

**STANDING COMMITTEE ON ESTIMATES AND  
FINANCIAL OPERATIONS**

**2015–16 ANNUAL REPORT HEARINGS**

**TRANSCRIPT OF EVIDENCE  
TAKEN AT PERTH  
THURSDAY, 3 NOVEMBER 2016**

**SESSION FIVE  
DEPARTMENT OF CORRECTIVE SERVICES**

**Members**

**Hon Rick Mazza (Chair)  
Hon Peter Katsambanis (Deputy Chair)  
Hon Alanna Clohesy  
Hon Helen Morton  
Hon Sally Talbot**

---

**Hearing commenced at 3.02 pm****Mr JAMES McMAHON****Commissioner of Corrective Services, examined:****Ms RACHAEL GREEN****Deputy Commissioner, Youth Justice Services, examined:****Mr ALEXANDER KERR****Director, Financial Management, examined:****Mr SHAYNE MAINES****Deputy Commissioner, Adult Justice Services, examined:****Mr ROD ALDERTON****Director, Procure and Contract Services, examined:**

**The CHAIR:** On behalf of the Legislative Council Standing Committee on Estimates and Financial Operations, I welcome you to today's hearing. Can the witnesses confirm they have read, understood and signed a document headed "Information for Witnesses"?

**The Witnesses:** Yes.

**The CHAIR:** It is essential that all your testimony before the committee is complete and truthful to the best of your knowledge. This hearing is being recorded by Hansard and a transcript of your evidence will be provided to you. It is also being broadcast live on the Parliament's website. The hearing is being held in public, although there is discretion available to the committee to hear evidence in private. If for some reason you wish to make a confidential statement during today's proceeding, you should request that the evidence be taken in closed session before answering the question. Agencies and departments have an important role and duty in assisting the Parliament to review agency outcomes and the committee values your assistance with this.

**Hon SALLY TALBOT:** Commissioner, the report on a couple of pages, for instance, on page 9, notes that particularly young people and women are likely to have been exposed to quite significant degrees of trauma to find themselves in your care. The report refers at one place to trauma-informed practice. This is a relatively new concept in the provision of these kinds of services. Can you talk us through what the Department of Corrective Services understands by that term and what is being done to put it into practice?

**Mr McMahon:** Thank you. First of all, when I am answering I will answer part of this, and we have an example that I will get the deputy commissioner of youth to talk about, because that is where we are the most advanced in it.

As I have said on previous occasions, ultimately our job is about rehabilitation. Understanding our population in its broader sense, and in this case the question is specifically women and young people, and understanding what motivates them and their background and environment is critical to giving them the care and rehabilitation programs they need. So understanding someone has had a trauma background will actually modify and adjust the case management we use on that.

In terms of calling it "trauma-informed", we are putting more effort into that to do that understanding. It is a work in progress. It is not something that has not been done before, because you have to understand every individual to do the best by them, but we are looking at models from around the world. We are getting advice from people around Australia—some very notable ones—and I think Rachael will actually mention that, but ultimately going down that road more and

understanding more about what our population is all about, in this case, better rehabilitation results for women and for young people. But I will let deputy commissioner, youth, add to that.

**Ms Green:** Absolutely, as part of the Banksia Hill transformation and the changes in youth justice we are looking at a trauma-informed approach—that comes back to the child being at the centre of everything we do, understanding the impact on the child and the evidence base, and research around what practice we use. We are in the early stages. We are making sure that as a division we use the same practice, and we reckon that with the fundamental staffing operational models that we are looking to put in, it will take us about 18 months to actually get rolling out the trauma-informed practice.

**Hon SALLY TALBOT:** What are you envisaging? How will your practices change once they are trauma-informed practices?

**Ms Green:** Particularly for us, it will be understanding the child is at the centre of everything we do; looking at the language we use; understanding it is a multidisciplinary approach; and, rather than our teams working in silos, actually coming together from professional expertise around actually caring for the young people in our care.

**Hon SALLY TALBOT:** Are you providing professional development to existing staff about trauma-informed practice?

**Ms Green:** Not at the moment; that is in the plan for 18 months.

**Hon SALLY TALBOT:** Surely, the key concept of that trauma-informed practice is that everything else you do with that person will be affected by their experience; not by the way you deliver the service, but by how they interpret it.

**Ms Green:** Absolutely.

**Hon SALLY TALBOT:** It is quite a specialised thing; it is not just a nice thing about recognising that people have had a hard time.

**Ms Green:** No; which is why we actually think about it, because there are different practices as well around trauma-informed—actually making sure we have all the elements of the division set up so it does not matter where the contact is with the young person, whether community or custody, that each contact actually builds and we actually set a standard of how we work with young people, and that it is not different in different areas of our business.

**Hon SALLY TALBOT:** Are you employing trauma-informed practitioners or are you contracting suppliers of those training services?

**Ms Green:** Not at the moment. We are doing the research. We are talking to the other jurisdictions. We are looking at what other practices are out there and are working. At the moment we are designing a through-care case coordination model for young people, and that will form part of it. Then we will actually roll it out. So it is in the really early stages.

**Hon SALLY TALBOT:** Have you got any costings associated with the delivery of the trauma-informed practice model?

**Ms Green:** No, because it will all depend on which model we actually use and how we roll it out.

**Hon SALLY TALBOT:** Commissioner, the review into the incident at Banksia Hill refers to a reduction in scheduled and unscheduled lockdowns. Has that occurred in the nearly three years now—it is three years now, is it not—since 2013?

**Mr McMahon:** It was 2013.

**Hon SALLY TALBOT:** It is nearly four years.

**Mr McMahon:** It is known as the “riot”, if that is what we are referring to.

**Hon SALLY TALBOT:** Yes. I am referring to the report on this—the OICS report.

---

**Mr McMahon:** The OICS report; yes. ,

**Hon SALLY TALBOT:** The OICS report recommends a reduction in scheduled and unscheduled lockdowns. Has that happened? Has there been a reduction in scheduled and unscheduled lockdowns? That is the language used in OICS.

**Mr McMahon:** In that particular bit, I will refer to the deputy commissioner, youth, if that is okay.

**Ms Green:** Yes. We monitor the out-of-cell hours for young people on a regular basis. While that information is not in the annual report, there has been an increase in the out-of-cell hours for young people over that period of time.

**Hon SALLY TALBOT:** Scheduled and unscheduled?

**Ms Green:** The out-of-cell hours is what we actually monitor. Whether it is unscheduled or scheduled, it affects the out-of-cell hours for a young person. We actually count the positive of how many hours the young person is out of cell, not the time that they were locked away.

[3.10 pm]

**Hon SALLY TALBOT:** Do you have data relating this reporting period and the previous year?

**Ms Green:** Not with me today.

**Hon SALLY TALBOT:** Will you take it on notice and provide that to the committee as supplementary information?

**Ms Green:** Absolutely.

[*Supplementary Information No E1.*]

**Mr McMahon:** If I may add to that, that report referred to, and it might come out in other questions—in the OICS report, they use the terminology to “re-engineer the operating system that was used”. Out-of-cell hours is something I do know, so I have got more of your question now. Every day, I personally see an out-of-cell hours report that I introduced to monitor it. We get that daily, and then I get the weekly average, and then we do a comparison. In the time that I have been commissioner, I introduced that because I know how important it is to rehabilitation.

