

**COMMUNITY DEVELOPMENT AND JUSTICE
STANDING COMMITTEE**

**“MAKING OUR PRISONS WORK”: AN INQUIRY INTO THE EFFICIENCY
AND EFFECTIVENESS OF PRISONER EDUCATION, TRAINING AND
EMPLOYMENT STRATEGIES**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 11 AUGUST 2010**

SESSION TWO

Members

**Mr A.P. Jacob (Deputy Chairman)
Mr I.M. Britza
Mr A.P. O’Gorman
Mr T.G. Stephens**

Hearing commenced at 10.51 am**GINBEY, MS CHRISTINE DEBORAH****Director, Strategic Asset Services, Department of Corrective Services,
examined:****KRASZLAN, MS KATALIN****Project Manager, Department of Corrective Services,
examined:**

The DEPUTY CHAIRMAN: This committee hearing is a proceeding of Parliament and warrants the same respect that the proceedings in the house itself demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as a contempt of Parliament. Have you both completed the “Details of Witness” form?

The Witnesses: Yes.

The DEPUTY CHAIRMAN: Do you understand the notes that are the bottom of the form?

The Witnesses: Yes.

The DEPUTY CHAIRMAN: Did you receive and read the information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

The Witnesses: Yes.

The DEPUTY CHAIRMAN: Do you have any questions relating to your appearance before the committee today?

The Witnesses: No.

The DEPUTY CHAIRMAN: The purpose of the hearing today is to identify what lessons you have learnt or what issues may have been identified during the design and construction of the Derby prison. I do not know whether you want to give us a brief background of and introduce us to that project and what you found through that process.

Ms Ginbey: I will start, if you like, because Kati came on after the initial idea about the Derby prison came up. It must have been in 2005 when we undertook the Kimberley Aboriginal reference group engagement process, whereby we identified a number of key Aboriginal people across the Kimberley to participate in the initial planning for the new facilities. From the demand perspective, the Department of Corrective Services identified that there was a huge unmet demand for prisons in the Kimberley. We had only Broome Regional Prison, which had a design capacity of about 23 cells that, at the time, held about 160-odd prisoners. It was woefully inadequate. We identified that there were four strategies required across the whole of the Kimberley—in addition to Broome Regional Prison, the east Kimberley prison, the west Kimberley prison, a work camp in the east and a work camp in the west. Once those were established, we could then go into Broome Regional Prison and make it a town-based work camp for Broome and also a local remand centre for the court. The Kimberley Aboriginal reference group prepared their report, which they presented to our minister of the day. The minister decided that the first prison would be in Derby. At that point, Kati came on to run the project.

Ms Kraszlan: With the west Kimberley prison, the two priorities were, firstly, to design something to suit the environment, which is the climate, the climatic conditions and cyclones; and, secondly, to design a prison that supported Aboriginal prisoners in the Kimberley. There were both cultural

issues that we tried to take account of and the work training life skills development option. We looked very closely at the work undertaken by Paul Memmott, who is an academic architect—he was at the University of South Australia—about designing for Aboriginal people, which was about single-storey accommodation; lots of light, open windows; and people being able to live in kinship groups, being able to identify themselves and being able to take up cultural practices. We also looked at Paul Reser's work that came out of the Royal Commission into Aboriginal Deaths in Custody about building prisons that had a suicide-prevention ideology built into the design. As well as suicide prevention from a psychological perspective of identifying people at risk and building safe cells, it is also about providing an environment that does not encourage people to have suicide ideations. It is control over your environment. We want to open and shut windows, to have move in and out processes, and to have vegetation—that is, creating as much of a normalised environment. Those were the academic components. Then we worked very closely with the original cultural reference group design about the four main principles: cultural responsibilities, relationship to land, kinship and family responsibilities, and community responsibilities. The first step was that Derby would be designed based on the Boronia and Bunbury successes of it all being a self-care, independent living arrangement. Every accommodation unit in the prison is self-care. There is a kitchen and lounge, plus the cells. When prisoners come in, they are provided with the skill set to develop those skills about household management and budget management processes. Each of the houses is built into a unique cluster of groupings so that you can have east Kimberley people living together, and west Kimberley and Halls Creek, and the views and orientation allow people to look out to that part of the Kimberley.

Ms Ginbey: May I add to that? There was a conference undertaken in 1998 that had representatives from each of the states and territories. It considered prison design for Aboriginal people, and there are a number of learnings that came out of that. That should inform how we undertake prison design, particularly for Aboriginal people. I am sure that this committee is aware that Aboriginal overrepresentation in the prisons in Western Australia is a huge issue for us. One of the things that came out of that conference was that the single men's groups is something that culturally you find in Aboriginal communities. Replicating that in a prison environment and enabling those cultural avoidance requirements—because of the skin groupings and relationships, there are cultural avoidance and social interactions—should be considered. But, generally, prisons do not allow for the normal cultural interactions. This prison, being where it is and given the undertaking that it is going to have 99 per cent of Aboriginal offenders from the regions, absolutely needs to be able to allow those normal cultural interactions to take place. It was built along those lines of allowing some men's groups and women's groups to live separately and still undertake all those normal cultural requirements.

