



WESTERN AUSTRALIA

# **Parliamentary Debates**

**(HANSARD)**

THIRTY-FIFTH PARLIAMENT  
SECOND SESSION  
1999

LEGISLATIVE ASSEMBLY ESTIMATES COMMITTEE A

Friday, 28 May 1999

# Legislative Assembly

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## ESTIMATES COMMITTEE A

The meeting commenced at 9.00 am.

The CHAIRMAN (Mr Osborne): For the information of members, this Estimates Committee will be reported by Hansard and a proof document will be made available to the committee clerk progressively throughout the day. The daily *Hansard* will be available the following morning. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office; only supplementary information which the minister agrees to provide will be sought within one week.

It will also greatly assist Hansard if, when referring to the *Budget Statements* or the consolidated fund estimates, members give the page number, item, program and amount in preface to their question.

As has been the practice of previous Estimates Committees members should not raise questions about matters of general concern which do not have an item of expenditure in the consolidated fund. The Estimates Committee's consideration of the consolidated fund's estimates of expenditure will be restricted to discussions of those items for which a vote of money is proposed. We are dealing with estimates of expenditure and that should be the prime focus of this committee. While there is scope for members to examine many matters, they need to be clearly related to matters of expenditure. For example, members are free to pursue performance indicators which are included in the *Budget Statements* while there remains a clear link between the questions and the estimates.

It would assist in the committee's examination if questions and answers can be kept brief, without unnecessarily omitting material information. It is my intention to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. For the purpose of following up the provision of this information, would the minister clearly indicate to the committee which supplementary information he agrees to provide? Details in relation to supplementary information have been provided to both members and advisers, and accordingly I ask the minister to cooperate with those requirements.

[9.00 am]

### **Division 1: Parliament, \$24 686 000 -**

[Mr Osborne, Chairman.]

[Mr Strickland, Speaker of the Legislative Assembly.]

[Mr P.J. McHugh, Clerk of the Legislative Assembly.]

[Mr R. Bremner, Executive Manager, Parliamentary Services.]

[Mr D. Carpenter, Deputy Clerk of the Legislative Assembly.]

[Mr D.J. Gilchrist, Manager, Finance and Information Technology Services.]

[Mr D.M. Conroy, Budget Accountant, Parliamentary Services.]

Mrs ROBERTS: I refer to page 950 of the *Budget Statements*, which deals with salaries and allowances as well as services and contracts. One matter that has been raised previously is the contracting out of work at Parliament House. Could I have an update on what consideration is being given to contracting out any work that is currently done by staff at Parliament House and whether consideration is being given to taking people off salaried work and employing contract staff to do their work? In particular, could the Speaker update us on the situation with respect to security staff?

The SPEAKER: Firstly, page 950 relates to the Legislative Council. I cannot answer any questions with respect to the Council. We will take the question in a general sense. The member wanted to know about security staff. Is there anyone else about whom she is concerned?

Mrs ROBERTS: I am interested in any other work that is currently contracted out and any work that is proposed to be contracted out in the next financial year.

The SPEAKER: I invite Mr Bremner to comment on that.

Mr BREMNER: The situation regarding security is that we have had extensive ongoing discussions with both the relevant union and the staff involved. We have outlined the situation to the security officers, that basically we have what appears to be an over-staffing situation during non-sitting times, and we have invited them to come up with a proposal regarding some alternative staffing mix. We are continuing discussions with the union on that matter, but as yet no decision has been made on what the recommendation to the Presiding Officers will be.

As to other contracting at Parliament House, the only other service which is performed by contract staff is the cleaning of

Parliament House. The tender is currently being re-let by our facilities manager, Serco Australia Pty Limited, and I imagine a new contractor, or the existing contractor if it is successful in re-tendering, will take up the role in approximately August this year. As a general statement, as a matter of ongoing efficiency we are always looking at all our operations, including staffing, to ensure that we are as efficient and effective as possible.

The SPEAKER: Ultimately, if changes are mooted, a report will come to the two Presiding Officers. We do not have a report on it at this stage, so it appears that discussions are taking place and people are looking at options.

Mrs ROBERTS: Specifically, what is the cost for the last financial year of any security work that was contracted out for Parliament House, and what estimate has been put in for the next financial year?

Mr BREMNER: The current after-hours security contract cost is in the order of \$142 000 a year, and we are not anticipating an increase in that at this stage.

Mrs van de KLASHORST: Page 962 of the *Budget Statements* refers to completed works, which includes the refurbishment of parliamentary offices. I commend the Speaker for the work that has been done in that regard, even though one office - mine - is still accommodating three people rather than two. What progress has been made with improvements to members' accommodation, and what is further planned? I am thinking about airconditioning for my office, which is shared by three members. I refer to offices on the ground floor on the southern side of the building.

[9.10 am]

The SPEAKER: Progress has been made with accommodation. We now have 28 members in their own office.

Mrs van de KLASHORST: Separately?

The SPEAKER: Yes. We have 21 two-member offices, and seven three-member offices. The situation has improved: When the program commenced, only 24 members were in their own office, 18 members shared with one other member and we had five three-member offices and a few four-member offices. The four-member offices have been eliminated. If we proceed with office accommodation in the ballroom, the best we can achieve with the present building is 41 members in their own office, and 25 two-member offices. It is obvious that we face a chronic shortage of space. Perhaps we will discuss that later.

The budget contains \$150 000 for airconditioning. Three rooms have not been airconditioned, including the office of the member for Swan Hills. The intention is to provide that airconditioning in this budget.

Mrs van de KLASHORST: Is the long-term objective to have every member eventually in a single-member office?

The SPEAKER: The objective is to do that, and for good reason: Members in shared offices do not have the privacy needed when speaking to people who make representations to them. That objective is not possible in the present building. I estimate that we have a shortage of 45 offices for members, and a shortage of at least 25 offices for staff, even if staff were housed in an open-office plan. Currently, 30 per cent of staff are off-site; that is, at least 42 people are in other buildings all over the place. We have a chronic shortage of office space.

Mrs ROBERTS: I am aware that two of the security staff are now working in other areas within Parliamentary Services. Is it correct that the five remaining security officers have been offered a redundancy with re-employment on a casual basis when Parliament sits? Have we been short-staffed in covering the doors of Parliament House during meal breaks, and if so, what are the details? Has the Legislative Council had a casual security person employed to sit in the Chamber during session?

The SPEAKER: I cannot answer for the Legislative Council. I defer to Mr Bremner who manages that area.

Mr BREMNER: It is correct that the offer of voluntary severance was made. We were up-front with security officers at the early stage of discussion. We said that if any one of them wanted to avail himself of a voluntary severance, we would consider that and put forward a recommendation in support of it.

The two security staff currently in other areas of Parliament are working very well. One officer is being replaced by a part-time contractor who comes in only at sitting times. As such, that is extremely cost-effective.

Mrs ROBERTS: Does that mean that it is always the same person, or potentially a different employee provided on different occasions by the contractor?

Mr BREMNER: It is the same person at the moment. We were able to train that person and the contractor can provide a constant service. What was the third part of the question?

Mrs ROBERTS: I asked about the casual security person sitting in the Legislative Council Chamber during session.

Mr BREMNER: That is correct - that is the person to whom I just referred.

Mrs ROBERTS: You confirmed that there had been what you described as an offer of a voluntary redundancy. Can I obtain an undertaking, Mr Speaker, that the offer will not become a compulsory offer?

The SPEAKER: I have yet to receive a report on this matter. It is obvious from comments heard this morning, and in discussions I have heard in a general sense at meetings, that the area has an oversupply of people. I guess management is trying to deal with the situation. Two officers now have different jobs and apparently are doing quite well. Management is looking at ways to massage the situation to everyone's benefit - namely, that of the Parliament and the people who work

here. No short time frame is involved as far as I know. It is a matter of discussing the matter and being very open with people about the situation. I will not guarantee that we will not receive a report recommending some course of action. I cannot do so until I have seen such a report and the reasons for its recommendations.

Mrs ROBERTS: The point I make is that I believe some morale problems have arisen with security staff and potentially with some other staff, including dining room staff. Although it is one thing to say that certain offers will be made on a voluntary basis - that is, people can choose whether to accept them - including redeployment within Parliamentary Services as an option, it affects morale if people feel that at the end of the process, and the cost cuts you are trying to achieve are not easily achieved, they will be told to take involuntary severance. It would be positive for staffing at Parliament if some indication were given regarding the path we will take.

The SPEAKER: Many positive things are happening. You mentioned the dining room. Likewise, staff are working hard on compiling statistics on the usage of the dining room. Eventually a report will be prepared. We have asked for one. Some interesting things are surfacing, such as the average number of lunches taken in the dining room being 18 on non-sitting days. Sitting days are a different story. I have taken the trouble to poke my head through the door and sometimes I see only two tables occupied. The dining room is way over-staffed in non-sitting times, and is very busy when Parliament sits. Consequently, we must examine those things. We are trying to do that in a way which looks after our staff while facing up to economic realities.

Mrs ROBERTS: I asked whether in recent weeks, as a result of security staff illness, we were short staffed and other staff in the building had to cover the doors during meal breaks.

[9.20 am]

Mr BREMNER: On a couple of occasions, due to illness of staff, we have had a staff shortage. As a matter of course, the security manager covers the door during breaks and such like, and from time to time building services staff also cover doors. That is not unusual; it is a role that they fulfil.

Mrs ROBERTS: I am not aware of its occurring in previous years. I understand it is a new staffing practice.

The SPEAKER: The Clerk reminds me that the Legislative Assembly staff have done this for many years. It is not a new practice.

Mr PENDAL: Two years ago we experienced a strong momentum for major extensions to Parliament House, as distinct from the sort of petty cash allocations that are being made available. Why has that momentum stalled? Has the possible carve up of the state reception centre upstairs that the Speaker referred to been referred to the Heritage Council? For that to be carved up in the way proposed would be an act of heritage vandalism and any proposal should go to the Heritage Council. Did the Speaker seek from the Premier any share of those windfall profits the Government made out of asset sales to be applied to major and serious extensions to the State's premier building? If he did not, can he tell us why not?

The SPEAKER: We have an ongoing need for a major budget for the maintenance and refurbishment of Parliament House. We visited the Queensland Parliament, which receives \$3m or \$4m a year for maintenance of its Parliament House. Queensland also has a refurbishment program. Some time ago the Presiding Officers met with the Premier, who is the Treasurer. We saw plans which identified a ballpark figure of \$50m which will come from either land sales or the lease of land. If we do not have the finance we cannot do anything. Also, in recent bilateral discussions leading up to the adoption of the budget we met with the Treasurer. Mr Bremner's department had prepared a comprehensive five year plan which would get on with things, irrespective of whether we received a large sum of money for a building program. This building has many deficiencies.