**Hon SALLY TALBOT:** Does the department distinguish between scheduled and unscheduled lockdowns? I am assuming that an unscheduled lockdown is as a result of an incident or the need to discipline someone.

**Mr McMahon:** You are right to a point but, as you know, when you are running any operational model, there might be a reason, for example, to say that we are going to lockdown because we want to extend because we have got a certain activity on. We do this in both youth and adult. Unscheduled might be for disciplinary reasons—absolutely, there are incidents—but you might, to be fair, do a lockdown for other reasons—administrative logistics or you are dealing with a program, and that will vary depending on what the program is. I just wanted to add it a bit wider. There is the discipline side, and then there are other reasons as well. As you know, in a workforce there are also workforce numbers, and this happens in the adult space a little bit more, but when you do not have the right numbers on the right day, there is no other option but to go into a rolling operational change, and that happens not so much in youth, if I can say, but more so in adult.

**Hon SALLY TALBOT:** No. Okay; that is fine, and I am specifically talking about the youth justice sector, because obviously the OICS report was focused on that. You are confident that that data will show that there are fewer lockdowns in the current reporting period than there have been in previous years.

**Ms Green:** Yes, more out-of-cell hours per young person.

---

**Hon SALLY TALBOT:** The OICS report also talks about diminishing or reducing the use of mechanical restraints. Do you have some comments to make about that? Have you reduced the use of mechanical restraints; to what extent and in what way?

**Ms Green:** We removed the use of spit hoods and we reduced the amount of time that handcuffs were utilised as well, on routine occasions.

**Hon SALLY TALBOT:** Okay; so there are no spit hoods anymore.

**Ms Green:** No.

**Hon SALLY TALBOT:** On what date was that ban on spit hoods implemented?

**Ms Green:** It was in July 2016.

**Hon SALLY TALBOT:** After the *Four Corners* program.

**Ms Green:** We had not used them prior to that. We had used them the previous year, in the year of the annual report, only eight times. They had not been removed, but they had not been used, so we just removed them.

**Hon SALLY TALBOT:** So in the previous year in which spit hoods had been used, they were used eight times?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** Were they used on eight separate offenders?

**Ms Green:** I will just check for you. I would need to check whether it was eight different young people.

**Hon SALLY TALBOT:** Okay. Can you take it on notice?

[*Supplementary Information No E2.*]

**Hon SALLY TALBOT:** What about other forms of mechanical restraint? You mentioned handcuffs, and you said there had been a reduction in the routine use. How do you measure that? Is it the number of hours in which a person might be restrained by handcuffs, or is it a reduction in the number of people who are handcuffed?

**Ms Green:** We only use handcuffs for the minimum amount of time to de-escalate a situation. Obviously, it all depends on the incident itself, and it is only for moving a young person from one area to a secure area, and then the handcuffs are removed.

**Hon SALLY TALBOT:** So it is only in transit.

**Ms Green:** Yes, a response to the incident, and then when we secure a young person.

**Hon SALLY TALBOT:** Right. Again, have you got some data that will illustrate your point about the reduction in the routine use of handcuffs?

**Ms Green:** I have not got the figures.

**Hon SALLY TALBOT:** Can you take that on notice for this reporting year and the previous one?

**Mr McMahon:** Can we get that, Rachael?

**Ms Green:** I was just thinking about whether we can actually get that. We have changed the procedure around handcuffs, but I am not sure whether that is actually available on the data.

**Mr McMahon:** We can find out.

**Hon SALLY TALBOT:** Can you find out for us?

**Ms Green:** Yes.

[*Supplementary Information No E3.*]

---

**Hon SALLY TALBOT:** You referred to the routine use of handcuffs. Are you saying that when a young person is in transit, they are always handcuffed?

**Ms Green:** They use to use handcuffs, in actual fact, if we accepted a young person from police during the night state, and then actually handcuff them as routine to move them to a secure area at Banksia Hill. That no longer happens, unless the young person is particularly elevated, or there are risks of harm. Those sort of practices are absolutely where we have made the improvements.

**Hon SALLY TALBOT:** Okay. Do you have, or am I reading too much into your use of language—is there non-routine use of handcuffs?

**Ms Green:** Yes. It all depends on the incident itself as to whether handcuffs are used to de-escalate a situation.

**Hon SALLY TALBOT:** In my lay understanding of the difference, it would be that you have a procedure that says when you are engaged in this activity, the young person must be handcuffed. That is a routine use.

**Ms Green:** Yes.

**Hon SALLY TALBOT:** There would be another use where it says that if the situation escalates to such a point that you need to protect the person or other people, you may use handcuffs. That is non-routine use.

**Ms Green:** Yes.

**Hon SALLY TALBOT:** Has non-routine use of handcuffs declined as well?

**Ms Green:** I would have to take that on notice.

*[Supplementary Information No E4.]*

**Hon SALLY TALBOT:** What other forms of mechanical restraint does the department use on young people? I am only talking about young offenders.

**Ms Green:** It is just handcuffs, and also there is a potential escort chain.

**Hon SALLY TALBOT:** Escort chain?

**Ms Green:** Yes. It is like a link chain.

**Hon SALLY TALBOT:** Do I understand that is just for transit?

**Ms Green:** Yes, it is just for transit, outside of Banksia Hill.

**Hon SALLY TALBOT:** Is that used routinely?

**Ms Green:** No.

**Hon SALLY TALBOT:** So that is on an as-needed basis.

**Ms Green:** Yes.

**Hon SALLY TALBOT:** Has that decreased?

**Ms Green:** It has not been a routine or regularly used, and I have not known it to be used.

**Hon SALLY TALBOT:** Could we then ask you again to take on notice how many times the escort chain has been used in the current year and the year before?

*[Supplementary Information No E5.]*

**Hon SALLY TALBOT:** That is the mechanical restraints. What about chemical restraint?

**Ms Green:** We do not use chemical restraint.

**Hon SALLY TALBOT:** Do you not use drugs of any kind? Chemical restraint is mentioned in the regulations.

---

**Ms Green:** There is no chemical restraint. There is a difference between a chemical agent and a medical intervention. I was just trying to think of the wording used.

**Hon SALLY TALBOT:** Is there a difference?

**Ms Green:** Yes. A chemical agent would be a pepper spray, and a medical intervention would be an injection.

**Hon SALLY TALBOT:** Intravenous Valium or something.

**Mr McMahon:** Under the appropriate clinical governance.

[3.20 pm]

**Hon SALLY TALBOT:** So there is no pepper spray-type chemical?

**Ms Green:** There is no pepper spray actually in use by the youth justice workers at Banksia Hill. The only time that pepper spray can be used on a young person in Banksia Hill is if it is deployed by a special operations group and authorised by the commissioner.

**Hon SALLY TALBOT:** So every single incidence of the use has to be authorised?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** Not reported, but actually authorised prior to use?