Ms Kraszlan: We have a plan that can show that a bit better than you can explain it to some extent. As you can tell, this is the process by which we looked at environment and culture. One of the other unique factors in this facility is that we built a maximum-security perimeter. It will hold all security classifications. But the minimum and medium prisoners are not segregated. They are in clusters of houses, so there will be a minimum and some medium. The women sit in a separate section, and the maximums have a separate section. As you can see, the views from this housing group, which is the west Kimberley – Broome, are out towards the west Kimberley. This one views out to the central, Halls Creek and the east Kimberley. Each of the orientations of the houses allows views from within the house out. We also have views from each of the properties. This line here gives us a cultural avoidance line, so if we do have people who are undergoing cultural avoidance, we have the potential for someone to live here and here. If they are attending education, one can walk that way and one can walk that way; they do not have to cross paths.

[11.00 am]

Ms Ginbey: There are certain relationships; the proximity should not be any closer than nine metres, and so if both are approaching that and it looks as though that distance will be less than that,

one immediately has to veer off. To be able to build into the design alternative ways of getting from A to B is a key aspect of what we had to do. Similarly, it was necessary to be able to see the horizon during the day. You would not want to build a huge wall in Derby anyway because of the cyclonic conditions, but to be able to see through the wire fence to the horizon is another important aspect.

Ms Kraszlan: The houses for the maximum-security prisoners are designed for prisoners to be locked to a cell level at night, and the medium and minimum-security houses are designed to be locked off into an accommodation wing at night but not to be locked down to the cells, so that people can congregate outside of their cell; they do not have to sit inside their cell all night, but they cannot access the kitchen and dining areas. This structure allows for that. We have also designed the cells in the realistic views of the prison building in terms of double bunking. These cells have been built wide rather than long and narrow so that in the event that people decide to double-bunk this facility, it would not be bunk beds; it would be two single beds side by side, so that we would avoid the double-bunking issue. There are also outdoor sleeping areas as a privilege.

The other component, as well as the cultural component, is that this prison is designed as a working prison. It has been focused primarily as a prison where every prisoner has a job or an occupation. As opposed to a lot of other prisons, we took an environmental, psychological perspective and separated the prison into various areas. The women have a full-service area. They have their own education, workshop, training, canteen and health areas, so that we can run public health programs for women in their own treatment consult room. At the moment, many women in other prisons access the same services. We can put up a lot of stuff around domestic violence and sexual health for the women, which we cannot do currently, and men have their own health. There is the capacity also for renal dialysis to be undertaken within the facility because that is another issue that we have. We then split the prison into what we consider to be the working area of the prison and the therapeutic area of the prison. This part here has workshops, education, kitchen and laundry stores; it is very much about work and vocational training through education, and they link straight through to the workshops and the kitchen. They are not separated; they are a whole combined area. Over here we have the health area. We run programs over here where there is a separate program section. We also have a settlement and a court area so that the re-entry, resettlement and Centrelink people come to this part of the prison. We have said that this is the therapeutic component and this is the work component. Rather than having programs and workshops and education all mixed up, we decided that the best thing to do would be to separate the two. When prisoners go to the part of the prisons for programs, courts and health, it is quieter. Looking at the type of work that has been done on adult learning, we want the education part of the prison to be open. We want the doors to be open and we want noise and engagement and for people to interact with the workshops. When you run a program, you do not want that; you want people to think inwardly and to focus. That is taken into account. It also has a management and a crisis care unit. This plan has merged them. We went through a number of value management exercises to keep within budget, which made those two units join together.

The tenders for the project came in with significant savings, so we are under budget and the project is on time at this point. Each of these operational principles respects safety, interaction, responsibility, restriction, and the deinstitutionalisation of women. Everything we do is tested against these operational principles to make sure that they are at the forefront. That is the thinking that sits underneath this. The other part is we have a community reference group in Derby. We work with that group to identify minimum-security opportunities for section 95 activities in town. Rather than having the commercial laundry, for example, located in the prison, there is one currently at the hospital in town. Our view is that the prisoners can learn the skills in the prison laundry and then go and work out of the prison in the town. Laundry is not the type of industry that we have been focusing on; we have been focusing on the skills-based and traineeship industries.

An Aboriginal reference group consists of people from across the Kimberley who we work with to identify what types of opportunities they want for the wider group. As part of that, we tie it into the

new work camp development in Wyndham, which is a 40-bed work camp. That work camp is the first purpose-built work camp we have built. Similar to the prison, it has a large workshop with a training section built into it. It also has a computer area and a purpose-built dining/living area that allows for education and training in the work camp. The model is that people will get basic skill sets and learning here and they will move on to the work camp where they will entrench those skills in community projects.

Mr A.P. O’GORMAN: What is the intended capacity of this prison?

Ms Kraszlan: It is 150.

Mr A.P. O’GORMAN: Does that include double-bunking?

Ms Kraszlan: No; that is the design capacity. There are 150 cells.

Mr A.P. O’GORMAN: Can it double-bunk up to 300?

Ms Kraszlan: Thirty of those cells are for women, so it all becomes a bit complicated. We built into the sewerage and power that capacity in the event that that would happen, but we have designed up to 150, because that is what our budget has been.

Ms Ginbey: The department still has in its strategic asset plan a second prison in the Kimberley.

Mr A.P. O’GORMAN: At East Kimberley.