Mr PENDAL: I am not criticising the interim measures, which have been excellent, but that is not the main game.

The SPEAKER: We were encouraged because in draft papers Treasury officials indicated that \$3.4m would be available to start that program off. Indications in discussions with the Treasurer were that there was a reasonable likelihood that the upgrade would occur; that it would be announced in the not-too-distant future; but, perhaps, it would be wiser to forego some of that \$3.4m so it could all be wrapped up into one big project. We did not have a strong argument against that. The difficulty we have is that there has not been an announcement. The Treasurer would like to make the announcement, but the money must be there. My belief is that there will be a lead-up time during the planning process and that will not necessarily involve a massive amount of money. The President and I are hopeful that we will get some sort of announcement. If we do not get the announcement, the fact remains that we must have a substantial ongoing maintenance budget. For instance, a cross section of the irrigation system piping showed that the system is pretty rusty. If it packs it in this year and we do not have money to replace it we will have a problem with the lawns.

We have not received an allocation this year sufficient for the ballroom office replacement. We have no money for Chamber refurbishment, or the annexe relocation. The plans for the ballroom were for temporary office accommodation for members. That area can probably accommodate 12 offices. The heritage value has been carefully considered, and we strongly support the need for heritage concepts. The work would not interfere with the ceilings, the cornices and those sort of features and will be of a temporary nature. We have had a shortfall in the budget. Some money was taken off us that we did not expect to be taken, so money is tight. We have insufficient funds to proceed with the construction of temporary offices in the ballroom area. We cannot leave things half-done, we must do the whole job. We may consider the reallocation of funds. However, we will continue our upgrades; we have plenty of those to do in other places of the Parliament. The ballroom plan is on hold.

Mr PENDAL: The concern about the temporary nature of what will go on in the state reception centre upstairs is that

temporary accommodation was put in along the eastern corridor 30 years ago. Most of it has gone now because of your actions and those of the President. That was a disgraceful misuse of a premier heritage building. It was kept in place by successive regimes, and that is my concern about the proposed so-called temporary measures upstairs.

Mr Speaker, you mentioned the possible allocation of \$50m. When the freeway swathe was cut through the city about 30 years ago that was in many people's minds a symbolic cutting off of the people from the Parliament. It has remained a gaping wound ever since. Many people have suggested that an apron could be constructed over the top of the freeway, not only reuniting this place with the people but also opening up a wonderful opportunity for the place to be landscaped, so we would have a Parliament House with an entry equal to the best in Australia. Has any thought been given to that occurring within the \$50m and, if not, has any thought been given to reuniting these two parts of the city?

The SPEAKER: Many options are open to us. Until an announcement is made and funding is available to enable people to make suggestions and contributions nothing will be decided. I know that a major component of the proposed land sales or leasing relates to the land around Dumas House. Should that occur there will be a restriction on the site. We can resume the roadway outside; the relevant Act simply needs to be proclaimed. That option might be in or out; I do not know.

[9.30 am]

Mr PENDAL: But you do not rule it out?

The SPEAKER: I do not rule out anything. It is open for discussion and all we need is an announcement, some seeding money to get people talking, and then to invite architects and so on to come forward with ideas and spend a fruitful year identifying what is needed. One of the benefits of the delays is that we have identified in a functional sense our needs in a new building and what we need to do with the present building. Comment has been made in this place that every member should have an office within this building so they are close to the Chambers and the key staff. The areas adjacent to this Chamber should become what we call a Legislative Assembly precinct, and the Leader of the Opposition should have a proper suite of offices in the new building. The areas currently allocated to the Leader of the Opposition are totally inadequate. The Speaker's suite should be on the western wing, the Clerk's room with an open office on the southern wing, and an area for members of Parliament who have jobs such as chairman of committees, whips and those sort of things along the other wing. This floor would become a precinct. The same situation should apply for the Legislative Council with the rest being a joint house matter. Functionally, we understand what is needed. Nobody would be more appreciative than I to hear that announcement so we can get our teeth into putting something down on paper.

The CHAIRMAN: I remind members that while the time of this Committee is theirs to spend, we are now halfway through the time allocated for these two divisions and another division is yet to follow.

Dr CONSTABLE: I have had a good look at the budget papers and it seems to me that a decrease has occurred in the recurrent vote from 1998-99 to the next financial year. If that is so, why that has occurred?

The SPEAKER: Yes, the figures indicate a decrease of about \$37 000.

Dr CONSTABLE: What are the consequences of that?

The SPEAKER: I should give a bit of background. Our administrative restructures have essentially now been completed apart from some ongoing finetuning, which any organisation has. We brought in some expertise. We previously did not have a human resources officer; we have upgraded the financial manager's position because the world has moved on. We have done several things to bring in expertise. We have also moved staff from downstairs to good accommodation, even though it is at Dumas House, and we have provided some offices for members. All of that came at a cost of about \$460 000 a year for extra salaries plus rent for the offices in Dumas House. We had some under-expenditure as a result of very prudent work to reduce printing costs. Hansard has been able to provide savings of about \$210 000 a year. Members will recall that we directed two years of those savings to the refurbishment of the old controller's flat and created a system of offices for parliamentary services staff. We put the proposal to Treasury that we would use our ongoing savings from printing of \$210 000 and we asked Treasury to find us \$250 000. Treasury funded most of the \$250 000, but it took the \$210 000 off us. I have drafted a letter which we will be sending off today - this has come to light only since we have been focusing on the paperwork - to arrange a meeting with the Treasurer about that and one other serious matter, because we want the money back, otherwise we will be looking for some savings or some reallocations. Treasury gave us \$100 000-odd for anticipated increases in costs, but the net deficit is \$37 000. We want the money back so we can cover the cost of inflation.

Mr RIEBELING: What is the other serious matter that you will be speaking to the Treasurer about?

The SPEAKER: Members know that the Ministry of Premier and Cabinet will upgrade information technology in electorate offices to change from a WordPerfect system to Word 97. That is fine, but members of Parliament are working in the Parliament with their notebook computers, and no funding is available to instal Word 97 on those notebooks and on the parliamentary computer system. We are looking at some reallocation, but we cannot do it alone. We have written to the Premier on that matter and said, "As early as September or October you will have a problem because members will have one system in their offices and a different system in the Parliament. We think that difficulty should be addressed and we need some money."

Mr RIEBELING: I want to address the problems of security staff and dining room staff. I heard what the Speaker said about lulls occurring in the workload of those people when the Parliament is not sitting. I would have thought that is true for all people in the industry of servicing a Parliament that sits for only 22 weeks in the year. That would be a natural course of events for every member of staff in this place. It is all very well to say that we can do things more efficiently; however, that does not mean the result is better. In fact, the reverse dilemma is the case in the taxi industry whereby it experiences peaks

during which it cannot service all the demands of the customers, but it resisted deregulation, or throwing out the baby with the bath water. I am interested to find out when the decision was made to change the structure for parliamentary security and when that process started.

Mr BREMNER: The identification of the peaks and troughs that occur with sitting and non-sitting for security staff predates my commencement at the Parliament in September last year. I recall that we commenced discussions with the union prior to Christmas last year and those discussions have been ongoing since that time.

[9.40 am]

The SPEAKER: You talked about the lull periods. Government departments were instructed to reduce their leave liability by 10 per cent by 30 June 1999. We examined our situation and implemented guidelines stating that staff should not have more than one entitlement of annual leave on the books and long service leave should be cleared within three years of becoming entitled to it. We are working to those guidelines and have been successful in using the lull periods to reduce leave. In the financial year about to end we have managed a 20 per cent reduction in annual leave liability and a 7 per cent reduction in long service leave liability. By the end of the next financial year we anticipate a 35 per cent reduction in annual leave liability and a 30 per cent reduction in long service leave liability. It is therefore a good little story.

Mr RIEBELING: It is a good story except for the security staff who will not have to worry about annual leave next year because they will not be here.

The SPEAKER: You are assuming things that have not been decided yet.

Mr RIEBELING: It would appear to be heading that way. Last year the Speaker denied that contracting out of that service was being considered.

The SPEAKER: Time moves on. There is a realisation that there must be ongoing fine tuning when looking at these matters and that is a responsibility that I readily shoulder. We cannot have a situation where people are on the payroll and do not have reasonable worthwhile work to do.

Mr RIEBELING: Our association with this place of course is when we are here; however that does not mean that as soon as we walk out the door we should get rid of all the staff. If it is uneconomic, so be it.

The SPEAKER: That is not the case. We have the Parliamentary Services Committee and both the President and I are open with that committee. These matters are discussed and there are opportunities for members to have input in that committee. We are not uncaring people, but we have a job to do.

Mr WIESE: My question has been partially answered. Last year there was an external cleanup and, presumably some maintenance associated with it. Also I am aware that there was substantial flooding downstairs, certainly in my office, and I understand water poured in to all of the offices along the top storey of the south wing and down the stairwells and so on. What is the state of maintenance of the building? What condition is it in? The Speaker has already spoken of a planned maintenance schedule. Is there a planned substantial maintenance schedule for this place?

The SPEAKER: I shall ask Mr Bremner to comment on that, but my understanding is that there is a substantial backlog of minor works to the order of \$750 000. It cost about \$15 000 to make good flood damage - drying out the carpets and underlay and so on. We ran out of carpet and when we recently put in new carpet at the bottom wing we kept some pieces for patch-ups. We intend to look carefully at the carpet and may be able to get a little more to keep the rest of it together. However, it is a total embarrassment as the carpet is threadbare in spots.

Mrs ROBERTS: It is threadbare in the Australian Labor Party office.

The SPEAKER: Yes. We are doing what we can. Mr Bremner can comment on the maintenance budget.

Mr BREMNER: The maintenance budget is currently running at about \$510 000 a year. As the Speaker said, there is a shortfall in the order of \$750 000 and that is growing each year. Unless we have a major injection of funds, we cannot hope to get on top of that maintenance requirement, especially the coming financial year when we have a significant decrease in our recurrent funding. The ongoing maintenance of carpets, painting, water leaks and the actual building fabric is now starting to suffer in several areas, not to mention major plant and equipment. All in all we maintain the building as best we can with the funds available. We use those funds prudently, but with such a significant shortfall, and given the age of the building, we are having difficulty in making headway against the increasing cost of and requirement for maintenance.

Mr WIESE: Therefore, if we get another heavy rain I can expect water in my office again?

The SPEAKER: I think we survived the heavy rain last night!