**Ms Green:** Unless it is an emergency action. If it is a planned action or planned intervention, absolutely; the commissioner must authorise the use.

**Mr McMahon:** If I could just jump in: that is an important distinction.

**Hon SALLY TALBOT:** Yes.

**Mr McMahon:** There is an incident occurring and sometimes, based on what we see happening out there, we may have special operations group officers walking around that support staff and support the children out there.

**Hon SALLY TALBOT:** This is the group that is based at Hakea?

**Mr McMahon:** At Hakea, yes. They are highly trained and they are set up to provide that extra level of professionalism. There are different levels of forces you go through. The youth workers are taught a certain level and then, if we need more or we deem more for the right outcomes, then we have checks in the system to do that. What I am going to describe is if a special operations person is walking around and they have pepper spray on them, if they deem it in the immediacy of that action that they need to use pepper spray, they will.

**Hon SALLY TALBOT:** They do not have to ring you first?

**Mr McMahon:** Well, they cannot; they do not have time because of the primacy, and if we do that we are going down a very —

**Hon SALLY TALBOT:** No, I understand what you are saying.

**Mr McMahon:** We are not letting people do their jobs. The key part to that is it is really important to do use-of-force training. They are very good. They will use graduated levels; that is talking, right through to, at some point, if they are going through a barricade for example and they need a distraction of some sort so the young child does not hurt themselves, primarily, or someone getting into a particular area—a room—they might do a quick squirt. It gives you three seconds and away you go, and that is why it would be used. However, generally, under a deliberate action—meaning that it is well planned, well thought out, we have tried to negotiate and we can see the situation rising—under that circumstance, the authorisation would come from me. That would involve me or my appointed deputy, because sometimes I am away—we have that whole structure set up—but the key part to that is that we want to control the use of force all the time and particularly for that estate; it needs it. In the things we have done in the last couple of years, which

you will be interested in as you are referring back to 2013, we have a far more responsive capability. If you go back to some of the investigations into 2013, the responsiveness of certain levels of force was not great. We took that and we thought: how can we make this better? It has cost us more in resources but I think, even in recent times, you have seen the advantage of having it on an appropriate notice to move, if that makes sense.

**Hon SALLY TALBOT:** Yes, it does.

**Mr McMahon:** Sorry; I am using a bit of military jargon there.

**Hon SALLY TALBOT:** No, I am following you. I wonder, then, whether you could—again, on notice, I would imagine—let the committee know how many times there has been an authorised use of chemical restraint that involved young offenders?

**Mr McMahon:** As in an injection? The medical —

**Hon SALLY TALBOT:** The pepper spray.

**Mr McMahon:** No, okay; use of force.

**Hon SALLY TALBOT:** I was calling it chemical restraint because that is the pepper spray.

**Mr McMahon:** Okay, yes.

**Hon SALLY TALBOT:** Authorised and unauthorised use for this reporting year and the one before.

*[Supplementary Information No E6.]*

**Hon SALLY TALBOT:** Maybe in the same question, the medical—would you call it medical restraint? Sorry, I am not sure how you are distinguishing between, say, the intravenous injection of Valium —

**Mr McMahon:** That is a clinical intervention that is required by doctors et cetera.

**Hon SALLY TALBOT:** But you still have a separate reg for that intervention.

**Mr McMahon:** As a doctor.

**Hon SALLY TALBOT:** Yes.

**Mr McMahon:** A trained doctor has to do it—a psychiatrist, a psychologist et cetera. That is a clinical —

**Hon SALLY TALBOT:** But that is recordable by you as well, is it not?

**Ms Green:** One.

**Mr Maines:** It could be in the health records.

**The CHAIR:** We will add that to E6.

**Mr McMahon:** In health records, and there is a confidentiality associated with that, but numbers —

**Hon SALLY TALBOT:** Yes, but I do not want any identifying information. Does that make sense?

**Mr McMahon:** Rachael, we have only had —

**Ms Green:** One.

**Mr McMahon:** I can tell you that the pepper spray is one.

**Hon SALLY TALBOT:** Was that authorised or unauthorised?

**Mr McMahon:** It was authorised.

**Hon SALLY TALBOT:** What was that incident?

---

**Ms Green:** It was several young people on a particular unit that had done some significant damage and because they had access to makeshift weapons, the special operations group were deployed and actually —

**Hon SALLY TALBOT:** Was that quite recently?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** Can you remember the month?

**Ms Green:** Yes, I can; I can give you the date.

**Hon SALLY TALBOT:** This is the only use of pepper spray?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** It was authorised, and there has been no unauthorised use of pepper spray in the reporting period?

**Mr McMahan:** Not that I am aware of.

**Hon SALLY TALBOT:** But you would know —

**Mr McMahan:** Absolutely.

**Hon SALLY TALBOT:** — because it is reportable to you.

**Mr McMahan:** Absolutely.

**The CHAIR:** Member, just on E6, it sounds like that part of the question —

**Hon SALLY TALBOT:** I have just one more follow-up and then I will hand over to another —

**The CHAIR:** All right.

**Mr McMahan:** Just so I am clear on that, I cannot recall any others. I cannot recall any in an emergency or —

**Hon SALLY TALBOT:** Perhaps you do need to take it on notice just to check?

**Mr McMahan:** Yes, we do. That is doing my bit of due diligence, but that is the one I —

**Hon SALLY TALBOT:** I have one answer to come and then I have one quick follow-up.

**The CHAIR:** You can keep going. I just was questioning the question on notice to see whether we had been half satisfied or not.

**Ms Green:** The date was 1 September this year.

**Hon SALLY TALBOT:** Okay. I think there is only that question now because it was only about the pepper spray.

**The CHAIR:** You had two parts: you had the pepper spray and the clinical intervention.

**Hon SALLY TALBOT:** Yes, I was going to ask about the clinical intervention. For that part, you are still going to get me some data on that for this reporting year and the one before?

**Mr McMahan:** Yes.

**Hon SALLY TALBOT:** My final question on this topic is that in WA, we have rules about all these procedures. I have not actually asked you about stripsearching. Can you give me the same data on stripsearching for the reporting year and the one before?

**Ms Green:** Yes, we can; we capture that.

**Hon SALLY TALBOT:** You have amended the practice around stripsearching, have you not?

**Ms Green:** That is right.

**Mr McMahan:** Yes.

---

**Hon SALLY TALBOT:** Sorry, can I give you a chance to talk about that first and then I will do a follow-up question?

**Ms Green:** Yes, we have amended the practice around stripsearching and, again, routine stripsearching at particular events or after activities where young people were routinely stripsearched, we have absolutely reduced the amount of strip searches over those two years.

**Hon SALLY TALBOT:** Is there still routine stripsearching?

**Ms Green:** There is when a young person comes into custody.

**Hon SALLY TALBOT:** In their first admission?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** And that is the only routine stripsearching?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** Is that done as a full strip search or—what do you call it—a 50–50?