Ms Ginbey: Because of the great distances in the Kimberley, an Aboriginal offender from the East Kimberley who is held in Derby is as out of country as if they were held here in Perth. They will not get visits or have a good pre-release experience because they are not going to be going to their community and they will still have language and cultural issues. Ideally, we would not be dragging every offender from across the entirety of the Kimberley to hold them in Derby. Although the capacity is in Derby to be able to double-bunk—because we are pragmatists, we recognise that this might occur in the future—it is still the department’s preferred position that a second prison be constructed in the Kimberley.

Mr A.P. O’GORMAN: Is it better to work to the capacity of 150 and to not double-bunk and run it in a similar way to Boronia for a better outcome?

Ms Ginbey: Absolutely. Some of the discussions we have been having with Treasury over the past couple of months, because of the significant savings that the department has achieved through good tender results and value managing the tender requirements that have gone out, we have requested to use some of those savings to build additional workshop capacity, for example, recognising that if the muster does go over 150 on this site, to be able to provide everyone with a constructive day would be a really good outcome. Unfortunately, the department was unsuccessful in those negotiations with Treasury. The constructive day opportunities at this prison cater for 150 prisoners.

Mr T.G. STEPHENS: What is the current occupancy of the Broome prison?

Ms Ginbey: I am sorry, but I would be guessing. However, it has been consistently over 100.

Mr T.G. STEPHENS: With the opening of the Derby prison, is it proposed that Broome prison will be abolished?

Ms Ginbey: No, we do not want to close Broome prison. The last time we looked there were between 200 and 300 offenders from the Kimberley who are held in the metropolitan area.

Ms Kraszlan: The last statistics that I got, which was two months ago, show there were 390 Kimberley prisoners in prison.

Mr A.P. O’GORMAN: Across the state?

Ms Kraszlan: Across the state.

Ms Ginbey: They are held in Albany and Bunbury. There are whole units of prisoners from the Kimberley at Acacia Prison.

Ms Kraszlan: There are 100 in Greenough.

Mr T.G. STEPHENS: How much was the budget for the Derby prison project?

Ms Ginbey: The budget was \$150 million, and we will achieve savings in the region of \$20 million.

[11.10 am]

Mr T.G. STEPHENS: Does that include housing?

Ms Ginbey: Are you talking about GROH housing for staff?

Mr T.G. STEPHENS: Yes.

Ms Ginbey: No, because that does not come under the DCS budget; it comes out of the Department of Housing.

Mr T.G. STEPHENS: What number of GROH houses will be built to accommodate the prison?

Ms Ginbey: There is the Department of Corrective Services staff housing. There is also the additional capacity that having those families living in town will have an impost on health and education and other things. For DCS housing, we have said 80 houses.

Mr T.G. STEPHENS: Does that mean 80 houses to staff this prison?

Ms Ginbey: Yes, as well as our local people.

Mr T.G. STEPHENS: So 80 staff will be coming in.

Ms Ginbey: There are 80 houses. A lot of staff who work in prisons are married to other staff who work in prisons. We would anticipate that that would cater for more than 80 staff.

Mr T.G. STEPHENS: How many staff will the Derby prison have?

Ms Ginbey: That is still a work in progress.

Mr T.G. STEPHENS: What is the range?

Ms Kraszlan: Between 100 and 120.

Mr T.G. STEPHENS: Of which up to 80 of these will be from outside town?

Ms Ginbey: Potentially.

Mr T.G. STEPHENS: Just on the back of that consultation, in relation to your assets management for the whole of the department, is it a three-armed department?

Ms Ginbey: The two major operational arms are adult custodial and community and youth justice. Within community and youth justice, we have adults in the community and youth in custody and in the community.

Mr T.G. STEPHENS: What was the consultation about?

Ms Ginbey: It was around justice services. It was not consultation undertaken by the department because to have the independence, the Aboriginal reference group was formed by the department and we provided administrative assistance and so on and coordinated meetings and trips and viewings of different prisons.

Mr T.G. STEPHENS: Was the consultation aimed at trying to understand how the justice portfolio can respond to the community safety needs of the Kimberley region?

Ms Ginbey: Yes, it was.

Mr T.G. STEPHENS: Was the answer to that consultation a prison in Derby?

Ms Ginbey: Part of it. A lot of the underlying concerns of that committee were when they saw how their people would be held in Broome prison at the time. For example, there were 11 prisoners sharing a cell. It was really awful. The committee came down to Perth and saw the standard of accommodation that was used for prisoners in the metropolitan area and quite reasonably said, “Our people should be held in the same conditions.”

Mr T.G. STEPHENS: If the question of looking after the community safety of the region is trying to work out where to put assets and what sort of assets you need in a region to respond to the safety of a region and the building of justice, where is the opportunity for people to have an asset that does something other than prisons—to invest in community safety as opposed to the end term of people in prison?

Ms Ginbey: As a justice reinvestment opportunity?

Mr T.G. STEPHENS: Yes. Does that come through a consult like the one that you had?

Ms Ginbey: The major issues that came out of that consultation were young people—how do we, meaning the community and the Kimberley, avoid young people getting in contact with the justice system and being sent to a detention centre in Perth? A lot of work is currently being undertaken by the department with regard to youth justice services.

Mr T.G. STEPHENS: Did that consultation come up with recommendations for investments around those assets and investments around that?

