



WESTERN AUSTRALIA POLICE  
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Hon Liz Behjat MLC  
Chair  
Standing Committee on Public Administration  
Legislative Council  
Parliament House  
PERTH WA 6000

Dear Mrs Behjat

**INQUIRY INTO THE TRANSPORT OF PERSONS IN CUSTODY IN WESTERN AUSTRALIA**

Thank you for your letter of 27 November 2014 inviting a submission to the *Inquiry into the transport of persons in custody in Western Australia*. Having regard to the terms of reference, this submission centres on such transport that is conducted under the authority of, and arrangements under, the *Court Security and Custodial Services Act 1999* (the Act).

The Act provides a unified statutory framework for the operation and provision of services including court security, court custody management, movement of persons in custody and lock up management. The Act enables Government to outsource the Court Security and Custodial Services (CS&CS) by entering into contracts with the private sector and invests these powers in the Chief Executive Officer (CEO) of the Department of Corrective Services (DCS). Following the enactment of the Act and a detailed procurement process, a contract was entered into and commenced on 31 July 2000 for some of the services required. Following the expiry of the first contract, a new contract was entered into between the Commissioner of the DCS and Serco Australia Pty Limited (SERCO) on 14 June 2011, again for some of the services.

As prescribed in the Act, the Commissioner of Corrective Services is responsible for carrying out the functions and powers of the CEO. Under section 18, the Commissioner can enter into a contract for the purposes of providing any court security or custodial services. He can also, under section 19 of the Act, enter into an arrangement with the Commissioner of Police, for the provision of court security or custodial services. Under the same section he can make arrangements with any member of the Public Sector for the provision of court security or custodial services other than the management, control and security of a lock up or court custody centre. Section 25 of the Act provides that the CEO may authorise justice officers, which includes Departmental officers and prison officers, to exercise powers under the Act.

In accordance with the provisions of section 19 of the Act, a Memorandum of Understanding (MOU) was entered into in parallel with the original CS&CS contract, whereby the Western Australia Police (WA Police) provide services in locations where it was considered by DCS that contracted services were not viable. This MOU has expired and WA Police are not desirous of entering into a new arrangement.

The Commissioner of Police has primary responsibilities for the safety and security of the public through the provision of policing services. In this, independence in the operational deployment of resources is preferred in order to meet these responsibilities. There are challenges faced in meeting these primary services to the public and fulfilling what are DCS responsibilities. Nonetheless, as directed in November 2011, WA Police will continue to provide the current services until a cost effective, value for money solution has been negotiated and implemented within an agreed implementation timeline.

The interaction between SERCO and WA Police is positive with generally very good local arrangements in place, where required, to benefit the functioning of the transport of persons in custody. However, WA Police continues to maintain the position that greater efficiencies and higher standards in custodial transport can be achieved through resourcing a single agency to provide custodial transport services, rather than resourcing multiple agencies to carry out similar, often overlapping, custodial transport functions. Moreover, future contract considerations could benefit from further work on lockup clearances, service exclusions and changes in the operating environment.

WA Police continues to work in a collaborative and proactive manner with external stakeholders, including the Department of the Attorney General (DotAG) and the DCS, to review custodial transport in Western Australia. The priority has been the identification and implementation of strategies aimed at reducing overall levels of custodial transport required and eliminating the need for long-haul vehicle transport to occur where other solutions such as video-conferencing or air transport are available. Progress in this area will not only provide benefits to contract costs, but will also release police officers back to frontline duties.

I trust this information provides an understanding of the position of the WA Police on this matter and is useful to you and the Committee.

Yours sincerely



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ACTING DEPUTY COMMISSIONER  
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