**Ms Green:** A half-and-half.

**Hon SALLY TALBOT:** Yes. Is it done as a 50–50?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** I am interested about these rules around the procedures. Compared with other jurisdictions, we are quite tightly constrained here by part 9 of the Young Offenders Act and by the Young Offenders Regulations. Can we broadly call all these things detention offences? Are you comfortable if I use that term?

**Mr McMahon:** Yes.

**Hon SALLY TALBOT:** My understanding, and I am checking with you, is that both the act and the regs say that all detention offences must be recorded in writing and must contain details of date, time, place, circumstances of alleged offence and description of consequence. Can I ask you where that record goes? Those of you who follow what we do up on the hill will know that I have asked a series of questions looking for data. It appears to me that that data is not centrally collected, so you cannot actually look up and see the number of times there has been something like a mechanical restraint being used that is non-routine. You have to look at every single individual record.

**Ms Green:** Yes.

**Hon SALLY TALBOT:** That seems to me to be an unsatisfactory way to collect data of this nature given that it is so sensitive.

**Ms Green:** So the —

**Mr McMahon:** Could I speak after you, Rachael, on that one?

**Ms Green:** Yes, sorry. The detention offences are particularly under a part of the act and that is actually an offence that is put before a young person that is heard by the visiting justice or the superintendent. These matters or events are incident reports. So, yes; absolutely. Some of the level of information in an incident report is put on the computer system and the case management system, but we have to trawl through the incident report to actually look at whether restraints have been used and the finer detail of that particular incident.

[3.30 pm]

**Hon SALLY TALBOT:** But if it then proceeded to be a detention offence and was dealt with as a detention offence, presumably that data would then be centralised.

**Ms Green:** It is on the offender management system, yes.

**Hon SALLY TALBOT:** So not all incidents become treated as detention offences?

**Ms Green:** No; that is right, because there is a whole raft of incident classification. One incident classification could be—I am just trying to think of one—a staff assault; at the other end, it might be noncompliance or refusing an instruction. So any of those would be reported as an incident and it would be a case of going through the incident report relating to it as to what were the circumstances, who was involved and what restraints were potentially used. Not all of them would result in a detention offence.

**Mr McMahan:** Data is still something we need to focus on. On restructure, we invested in the knowledge and information technology division. We are getting better data from when I started three years ago. It is still not where it needs to be. We do quarterly performance reporting where in some areas we are still having to mine to get what we need. Please do not think that we are not looking at our key data. It is not the most efficient system is my point.

**Hon SALLY TALBOT:** I think that is obvious.

**Mr McMahan:** With the total offender management system, which is the system we use, there is Echo for medical records. We have actually got a group of engineers currently working on it. It is part of our costs and things that have come out this year. It is improving, but there is a list of priorities that we need to address. To be able to hit a button and actually data mine quickly would be nirvana for us as a team, because we want to be data and evidence led. I have seen the data on strip searching, so I am confident to say that it has reduced markedly and we will be able to table that to you.

Could I make one final point on youth, if we are going to move on, just to make a point? The youth framework came out last year. It is documented; it is out there. All of these things, from use of force to trauma informed to actually multidisciplinary teams for the aim of reducing re-offending, are part of that transition. On the question of spit hoods, and the use of force, it just takes time to review. To be fair to staff, you have got to bring things in gradually; you cannot say on one day restraints, strip searches and spit hoods will all go. These things are very much in train. They were referenced by Neil Morgan, the Inspector of Custodial Services, in 2013, and they have improved. You will know the numbers out there—the reduction of 14.6 per cent in terms of the daily average children there. That is a marked improvement. Some of that is because we are using new providers, some of that is because we have got a multidisciplinary approach to what we are doing and some of that is external, so there is a lot happening there. That is the positive news out of this—our population has come down 14.6 per cent, which is a marked decrease. We are seeing signs that we are getting some improvement, and in some areas it is really good, but, ultimately, there are children now that are not coming back and that is where we want to be. I think I have said it before here: we really want to get that rehabilitation right. With the use of Aboriginal providers, out of the 10, with the new ones, eight of them are Aboriginal providers. This is going to that 14.6 per cent. That is the positive news. But I think, to be fair, from Rachael's perspective, we are working through trauma, multidiscipline and use of force but not all at once, and it will take some time. But it is based on what Neil Morgan wrote.

**Hon SALLY TALBOT:** I completely accept that, commissioner. I guess that I see this process here as being a bit like asking you to show us your canaries. We are checking the health of your canaries —

**Mr McMahan:** Rightly so.

**Hon SALLY TALBOT:** — because we cannot wait another 10 years and then find out that what we were doing is not working. So you are going to get constant pressure from bodies like this to account for the practical outcomes of these changes. I recognise that the attempt is being made to put them in place.

**Mr McMahan:** Yes. I am just putting it in a couple of years versus just specifically now.

---

**The CHAIR:** Just on page 39, under “Staff drug and alcohol testing”, I see that you have actually started to do that for prison officers this year. Do you also test other staff besides officers?

**Mr McMahon:** We can get the specific wording for you, but it is prison officers and —

**Mr Maines:** Youth justice workers, but also people with custodial function.

**Mr McMahon:** — with custodial function.

**The CHAIR:** So you do not test your administration staff?

**Mr McMahon:** Yes, and that is in the regs.

**The CHAIR:** It is pleasing to see that the 338 tests that you have done have all been a negative result. Has there been any positive result since June 2016?

**Mr Maines:** There have been some positive tests in the adult side for alcohol. I would have to take that on notice for the specifics.

[*Supplementary Information No E7.*]

**Mr McMahon:** But it has been positive in terms of it is not many at all.

**The CHAIR:** I accept that. Has there been any reduction in the number of incidents where inmates have actually had drugs detected on them since this testing has been put in place?

**Mr Maines:** For inmates?

**The CHAIR:** For inmates. Obviously, there are some inmates who have had access to drugs in the past. Has there been a reduction in that since you have put this drug testing in place for officers?

**Mr Maines:** I am not sure that I can actually correlate that for you at the moment. The drug testing for officers is relatively new.

**The CHAIR:** Relative to the drugs found in the prison system.

**Mr Maines:** I am not sure I could give you the percentage. I would have to take it on notice.

[*Supplementary Information No E8.*]

**The CHAIR:** Also, at the bottom of page 39, you have got there —

... the Department gained full control of its Finance and HR services previously provided through a shared service environment with the Department of the Attorney General.

Now that the department has got full control of its finances, how are those arrangements actually now playing out?

**Mr Kerr:** We have taken over the transactional arms, if you like, of financial management. Previously, we provided statutory reporting and met all those obligations, prepared budget papers and managed our internal budget and management reporting. Now we have taken on the transactions around accounts payable and accounts receivable and we run the finance system that supports those transactions now. That is in the finance arm space. In HR, we have taken on payroll functions and recruitment in full. There were some joint HR services under the previous arrangement. Now we have taken on full HR responsibilities.

**Mr McMahon:** To give you the actual that we were paying in terms of those services for 2015, which is something that we all look at, it was just over \$19 million. The redoing of this and decommissioning in our actuals for 2016 is \$14 347 000. That is a reduction of \$5 million, which is part of the reason we got some of the budget results we did.