Mr BREMNER: The flooding was a 1:100 situation. The main drain in Hay street overflowed which caused a back flow into the lower courtyard here. The floodwater was coming out of the drains at a height of about two feet.

The SPEAKER: I accept that there was an exceptional amount of water that came down from Hay street and the drains were not designed to remove it quickly enough. I do not anticipate massive flooding problems. We have leaks and a few problems but we will not be washed away.

Mrs ROBERTS: What quantum of money has been saved so far by the reorganisation of the security arrangements? What quantum of money has been saved in staffing because of the reorganisation of the dining room? On what date was the first member of the contract security staff appointed?

The SPEAKER: There have been no changes in dining room staffing up to this time.

Mrs ROBERTS: With respect, you have paid out redundancies and have casual people working in the dining room.

The SPEAKER: Yes, two people resigned.

Mrs ROBERTS: They were offered redundancies.

The SPEAKER: Yes, they took a voluntary severance. Mr Bremner can tell us the difference between the salary they would have received and the redundancy they received. There may have been some savings as we have not replaced them nor found it necessary to do so. I will ask Mr Bremner to comment on the security staff as I do not know the fine details.

Mr BREMNER: I do not have specific dollar figures with me. From recollection, the two severance packages in the dining room and the replacement of those staff by casuals on an "as required" basis was to be cost effective and should cover the cost of severance by the end of the current financial year. There have been no savings in security staff to date in that the salaries of the officers who are currently being trialled in other areas of the Parliament are being met on a full-time basis from the established security posts.

Mrs ROBERTS: On what date was the first member of the contract security staff appointed?

Mr BREMNER: It would have been the start of sittings in March.

The CHAIRMAN (Mr Osborne): Does the member want supplementary information?

Mrs ROBERTS: If it can be supplied by supplementary information, that would be helpful.

The SPEAKER: The indication is that it was the first day of sittings; that is sufficient.

Mrs ROBERTS: I am happy to move on to the next division when members are.

[9.50 am]

**Division 2: Parliamentary Commissioner for Administrative Investigations, \$2 385 000 -**

[Mr Osborne, Chairman.]

[Mr Strickland, Speaker.]

[Mr M.J. Allen, Parliamentary Commissioner for Administrative Investigations.]

[Mr P. Fisk, Assistant Parliamentary Commissioner.]

Mr PENDAL: I refer to the significant issues and the trends listed at page 972. Reference is made to a substantial increase in complaints from prisoners this year. Has any pattern emerged to explain this significant increase?

Mr ALLEN: There was a 50 per cent increase in the year to June 1998 and there will be a further 50 per cent increase in the current financial year. The obvious trend is the increase in the number of complaints from Casuarina Prison and Bandyup Women's Prison. That is not surprising, because they are the two prisons that have seen the most obvious effects of the overcrowding. Many of the complaints raise issues about overcrowding and the problems that flow from that. Apart from that, the complaints are spread across the board. They range from health services, prisoners' property, and unpleasant living conditions down to issues such as no mattress to sleep on and so on. Apart from identifying the major trends, I cannot be more specific at this stage.

Mr PENDAL: Reference is made in the significant issues and trends to the continuing need to reduce the time taken to finalise investigations of complaints. Has there been a serious increase in the use of the office by the public; that is, has the number of complaints increased? I relate that to page 980, which indicates that salaries and allowances will remain static for the next financial year. That suggests the office will not be allocated any extra resources and raises a question in my mind about how the response time can be reduced.

Mr ALLEN: It is true that we have had no additional resources. At the same time, the number of complaints has increased.

Mr PENDAL: Substantially?

Mr ALLEN: In the current year, the increase will be about a 10 per cent on last year, which represents about 300 additional complaints. The position is aggravated by the fact that over the past 12 months two senior officers have been working exclusively on the deaths in prison inquiry. They have not been able to do the normal complaint workload they would otherwise have done. This financial year, our average times will probably have deteriorated slightly. Of course, that is not acceptable, but it is a fact of life.

We have implemented a few measures that mean we can deal with complaints more efficiently. I do not regard the position as desperate. Of course, I would love to be able to reduce the time taken, and we do try to deal with complaints as quickly as possible. We are still able to deal with most complaints in less than three months. I would like to reduce that to a few weeks, but there will always be a proportion of cases that will take longer. I doubt that the average will ever be less than eight or 10 weeks no matter how good we get at it. Of course I would love more resources; the more I have the more we can do more effectively. However, I must accept that the funds are not available. The return of my two senior staff members from the deaths in prison inquiry will have a big impact on our ability to process complaints.

Mrs ROBERTS: I refer to page 975. A major initiative for next year is to conduct more investigations into systemic problems. What investigations have been conducted into systemic problems in 1998-99? What other systemic problems are being investigated? Given the shortness of time, if we want to put questions on notice, can we do so through the Speaker?

The CHAIRMAN: The Speaker's direction is that we will not be taking questions on notice.

Mrs ROBERTS: I am not referring to during the Estimates Committee, but at a later stage when Parliament is sitting.

The SPEAKER: There is no problem. Members can ask questions on notice at any time, and I will refer them to the commissioner for a response.

Mr ALLEN: If at any time members want information about the way the office is working, I will be happy to respond.

In relation to systemic issues, my entire philosophy about the job is that not only should we deal with the specific complaints lodged by individuals but also that we should try to deduce from those complaints the underlying causes. That is what I call a systemic issue.

The obvious example is the deaths in prisons inquiry. That did not arise from a complaint; we identified it as an issue of considerable public interest. Apart from that, a range of issues arise from individual complaints. I cannot think of one offhand, but I will provide that data as supplementary information. Some of these matters we have commenced as "own-motion" investigations, others we identify as a result of a complaint and we deal with them as part of that complaint. We make many recommendations each year about changes to the system. It might be changes to a policy and we might even suggest that legislation should be considered to establish whether it requires amendment.

The SPEAKER: Supplementary information will be provided on that matter.

Mr WIESE: What systemic problems have been identified, what priorities have been given to addressing those problems and what are the desired outcomes? My background leads me to refer to the Police Service.

[10.00 am]

Mr ALLEN: As a result of dealing with several complaints about the way in which police seized firearms from various people, we formed the view that the police had misunderstood or misinterpreted some provisions of a piece of legislation. Therefore, we wrote a short report which has been given to the Western Australia Police Service for its consideration. In that report we pointed out what we thought was the problem; it is the interpretation the Police Service has put on the legislation and what we regard as some deficiencies in the legislation. The Police Service's response was to entirely accept what we said and it will be changing its practices as well as moving to have the regulations under the Firearms Act changed.

Mr WIESE: Is that report publicly available?

Mr ALLEN: It is not but I can make it publicly available by tabling it in this House. We have not felt it was necessary to do that because the Police Service reacted entirely positively to our suggestions. There is no reason that the report should not be tabled. We will certainly mention it in the annual report as something we have done this year.

**Division 58: Justice, \$364 619 000 -**

[Mr Osborne, Chairman.]

[Mrs van de Klashorst, Parliamentary Secretary to the Minister for Justice.]

[Mr A. Piper, Director General, Ministry of Justice.]

[Mr R. Harvey, Executive Director, Offender Management.]

[Mr R. Warnes, Acting Executive Director, Corporate Services.]

[Mr I. Vaughan, Assistant Director, Prisoner Management.]

[Mr J. MacColl, Acting Director, Prison Operations.]

[Mr T. Keating, Director, Juvenile Custodial Services, Offender Management Division.]

[Mr C. Murphy, Acting Director, Financial Management.]

[Mr A. Marshall, Director, Policy.]

[Mr D. Daley, General Manager, Community Based Services.]

[Mr T. Simpson, General Manager, Prison Services.]

[Mr G. Nunis, Director, Courts Development.]

[Mr J. Crookes, Contract Manager, Police/Justice Core Functions Project.]

[Ms G. Lawson, Acting Public Advocate, Office of the Public Advocate.]

The CHAIRMAN: We are considering outputs 7 and 8, which relate to prisons and corrections. If the committee can get through those outputs in approximately half the time available, that will take us to 11.30 am and I intend the committee then



to take a short break. The committee will then proceed to consider outputs 9 and 10, which relate to the public advocate and the guardian of last resort.

[10.10 am]

Mr RIEBELING: I hear what you, Mr Chairman, say about the need to cover all areas, but I hope we will be able to spend a lot more time on the prison section than the other two sections because my questions relate primarily to prisons.

The CHAIRMAN: It is entirely in the committee's hands. I am trying to set out some shape for the next three hours to let members know which outputs we are considering. Of course, if the member wants to pursue prisons, he should do so.

Mr RIEBELING: I refer to a number of the dot points on page 739 and the table of output measures on page 738. Last year we were told that the prison system was overpopulated to such an extent that a 750-bed prison was needed as a matter of urgency to cater for the needs of the State through to the year 2005. On a radio program this morning the Attorney General said that there has been an increase of 600-odd prisoners in the past 12 months. Quite clearly, if the prison opened tomorrow, it would probably be overcrowded. I want some explanation of how the department got the figures so wrong. Last year we were also told quite definitely that the prison population would increase by about 52 people. That estimate is some 800 per cent out - not 8 per cent or 80 per cent. If we believe what the Attorney General said on that program this morning, the estimate is about 1 200 per cent out on what happened. How many people are in our prisons today or whenever the figures were last taken? Why are the figures shown on page 738 also so far out according to what the Attorney General said this morning?

Mrs van de KLASHORST: The ministry worked out the numbers for next year on the basis of what happened in preceding years. It was not until November-December that there was an unprecedented increase in the number of prisoners. I have a graph which shows the numbers of prisoners decreasing and then increasing. All of a sudden in February an exponential increase occurred. The Government predicted some increase. I do not think anyone could have predicted such a large increase.

Mr RIEBELING: I did and so did everybody else.

Mrs van de KLASHORST: Prior to the increase in numbers, the Government was working on the 750-bed prison. It also increased the bed numbers at Wooroloo and made provision in Canning Vale, so the Government was prepared for some increase in numbers and had pre-planned for it. The graph shows that the numbers went up exponentially. Today's muster is 2 950.

Mr PIPER: The member's question is complex and I will attempt to answer all elements of it. Probably the simplest issue is the current muster. The number given to the Parliamentary Secretary for last week was 2 950. The number is currently 2 961.

