

COURT SECURITY AND CUSTODIAL SERVICES CONTRACT — DEATH OF MR WARD

**32. Hon GIZ WATSON to the parliamentary secretary representing the Minister for Corrective Services:**

I refer to the court security and custodial services contract.

- (1) Following the death of Mr Ward, has the chief executive officer of the department sought the minister's approval to terminate the contract pursuant to section 60(1) and (2)(e) of the Court Security and Custodial Services Act 1999?
- (2) If yes to (1), what was the minister's response?
- (3) If no to (1), what is the minister's understanding of why the chief executive officer has not sought that approval?
- (4) What provisions does the minister intend to include in the re-tender of the contract in respect of breach of duty of care owed to a prisoner through the actions or omissions of the service provider or its staff?
- (5) If the answers to any of (1) to (4) inclusive cannot be provided, will the minister please explain why this information is not subject to public scrutiny?

**Hon MICHAEL MISCHIN replied:**

I thank the honourable member for some notice of the question. The Minister for Corrective Services advises as follows —

- (1) No.
- (2) Not applicable.
- (3) On the basis of legal advice.
- (4) The minister's intent is that the overarching legislation, such as that in division 5, part IIIA of the Prisons Act 1981, will be addressed in the re-tender documentation. This legislation provides for intervention in any contract between the state and a service provider.
- (5) Not applicable.

[Interruption from the gallery.]

**The PRESIDENT:** Members, I will leave the chair until the ringing of the bells.

*Sitting suspended from 5.15 to 5.17 pm*

**The PRESIDENT:** Where were we?

**Hon Ljiljanna Ravlich:** I was here!

**Hon Simon O'Brien:** And then the trouble started!

**Hon Michael Mischin:** I think it might have been something I said, Mr President!