**The CHAIR:** Good. I have one last question before I hand over to another member. On page 41, you have got prison population pressures and about the sixth dot point down you have got “Consideration of double-bunking options in some facilities”. How many times do you double-bunk prisoners?

**Mr McMahon:** We double-bunk to optimise the estate. Under a range of legislation and things that are extant, we can double-bunk if the population requires it. It is not desirable at one level. However, if I could just be open, sometimes when we get a rush over a weekend, we may have to put a prisoner on the floor. We try to adjust the population optimisation across our estate to cater for what we see the demand is.

[3.40 pm]

If I can just elaborate a little bit more, point to point for the last financial year, from February to the end of the financial year, we had an increase of about eight per cent, and you might know from previous times I have been here that I go back 20 years to study the data. That is a big spike. On occasions like that we have to do what is necessary because at some point we are the last point of resort and we have got to look after prisoners from a community safety perspective. In saying that, our optimisation plans—we are in a reasonably good state now between the current population and the total number of beds, albeit we will need new facilities over the next period of time. They are government policy decisions, but we will need new facilities over time. Twice in estimates I have mentioned that. I have mentioned the growth rates and it is about putting, I suppose, capital in when it is required and optimising the estate. The system is not an exact science of going eight per cent in four months versus the other times. The daily yearly arrangement over 20 years is about 5.5 per cent. That is what we try to cater for. What I would like to say is that I am pretty impressed with the staff that have the flexibility to cope with that because of these surges. It is not an exact science, but I think the optimisation plan is working. We have just opened, as you know, Eastern Goldfields, which has taken a lot of pressure off. We have actually put some more double bunks into Hakea, so in remand we are actually seeing that spike sentence come down. That has changed over the 20-year period. It is not exact but we are managing to cope with that situation. We call it optimisation. Every six weeks we get together in the department and actually work out how many beds we have got and how we will manage the population to the point—as you know, the new facility, Melaleuca, is coming online out at Hakea, so we have done the internal fence there. We want to open that in December. It is going to take potentially up to 250 women out of Bandyup, which for a while has been working under extreme pressure. Again, I have got to congratulate staff and leadership who actually have to cope with these things, and that has worked well for us. That is a longwinded answer but I just wanted to give a fuller picture.

**Hon HELEN MORTON:** I am on page 114. You referred to the number of escapes. You indicate that that is both publicly run and privately operated prisons—the number of adult escapes. I am just wondering if you also have that information broken down by public and private operators.

**Mr Maines:** Yes, I do.

**Hon HELEN MORTON:** Could you just let us know what that is?

**Mr Maines:** For the financial year period?

**Hon HELEN MORTON:** Yes. Just these figures here—I think in 2015–16 there were 11.

**Mr Maines:** Yes. Sorry, my table does not break it up into the financial year. If you can bear with me, I just need to go through the table. So, 23 June 2016, other than the one that occurred on the weekend, was the most recent. So, 23 June 2016 was from a government-run facility—six.

**Hon HELEN MORTON:** Six what?

**Mr Maines:** Six from public prisons.

**Hon HELEN MORTON:** And three from a non —

**Mr Maines:** Four were from a private facility; one from a privately operated prisoner escort.

**Hon HELEN MORTON:** Sorry, you said that too quickly; I could not hear.

**Mr Maines:** I am sorry.

---

**The CHAIR:** I must admit that was a bit fast for me too.

**Hon ALANNA CLOHESY:** Hansard's eyes are crossed!

**Mr Maines:** Six escapes from public prisons. Four were from private facilities and one from a privately operated prisoner escort.

**Mr Kerr:** There is some information listed just below the table on that page as well. That gives a bit of a breakdown on that.

**Hon HELEN MORTON:** Okay. Thanks; got it.

I now want to go to page 38 where you refer to the loss-of-confidence provisions. On how many occasions have you had to implement that?

**Mr McMahon:** That is easy from my perspective. We have not used it yet. Again, I have got to put it in context of two things. When I first started in the first year, there were approximately 10 resignations—dismissals. In the second year there were approximately 17. Unfortunately for those people who do not do the right thing in our system, we have about 30 on the books at the moment. When it came in, there was a disincentive and prison officers resigned because loss of confidence, as you know, gives me greater ability if I lose confidence and I can go through that process. We are the only Corrective Services, as you might know, in Australia to have it. I sit on a commissioners' board that meets twice a year. The majority of them have asked for those provisions; they want to put them in. It ultimately comes back to philosophically we want to make sure—it is a vocational job what prison officers do. Standards need to be set because that directly attributes to our rehabilitative cause. We have not used it but I have got cases pending. As you know, this takes some time to implement, but it is ready to go. The instructions have been done. We worked for nine months, appropriately, with the unions to get those instructions right. That takes some time. I did have some pressure put on me to get them going. That makes sense; I get that. But working with the unions, we have the right instructions which protect rights. People very much get it. I would suggest anecdotally that there has been a resignation versus, "I'll face that."

**Hon HELEN MORTON:** My question relates to pages 40, 134 and 136 about workers' comp. We had ICWA in here yesterday telling us that the biggest lot of claims and their biggest payment type of claims—the amount of payment per claim—was coming from stress leave from across the services that they insure. Is that similarly the case in your organisation?

**Mr McMahon:** There is a variety of reasons things happen. I am pleased to say that we have had an approximately 30 per cent drop in our premiums. As you know, when premiums are worked out by insurers, it is based on their actuarial predictions et cetera. That is a \$10 million drop in our premium from around \$34 million to \$24 million. Lost-time injuries—the days lost—came down from 105 to somewhere in the 90s. I cannot remember the exact figure. It means the severity of the injury is less, potentially, but what it also means is our case management of our staff who are in complex environments works well. From a workers' comp perspective, we will not rest; it is not where we need it to be compared to others around Australia in the same field, because that is really the comparison that we want to look at because it is a complex job. At some level we are looking after some reasonably dangerous people. However, the positive is we have moved the premium down \$10 million which indicates we are getting better at what we are doing. We were funded to put a team in place. It has been well led internally by a very senior corrective services officer, but it is a bit of a hybrid model where we have outside expertise and internal expertise working together well. To be fair, I am very proud of the approximately 30 per cent reduction in that because it indicates we are looking after our staff.

**Hon HELEN MORTON:** I read in here that the team you are referring to, the injury management consultants, are made up of four—I am assuming it is four people. This is on page 134. Do any of those injury management consultants have a specific background in psychological health?

[3.50 pm]

**Mr McMahon:** To be fair, I will have to take that on notice, unless anyone knows. I do not know their exact qualifications.

[*Supplementary Information No E9.*]

**Mr Kerr:** In that paragraph it says the IMCs are qualified allied health professionals who work directly with the injured worker, so assuming —

**Mr McMahon:** It was a mental health question, I think.

**Hon HELEN MORTON:** Yes, it was.

**Mr Kerr:** I beg your pardon.

**Hon HELEN MORTON:** I come from an allied health background, so I am interested in what type of allied health professionals you have there and in particular whether any of them have a background in mental health, given that we are being told that that is the highest rising level of compensable time off work and also the biggest cost per claim is coming from those as well.