The base numbers for predicting prison population were a statistical long-run prediction based mainly on stable demographic and other drivers within the community. Prior to about the second quarter of the last calendar year, we had had something like two to three years of, if not zero growth, very low growth in the prison system. Prior to that and prior to the introduction of the Sentencing Act, there was in fact stable growth at the rate of between 100 and 150 prisoners a year or of that sort of order. In March of last year we both recommended and had approved what amounted to about a 1 000-bed increase in the capacity of the system. That is not counting provision for temporary and double-bunked capacity. It includes the recommissioning of Riverbank Detention Centre, the self-care units at Karnet Prison Farm, the new minimum security facility at Greenough Regional Prison, which has released secure beds at Greenough, the introduction of transportable cell accommodation at Canning Vale Prison and contracts for two 64-bed units at Canning Vale. In addition, as has been mentioned, the contract has been let for a 750-bed prison. Broadly speaking, when all those numbers are added up, at a point when our prison muster was sitting at about 2 300, approval was given and contracts have now proceeded to increase the standard cell capacity in the system by about 1 000 - the numbers are not exact but the figure is in that sort of order.

As the Parliamentary Secretary has indicated, we had predicted a rise but not of the magnitude that has come through the system. A number of factors have led to it, some of which could not have been anticipated when we last discussed this issue. For example, in the third and fourth quarters of last year, the ministry implemented a system for much tighter management of high-risk offenders in community-based placement, particularly offenders on parole. As a result of a change of approach, there has been a much tougher policy for breaching offenders on parole who are of risk to the community and who do not comply with the terms of their parole. That is one of the factors that have led to a fairly significant increase in the number of prisoners in the system.

In addition, in about the second quarter of the last calendar year, the police announced and deployed additional police in the system to an increased focus on crime. We are seeing the result of increased police clean-up rates in the greater number of persons coming through the system. We also have the flow-through of increased average sentence lengths, the increased use of imprisonment in petty sessions and the increased apprehension of people who are driving while under suspension. It has been pointed out that some of that was predictable. It was predicted in the context of significant accommodation being requested and approved. It is also true that the combined effect of those factors has led to a higher than expected increase in the numbers. As a result, we have moved recently from a long-term statistical model for prison musters and have been working on a process-based model, which models what we know of the current prison population and the factors that are leading on a month-by-month basis to the prison population that we are now seeing. That model is predicting for June 2000 a lower projection of 3 150 and an upper projection of 3 400 prisoners. Predicting the future is always vexed. No-one will pretend that those numbers are absolute.

Mr RIEBELING: Are you saying that there will be up to 3 400 people in the system?

Mr PIPER: In the middle of next year, based on the modelling that we are now doing, we are saying that the prison population will be in the range of 3 150 to 3 400.

[10.20 am]

Mr RIEBELING: I understand what the officer is saying about why the department was taken by surprise with the increase. I do not think that is right. It should have been possible to calculate the impact on the numbers. It appears that we are now being told that the target on page 738 of 2 900 for this financial year is out by up to 500. We are already 61 over the projected target for prisoners before the year even starts; that is, about 5 per cent of the population over what this budget indicates. That might not concern anybody else in this building besides me. How can it be so far out before the start of the year?

Mr PIPER: The numbers provided to Treasury were submitted in the third quarter of the last calendar year and were based on the long-term predictions. Clearly they have proved to be incorrect. Given the way the budget process has evolved, given that we were not happy with the updated figures as a result of our modelling for the short term, and given the dramatic increase which has been sustained into this year, we are working with Treasury to accommodate a funding model for the prison system based on the modelling I just discussed. The reality of the prison system is that prisoners do not wait to go into prison; they arrive and are accommodated. There are two dimensions to the issue, the first being whether we are taking the right steps to accommodate prisoners. Notwithstanding the dramatic increase, a number of measures are in place to allow that to happen. The second issue is the relationship between the ministry and Treasury in how that increase is funded. That is still being discussed with Treasury. In all previous years there has been a negotiated supplementation for increased prisoner numbers. As in many other areas of the budget, it must reflect the actual situation as it evolves, as opposed to the predicted situation.

Mr RIEBELING: In relation to prison size and capacity, last year we were told there was a crisis and we needed extra funding. That was for a prison population of 2 300. We now call those the good old days, although that was not the case when we were talking about it then. We are now saying that by June next year there will be up to 1 100 more prisoners in the system than were in it this time last year. By all estimations, the 750 beds were supposed to get us through to 2005. Where will we put all these people? What is the design capacity of the present system at the moment?

Mr PIPER: It was anticipated that Wooroloo South Prison could release accommodation within the balance of the system for refurbishment and upgrade and, even if it were full, it would allow some spare capacity to be refurbished and made good, and would allow some modifications in the existing system. In the projections last year there was no expectation that Wooroloo would be full or that it would do anything other than release some capacity in the balance of the system. In terms of the additional accommodation that has been put into the system, as I said, in excess of 1 000 beds will be available. That may mean only a return to the base we had, in the member's terms, in the good old days. We have not reacted to these numbers. One problem with trying to do long-term planning based on short-term shifts is that it is very easy to overbuild. There have been many examples, particularly in the utility industry, where organisations have reacted to trends and overbuilt capacity; for example, within the electricity industry. We are examining these numbers now. We have several options for increased flexibility within the system for additional accommodation. These predictions are reasonably new. We must work them through. I am confident that the planning that is in place will enable us to respond to that demand.

Mrs van de KLASHORST: We are trying to get the Prisons Amendment Bill through the Parliament. The Opposition has been reluctant to get it through quickly.

Mr RIEBELING: No. The Government has been reluctant to accede to the fact that we should not have a private prison. That is the problem. If the Government agrees to that, the Bill will go through.

Mrs van de KLASHORST: It is urgent that this Bill is passed. If those opposite are concerned about the welfare of prisoners, I ask that they expedite the Bill so that we can get on and do something about it.

Mr RIEBELING: The Parliamentary Secretary obviously did not hear what I said: If the Government agrees to not having a private prison, the legislation can go through tomorrow.

Ms WARNOCK: I have a number questions about the prison system. Given that I am the shadow spokesperson for Women's Interests, first I will raise my concerns about the Bandyup Women's Prison. I took part in a march in relation to Bandyup just last week. In the face of quite clear opposition from a large number of residents and officials in local government in the Pyrron area, why is the Government determined to put a minimum security facility for women there? If it has been decided to do that, how long will it be before the decision is announced? What is the total muster in Bandyup at the moment? What is the muster of minimum security prisoners in Nyandi, if that is where they are?

Mrs van de KLASHORST: As the member for Perth knows, the Bandyup Women's Prison is located in my electorate. I am very concerned about the conditions there and have been lobbying the Minister for Justice for a considerable time for some upgrade in that area. I was very pleased to announce to those in my electorate that almost \$9m has been allocated in the budget for the upgrade of Bandyup. I commend the Government on this. Some of that \$9m will provide additional accommodation, which we all know is very much needed. Some women have been telling me that additional crisis care is needed, as well as beds to accommodate female prisoners with special needs. As members know, Bandyup is the only women's prison in the State. The crisis beds for women prisoners from other areas in the State are to be located in Bandyup. The educational and vocational training space is also of concern, and this \$9m will allow programs to be delivered to an increased number of women in that centre. Some of the older cells are being refurbished, and it is about time. Minor works

are programmed for the kitchen to cater for additional demand. Members may not be aware that in the past year the prisoners in Bandyup won a Western Australian award - I cannot remember the name of it at the moment - for the catering services they provide. A lot of work is being done to lift the self-esteem of the women who are working in the kitchen. The health area, particularly the dispensary which manages medication, will be modified. Women tend to need much more medical care not only within the prison systems, but generally, especially during their reproductive years, and that is being attended to.

Additional undercover recreation spaces will be provided, and minor modifications will be made to prisoner reception. Additional video surveillance and additional staff accommodation will also be provided. As the number of prisoners rises, more staff accommodation is needed. I am very pleased that the Government and the minister have responded with this upgrade, although more still needs to be done, including finding a minimum security prison for the women. Bandyup accommodates maximum, medium and minimum security prisoners. From visiting that prison, the member for Perth and I know that is not satisfactory.

The muster at Bandyup today is 121 and at Nyandi it is 27. The Government intends to open a 50-bed minimum security prison at Pyrton.

[10.30 am]

Ms WARNOCK: Are you telling us that the decision has been made and you are announcing it today?

Mrs van de KLASHORST: No, the decision has not been made but it is being worked through. It is the Government's intention to try to establish a centre at Pyrton.

Ms WARNOCK: It is obvious that a great many people in the local area are extremely opposed to that. Has thought been given to putting a minimum security facility beside the maximum security facility at Bandyup, or using Nyandi?

Mrs van de KLASHORST: I advised the Minister for Justice that land was available next to Bandyup but, unfortunately, it cannot be built on because it is part of the Swan Valley and it is swampy land suitable mainly for agriculture.

Ms WARNOCK: So building beside the present facility at Bandyup is completely out?

Mrs van de KLASHORST: I presume so.

Ms WARNOCK: I have further questions about the number of people sleeping on the floor at Bandyup, but I missed the muster figures.

Mr PIPER: There are 121 at Bandyup and 27 at Nyandi.

Ms WARNOCK: Bandyup is a facility built for 83 prisoners I understand.

Mrs van de KLASHORST: It was built to accommodate 85.

Ms WARNOCK: How many people are sleeping on the floor or in the gymnasium? How many are sleeping in one-person cells, which I understand are holding up to four prisoners?

Mr PIPER: There are several questions there, and some of the member's earlier questions have not yet been answered. There is no need for any person in Bandyup to sleep on the floor, because there is sleeping capacity for all women either on a trundle bed or a proper bed. I am advised by the superintendent that some of the women prefer to sleep on a mattress on the floor in some of the double-bunk units within the courtyard area. That is their choice. The gymnasium at Bandyup has been commented on; it is a carpeted room no bigger than a family room in a large home.

Ms WARNOCK: I have been there.

Mr PIPER: All the accommodation in the gymnasium is based on bunks and it has been properly kitted out, dormitory style. There is nothing substandard about it.

Ms WARNOCK: Are you suggesting that it is a cosy, homely place?

Mr WIESE: Is the member for Perth suggesting it is not?

Ms WARNOCK: No, I am simply asking a question.

Mr PIPER: I am suggesting that adequate provision has been made within the constraints of the current accommodation. Quite clearly, we support the additional expenditure on Bandyup; it is urgently required and we will proceed with that at some pace.

With regard to Pyrton, the issue in principle with open, minimum security or pre-release accommodation for women relates to the pattern of accommodation for minimum security or open prisons within this State for men. They have all been located in very remote areas; for example, Karnet, Wooroloo and Pardelup, all of which are a long way from the community. Women remain the primary caregivers, even when they are in prison, and they maintain relationships with their families, particularly their children. There is a higher visitation rate by children to women in prison. They remain the parent and maintain relationships in a way which perhaps, sadly, many men in prison do not seem able to do.

