job. We should not train prisoners to do things for which there will be very little or no demand when they get out. That is why it is so pleasing to see programs such as those at Karnet Prison Farm and those at Acacia and at some of the other prisons. However, many prisoners are still being trained to do what we could only call mundane tasks for which there is no demand in the private sector. I think that is one of the areas in which we can also look at changing the direction of corrective services so people actually have a worthwhile skill when they leave prison. There are a lot of programs out there. I was very impressed with another program at Acacia called the Sycamore Tree Project. It is a great program that allows —

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Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro, I call you to order for the third time.

Mr J.M. FRANCIS: I will have to sit down in a minute because I am losing my voice. The Sycamore Tree Project is a great program that allows prisoners and victims to confront each other and work through different issues. It allows prisoners to confront their attitude on a number of different fronts and can actually change people for the better. There are a lot of programs in the prison system, as we would expect because of the high Indigenous incarceration rate in Western Australia, that are directed towards young Aboriginal males, to try to involve them in cultural projects so they can rediscover some of their cultural background, and I think these are also great programs. I know royalties for regions kick in money and a whole host of different areas of government also kick in money for early intervention, especially for young males, but the actual amount of the \$706 million-odd Department of Corrective Services budget that we spend on these programs is only about \$2 million. One of the directions to take to change the Department of Corrective Services in Western Australia is to find savings in other places and direct them toward early intervention, because if a juvenile can be stopped from crashing that ship and crossing that line in the first place, it would be a good outcome not only for the taxpayers of Western Australia, but also for those juveniles who will not become a waste of human capital and who will not end up involved in other crimes and locked up behind bars. It would also be a good outcome for their victims and potential victims. Everyone will be a winner.

As I said, obviously, there will be limitations. The government is currently doing a stocktake and reviewing the programs that work and do not work, and we will direct our resources to the programs that work.

MS A.R. MITCHELL (Kingsley — Parliamentary Secretary) [3.35 pm]: I rise to support the direction the Minister for Corrective Services is taking corrective services for the future. Every attempt should be made to divert as many young people as possible from the path of crime and incarceration. There is no doubt that we as a government have a responsibility to protect the community, and we will maintain our focus on that responsibility. Not one member in this house would agree that it is not in our best interest to have as few people as possible going into the system and that every effort possible should be made to keep them out so they can continue on their path forward and upwards to becoming effective members of the community. I have always believed the vehicle of sport and recreation is one way of diverting those people who are teetering on the edge of the offending field. Culture, the arts and music are other vehicles that can also be used. We should be aware of and support those people and agencies that are doing that kind of work.

In my role as Parliamentary Secretary to the Minister for Child Protection, I know a number of juveniles in corrective facilities at the moment are under the care of the director general of the Department for Child Protection and Family Support. In recent times we have discussed whether there are ways to better manage the juveniles under his care, and even those who are close to being under his care. I believe it is generally agreed that this approach is the way to look to the future. It shows initiative and brings together people involved in the system and does not separate them into special areas.

The minister has also referred to the many groups that are keen to be involved in this matter. I recall working with a group of Noongar men who realised, as we all realise, that there was a high level of Indigenous youth involved in the prison system. That fact is one we are not proud of, and it is certainly a fact they are not proud of. Those men recognised this and were doing a lot of work that said, “We have a responsibility; we need to do something about it.” They developed a comprehensive program not only for the young men, because they realised that is where they needed to start, but also for the women and families of those young men. The program they set up was a holistic approach and involved the older men taking those young boys into the dreamtime trails in the wheatbelt area so they could work through their issues, while the women worked with the families of those young people to improve the situation. A holistic approach was needed, not just a program here or a course there. It is essential to provide the right environment in which this can work. The Noongar people of the great southern were keen to incorporate the work they were doing in those areas, and that can be found throughout the state, especially in the Kimberley.

I support the minister’s direction, and I am sure every member believes that diversion and attempting to take people away from heading down a path towards the corrective services system is something worth fighting for.