Ms Ginbey: Not as specifically as that, just that something should be done.

Ms Kraszlan: I have a copy of their report which has all their recommendations. Across the board, it was on the classification system, community-based options, diversion, youth justice, work camps and prisons.

Mr T.G. STEPHENS: It dealt with a range of issues, and then did the prison get picked up?

Ms Ginbey: The asset component was picked up. There were operational issues with regard to community justice services and youth justice services. They are not generally asset based.

Mr T.G. STEPHENS: When you have a suite of things being talked about in a report, what is the process by which the prison aspect of the consultation gets picked up and run with?

Ms Ginbey: That was a report that was prepared for government and that went to government. The department recognised from that report the asset components that we had to put together into a business case. It went up in our strategic asset plan.

Mr T.G. STEPHENS: You said that when prisoners arrive there, they will get the opportunity to do some programs around self-care and self-management et cetera. Who will deliver those programs?

Ms Ginbey: If we take a local prison such as Boronia—I understand the committee has travelled out there—

Mr T.G. STEPHENS: We have been there.

Ms Ginbey: —you find that it is a way of living, such that everyone who lives on that site lives in that way. There is peer support. There is staff support to undertake that. Specific programs are run in conjunction with the health department around safe handling of food, life skills and eating nutritionally while on a low budget. Our local industrial officers on that site also support people who might be struggling.

Mr T.G. STEPHENS: I pick up from that that peer support was from officers of your department.

Ms Ginbey: To make something like this work, it has to be a multifunctional team. It cannot be one person’s job to ensure that life skills happen. It has to be something that everyone contributes to.

Mr T.G. STEPHENS: Will the Derby prison, for instance, draw on the skill sets available in organisations such as the Aboriginal medical service, for instance, formally and officially?

Ms Ginbey: Yes.

Mr T.G. STEPHENS: Will you contract its services?

Ms Ginbey: That has been part of the discussions right from the beginning.

Ms Kraszlan: We have a project officer in Derby at the moment who is forming those links with not just the health service but also the women's refuge service to provide domestic violence services for the women, also programs on life skills. The thinking here has been that we do have a commercial kitchen that will provide food for the entire prison. Our expectation is that it is a three to six-month process for prisoners coming in. There is a graduated move towards self-care and we would provide a supported program as people move through that process. A training officer has been employed to develop that program. We would move prisoners through from coming in and spending time in a lot of our more institutional prisons where you do not have to do anything to coming here where you slowly and gradually take on the responsibilities.

Mr T.G. STEPHENS: What would be the value of some of the contracts that you imagine you will be able to give to, say, the women's refuge for that sort of service?

Ms Kraszlan: I could not make a comment on value at the moment.

Mr T.G. STEPHENS: Have you got a sense of the cost of a staff person? You have 100 to 120 staff and 80 staff houses. What would a staff house in Derby cost these days? Would it be \$150 000?

Ms Kraszlan: It costs \$650 000 to build at the moment, with a weekly rent of \$1 300.

Mr T.G. STEPHENS: So \$650 000 for each staff person and then a staff person's house and then there would be a vehicle and then there would be a wage. We would be up for a lot of money for each officer of the department. If you were getting a service from a non-government agency, would you be thinking of \$5 000 a year or \$10 000 a year?

Ms Kraszlan: I do not know what the department's current rates are.

Mr T.G. STEPHENS: I understand that the non-government agencies that try to deliver services to the department will find them squeezed down to budgets of absolutely nothing but if you try to do something in-house, which seems to be departmental preference, it seems to have a massive budget allocation for flying in, recruiting staff from outside the region, housing them and paying them salaries but then you try to buy a service from the Aboriginal medical service or from the refuge.

[11.20 am]

Ms Ginbey: Certainly part of the ethos of this prison, as it is for Broome, is that we do not want the service to start when the prisoner comes through the front gate and finish when they walk out, because the high risk time for someone not reoffending is the period of re-entry when they go back into the community, so it is important for them to have continuity. For example, if the local women's refuge comes in to work with the women prior to their release, it is then able to maintain that contact post-release. That is much more likely to have a positive and enduring effect than the best service we can deliver in-house.

Ms Kraszlan: The prison has a stated principle of having 50 per cent local Indigenous people employed as staff.

Mr T.G. STEPHENS: How long did it take from the letting of the contract to the completion of the contract?

Ms Ginbey: It was split into two parts. The forward works were done before the main contract. The main contract was awarded in March, and that will be completed —

Ms Kraszlan: It is a 94-week construction.

Mr T.G. STEPHENS: Was there an obligation on the part of the contractors to employ and train Aboriginal people in the region during that period, and did it use Aboriginal trainees in the process, or other work camp or Broome prisoners?

Ms Kraszlan: Under the government contracts, because this is a category 5 build, which is the large construction companies, they are only required to employ apprentices across the board, and those apprentices can be placed anywhere in the state. It is just saying, “You need to have so many apprenticeships for this value and we do not actually mind where you put them.” We, as a project, intervened in that process and said no; we did not want that. We would rather have fewer apprentices, but they had to be local Indigenous people and they had to be employed on the Derby project. At this point, I think Coopers have four local apprenticeships; there are seven allocated to the project, with a support program built in, so that it is not just appointing an apprenticeship and, “Thanks very much”; there is actually a support program to support the apprenticeships through the process, and there were seven identified, of which four, I think, are currently employed on the site, plus there are other local people who have been employed in more of the labouring work that is currently going on.