We have sought a site which moves women from the obvious problems of mixing minimum, medium and maximum security prisoners at Bandyup, but which is close enough to draw on Bandyup for its program support and specialist medical support which, as the Parliamentary Secretary has indicated, requires some specialist facilities for women. That puts the ministry

in a situation of trying to find a near-metropolitan site to accommodate the minimum security needs of women. Pyrtton was identified as a site which, in many respects, because of the way in which and the purpose for which it was built, is well suited in program terms and in current accommodation terms to the accommodation of women. Putting aside some of the community and other concerns and looking at it in isolation, it is extremely well suited; it is close enough to Bandyup, it will work extremely well and will save a considerable amount of taxpayers' money.

We accept and understand the community's concern. We are going through the planning process at the moment, which will take time. When that process has been completed, a decision will be made on whether to proceed. A development application is with the Western Australia Planning Commission. If the member wishes to have more detail on the current status of planning, Mr Harvey can provide that. It is a vexed and important community issue and together we must find a solution for women, particularly for minimum security prisoners, that suits their needs and is not based on the model for men.

Ms WARNOCK: I understand all those things and support those views, but I am acutely aware of the immense public opposition to using the Pyrtton site. I understand the enthusiasm for using the Pyrtton facilities, but I do not understand why the ministry cannot put a minimum security facility next to Bandyup, quite separate from the maximum security facility. It would still be close enough for women to maintain their relationships with their families. I fail to understand that, and many people in the Pyrtton area also fail to understand that.

Mr PIPER: The Bandyup site is problematic. We are aware of the additional land for sale alongside Bandyup and we are examining it. Our current advice is that the land is subject to inundation and is, therefore, unsuitable for building. That leaves us with potential options within Bandyup, if we move in that direction, for additional program space but not necessarily accommodation and buildings. That leaves us with very few options on the Bandyup site and, in addition, we would be building on a constrained site a totally new facility at a much higher cost.

Ms WARNOCK: What about Nyandi?

Mrs van de KLASHORST: It is too far away.

Mr PIPER: Nyandi is, again, a fairly constrained site. It is little more than accommodation; it does not have access, for example, to some of the specialist medical and other services being provided on a temporary basis by transporting women around. In terms of its location, it has little prospect of expansion to provide the program facilities which we believe are appropriate for minimum security female prisoners. It seems a little bizarre to me - although it is possible - to take a facility that was rendered unacceptable for juveniles and young women and say it is now acceptable for older women.

Ms WARNOCK: It would obviously need to be upgraded. I am not suggesting it is acceptable at the moment but it could be done more cheaply than building a new facility at Bandyup, which is apparently being rejected.

Mr PIPER: The member is correct in that observation but it does not meet some of the other criteria of being able to be jointly managed and provide facilities between the two, so that we can run a more integrated program for women. We would not like to create a situation, any more than history has delivered it to us, where women are second-class within the prison system. We recognise the need in our planning to resolve that issue and provide a quality standard of accommodation and program support that is directed towards women in the prison system.

Ms WARNOCK: I am glad Bandyup is to be upgraded. How much is spent on training and recreation for women at Bandyup, or is proposed to be spent on that in the next 12 months?

[10.40 am]

Mr PIPER: We would be happy to provide the member with that as supplementary information.

Mr WIESE: My question relates to page 740. The first dot point under major initiatives deals with the management of very high risk offenders and a new high risk supervision category that has been defined and which appears to have been put in place. What resources have been committed to ensure that this group receives the appropriate level of supervision? Can the Parliamentary Secretary give the members some idea of the form this supervision will take when it is in place?

Mrs van de KLASHORST: There was a recent public debate about highly publicised serious offending. From that, a review has been undertaken of the management regimes in force for the supervision of those offenders who are considered to be most at risk of reoffending. I know the member has heard many of my speeches in Parliament about what the Government should do to stop recidivism and reoffending. A new high risk supervision category has been defined, and I commend the Ministry of Justice for that. It is leading to a concentration of resources for this group. It is a move to put the resources where the crime is, and it is important that we do that. The final details of the package are now being prepared for implementation as quickly as possible. About 350 offenders have been identified as fitting these criteria.

Mr DALEY: Going back several years, many people who were placed on probation and other forms of community supervision by the courts were exceedingly low risk offenders; they required very little time or effort. We know that if low risk offenders are supervised intensely, they will end up as low risk offenders. We need a basis for ensuring that people who are high risk offenders can be identified; assessing those people by some yardsticks which are scientifically valid and accurate; and managing them at appropriate levels of intensity. That means that the resources are used wisely, rather than spread across a group of offenders, some of whom may or may not need that level of supervision. In the past two years we have been working with the crime research centre at the University of Western Australia to devise a risk assessment tool which is, as we understand it, currently among the most sophisticated in the world, although it is not yet fully on-line. That enables us to identify, by a number of characteristics, people who will be at high risk of reoffending. This is based on making comparisons with all the 700 000 people arrested in Western Australia since 1984. We can do some fairly

sophisticated risk analysis. We come down to the point that, currently, approximately 350 offenders have been assessed as falling into the highest group. In years gone by, caseload ratios of officers to offenders was 1:60 or 1:70. That meant that some people who required more attention could not get it because the resource of time was not available. Under the arrangements for high risk offenders, we anticipate that a high risk caseload should be in the order of about 1:30 or 1:35, or perhaps as low as 1:20 at the highest end.

For the 1999-2000 year, an additional 10 full-time equivalents have been awarded through the budget process to enable us to strengthen the capacity to manage those people we regard as needing the highest level of supervision. Instead of people reporting fortnightly or monthly, and simply going through a routine of their current circumstances, it enables us to develop an individualised case management plan for each of them which might specify not only the frequency of their reporting, but also the program requirements. In some cases there might be electronic monitoring, in some cases there will be urinalysis monitoring, and in other cases there will be community work requirements. We have not only the capacity to ensure that those people are being watched at the level at which the community would expect, but also the ratio of supervision to take some action in cases where those people are demonstrably uninterested or not capable of responding.

Mr WIESE: Is there any identification of how many of those high risk offenders are Aboriginal persons and how many are Caucasian persons?

Mr DALEY: It may be possible to provide that as supplementary information. I would need to re-examine the figures.

Mr CARPENTER: My question also relates to page 740. Dot point six under major initiatives is the continued implementation of an integrated drug management strategy. Has the Ministry of Justice conducted a study which would indicate the number of prisoners who are in prison for drug-related offences and, if not, why not?

Mr PIPER: We do not have a specific study of prisoners who are in the system with drug-related offences. Part of the reason is that often the drug taking does not present as the most serious offence. The normal reporting provisions record the most serious offence. If someone who is involved in the use of drugs commits an aggravated burglary or an assault, or is involved in car stealing and traffic offences, most often there will be a basket of offences. In that context it is also hard to separate the fact that some of the offenders we deal with are not innocently involved or drawn into the drug scene. It is part of their social context, in the same way that other people smoke or consume alcohol; therefore it is part of their environment. It is very difficult to draw a link that says it is causal to their offending behaviour. In the estimates, the ministry has funding to upgrade the Canning Vale complex to include a new remand reception and induction centre for the whole prison system. That is focused on many things: Better induction of people into the system, and better identification of both at-risk behaviours and medical presentation of the prisoners as they come into the system. It is our expectation that the prison system will deal with prisoners at induction on the basis of their therapeutic program needs and their medical condition with respect to drugs, and we will do that much better when we have a centralised facility. In the context of the prison system, that is probably a more relevant and appropriate response because it allows us to do something. In answer to the member's question, it is a very hard issue to separate. A number of people in the media, for example, have quoted high percentages of people who are associated with drug use going into prison. In many instances that is not their most significant offence.

[10.50 am]

Mr CARPENTER: One of the people who quoted those figures was the Prime Minister. I repeated his assertion that up to 80 per cent of people in prisons are there for drug-related reasons. If he is wrong he has been badly misled by people who should know better. The Select Committee on the Misuse of Drugs Act 1981, a committee of this Parliament, the majority of membership of which was conservative, asserted in its findings that up to 80 per cent of people were in prison for drug-related offences. Although it specifically examined the situation in New South Wales, I have found no reason that the same would not apply here.

We are aware of the burgeoning number of people in prisons and we are made aware every day of the increasing problem of the misuse of illicit drugs. It is therefore astounding that no study has been done to make an association between the two, to determine whether the problem in the prison system is directly related to the problem faced on the streets with drugs, and to what extent. I understand that a study has not been done. However, I do not think it would be that difficult to do one. Is it possible to determine from medical records provided with prisoners how many prisoners have a drug problem?

Mr PIPER: The member asked specifically whether we had conducted a study. The answer is no. However, the numbers you quoted in the range of 70 to 80 per cent are common, if we like, apocryphal or observed wisdom and have been determined in some other jurisdictions. Some judicial officers have made similar comments based on their experience of people coming through the courts. As I also indicated, none of the studies of which I am aware, although they may determine the association with drugs, determines necessarily whether that is causal - in other words whether drugs are part of a person's context. In other words, if the drugs were taken away from those people, they would still offend for other reasons associated with their environment or their needs. It is a complex issue.

Mr SIMPSON: It would be difficult to go to any single source of records to obtain the information sought by the member for Willagee. Clearly, prisoner medical records in a significant number of cases would identify ongoing drug-related problems, particularly where on-admission prisoners needed to undergo detoxification because they were withdrawing from drugs when they were admitted.

Other records, not necessarily medical, could indicate instances of detected substance abuse in prison. Records could be kept of prisoners who offended while under the influence of a substance and who were abusing substances on the outside, but who were not manifesting that in their behaviour on the inside. To expect that a single source of records in the prison

system to give an easy answer to that is a simplification. It would be necessary to look in other directions than that which the member suggested.

Mr PIPER: Members will be aware from two budgets ago that funds were appropriated for a new offender management program being implemented within the prison system that will, for the first time, create a common central database of prisoner records in electronic form that is much more accessible. At present many of the records are based and held within the institutions or within the professional context of the treating doctors involved and, therefore, the information is not being passed on in the way in which the member is implying. My expectation is that the combination of the new induction reception process and the offender management information system will progressively lead us to the point at which we can answer those questions systematically. That is part of the reason for that implementation, and it will allow us to better manage not only that issue but also similar issues concerning control groups, the separation of factions within the prison system and other issues that are information based. At present we have a legacy of systems from the mid-1980s that are barely satisfactory for routine management. As I said, the new system is being implemented this year.