MR F.M. LOGAN (Cockburn) [3.39 pm]: Thank you, Mr Speaker, for the opportunity to speak. I want to come to the point of this matter of public interest, which is the termination of Mr Ian Johnson, the former Commissioner of Corrective Services. The Minister for Corrective Services has been on the record four times. When *Hansard* is printed the minister can read it and see for himself. I can assure the house that the minister is on the record four times saying that he has raised the issues—obviously the issues that led to the termination of Mr Johnson—with the Premier. He has said that four times. The Premier has indicated by way of a nod in the house now that it is true that the minister has raised those issues.

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Mr C.J. Barnett: In a very general way, yes.

Mr F.M. LOGAN: The Premier also said today that the Public Sector Commissioner requested a meeting with the correctional services minister to discuss his portfolio and some of the concerns about that department. The minister himself has never said in any of the debates in this house that the Public Sector Commissioner initiated the meeting with him to talk about his department.

Mr C.J. Barnett: Yes.

Mr F.M. LOGAN: The Premier said that, but the minister himself has never referred to that. He has simply tried to say, “I raised issues with the Premier and I had nothing to do with the termination.” It is a new part to the story that the Public Sector Commissioner had a discussion with the minister. The minister said himself today in the house that, as a result of his cold-eyed review, whatever that is, he too raised issues with the Public Sector Commissioner. I asked the minister yesterday and he refused to answer, Premier, so I put it to the Premier, because the minister raised these issues with the Premier about the Commissioner of Corrective Services: What were the issues? What were the issues, Premier?

The minister has refused to say what issues he raised with the Premier and the Premier is refusing to say what issues the minister raised with him. We know for one thing, because both of them have indicated this to the house, that obviously those were the issues that led to the termination of the Commissioner of Corrective Services by the Public Sector Commissioner. But neither the Premier nor the minister will tell this house what the issues were. This is a disgrace. The Premier indicated to the media immediately after the election that this was a completely new government, but we did not know it was a new government in which the Public Sector Commissioner would determine who runs government and who employs and sacks heads of departments; that the Premier and the ministers have no role to play and cabinet has no role to play in determining who will be the heads of departments. Only the Public Sector Commissioner will hire and fire and make decisions on when and how he fires. That is very new to Western Australia. However, we know that is not really going to happen. We know that is not really how government works. We know that cabinet and the Premier particularly pull the trigger when heads of departments have to go. We know that is the way things are done and that those issues are raised with the Public Sector Commissioner. What were the issues?

MR C.J. BARNETT (Cottesloe — Premier) [3.45 pm]: In response to those last few comments, I remind all members that one of the first acts of the Liberal–National government in 2008 upon election was to create an independent Public Sector Commission, with the Public Sector Commissioner being the employer of all public servants. A proper process was established and it is up to the Public Sector Commissioner to look at the performance of a CEO and the way the CEO’s department is functioning and to discuss that with the minister. In this case, the Minister for Corrective Services had a discussion with Mr Johnson and it was mutually agreed that he would depart and he was paid out according to his contract. That is the proper way to do it. We just had an admission from a former minister about how it was done under Labor—pull the trigger in cabinet. We now know what Labor did. That probably explains why during the Labor years, as I said in question time, 59 senior public servants were given management-initiated redundancies at a cost of \$8 million. Would members opposite like to hear their names?

Several members interjected.

Mr C.J. BARNETT: They are Alan Bansemer, Mike Harris, Peter Browne, Roger Payne, Terry Simpson, Jack Busch, Brenda Robbins, June Williams —

Several members interjected.

The SPEAKER: Order, members! Member for Warnbro, I will read to you standing order 48 —

A member whose conduct has made it necessary for the Speaker to formally call that member to order more than three times in the course of one sitting for a significant breach of the rules may, by order and at the discretion of the Speaker, be suspended from the service of the Assembly until the adjournment of that sitting.

I have asked you on a number of occasions to let other people speak and you continue to interrupt. You have been called to order for three times. If I call you to order again, I am going to ask you to leave the chamber. Let the Premier finish his speech.

Mr C.J. BARNETT: I will just finish this: Haydn Lowe, Terry McVeigh, David Eiszele, Dr Stephen van der Mye, Paul Albert and Ron Mance. They were the senior ones, now that we know Labor’s system, whose names went to cabinet and bang! Fire the gun. One of the most fundamental and decent reforms of the Liberal–National government was to set up the Public Sector Commission.