Ms Ginbey: That is in addition to our use of the work camp prisoners. As members will see from the pictures, it is a huge site. Despite our best efforts, because of the requirements of a prison with safety and security, there are large cleared tracts, for example, where the fence is going to go. In conjunction with the local team, the gentlemen who are currently residing at the work camp participated in the identification of plant species from which they could collect cuttings and seeds to grow, and we provided the shade houses for that, so that will contribute to the landscaping of the prison. Use of the offenders who are currently in the work camps is also being included in this project.

The DEPUTY CHAIRMAN: So completion is set for late next year?

Ms Kraszlan: March 12, 2012.

Mr T.G. STEPHENS: That is opening day, is it?

Ms Kraszlan: That is practical completion day!

Ms Ginbey: We anticipate that we will have some security on staff prior to that, commissioning some of the more secure buildings on site.

Ms Kraszlan: It takes about three months from the handover by the builder to full occupancy. We do not want to fill a prison on the day that we get it; we need to go through and make sure that everything works, and test issues.

The DEPUTY CHAIRMAN: Before we go to other questions, are we able to get a copy of that report of the inquiry? That would be fantastic. I do not know whether the report includes smaller versions, but if you have PDF files of the plans, that would be fantastic as well.

Ms Kraszlan: There are plans in here and the report from the cultural reference group.

Ms Ginbey: Perhaps one of the things that Kati did not have the opportunity to comment on is that although this prison is being built in the Kimberley for offenders from the Kimberley, prisons have to have an underlying function of being a deterrent to people not to commit offences and to incapacitate people who have committed offences and have been given a period of imprisonment by the courts, and to rehabilitate, so that there are opportunities to rehabilitate. Underlying everything that we do has to be consideration for the safety of the community and to have a secure and safe environment within the facility for both staff and prisoners. We have also introduced a number of initiatives around sustainability—cultural sustainability, economic sustainability and environmental sustainability. The way the houses are being constructed and the orientation of the buildings keep as much vegetation as we can on site. We currently have a business case before Treasury for use of

wind turbines to supplement the power we draw off the grid so that we can actually put some power back into the local grid. Those are some examples.

Ms Kraszlan: I return to the numbers. I visited the New Zealand Maori focus units and had a look at how those operate. A number of people have visited Canadian cultural facilities. Canada's cultural facilities have between 40 and 50 as a maximum number; the Maori focus units have about 80. In my view, when they moved to the bigger prisons, Spring Hill and Northland, which were 300 or 400, and they tried to keep that cultural component in the prisons, it was lost; it was too big. They had the building function, but as a prison with a cultural ethos, you could not take something that was designed for 70 and expand it to 350. We looked at those numbers. Because it is split, we have 120 men and 30 women, and our view was that with those numbers we could maintain that cultural ethos within the prison. There is a cultural centre built in, and part of the thinking was around the Indigenous experience of built environments; Canadian and New Zealand versus Aboriginal are very, very different. How do we actually build a prison that has that built into it? The numbers were part of our thinking because of the experiences that we looked at in New Zealand. I was impressed with the Maori focus units, but once they tried to push it into a 300-bed facility they lost that component.

Mr A.P. O'GORMAN: Are we going to risk that here if we double-bunk and we are all of a sudden up to 300?

Ms Kraszlan: That is a risk.

Mr A.P. O'GORMAN: Would it not have been better to have what they have at Boronia, which is 70 or 80 and that is it?

Ms Ginbey: Operationally, those decisions would depend on a number of pressures across the system once this facility is up and running and fully commissioned.

Mr A.P. O'GORMAN: Boronia rejects all those pressures and says that it will be 70, or whatever; I think it is 70. Would it not have been better to have locked this down to 150, or 120 or 130, rather than put all those others there? We are not just building a prison here, we are actually building a facility, hopefully, to reintegrate Indigenous people back into their communities once they go out. The mere fact that you have set it up for double bunking is going to work against that.

Ms Ginbey: Clearly this facility will work better at its intended purpose if it has 150 prisoners.

Ms Kraszlan: But if there are 17 prisoners in a six-person cell in Broome —

Mr A.P. O'GORMAN: I recognise that, but if the aim of our prisons is to reduce recidivism and bring safety back to the community, is it not much better to say, "This is what we're going to build because we're fairly confident that this is going to have similar effects to Boronia, where the recidivism rate is hugely reduced". Are we not better off doing that and saying, "Sorry, we're going to stick with the 17 in Broome, but we know we're going to get 150 back into the community over time, and if we're starting to get 150 back into the community, over time, the 17 in Broome prison in one cell is going to reduce"? The way we are going now, we are starting to stick 300 there, so we are relieving the pressure on Broome, but we are not going to get 300 back into the community and reduce recidivism, so we have just created the circle game again.