Mrs van de KLASHORST: An integrated drug management strategy has been implemented in the prison system. This involves strategies such as having a visitor contact booking system for approved visitors only in an effort to stop drugs getting into prison; prison officer training on topics such as drug awareness and detection, which is very important - much training has been done; provision of up to 500 drug-free test units; collection and collation of information on substance abuse by dedicated personnel; extension and use of passive alert dogs to detect drugs, which I believe is to be increased and which has been trialled; programs for alcohol abusers, because we know that alcohol is the most abused drug in our society; repeat drink-driver offenders and women who are substance abusers - a naltrexone program is being trialled at Bandyup; and the development of incentives for prisoners to reduce the demand for drugs. Other measures include dermal patches and skills development. The ministry is working hard with drug offenders in prisons.

Mr CARPENTER: I am interested in that reply. Having passed on all that good information the ministry should now be in a position to tell us exactly how many prisoners are using drugs in prison. We have just heard that a vast array of tools is at the ministry's disposal to deal with drug offenders in prison. Surely any drug use in prison is an offence. Based on all that wonderful information about what the Government is doing, how many prisoners out of the 2 000-odd muster are using drugs in prison? If that information is unavailable, what is the use of the program?

Mr PIPER: There is a need for separation from the issue of information. In my previous answer I indicated that there are issues about the quality of our overall information in the prison system as a result of the requirement to replace the computer systems. However, that does not stop us on a prison-by-prison basis from implementing the programs about which we are talking.

Mr SIMPSON: Without statistics that can put the answer to the member's question into percentages, it is reasonable to note that substance abuse is a factor in criminal offences, and the availability of drugs in prisons is acknowledged as a serious problem, whatever the percentage. The ministry has recognised that and is keen to address it through the development of a range of issues that are three-fold in their direction: To attempt to prevent the entry of drugs into prisons as far as possible; to reduce the demand for drugs by treating people for drug-related problems; and to address some of the underlying social and personal problems that often lead people into long-term dependency on drugs. We do not have definitive statistics, but it is an extremely significant issue for us, and we are moving on a range of fronts to try to address that issue.

[11.00 am]

Mr CARPENTER: Dot point one at page 740 of the *Budget Statements* states -

Completed a preliminary crime mapping exercise to determine where crimes are being committed and where offenders are coming from.

I can see some limited value in that, but if the court system and police officers are asserting that as many as 80 per cent of prisoners have committed drug-related offences, as a matter of major importance and first priority the Government should determine whether that is the case and move from there to decide how to deal with that issue. The Parliamentary Secretary cannot even tell us how many prisoners are using drugs, when the ministry has only 2 000-odd prisoners to deal with, and it has an array of programs. It is a matter of government policy, and the Government is failing badly in this area if it does not have that sort of information at its fingertips.

Mrs van de KLASHORST: That is an observation, not a question.

Mr RIEBELING: I turn now to one area of the budget papers that I found very disappointing this year because we had so much fun with it last year, and that is the number of escapes. Last year, the target for the number of escapes was 55. Unfortunately, whoever drafted the budget documents this year has chosen a target of zero, which is eminently sensible but not as much fun! I notice also that the budget documents have moved to a percentage of escapes rather than a number, and that last financial year the percentage of escapes was 2.54 per cent. How many people does that represent? Last year we were told that the target was 55 escapes. My understanding is that the target was exceeded within the first six months. I would also like the figures for what the minister refers to as walk-outs, but what the public believes are escapes. What is being done to try to achieve the zero per cent target for escapes?

I also ask whether the Parliamentary Secretary can indicate the rate of reoffending, which is listed in this document as 30 per cent. During extensive debate in this place about a privatised prison, the Minister for Police said that the target for the private industry would be 30 per cent and that the government system was nowhere near achieving that outstanding rate. However, last year the rate was 29.7 per cent. Has it been pushed out to 30 per cent so that the private sector will look

competitive? Why did the minister tell us that the current system cannot achieve the target of 30 per cent when that is not the case?

Mr SIMPSON: The budget papers show an estimated escape rate, not a target, for 1998-99 of 2.54 per cent. As at today, that translates to a total of 92 escapes, 79 of which were from minimum security prisons. Clearly the target is listed as zero and should always be zero. The strategies to reduce that escape rate are taking place from several perspectives. Firstly, a significant number of the escapes last financial year that were not from minimum security prisons related to eight maximum security prisoners who escaped from the Eastern Goldfields Regional Prison. As a result, we undertook a major security review, and we are also undertaking a significant upgrade to the maximum security section of the Eastern Goldfields Regional Prison, with an expenditure of more than \$300 000, which will provide a far higher level of physical barrier security in that prison. We are also reviewing a number of prisoner management practices. We are confident that those measures will make the maximum security section of the Eastern Goldfields Regional Prison far more secure. With regard to minimum security prisoners, action is being taken on a number of fronts. Probably the most significant action is a review of the classification system of prisoners that will be more individually based than based on factors such as offence type, etc. We hope that will give us a better predictive basis on which to classify prisoners as minimum security and will ensure that prisoners who are placed in that category are unlikely to attempt to escape. Notwithstanding that, family or other circumstances may lead to prisoners in minimum security prisons taking the opportunity to escape if it arises. Another initiative that we are undertaking is to examine minimum security in prison generally and attempt to find ways of reducing the potential for escape.

Mr MARSHALL: Recidivism or reoffending is one of the most complex questions in measuring the performance of the justice system. Our rate compares favourably with that of other States, as reported in the government services provision report, which is a commonwealth report. We are probably more honest reporters of this in Australia in the sense that we can link our community-based systems with our prison systems -

Mr RIEBELING: That is because there are private prisons elsewhere, I suppose.

Mr MARSHALL: At the moment we control all the prisons. The measures that we use are direct return to prison from the community within two years. That is what that figure represents. We believe that if we want a real recidivism figure, it should be for re-offending and not for returning to prison, because a lot of people re-offend but do not return to prison. We are currently working on measures to track when offenders re-offend as opposed to return to prison.

Mr RIEBELING: The question was why did the minister tell us during the debate on the private prison that the Government system could not achieve 30 per cent?

Mrs van de KLASHORST: Where was that said?

Mr RIEBELING: The Minister for Police said in this place when we debated the private prison that 30 per cent would be the new, wonderful target for our private prison. How do you explain that?

Mr MARSHALL: Our current measure is close to 30 per cent. We do not expect that to get worse. Presumably that is what the minister was referring to in the Parliament.

Mr RIEBELING: No, he was not.

[11.10 am]

Mrs van de KLASHORST: Without reading the minister's speech, I do not think we can answer that question.

Mr PIPER: I do not have the specific comments made by the minister, but I would be happy to comment generally on the standards that are required. The number being referred to is the minimum performance, and an expectation is built into the framework which will be implemented with the private operator that the private operator will actually exceed that performance. Therefore, any movement in the wrong direction below that would be considered unacceptable performance in that instance, and certainly our expectation of how it will operate, with the approach to imprisonment and the sort of model that has been offered, is that the private operator will exceed that minimum.

Mr RIEBELING: Does the prison system know the infection rate of hepatitis C in prisons at the moment; and if not, why not?

Mrs van de KLASHORST: We do not have that information available.

Mr PIPER: We have a slightly problematic issue which amounts to a privacy issue, even with prisoners, over the issue of blood-borne diseases. Obviously, to determine a person's status with respect to any of the communicable blood-borne diseases, a person is required to take a blood test, which is probably an obvious observation, and that needs to be administered by a doctor. There are provisions under the Act to force certain actions. The attitude that has been taken by medical staff to date is to request compliance with a blood test. At this stage I cannot give the percentage of prisoners who comply, but many do not. Therefore, we have a situation where it is possible under the current regime for prisoners to refuse to take a blood test, and we are not, in the way that we manage at the moment, forcing prisoners to take a blood test. Therefore, it is not possible to answer the question in definitive terms.

Mr RIEBELING: Basically, we have a situation in our prison system in which some people think that 80 per cent of the prison population are drug-dependent or drug users of some type, yet we have no capacity to ascertain whether there is a high percentage of hepatitis C. I have been told that in other jurisdictions up to 80 per cent of inmates are in fact hepatitis C carriers or affected. Those people go out into the community at some stage. I do not know what the hepatitis C infection

rate is in the general population, but there is absolutely no doubt that prisons in other parts of Australia are producing large numbers of people with hepatitis C. We have a system in which we do not know how many people are using drugs or have blood-borne diseases, yet we have strategies in place, presumably, to manage drug use. What is the point of a strategy when the ministry does not know what it is dealing with?

Mr PIPER: I will give an initial answer to that and I might seek support from some of my colleagues. We would not argue in broad terms with the percentages that the previous question implied.

Mr RIEBELING: What about the hepatitis C rates?

Mr PIPER: We would agree in broad principle that a significantly higher proportion of people in prison have blood-borne communicable diseases. For that reason, we have a strict regime of management associated with the prison system with respect to the training of custodial staff, the requirement for them to carry kits and the ways in which prisoners are managed within the system to ensure the best possible management of that risk. We also have a clear coordination between ourselves and the Health Department on that issue because, as the member correctly pointed out, it is a potential health issue for the balance of the community. The fact that we cannot produce an exact number does not mean that we are not vigilant with respect to the management of that issue. It is more a case that we do not have adequate procedures in place, which have been determined by appropriately qualified medical practitioners, and proper training of staff in the management of prisoners and the risk of blood-borne communicable diseases.

Mr RIEBELING: I agree with Mr Piper that it is imperative that staff be protected from possible infection, and I agree that the staff should be ever vigilant and the like. However, nowhere have I seen a plan in place to minimise the spread of the disease between inmates. Although the prison population has a very high concentration of blood-borne diseases, there appears to be absolutely no recognition that it is caused by the sharing of syringes. There was a half-hearted attempt at a condom program, which failed miserably because of the way it was put in place. There does not appear to be any realistic attempt to stop the spread of these diseases. That is what my question is directed at. I understand that we must try to protect the staff and the like, but at the end of the day the danger to the public when those people are released into the community is very great; there is a real risk. What programs are in place to minimise the spread - not the other programs?

Mr PIPER: I understand the question absolutely. Perhaps it is best to answer on this and the other issue concerning drugs in prisons in a more contextual way. Nobody is surprised when we hear the accounts of Australian prisoners of war in Changi Prison and their capacity to hide small radios and to do all sorts of quite amazing things in the context of their confinement, even though discovery would have meant death. Prisoners are not willing visitors in prison. They are in a situation in which their lifestyle has often brought them into contact with drugs, and also they often have personal habits and attitudes which would not be accepted in the broad context of society. That is why they are in prison. Therefore, both of these vexed and difficult issues remain in all jurisdictions where there is a determined, non-compliant group of people within a confined custodial situation. In that circumstance it is difficult to say, hand on heart, that we can eliminate this to the point which you and I might think is acceptable, which is zero drug use in prisons, and that all these other issues are adequately dealt with.

