

BANKSIA HILL DETENTION CENTRE — INSPECTOR OF CUSTODIAL SERVICES

495. Dr D.J. HONEY to the Minister for Corrective Services:

I refer to last week's Legislative Council hearing with the Inspector of Custodial Services, Eamon Ryan, during which he stated that following the recent inspection into Banksia Hill Detention Centre he was "very concerned for the overall operation of the facility" and said things have got significantly worse since the inspection was conducted in December 2021.

- (1) Given that the resulting show-cause notice was also referred to the minister's department on 17 December 2021, and then unusually directly to the minister because of the department's unsatisfactory response —
- Several members interjected.

The SPEAKER: Order, please!

Dr D.J. HONEY: — why did the minister allow things, in the words of the inspector, to grow significantly worse?

- (2) Has the minister's failure to deliver this key service contributed to his loss of faith from the sector including the head of the WA Prison Officers' Union, Andy Smith, who has asked for the Premier to move the minister on from this portfolio?

The SPEAKER: Before the minister answers, that is a very extensive question. It does contain a fair bit of argument. I would ask you to reconsider the drafting of your questions into the future.

Mr W.J. JOHNSTON replied:

- (1)–(2) It is an interesting question that runs over several different issues. In the very short time that I have in question time, it is very difficult to respond. The Office of the Inspector of Custodial Services is independent of government. He does not follow direction from me. I have, of course, asked him to review one particular aspect, and I have made comments in Parliament about that. But he is independent of government. He makes his own reviews and he provides information to us and he tables all his reports in Parliament. Every single thing he has said, he tables in Parliament.

When I became minister, he had just completed his regularly two-yearly or three-yearly, whatever it is, inspection of Banksia Hill Detention Centre, and that report that was tabled in Parliament last year showed that Banksia Hill was running well. That was the advice that he gave me when he briefed me when I became Minister for Corrective Services. Subsequent to that, the number of detainees at Banksia Hill has increased dramatically. I want to make the point: no-one in the corrective services function of the Department of Justice has anything to do with who comes into the care of the department. That is decided by either a magistrate or a judge, and we would have to ask the magistrates and the judges why they decided to put more people into Banksia Hill.

It was unfortunate that that huge increase from about 85 to 145 detainees was done over a short period of time and we were not able to recruit fast enough. The department ran a series of recruitment efforts, but it could not keep up with the additional people who were coming in and that led to some unsatisfactory outcomes over Christmas. I have discussed that with the department management running the detention facility. Following that, we made a concerted effort to get new youth custodial officers into Banksia Hill as quickly as possible to get the service back under control. The services for young people were not being made available to them because of the disruptive behaviour of those young people in the detention facility.

It is unfortunate that when the Liberal Party was in government it closed Rangeview, so we have only one youth detention facility now. That led to the department coming to me and asking me to approve the creation of a second youth detention facility. We did that at unit 18, because that facility is the only one that is reasonably practicably available. Perhaps the Leader of the Liberal Party can let us know in his supplementary question whether he would like us to build a youth custodial facility in his electorate. If he wants us to have a second one, we have to put it somewhere, and his electorate would be a good spot for it. Given that the Liberal Party closed the second youth detention facility, we have put a small number of detainees into a newly declared youth custodial facility at unit 18 inside Casuarina Prison. Since then, there has been a dramatic change to the outcomes for the detainees at Banksia Hill. I have been very transparent with the media. Every time I have been asked to be interviewed, I have provided information. I would love to go on radio every day to talk about this stuff, because I would love to update the community on a regular basis, like I did last Tuesday in Parliament.

The behaviour of detainees at Banksia Hill is now much improved and the services that those young detainees need are being provided to them. The first few days were a bit tricky, but, subsequently, all the services that are programmed to be available at Banksia Hill have been made available. The only occasions when a program has not been run is when the external provider has not attended the detention

facility; otherwise, all services are running as normal. Also, the number of youth detainees has fallen as people have finished their detention. So far, two of the detainees who were sent to unit 18 have been returned to Banksia Hill and one is being released to freedom in accordance with the laws of the state. We will continue to work with the staff and others to try to provide the highest level of service that we can for all youth detainees.

I will finish on this point. In the three or four weeks that the opposition has been running this silly campaign against me, it has found one person to criticise me and he is the secretary of the union that does not represent the workers who manage the youth custodial facility. The union that represents the workers at the youth custodial facility is the Community and Public Sector Union–Civil Service Association of WA, not the WA Prison Officers' Union. I understand that the government is having some difficult times with the Prison Officers' Union, because in the prisons, not in the youth custodial facility, we have a reform program that the Prison Officers' Union is finding uncomfortable. Let me make it clear: Members of the Prison Officers' Union do not manage young offenders; those offenders are managed by youth custodial officers who are represented by the CSA.

The SPEAKER: Just before you ask your supplementary question, in his response, the minister invited you to provide some further information about your opinion or what you would or would not like to see in your supplementary question. That is not appropriate. You are not at liberty to give an opinion or give him any advice; you are only able to ask a direct single question as a supplementary. But I do note that the topic is listed for the matter of public interest today, so I am confident that both you and the minister will be able to provide further information during that MPI.