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If I can just go back to some of the other points, I want to again place on the public record the comparative record in corrective services between Labor and the Liberal–National government. We have taken a tough line on law and order and the prison population has risen. One reason that the crime rate has gone down is that a lot of the baddies are in jail. This government has either spent or committed \$655 million, adding 2 661 beds to our prison system. Compared with the term of the last Labor government over eight years, we have exceeded additional beds and expenditure by nine times that of Labor’s record. In 2007–08, the last year of the Labor government, 844 education, training and rehabilitation programs were delivered to people in our prisons. In 2010–11 under this government, 1 850 programs were delivered and in 2011–12, 2 100 programs were delivered. That is a threefold increase in the effort in prisons, and there is more to do. I congratulate the new Minister for Corrective Services. He is rolling up his sleeves and getting down to the issues. There are issues of human resources management, the executive, expenditure and accountability of some of the budget, and he is getting to grips with that. Good on him, because it will save the taxpayers money and allow the money that is spent on our corrective services system to be better spent and hopefully young people will be rehabilitated and will not return to crime. Part of that expenditure includes \$36 million on the refurbishment of the Rangeview Remand Centre facility into Wandoo. We kept our commitment to build a specialist facility for 18 to 24-year-olds so that they do not mix with hardened criminals. Why did the Labor government not undertake that reform in eight years? It did not even cross their tiny minds to actually have genuine reform in our prison system. Labor did nothing in its eight years in government—nothing at all!

Several members interjected.

Mr C.J. BARNETT: We spent \$36 million on juvenile detention and the bulk of that—\$30 million —

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, you are now drowning out the Premier.

Ms M.M. Quirk: Excellent.

The SPEAKER: Thank you, member for Girrawheen. I call you for the third time. Premier, can you finish?

Mr C.J. BARNETT: The government acknowledges that more can be done in our prison system, in rehabilitation and preventive courses and in releasing people into employment. This government has a good record and a minister who is pursuing that. The construction works that we committed to are either completed or underway. When members go to the Kimberley, they should look at the new facility in Derby, which has been designed specifically for Aboriginal prisoners. It is innovative, outstanding and is a world-leading concept.

Members opposite did not do any of that; they just did not do it! The facts speak for themselves. Members opposite come in here and they scream, squawk and carry on, but they are serial under-performers in this area as they are in every other area.

Division

Question put and a division taken with the following result —

Ayes (18)

Ms L.L. Baker	Mr F.M. Logan	Ms M.M. Quirk	Mr P.C. Tinley
Dr A.D. Buti	Mr M. McGowan	Mrs M.H. Roberts	Mr B.S. Wyatt
Ms J. Farrer	Mr M.P. Murray	Ms R. Saffioti	Ms S.F. McGurk (<i>Teller</i>)
Mr W.J. Johnston	Mr P. Papalia	Mr C.J. Tallentire	
Mr D.J. Kelly	Mr J.R. Quigley	Mr D.A. Templeman	

Noes (34)

Mr P. Abetz	Ms W.M. Duncan	Mr R.F. Johnson	Mr D.C. Nalder
Mr F.A. Alban	Ms E. Evangel	Mr S.K. L’Estrange	Mr J. Norberger
Mr C.J. Barnett	Mr J.M. Francis	Mr R.S. Love	Mr D.T. Redman
Mr I.C. Blayney	Mrs G.J. Godfrey	Mr W.R. Marmion	Mr A.J. Simpson
Mr T.R. Buswell	Mr B.J. Grylls	Mr J.E. McGrath	Mr M.H. Taylor
Mr G.M. Castrilli	Dr K.D. Hames	Mr P.T. Miles	Mr T.K. Waldron
Mr M.J. Cowper	Mrs L.M. Harvey	Ms A.R. Mitchell	Mr A. Krsticevic (<i>Teller</i>)
Ms M.J. Davies	Mr C.D. Hatton	Mr N.W. Morton	
Mr J.H.D. Day	Mr A.P. Jacob	Dr M.D. Nahan	

Pairs

Mr R.H. Cook	Mr V.A. Catania
Ms J.M. Freeman	Dr G.G. Jacobs
Mr P.B. Watson	Mr I.M. Britza

Question thus negatived.

Extract from *Hansard*
[ASSEMBLY — Thursday, 9 May 2013]
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