One of the issues that medical staff face when dealing with prisoners - it is an issue with which we are confronted when recruiting medical staff - is that when people deal with a doctor in the normal community there is trust and respect and people generally do not lie to their doctor; however, in the prison context, attempts to manipulate medical staff, both doctors and nurses, are rife. Many people within the prison system, who treat that as part of the game, come from a context of lying, both about their personal circumstances and their needs. These represent very difficult situations. As I said earlier, we have not reached the point of being coercive, in the same way that we have not reached the point of doing internal coercive searching for drugs in circumstances in which it may well be warranted in some other ways. That, to some extent, is a professional judgment made by the doctors in the context of the total treatment of the individuals.

We have very good medical staff who are well aware of these issues. In that context, and accepting the fact that the whole prison system, particularly the staff who treat and work with prisoners day by day, recognises both of these issues as significant and important, we have a broad spectrum of responses. As I indicated earlier, they range from trial treatment programs in the area of drugs - we were talking earlier about naltrexone - through to the medical treatment of prisoners who have been drug dependent or who have blood-borne diseases, where they reveal that and are open with the staff; the ways in which prisoners are managed; training; and, many other responses which are vigilantly applied within the system. The member obviously is passionate on this issue, but the staff also feel strongly as it impacts on their working circumstances. Those programs are being applied. Perhaps Mr MacColl, the acting director of prisons operations, may offer a slightly more operational perspective to a detailed question.

[11.20 am]

Mr RIEBELING: I agree with everything you have said, but the problem is the lack of acknowledgment. We do not want people to use drugs outside prison, but we accept that it happens. A community syringe program is in place which is hugely successful in preventing the spread of blood-borne disease; in fact, I have read that Australia does it better than anywhere else on earth. However, the argument is suddenly applied to prisons that we will encourage drug use if we supply syringes. We are over that obstacle in the community, yet we refuse to accept it in the prison system where it is argued that syringes would encourage law breaking. It is done everywhere else in Australia, except where disease contamination rates are the highest. It is nonsense to close one's eyes to the problem. I have seen information indicating that intravenous drug users in prison are 50 times more likely to contract a disease than drug users in the community.

Mr PIPER: I understand the member's question. It is a continuation of the discussion we had on Tuesday. To my



knowledge, no jurisdiction in Australia has taken the step the member suggests. In a community context, people who are regular users and do not exhibit other traits such as criminal, predatory and violent behaviour in the manner of some people in prison -

Mr RIEBELING: Up to 80 per cent are drug users according to some.

Mrs van de KLASHORST: Will the member let Mr Piper answer.

Mr PIPER: I am not trying to avoid the question. It is a deep conflict. The prison population is generally not a group of people who are poor and misunderstood, although some are in that category. Some prisoners are seriously violent and manipulative and present difficult management problems. We have not found a way to ensure the safety of staff and other prisoners from, say, the use of syringes within the system as a weapon. We accept the difficulty in managing that complex mix of drug use and dependence, drugs appearing in the system and the need to manage blood-borne communicable diseases. It is a difficult mix. When put in a tightly constrained and close proximity, secure environment such as a prison, it leads to other opportunities which are not present in the community. The need would not arise in an open community circumstance to stand over another person using a syringe as a weapon. Other means are available when no-one is around to supervise the person. Issues of prisoner violence and the potential for bullying are real and immediate. They represent part of our need to care for the broad prison population and prison officers. We are not orphans in this issue. It is not that we do not understand or worry about the issue in the same way that the member does. No jurisdiction in Australia has come to the conclusion the member suggests. That does not mean that the problem is not there.

Our chosen approach is to concentrate on reducing the presence of drugs in prisons, and to some extent use therapeutic programs. We try to use much more effective techniques. We have dramatically increased our supervision of the visiting area. Several well-publicised and successful operations with the police have targeted drugs coming into metropolitan prisons. It is not that we do not care and are not vigilant, but we have not resolved that policy issue which meets the criteria of a prison context, and nor has anyone else.

Mr MacCOLL: Mr Piper answered most of the issues. Staff, for their own reasons and protection, are very conscious of the intravenous drug-use issues and work vigilantly to ensure that our drug strategies are applied. We have a number of operational programs, such as the introduction of joint operations with the police to target the introduction of drugs into prisons; a number of education programs operating for staff; and the use of exit kits for prisoners leaving prison. A range of programs are in place addressing that issue.

Mr RIEBELING: I heard what Mr Piper said about the department looking at various options and the unavailability of an answer to the problem syringes would cause in the prison system. Is it possible to obtain supplementary information about what has been looked at in relation to the supply of syringes within the prison system? Syringe provision is technically achievable through electronic means and the like. If it is not achievable, I would like to find out why.

Mr PIPER: We are happy to provide that material.

Mrs van de KLASHORST: Supplementary information will be provided.

*Sitting suspended from 11.28 to 11.41 pm*

The CHAIRMAN (Mr Osborne): We have had a discussion behind the Chair. We propose to defer the vote on outputs 7 and 8 for a period of about 15 to 20 minutes to allow us to deal with the guardian and the public advocate outputs.

Ms WARNOCK: Will we return to prisons?

The CHAIRMAN: Yes. With the agreement of the committee, we will defer the vote on outputs 7 and 8 and move to consideration of output 9, advocacy, and output 10, guardian of last resort.

Mr CARPENTER: I refer to page 745. How many people with intellectual disabilities have received the advocacy services outlined in this section in the past year?

Mrs van de KLASHORST: We do not have those specific numbers. We will provide them by way of supplementary information.

Mr CARPENTER: What is the reason for the reduction in the estimated total cost of the output shown on page 744 for this current financial year?

Ms LAWSON: The reduction is due to the fact that some moneys were carried over into last financial year that are non-recurrent. They were for identified projects that had not been completed in the past financial year.

Mr CARPENTER: Will it not reflect a reduction in the number of people who will be serviced?

Mrs van de KLASHORST: The total cost of output shown in 1997-98 is 987 and it is estimated to be 1 374 for 1999-2000, so it has been a steady increase but that one skewed the figures.

Mr PIPER: As the member correctly indicates, there is a small reduction but the 1997-98 measurement reflects the strong recognition of the need to increase the size of the office. Last year was an establishment year for the recruitment of new staff and putting them in place. Some mobilisation issues were associated with that. Clearly, this office has been well supported and it is doing a great job, which is a comment that the acting public advocate may not feel prepared to make on her own behalf. This service is staffed by a dedicated team of people. It has a great feel about it. There is no lack of support within the estimates or within the ministry for the work of the public advocate.

Mr CARPENTER: I notice a reduction in full-time equivalents from 18 to 17.

Ms LAWSON: That is explained by the last reference I made about the FTEs appearing at 18 and dropping to 17. It is explained by the fact that we do not have those recurrent moneys that were carried forward from the previous year; they were project based.

Mr RIEBELING: I too congratulate the office for the work it has done. I have limited contact with the office, but that contact has been exceptionally good. I refer to the output measures on page 744. It is indicated that 655 services will be delivered for the forthcoming year. I understand that there will be a percentage of ongoing advocacy for long-term clients. Does the figure of 655 refer to new clients?

Ms LAWSON: The 655 target for 1999-2000 indicates the number of new clients whom we will be able to service that year.

The CHAIRMAN: Reference is made on page 745 to a report with recommendations to safeguard vulnerable seniors. Can a copy of that report be provided to me? I would be very interested in seeing it.

Mrs van de KLASHORST: Yes.

Mr WIESE: The major achievements on page 745 refer to the campaign to promote the power of attorney. What has that campaign involved and how successful has it been? In particular, what evaluation is being done of the campaign to determine its effectiveness?

[11.50 am]

Mrs van de KLASHORST: The campaign is to further the use of an enduring power of attorney and it is targeted at adults over 50 years and seniors - it worries me that seniors are about 50 years nowadays - to coincide with the International Year of Older People, which we all know is this year. A comprehensive guide on enduring powers of attorney has been produced for financial and legal professionals. Ms Lawson can give the specific details of that.

Ms LAWSON: This week we launched our first promotion of the enduring power of attorney campaign targeted at seniors. It is a strategy of which we are very proud because we are trying to reduce the incidence of seniors coming to the Guardianship and Administration Board requiring legal and administration orders. This will enable them to plan the management of their financial future. We will extend the coverage of the campaign on the enduring power of attorney in the community by a second launch next month to promote a new service providers' guide to give information to legal and financial service providers.

Mr RIEBELING: Is an enduring power of attorney designed to encourage people to set up a system if they lose the ability to manage their affairs? They have preempted that loss and authorised someone else to act?

Ms LAWSON: Yes, it is similar to a power of attorney; however, this document, given its "enduring" nature, continues to support the person who needs assistance when he or she has lost capacity. It is a way of pre-planning if people are concerned about loss of capacity in the future due perhaps to dementia or acquired brain injury.

Mr RIEBELING: That is targeted at people over 50 so most members of Parliament should have a good look at it!

Mrs van de KLASHORST: I will give a personal explanation of the use of the enduring power of attorney. My husband and I organised an enduring power of attorney for my mother, who died two years ago at the age of 93. According to that document I was able to handle all of her bills and pay her rent as she went into a senior citizen's village. It assisted her in the last few years of her life when she was still mentally capable but not physically capable because of slight blindness and loss of motor control. There are strict safeguards on people who witness the signing of these documents. I had to be investigated to ensure that I was not standing over my mother and making her do it. There was a policeman and a lawyer in the room during the signing of the document. When she died the management of her affairs went to the executor of her estate. It was absolutely fantastic because mum got feeble at the end of her life and it was nice for her and for me to know that there was someone there looking after her. I therefore commend the enduring power of attorney to most people who are getting older.

Mr RIEBELING: The role of the office of last resort, part of the Guardianship and Administration Board, is to supervise the voluntary nature of that enduring power of attorney. Is that part of its role or is the document registered with the office?

Ms LAWSON: The Office of the Public Advocate does not register or monitor enduring powers of attorney. There is no registration requirement in Western Australia for these documents. We give advice and promote this particular legal instrument; however, there are avenues to investigate an enduring power of attorney that may be operating under duress on the donor. Those mechanisms take it through to the Guardianship and Administration Board.

Mr RIEBELING: Is there a plan to register them?

Ms LAWSON: No. It is common Australia-wide that enduring powers of attorney are not lodged.