Ms Ginbey: If we as a department had a greater indication from Treasury that the second prison in the Kimberley was going to be built, we would perhaps have made some different decisions around increasing service capacity on this site, but because we have had no indication from Treasury as to how successful that second prison in the Kimberley might be, we have increased the services here, purely on a pragmatic basis, and value for money if we are then going to be forced into the situation in five years' time where we are double-bunking all the cells at Derby. To be able to increase services in an operational prison in Derby is going to be much more expensive than increasing services during the initial build. But the member will not get an argument from us that clearly, if this prison runs with 150, we would anticipate that the outcomes would be improved. One of the

key factors for Aboriginal offenders in the Kimberley is recidivism rates. It is the highest of any of the recidivism rates across the state. As much as we can do during that opportunity that we have someone in custody, to reduce the likelihood of them reoffending is going to have a benefit for both the community and ourselves as a corrections service that is trying to cope with those numbers.

[11.30 am]

Ms Kraszlan: There was a considerable amount of pressure early in this project to change the design back to a more traditional prison design, because if you put the units in, you will get 300 in and relieve the numbers.

Mr A.P. O’GORMAN: But it is false economy.

Ms Kraszlan: We were very strong on saying no. We actually believe that this type of model, based on the Boronia principles, has a greater chance of long-term success.

Ms Ginbey: And the designers who were engaged to participate in the design of the prison are people who have had experience building Aboriginal community housing and buildings, not people from the eastern states who have a lot of experience building traditional prison blocks.

Mr A.P. O’GORMAN: What is the plan for Broome prison? Suppose we empty out Broome prison and we fill Derby with the 120 who are in Broome at the moment, or however many there are.

Ms Ginbey: The plan is not, when Derby is completed, to empty Broome. The plan, when Derby is finished, is for some prisoners who are currently being held in the metropolitan area to be relocated closer to their lands in the Kimberley. Yes, I would expect that some of the pressure will come off Broome; however, it is anticipated that Broome will still be the remand facility for the region and will still operate with prisoners who are going to be released back into Broome. The Broome facility will not be able to be closed down until there is a second facility in the east Kimberley and even then, whilst it will wind back its operations, it will still have a remand facility for Broome court.

Mr A.P. O’GORMAN: What is the department’s plan—its anticipation is obviously curbed by Treasury—to build the east Kimberley prison?

Ms Ginbey: Off the top of my head, I think it comes into the forward estimates this next financial year. This year the process for the formulation of a strategic asset plan and business case is a little different than it has been previously, and that is part of the works reform process that has happened through the Department of Treasury, which has now taken over the old Department of Housing and Works building and management works and strategic projects. So strategic projects, which is now part of DTF, has commented on the department’s previous strategic asset plan and an external consultancy was used to review and evaluate that strategic asset plan. So that is currently under development. Business cases for key new facilities are being undertaken by strategic projects, which is part of Treasury and Finance. We had initially said —

Mr A.P. O’GORMAN: So we are being run by the bean counters again!

Ms Ginbey: We had initially indicated that the second prison in the Kimberley should be provided as soon as possible. My understanding from discussions with Treasury is that it would like to see the Derby facility up and running and having demonstrable outcomes prior to being willing to invest in a second facility.

Mr A.P. O’GORMAN: But they have already set that up to fail.

Ms Kraszlan: One of the other points I will mention is about something we were only successful in finalising two weeks ago—so it is really new. The department went into partnership with the Northern Territory and Griffith University for an Australian Research Council grant and we were successful this year. We were unsuccessful last year. That grant will enable us to get a sense of the work Alison Liebling did in England on the healthy prison model—you know, this idea of the moral

performance of prisons. We have been successful in winning a grant to look at taking that work and adapting it for use with Aboriginal prisoners—to actually get a sense of how Aboriginal people perceive a healthy prison and that quite different KPI. It is not just about out-of-cell hours and work, but respect and treatment and support within the facility. We start that research this year. It will give us a better chance of evaluating this facility by being able to measure it on those more not esoteric but more moral issues about how we treat prisoners in WA and what is Aboriginal people's experience of imprisonment, because we do not know. Given that one in three Aboriginal men experience prison almost every day, we do need to get a sense of what that experience is. I think that we run a lot on assumptions.

Ms Ginbey: And whilst of course the outcomes of that evaluation would be included in future business cases, comments that have been received by the department from strategic projects previously on business cases have indicated a desire to see recidivism rates included or want to know the exact recurrent it is going to cost. So certain economic rationalism will come into that decision.

The DEPUTY CHAIRMAN: Going back to the Boronia example, one of the ways in which I think Boronia is quite successful is—and we visited just the other week—that it engages with local community groups and local agencies to help that transition. Obviously, you are going to be quite isolated from the vast majority of community groups and will not have that suite of agencies available. How are you going to get around that?

Ms Kraszlan: I think the agencies that we are looking at partnering with in the Kimberley are agencies like KALACC—the Kimberley Aboriginal Law and Culture Centre. In the Kimberley, 200 kilometres is local! KALACC is in Fitzroy. It is about cultural engagement. The community groups that you engage with in Derby are very different from the model that you may engage with at Boronia, but it is KALACC's engagement, in terms of that connection to culture and to the health issues in terms of the Aboriginal health component.

Mr T.G. STEPHENS: What would be the KALACC engagement?

Ms Kraszlan: One of the things that we have always been talking about is cultural programs in the prison to engage people back into cultural engagement. We have been trying to form a relationship with KALACC about where we go with that and how can we bring that into the prisons?

Ms Ginbey: For the young men who perhaps have become disengaged from their culture, it is to have elders visit the prison and participate in the lives of these generally young men.

