

PRISONS — OFFENDER PROGRAMS

68. Hon ED DERMER to the parliamentary secretary representing the Minister for Corrective Services:

Some notice has been given of the question. I want to explain, Mr President, that a question in the same terms was originally given notice of by the late Hon Jock Ferguson. Again, as was the situation yesterday, I found the question to be of such merit that I decided to give some notice of the same question.

I refer the minister to an answer given in the Legislative Assembly that 525 offenders commenced a program in our prisons in the first quarter of 2009–10. In that same period and for each of the programs the minister was referring to —

- (1) What number, expressed as a raw figure and a percentage, of prisoners eligible for a program did not receive that program?
- (2) What number, expressed as a raw figure and a percentage, of prisoners subsequently had their parole refused?

Hon MICHAEL MISCHIN replied:

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

- (1) At any given point in time there is a measure kept by the Department of Corrective Services of the overall demand pool for programs offered in the WA prison system. In summary, that can be described as a point-in-time demand list. Consequently, the relevant figure is measured at a point in time rather than over a quarter. At the end of the first quarter of 2009–10, there were 3 544 prisoners who were assessed as eligible for a program and who were awaiting a program at that time. This figure is a point-in-time figure that represents program demand at the end of the first quarter of 2009–10, and it does not indicate the number of prisoners who will not in due course receive a program. Prioritisation from the pool of prisoners who were assessed as eligible for a program is undertaken according to a range of factors, including sentence length. Accordingly, attempts are made to take into account that those prisoners assessed as suitable for a program but who have a short sentence length have a shorter period of time in which to complete an eligible program than those prisoners who are assessed as eligible for a program but who, because they are serving a longer sentence, have more time in which to complete a program for which they have been assessed as eligible.

Included within the 3 544 prisoners who were assessed as eligible for a program at the end of the 2009–10 quarter are prisoners already booked to take part in a program that has not yet commenced, as well as others who will be booked into and complete a program before they are released. It should be additionally noted that some offenders will be removed from the demand list as it existed at the end of the 2009–10 quarter and before program commencement for reasons including refusal, poor motivation, security and health considerations.

Data on overall program demand has not historically been collected or analysed. This is a new initiative that commenced under the Liberal–National government in the last quarter of the 2008–09 financial year. As such, comparison across previous years is not possible.

- (2) The data is not readily available and is unable to be provided.

It should be noted that suitability for early release is not solely or even substantially focused upon whether a prisoner has completed a program. Release for parole is refused routinely for both prisoners who have and have not completed a program inside prison, and it is incorrect to assume that program completion guarantees release to parole.

When considering whether or not to grant parole, the Prisoners Review Board assesses a variety of factors in line with section 5A of the Sentence Administration Act 2003, namely —

- (a) the circumstances of the commission and seriousness of the offence for which the sentence was imposed;
- (b) the behaviour of the prisoner when in custody serving the sentence insofar as it may be relevant to determining how the prisoner is likely to behave if released on parole;
- (c) whether the prisoner has participated in programs available to him or her when in custody; and, if not, the reasons for not doing so;
- (d) the prisoner's performance when participating in any program;

- (e) the behaviour of the prisoner when subject to any release order—as defined in section 89 of the Sentencing Act 1995—made previously;
- (f) the likelihood of the prisoner offending when he or she is on parole;
- (g) the likelihood of the prisoner complying with the standard obligations and any additional requirements of a parole order;
- (h) the degree of risk that the release of the prisoner would appear to present to the personal safety of people in the community or of any individual in the community;
- (i) any other consideration that is or may be relevant to whether the prisoner should be released on parole; and
- (j) any remarks by a court that has sentenced the offender to imprisonment that are relevant to any of the above matters.

The PRESIDENT: Perhaps the parliamentary secretary will get the message back that not only questions, but also answers, have to be concise.