**Mr McMahon:** For us, we have launched a program of mandatory mental health training for the workforce. That includes people in Westralia Square, people in community corrections, right through to prison officers. We are going to do online training; I actually have it on my system now. I am actually going through it as we speak. That is important because it is something the department has not had before. If I may indulge you, being and ex-commanding officer in the SAS I am involved in post-traumatic stress, so we are trying to get ahead of the curve there to move us forward. We are taking that very seriously, but we do not know exactly their qualifications.

**Hon HELEN MORTON:** Thanks. My final question is about the improvement of mental health services within WA prisons. Given my previous background, you would be aware that we worked extensively on trying to see improved mental health services for prisoners and I left some time ago, so I am interested in what has progressed in recent times in that area.

**Mr McMahon:** I suppose we have a program that we are starting at three levels. The first level I just explained to you; that program has been launched and we are starting to do it. There is a second level of more training, higher levels of training, for prison officers to do with that, but the other thing we are doing is from a governance perspective, being far more connected —

**Hon HELEN MORTON:** I am sorry, but you might have misunderstood my question. This is not about the mental health of staff; this is about the mental health of prisoners.

**Mr McMahon:** That is actually what I am saying. Not everyone needs the highest level of training, so we have three levels. This level is for everyone—recognition of mental health for prisoners and in staff; the second level is, again, a higher level of training for recognition of staff and prisoners. We are going through a cascading system.

**Hon HELEN MORTON:** Can a prisoner who has a serious mental illness get involuntary treatment in a prison?

**Mr McMahon:** Involuntary? No.

**Hon HELEN MORTON:** So they still have to move out of the prison system?

**Mr McMahon:** Correct.

**Hon HELEN MORTON:** Given the pressure on the beds in the forensic mental health unit, they will be taken back, but they cannot continue to receive their involuntary medication in the prison system, so what happens to those people? Do they have to stay out of the prison system the entire time they are taking involuntary treatment?

**Mr McMahon:** I know those figures reasonably well because every Wednesday I get an operational briefing of how many people we have at the forensic mental health facility and it varies up and down. For those particular prisoners, the step-up, step-down facility, that is what we try to create

within our system. Between five and 15 per cent at any one time are going up and down, and we have to manage that with the health services we have within the prison system; that is the system.

**Hon HELEN MORTON:** So if you have psychiatrists coming in to the prison, which you do, why can they not be responsible for administering medication, for example?

**Mr McMahan:** That is a technical question from my perspective, so when you are deemed involuntary—I am bounding into clinical governance now—in layman's terms, once they are deemed involuntary it becomes a health issue to be dealt with at the forensic health facility and if they are still at the stage before that, they are worked out in prison.

**Hon HELEN MORTON:** There are lots of people out in the community walking around, doing everyday jobs et cetera, who are receiving involuntary ongoing injections or involuntary medication of some form, and I am just curious why that cannot happen in a prison.

**Mr McMahan:** I will take that on notice, but I do not want to give the impression that we do not look after people with mental health issues in prison. The point I am trying to make is that clinical governance will determine where is the best place to deal with a person. That is the system we have.

[*Supplementary Information No E10.*]

**Hon ALANNA CLOHESY:** Over all of the public and private prisons, all the facilities, do you keep data on where people are from when they enter the prison system—the town or suburb in which they live, from which they come from?

**Mr Maines:** Yes.

**Hon ALANNA CLOHESY:** You do? Can I get, by facility—by prison, basically—the top five regions or towns from where prisoners come?

**Mr Maines:** So for the 14 public facilities and two private facilities?

**Hon ALANNA CLOHESY:** Yes, for the 2015–16 financial year.

**Mr Maines:** Where possible, we try to actually get people back to country, so if they are from a regional location, we try to locate them based on their security classification. We try to keep people from a particular location or regional location within that location if we have a facility there.

**Hon ALANNA CLOHESY:** Yes, it is also a question about where people who enter the prison system are from; also where they are located. If I could have that by community corrections as well—people who are in communities.

**Mr Maines:** Community corrections people are living in their own premises, so they will already be in the location; we will only be managing on behalf of the judicial system.

**Hon ALANNA CLOHESY:** But they are not always from where they —

**Mr Kerr:** Which town has the most sentenced offenders in our care.

**Hon ALANNA CLOHESY:** Yes, that is right, thank you.

**Mr Maines:** Offenders in the community?

**Mr Kerr:** Both.

[*Supplementary Information No E11.*]

**Hon ALANNA CLOHESY:** I would also be interested to know the length of sentences that people are serving, so the number of individual offenders that went into the prison system in 2014–15 and 2015–16, to serve a sentence of less than 12 months, and then 12 months to 24 months—because that is not in the annual report, is it?—and 24 to 36 months.

**Mr Maines:** I can probably give you some breakdown of that now, if you like.

**Hon ALANNA CLOHESY:** Is it in a table form?

---

**Mr Maines:** Yes. Remand prisoners from July 2015 to June 2016 comprised 28 per cent of the total population. Sentenced prisoners with sentence lengths of less than six months were 19 per cent of the sentenced population. Sentenced prisoners with sentence lengths of greater than six months were 81 per cent of the sentenced population. The average length of sentence is 18 months and 21 per cent are less than 12 months of the sentenced population. I can probably break that down —

**Hon ALANNA CLOHESY:** I absorbed about a third of that, but that is not actually what I am after; I am after raw figures, so the number of people who have entered the prison system in each of the financial years 2014–15 and to 2015–16 and the length of sentence that they are going to serve. So, to serve a sentence of less than 12 months; of between 12 months and 24 months; and of between 24 months and 36 months, and for those people, by their sentence period, the number of people who require an addictive substance rehabilitation program, and how many received that program, and in what financial year.

[*Supplementary Information No E12.*]

**Hon ALANNA CLOHESY:** For each of the years and categories that I just mentioned, it might be easier if I just put these on notice.

[4.00 pm]

**Mr McMahon:** Yes, that would be helpful.

**Mr Maines:** If I can give you some clarity, in that 12 month period, 9 650 people entered prison and 8 857 went out —

**Hon ALANNA CLOHESY:** They are Hansard; they are writing down what you say. They are not liking you very much right now! You are talking very fast.

**Mr Maines:** I am sorry that they do not like me!

**Hon ALANNA CLOHESY:** It is because of the speed at which you were reading out those figures. Could you read them out again?

**Mr Maines:** For the financial year 2015–16, 9 650 people entered the system and 8 857 exited the system.

**Hon ALANNA CLOHESY:** Okay. So that was 2015–16?

**Mr Maines:** Correct.

**Hon ALANNA CLOHESY:** For 2014–15?

**Mr Maines:** I do not have that with me.

**Hon ALANNA CLOHESY:** I will take that on notice.

[*Supplementary Information No E13.*]

**Hon ALANNA CLOHESY:** Are you able to provide figures by category of crime? For example, I am interested in the numbers that have been sentenced for assault as a result of family and domestic violence.