Mr T.G. STEPHENS: I would see it as an important part of the work at Derby, but I fear what will happen inside the processes is that the contracting of those services for non-government agencies like KALACC will be at a level that will guarantee their ineffectiveness. Whereas the systems of an agency like yours simply propel expenditure around internally—that is, expenditure for office costs—the moment you try to engage an outside non-government agency, it cuts down to its ineffectiveness and incapacities. For instance, on the issues of the strategic assets needed, in a region like the Kimberley in order for an organisation like KALACC to deliver those sorts of services, certain assets are needed, but I suspect that they are not assets that are anywhere on the pathway of a budget submission from your department to Treasury.

Ms Ginbey: And one of the things that we have highlighted throughout as being necessary, particularly in regard to this prison, is assisting some of those agencies—helping them to overcome some of those hurdles. Having worked in prisons—this month is my twenty-fourth anniversary, so I have served my life sentence in prisons now!—prisons are an enormous machine. Certainly, in the metropolitan area there are large secure prisons and there is a very traditional way of running them. You can break the bounds and do something different. I was the project manager for Boronia and I was superintendent for the first 12 months of its operation. I can tell you that if you have the research behind you and you have the backing of the department, you can do something very

different. And we have a living, breathing example of how that is possible. The superintendent of Derby has now been engaged. He is an Aboriginal gentleman who is currently working in the Northern Territory and who has previous experience with our prisons. I would be very surprised if he runs this prison along the traditional models. He has a designed facility that will support doing something new and different. The facility itself will not support its being run like Casuarina or Hakea or Acacia. Quite intentionally, it has been designed not to allow that to happen because it is completely inappropriate for these prisoners in this region. It does need ongoing will and support from our department and from government.

[11.40 am]

Ms Kraszlan: Our budget submissions for the recurrent include those items. I mean, I have experience, as well, in the non-government area with an organisation that has been incredibly successful in getting money. I have to say, from the non-government perspective that I am involved in, because I am involved in jobs, it is Kedy! There is a CEO who is remarkable, and, we live in fear as a non-government agency, that when Kedy retires, we will never be able to get as much back. I understand that comment that you are making, but, to some extent, from my experience with non-government, it ends up being so person-dependent.

Mr A.P. O’GORMAN: Is that not what we are supposed to do? We are supposed to actually set it up so that it does not matter. My great fear for Roebourne at the moment is that there are certain characters up there—certain personalities—who have driven that from a traditional prison, to one that appeared to me to be very outward looking. It was very concentrated on actually good reintegration, good programs—not just programs—good life skills and all those sorts of things such as good work skills, and when those people move on, the worst thing that could happen is that they put a standard superintendent in there who takes it back 100 years.

Ms Ginbey: Hence the process that has just been undertaken within the department of the selection of, I think it was, six superintendents across the system, including Derby, and it included the commissioner. He, and the other people on the committee, understand the specific requirements of a facility such as this. It does require someone very special. It requires a particular set of experiences and a particular set of values to be able to run a facility such as this. I could not say with certainty that at no point in the future will it become a standard prison. There are enough people who understand why it was designed the way it is to be run in a particular way to continue to have those discussions within the department and outside of it.

Ms Kraszlan: To follow on from Christine, I think when I initially took on this project, there was no site, and, up-front, I would have loved it to have been in Broome; it would have been easier to build and easier to do everything, but as a West Kimberley prison, Derby is by far the better location. The community engagement from Derby, as a town—they see this as part of the town; it is not separate—I think it is a lot less likely to become a traditional prison in Derby as it would have been 10 kilometres outside of Broome, and it would be on the outskirts of Broome. I think Derby is by far the better location. It would have been easier to build 10 kilometres out of out Broome—I do not think there is any problem—and I would have had nicer hotel accommodation! But Derby is better, and it is better, also, for Aboriginal people in the Kimberley who prefer going to Derby than Broome. The advice I get up there is that Aboriginal people do not really like Broome very much. They feel very isolated in Broome and very marginalised, but in Derby they do not.

Ms Ginbey: The staff who go to work—Kati has already had 49 current prison officers say, “Yes; I want to go to Derby. I like the idea of what you’re doing; I want to be part of it.” They are people who sign onto the values, not just, “I want to go and work in Derby.”

Mr T.G. STEPHENS: Will there be IT and computer training and education programs in the prison?

Ms Kraszlan: This is my baby. We have taken the opportunity here to—every house has fibre optics for the house, and every cell will have the capacity for a prisoner intranet system to be built in, which is along the same lines as your closed local area network that you get in hotels. It will run education, it will run forms, it will have mirror internet sites for Centrelink, housing—all those issues—all built into the cells.

Mr T.G. STEPHENS: That sounds great. What about connections with the art industry?

Ms Kraszlan: That has been a very big part of this, and we have had discussions with Mowanjum about it. Specific workshops have been designed for an art focus, so that you have your industrial-type areas but you also have a separate arts area. The project officer we currently have in town is working very strongly and wanting us to have our own, sort of, shop, basically, in town. Art is seen as an important industry, but it is also not seen as the only industry. One of my criticisms has been that for Aboriginal prisoners, art seems to be the solution, but it is one of a number of options available. Therefore, art is one workshop—then there is welding, and then there is —

Mr T.G. STEPHENS: Film, television and radio?

Ms Kraszlan: There is the capacity, with assistance, to work with Larrkardi Radio, but also with Derby Radio.

Ms Ginbey: Because there are going to be minimum-security prisoners on this site as well, they are not constrained to doing things within the fence; they can leave the facility and go and participate in activities in the community. You would have seen that at Boronia—that a good proportion of the prisoners leave the prison gates over their time.

The DEPUTY CHAIRMAN: So are the PCs going to be in a central area?

Ms Kraszlan: No, the PC option that we are currently working on is that you have education ones, and it is around cost. Prisoners would be able to peppercorn lease the terminal for their own cell.

The DEPUTY CHAIRMAN: Because we have been informed along the way that prisoners are not allowed to have PCs.

Ms Kraszlan: This is a closed network, so there is no USB ports and no capacity to put data on it.

Mr A.P. O’GORMAN: So there are still the same security issues, so there could be no transfer of data?

Ms Kraszlan: Yes, it is a totally enclosed system.

Ms Ginbey: You are absolutely right: for this facility to work inside that fence the way it has to do, we have had to be able to reassure people who have come from outside of the department that all of those security aspects have been covered off.

Mr A.P. O’GORMAN: How is it going to go for doing muster and things like that? I could be 100 per cent wrong and you might want to correct me, but that my guess is that Aboriginal people would not like to be rounded up, if you like, and put in a spot and counted and marked off to make sure they are there. Is there a different way of doing muster?

Ms Ginbey: There are wide open spaces; it is a huge site and there are lots of trees and vegetation. It has a very secure perimeter with very good detection systems on it. Given that, operationally, our expectation would be that, at key times of the day, given that a number of these prisoners are going to be medium and maximum security, the staff will go to the housing units and count them.

Ms Kraszlan: The structured day here, and part of the designs of the areas, is that a lot of our prisoners go out to work in the morning, and then they come back to the units for lunch, are basically locked in the unit, and then they go back out to work. Our thinking has been that that actually this is not what happens. There are facilities being built as part of that life skills—you take your lunch to work and those muster counts are done down in those industry areas. So you actually take it with you; you get it ready in the morning and off you go to work. As Christine says, we built

that into the system to make that happen, and the superintendent has to operationalise my thinking into how he is going to do those counts. We also have a fence around the maximum-security area that has its own separate internal management fence, and one of the thinkings has been that if you are unwell or unable to go to work, there is a space within the facility where you can go during the day if you cannot go to work. But other than that, there should not be people in the houses during the day, so your musters are done in the work areas.

We looked at some of the tracking devices that they had in the ACT, and when I was there, they still had not got them to work and there were just random green dots all over a screen. It was considered best that you work on that traditional model of case management and understanding who your prisoners are, and officers and prisoners get to know each other.

Mr A.P. O’GORMAN: Are there any assessments that could be done on prisoners as they come in? I mean, if they are a short-term prisoner of six months, 12 months, is there any assessment done for education and training that is different from any other prisons?

Ms Kraszlan: Not at this point, no.

Mr A.P. O’GORMAN: Should there be?

Ms Kraszlan: There are special requirements here in terms of the life skills assessments, and they would have to be done, but your education ones would be the same. The education courses are run through TAFE, and they would be literacy and numeracy, going through to high school and, in my view, tertiary. Those assessments are similar.

Mr T.G. STEPHENS: So, upon arrival, would every prisoner going into Derby prison receive the same assessment of their literacy and numeracy skills as any other prisoner in the state?

Ms Kraszlan: That would be my view—that there would be no different assessments. We are currently working with TAFE to ensure that the TAFE has capacity. The TAFE is also being asked to provide services to Curtin detention centre at the moment. Curtin seems to be growing daily. The TAFE is going to be stretched up in Derby—there is no doubt, if they are doing English courses and assessment courses for the detention centre. Also, the housing in Derby has become critical. There is not a rental in Derby at the moment; the federal government has taken every available property.

Mr T.G. STEPHENS: Are university services on offer for students at Derby?

Ms Kraszlan: Tertiary?

Mr T.G. STEPHENS: Yes, tertiary.

Ms Kraszlan: Yes.

Mr T.G. STEPHENS: Is that through Notre Dame?

Ms Kraszlan: Through Notre Dame and ECU. If you are doing online external, the whole point is that you are not required to be on campus, but Notre Dame is in Broome; there is a partnership with Notre Dame.

Mr T.G. STEPHENS: Is there a partnership?

Ms Kraszlan: Not at this point, but I would like there to be for external studies. Having the ICT built into the cells, you facilitate education as a primary goal. You can facilitate tertiary because that information can be uploaded for you to access.

The DEPUTY CHAIRMAN: I think we will have to go and see this soon. Thank you very much for that if, and we can get a copy of that report, that would be excellent.

Ms Kraszlan: I also have the plans for the building of the Warburton facility.

The DEPUTY CHAIRMAN: Thank you. A transcript of this hearing will be forwarded to you for correction of minor errors. Please make sure that the corrections and the transcript are returned within 10 working days of the date on the cover letter. If the transcript is not returned within this

period, it will be deemed to be correct. New material cannot be introduced via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on any of your points, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence.

Hearing concluded at 11.53 am