**Mr Maines:** I am not sure of the level of clarity on the offence type or how difficult that will be to extract, given that a person is charged with assault or a range of assaults, but, yes, we can take that on notice.

**Hon ALANNA CLOHESY:** I will put that on my list to you.

**Mr McMahon:** DOTAG should be able to provide that.

**Hon ALANNA CLOHESY:** Okay. I will write it down. I will send you a nice long list.

[*Supplementary Information No E14.*]

---

**Hon SALLY TALBOT:** I want to ask you, commissioner, about recruitment. I take you to page 37, I think, of the annual report. To refer once again to the OICS report into the Banksia Hill incident, one of the things that Neil Morgan drew attention to was the low level of Aboriginal staff. To my intense disappointment I see at 2.3.2.3 that your Aboriginal employment rate has fallen in this reporting period. It is 4.5 per cent, which is a long way below your target. Can you tell us why you think that might have happened?

**Mr McMahan:** I think there have been some HR policies that have held some things up.

**Hon SALLY TALBOT:** Within the department or the public sector in general?

**Mr McMahan:** The public sector in general. We all know what those are, so I will move on from that side. The next side —

**Hon SALLY TALBOT:** Do you mean things like recruitment freezes?

**Mr McMahan:** Yes, I do.

**Hon SALLY TALBOT:** You are not talking about specifically Aboriginal —

**Mr McMahan:** That is part of it, but in saying that, it is all staggered, is not it? We can only report in that financial year. When we did that, we went back and asked to launch project 260, which has a focus on increasing prison officers and, obviously, part of that is Aboriginal recruitment. I need to put that figure of 4.5 per cent in context. It is very healthy compared to the rest of the sector and it is very healthy to the population. However, what we have done, which is not in this report, is Aboriginal providers. As I said, under the youth justice board, 10 of their providers were provided, eight of them have Aboriginal content—that was one of the reasons with some of the mentoring programs—so there are people in the estate et cetera, outside of that. Then on top of that, we have redesigned our Aboriginal visitors' scheme and put new staff in there. We are building towards it. The 7.25 per cent target was self-imposed by us in our Aboriginal reconciliation plan, which is the first time the department has had one. We launched that and we want to get to that target and we deem that we need to reach that 7.25 per cent, given the cohort and representation of Aboriginal people in our system. This is not an exact science. This is a real strategy about—yes, it is a reconciliation action plan, but it is actually about rehabilitation. As you know, up to 40 per cent are Aboriginal men; we need some people that can actually culturally motivate, motivate in different ways and understand language. That is really important to us. I am not happy with that 4.5 per cent, but we have launched it over a three-year period and were going to have a go at getting there, for all the right reasons.

**Hon SALLY TALBOT:** Do you have a view about why it has fallen in the 12 months? Is it something to do with retention practices?

**Mr McMahan:** It could be that. Straight up-front—I have not investigated why it has fallen. If we have not improved it once we go through project 260, I would have some issues then. That project is in play. As you might know, we have just had a course of 48, which is a very large course, and we have got another 48.

**Hon SALLY TALBOT:** Is this an intake of 48?

**Mr McMahan:** Yes.

**Hon SALLY TALBOT:** What proportion of those are Aboriginal?

**Mr McMahan:** Actually, there are not many. However, I have been looking at the numbers—I have not got the exact number. Even with our new Melaleuca facility—I keep on top of this because we have got to get the numbers up. I look at our employees, but I also look at it wider than just our employees. I look at the providers we use as well. If I said to you, “Are we using a lot more Aboriginal providers now?” I can say we are. That is the fact. So we are not happy with the 4.5 per cent and we need to investigate it. We have allocated the money, which is \$15 million for

project 260. This will come into us, hopefully, targeting more Aboriginal people. It is really very important for what we do.

**Hon SALLY TALBOT:** So what is your proactive strategy for recruiting Aboriginal people, because it looks as if hoping is not going to do it?

**Mr McMahon:** I think that is a good —

**Hon SALLY TALBOT:** Its recruit and retain, is not it?

**Mr McMahon:** I think we need to get out there and look at who we are asking to do the recruiting. I think we, potentially, need to use a variety of providers that are good at this. I also believe that we need to get out into the community and do a bit more engagement so people see the vocational aspect, which is what Corrections does. And the opportunities—you do not just need to be a prison officer. When people say “corrections” they think “prisons.” It is far wider than that. We need to be out there more in the community. You know we have brought in a well-known Aboriginal cultural advisor. We have got our RAP committee and we have people on that RAP committee from every level of the business. I am getting feeds directly from people on the ground. We have started both adult and youth Aboriginal services committees, where every quarter the superintendent and general manager would meet and get ideas about how we do these things. I am hoping that even those committees started up on the ground will actually start attracting people from the local area. It is disappointing, but we are sort of at year one. Next year, I like to think we are at least on track to get that 7.25 per cent. It is very important for our department.

**Hon SALLY TALBOT:** Where do you go to recruit? Are you going to the right places? I do not mean which agencies do you use, but where do you go? I mean, traditionally, prison officers came from two sources, did they not?

**Mr McMahon:** Correct. I am not sure if they came from two sources.

**Hon SALLY TALBOT:** I was wondering whether you were going to —

**Mr McMahon:** I have got to tell you —

**Hon SALLY TALBOT:** I was going to say the military and the police force.

**Mr McMahon:** Yes, that is not what we are seeing.

**Hon SALLY TALBOT:** But traditionally that is the way you would have expected prison officers —

**Mr McMahon:** I am not sure, to be straight up-front. I have got to say that I take great pride in the graduations. We always start out with didgeridoo playing and the Australian national anthem. But to be very clear, we have got people from a whole range of different multicultural backgrounds, including plumbers, aircraft engineers and we have got an Olympian who joined the women’s estate. We have a very diverse group of people now.

[4.10 pm]

**Hon SALLY TALBOT:** What do you do, for instance, to attract arts graduates?

**Mr McMahon:** Arts graduates—in my view, not enough at the moment.

**Hon SALLY TALBOT:** What could you do?

**Mr McMahon:** I could do what I used to do at my old job, which is go around and present at all the universities.

**Hon SALLY TALBOT:** So Corrective Services does not do that?

**Mr McMahon:** Not to my knowledge.

**Hon SALLY TALBOT:** Is it a good idea to do it?

**Mr McMahon:** I think it is.

---

**Hon ALANNA CLOHESY:** You need to find a university that teaches arts.

**Mr McMahon:** There are two reasons I say that. It is important that people understand what Corrections does, so we get that benefit, and the whole justice model—that is important—and that the justice model is not just about there is law, but there is also Corrections, which is about rehabilitation. So I think more and more we want to tap into a whole range of markets. We are not there yet.

**Hon SALLY TALBOT:** That is obviously where my line of questioning is heading. If you take an arts graduate who has perhaps done a background in politics or sociology, they would have a pretty fair idea about redistributed justice.

**Mr McMahon:** Correct.

**Hon SALLY TALBOT:** I would have thought they are the people you want working for you.

**Mr McMahon:** Absolutely.

**Hon SALLY TALBOT:** Because otherwise they are going to end up on the other side of the table.

**Mr McMahon:** I have learnt in my three years —

**Hon SALLY TALBOT:** I do not mean in jail; I mean advocating.

**Mr McMahon:** Yes, there is room for everyone, potentially.

**The CHAIR:** Why are you looking at me?

**Mr McMahon:** I am just saying potentially with optimisation!

**The CHAIR:** I was not sure of the body language!

**Mr McMahon:** Sorry. Dear, oh, dear! I meant with optimisation, sorry. I think the key is for our cohorts we need a variety of people. We need at one end—I will be frank—the rough diamonds. We need your arts graduates. We need a range of people. We need people who are culturally sensitive and we need to do, in my view, more regional recruiting as well. Corrections is a small village. It covers everything and we need to sell that better. I am using the word “sell” unreservedly because we need to get the message out there. It is a very honourable profession and I reckon I have said it—I am very proud of the workforce.

**Hon SALLY TALBOT:** It is such a strong message from the Inspector of Custodial Services that if you had more Aboriginal people working in youth detention facilities, the world would be a better place for young Aboriginal people as well.

**Mr McMahon:** Could I just add to that? It is more Aboriginal people to a point, but it is well trained and in the right model, which we have spoken about previously.

**Hon SALLY TALBOT:** I want to ask you about the Youth Justice Board, halfway down page 35. You have done a good job here of explaining how the board works and we all saw the press releases. Can I ask you about the role of the Youth Justice steering committee? Does it exist?

**Ms Green:** Steering group?

**Hon SALLY TALBOT:** Steering group or steering committee.

**Ms Green:** We have a Youth Justice reference group, which is the senior representatives of government agencies as well as the not-for-profit sector, so WACOSS and also YACWA are members of that particular group.

**Hon SALLY TALBOT:** Right. I was going from a couple things actually because there is a—anyway, on your website it has got the Youth Justice steering committee.

**Ms Green:** That was old.

**Hon SALLY TALBOT:** Is that the same thing we are talking about?

---

**Ms Green:** I think that was the previous version.

**Mr McMahon:** Correct.

**Hon SALLY TALBOT:** It says —

A Youth Justice Steering Committee comprising of representatives from key public sector agencies and the not for profit sector will be established.

**Ms Green:** Yes.

**Hon SALLY TALBOT:** So it has now been established and it is called the —

**Ms Green:** Yes, it is the Youth Justice reference group.

**Hon SALLY TALBOT:** Who is on that?

**Ms Green:** Child Protection, Mental Health, Local Government and Communities, WACOSS, YACWA and Education.

**Hon SALLY TALBOT:** Has it got NGOs on it as well?

**Ms Green:** Yes.

**Hon SALLY TALBOT:** YACWA and who are the other NGOs?

**Ms Green:** Just WACOSS as the chief body.

**Hon HELEN MORTON:** Is Housing on it?

**Ms Green:** No, they are not.

**Hon SALLY TALBOT:** How often does that group meet?

**Ms Green:** Once a quarter.

**Hon SALLY TALBOT:** What is their role? The way it was originally set up was confusing to me because you had the Youth Justice Board setting directions and sort of consolidating policy, I suppose. They come up with the ideas. Is the group supposed to implement those ideas?

**Ms Green:** Yes. Particularly, the Youth Justice reference group has been—I am just trying to think what the first stage was, but I think it has been running for about 12 months if my memory serves me correctly. We have found it really useful from a Youth Justice perspective, particularly around working with the government agencies, when we have been working through the current procurement around programs with the Aboriginal Youth Justice investment, the principles of co-design and making sure that we were working with the other agencies about how that would look and what we needed to take into consideration and keeping them briefed as the first agency that was going down that path.

One of the pieces of work that we are looking at, which is in the sort of concept phase at the moment—we are talking to different agencies about it—is actually mapping several young people who land at Banksia Hill and going back, almost like the Ombudsman around the suicide inquiry that they did, and tracking back to where we first started with the young people and their trajectory and then looking at another 40 that did not come into Banksia Hill, looking at the service provision between all the different agencies and the contact points, which we think will identify the service gaps in provision between us.

**Hon SALLY TALBOT:** That sounds great. I am still not entirely clear. Where does the grunt lie between the Youth Justice Board and the Youth Justice steering group?

**Mr McMahon:** Okey-doke.

**Hon SALLY TALBOT:** You can see what my —

**Mr McMahon:** I can and it is not —

**Hon SALLY TALBOT:** It all sounds lovely but —

**Mr McMahon:** No, we are not overly into “lovely”; we are into results. I think the document points that out about where we have been over the last couple of years. We have a gradual declining population which we are very proud of. In saying that, the Youth Justice Board was set up as an advisory group directly to me as the principal of the Young Offenders Act. It is not a statutory board in the traditional business sense. It advises me. But on there, there is cultural advice—pretty key given up to 70 per cent are young Aboriginal children. It has also got the academic aspect, which allows us to tap into a lot of research, which is fantastic. Some people have been very generous there. It has got a commercial aspect because some of the things might lead down that. I do not have an ideological issue with it, but some of it may lead to that and it has got people who know about the for-purpose sector. They are advisers and, ultimately—but it is a bit about strategy, understanding where we are now. One of the quotes that I used when I first took this job is: “If we keep doing the same thing, we will get the same result.” It is a bit like what Neil Morgan has said. It is a fair comment. Bringing in another set of ideas—no-one on that board gets paid. They work very hard and they are actually out on the ground in a good way talking—they are another set of eyes and ears. I think they have been very helpful to Rachael in that regard. Underneath that, and you would appreciate in the sector, big organisations, connecting, health, education, in a macro level case management perspective to achieve some of the 11 projects we have set out to do—that requires coordination. The link is Rachael sits up on that board and then Rachael gets on with other government agencies and then on the ground we get the best of both worlds, so to speak.

It might look clunky, but it actually has worked really well. But to get a bunch of very highly qualified people—and I am thinking now of one academic in particular—who will go out there and double-check what is happening, I get a letter back to me and I say, “Rachael, is this happening?” That is the level of scrutiny we are doing out there now and I think given that they do not get paid I am very impressed, actually.

**Hon SALLY TALBOT:** You have certainly got some grunt on the board.

**Mr McMahon:** Yes. There are a number of doctors. It is appropriate.

**The CHAIR:** Noting the time. We might just leave it at that. Thank you very much. On behalf of the committee, I thank you for your attendance today. The committee will forward the transcript of evidence, which highlights the questions taken on notice together with any additional questions in writing after Monday, 7 November 2016. Responses to these questions will be requested within 10 working days of receipt of the questions. Should you be unable to meet this due date, please advise the committee in writing as soon as possible beforehand. The advice is to include specific reasons as to why the due date cannot be met. If members have any unasked questions, I ask them to submit these to the committee clerk at the close of the hearing. Once again, thank you for your attendance today. A reminder to members that the deadline for submitting additional questions is 12.00 pm—midday—on Monday, 7 November 2016, as stated in paragraph 8.2 of the procedures policy.

**Hearing concluded at 4.19 pm**

---