Mr RIEBELING: Would an enduring power of attorney by definition have to be used for each individual agency in order for them to act on a person's behalf? For example, would they have to take the document to the bank, the shire and so on?

Ms LAWSON: Yes.

Mr RIEBELING: There is therefore not one body that says, "You are now the legal representative of Joe Bloggs"?

Ms LAWSON: It is a legal document. There are some complexities with it in that a person can sign his enduring power

of attorney to commence immediately, which will involve the attorney and the donor allowing the financial institutions that are involved to have a copy of the document. Another safeguard is that some people choose to have their enduring power of attorney to commence only on loss of capacity, and that commencement will proceed only after the Guardianship and Administration Board has assured itself that the person has lost capacity.

Mrs van de KLASHORST: A husband and wife can sign enduring powers of attorney for each other. That would then click in if there were a car accident and one of them became mentally or physically disabled and unable to cope. My husband and I have already done that, knowing the value of it with my mother. We have enduring powers of attorney for each other subject to either one of us being disabled or unable to manage our own affairs.

Mr RIEBELING: The living will concept in the medical care of the dying that was endeavoured to be implemented has a similar arrangement. However, is there a test of this type of legal document where someone is not necessarily the benefactor? In the living will concept there was a need not to be the benefactor; that is clearly not the case with this document.

Mrs van de KLASHORST: There is no test. I believe there is a massive safeguard in signing one of these documents in that it must be signed as a legal document with witnesses, and the lawyer, or whoever, tests one's character and conducts checks.

Mr RIEBELING: It is a bit of a danger when solicitors test one's character!

Mrs van de KLASHORST: My mother went to the lawyer's office and was asked in my absence whether she was happy about it being signed. The secret with doing this kind of thing is to do it before people become disabled and unable to cope. The document was therefore signed by the lawyer that in his presence she was willing to allow this to happen.

Mr WIESE: Can the Parliamentary Secretary tell us whether there is any attempt to take this information out into rural and regional Western Australia? I have no doubt that this is a terrific innovation and there needs to be information out there to make people aware that this can be done.

Ms LAWSON: In anticipation of that question I asked our manager of public affairs and education to provide some information. I am pleased to advise that in our efforts to reach non-metropolitan regions we are conducting a statewide promotion, particularly of our toll-free number, so that people can receive direct advice on how to obtain and complete an enduring power of attorney. We also have a telephone advisory service that we are promoting. We have distributed posters to all state libraries and 2 000 community organisations are providing services and advice. We are developing a special desk display card promoting our telephone advisory service, and that will be sent out soon. We also have a statewide distribution of two newsletters per annum with a 2 000 print run. We have produced specific information forms already this year in Broome, Derby, Port Hedland, Bunbury and Busselton. We have also produced a guidance manual for service providers in isolated rural country areas who wish to run their own forums. Because we are a fairly small agency, we are building on the train the trainer concept and the service providers' manual will assist in that process. We have increased our use of the mass media. Our recent launch earlier this week gained news coverage and some media interest.

Mr CARPENTER: I refer to the output measures on page 744 of the *Budget Statements*. There are two interesting figures there - customers satisfied with the service, 70 per cent; and the proportion of customers in need of service relative to the number of people provided with advocacy, 85 per cent. Am I reading or misreading that second point in that if 650-odd cases were dealt with, another 100 or so were not? How is customer satisfaction measured?

[12 noon]

Ms LAWSON: Customer satisfaction is measured by a survey conducted twice each year. We must survey our secondary customers because our primary customers have decision-making disabilities. We have a direct question to produce that statistic.

Mr CARPENTER: A constituent of mine who falls into the category of a primary customer was very dissatisfied - I do not know whether that dissatisfaction was valid - but the secondary customer was very satisfied. How does the department cope with that imbalance of satisfaction?

Ms LAWSON: We promote our customer standards and grievance procedures to all clients. If a primary client had a grievance, we would prefer to take an individual approach and invite that person into the office to speak with the officer involved or to the manager. If it is a grievance relating to the process of the guardianship and administration system, we would inform the client of his or her rights to go to a review before the Guardianship and Administration Board.

Mr CARPENTER: Have I interpreted correctly that 85 per cent of the people seeking a service are getting it; therefore, 15 per cent are not?

Ms LAWSON: That is correct.

Mr CARPENTER: It appears that the department could do with more resources to deal with the other 15 per cent.

Ms LAWSON: We are delighted with the increased funding we have received. We project that we will have a 58 per cent increase in the provision of advocacy services from last financial year to this financial year. We can always ask for more funding, but we are trying to cover a diverse range of service provision - advocacy, guardian of last resort and the community education component. It would be nice to see that at 100 per cent, but at the present time that is beyond our reach.

Mr RIEBELING: Why is it beyond reach; is it purely lack of resources?

Ms LAWSON: The demand will always outstrip our resources. We mentioned in our briefing that the ageing of the

population is resulting in a huge increase in applications to the guardianship and administration system. That will continue through to 2030 plus. Unless we have FTE increases each year, it will be very difficult to keep up.

Mr CARPENTER: We might be able to fix that after the next election.

Mr RIEBELING: In 18 months.

Mrs van de KLASHORST: That is wishful thinking.

Ms WARNOCK: During the lead-up to these estimates hearings I am sure all members received material from various members of the community. I received material from the Prisoners' Advisory Support Service. Obviously, members of that organisation are not great admirers of the Ministry of Justice. Their submission states -

5 months after the riot at Casuarina prison more than 600 prisoners are still locked up for 22 hours per day. . . .  
The sad truth is that the MOJ is still as accountable as a new born babe and as transparent as pea soup.

Their concern seems largely to be about the accountability of the ministry. The submission continues -

While the prison system operates in secrecy it is both invisible and unaccountable. PASS believes that if our present prison system were to be evaluated in terms of its record of achieving its aims and objectives, i.e. a deterrent to crime, a reduction in the recidivism rate and prisoner rehabilitation, its performance would be seen as woeful at best and criminal at worst.

The main burden of the submission is that PASS believes there should be a commission dealing with prisons in Western Australia, and that that should be established as a matter of utmost urgency. It is suggested that an independent group would oversee prisons in Western Australia, and suggestions are made about the commission's membership. PASS asks whether the Government will consider this proposition.

[12.10 pm]

Mr PIPER: It is one of the strengths of our democratic system that all opinions are welcome, and PASS is not at all shy - as a group of ex-prisoners and as a prisoner advocacy group - about expressing its views. PASS has visitor status within the prison system. We facilitate as openly and as freely as we can its access to prisoners within the system. We work with and talk to the group on a regular basis. We understand and attempt to deal with the issues they raise from a prisoner perspective. A number of them understand that perspective well, having been in the system.

As evidenced by the Smith report, which is now publicly available, the Casuarina Prison riot was a difficult and tense situation. Putting aside what I think was extremely commendable behaviour on the part of the prison officers on the day and their capacity to contain a very difficult situation, the situation revealed a number of serious issues relating to the way Casuarina was constructed and operated. When it was conceived, I believe that those involved envisaged a prison for 450 prisoners in a benign situation, reasonably homogenous and happy in the service. They would freely associate in the rather large lawned area in the centre of the prison and not do each other or anyone else any harm.

It also anticipated a situation where the units as they were designed would keep prisoners in; if prisoners were locked behind the doors of the day room, they would stay locked behind those doors. The reality revealed in the difficult situation on Christmas Day was that prisoners in association during the recreation period were not easily contained. The core of the riot was caused by 30 to 40 prisoners and if the units had contained the others who escaped, we would not have reached the critical mass of 100-plus and would not have had some of the containment issues. More than 25 staff injured in that riot are still involved in the management of prisoners, and the ministry has an obligation to both the prisoners and the staff to maintain security and ensure that, now the prisoners and the staff know there are vulnerabilities in the prison, it manages the situation through to a point where it is safe for prisoners and staff.

We have approved and are implementing changes to the fabric of Casuarina Prison - not to create some sort of labyrinth of strange management arrangements but to install what amounts to management fencing. That will allow us to manage a difficult population of prisoners in a contained way associated with the units, and to some extent will allow us to control the degree of association within the prison. The staff believe they will not feel comfortable within the environment until that work is completed and the control rooms are finished. We understand absolutely the need to work with the prisoners and, as far as possible, to provide programs and work opportunities for prisoners and to give them access to services. An unexpected effect of the current regime has been a dramatic decrease in prisoner-on-prisoner violence. I suspect the Prisoners Advisory Support Service did not state that in its note to the member.

Ms WARNOCK: No, it has not. However, could you address the matter of more than 600 prisoners still being locked up for 22 hours a day? Are you suggesting that that is responsible for the decrease in violence? I understand, as you do, that we are not dealing with a boy scout camp but that it is a pretty strict regime.

Mr PIPER: I will ask Mr Simpson to give the committee the exact numbers of participation in industry. We are managing a difficult situation in the context of prisoners, prisoner access to programs, the staff and the security of the prison. We accept our need to, as cleanly and safely as we can, arrive at a regime which is more normal and increases prisoner access to programs, industries and other recreational services. We are not unmindful of that issue and it is not as if we are not working in that direction. However, it is a difficult balance to achieve. Mr Simpson can provide the details of the current regime in Casuarina Prison and the recreational and work opportunities being offered to the prisoners.

Mr SIMPSON: The statement that all the prisoners in Casuarina are spending 22 hours in their cells is not true and has not been for some months.

Ms WARNOCK: PASS says more than 600 are still locked up for 22 hours a day.

Mr SIMPSON: That is incorrect. In March we began a progressive process of freeing up the regime in Casuarina Prison bearing in mind the issues that Mr Piper highlighted. The riot proved that the fabric of the prison was not safe and will not be safe until the security upgrades are completed. Therefore, we must be particularly careful about how we manage the regime until then. It must also be remembered that there are now about 200 more prisoners in Casuarina than at the time of the riot; that makes management an even more complex task.

However, against that background, the management of the prison has been working with the staff over the past two months or so to progressively free up the prisoners' regime and make more activities available. As at yesterday, there were 113 prisoners in employment in the service industries such as the kitchen, gardens, ground maintenance, et cetera. Another 72 prisoners were in employment within the units and 51 prisoners were employed in the various manufacturing industries. A total of 236 prisoners were in employment, in addition to another 117 prisoners who were engaged in various activities and programs, including treatment programs. That means a total of 353 prisoners, more than half the population, were engaged in constructive activity within the prison. In addition, about 90 prisoners a week attend church services in the chapel and over 1 400 visitors attend each week. By necessity, the regime for prisoners not involved in those activities must be restricted until the security work is done, but prisoners are spending a minimum of three hours a day out of their cells. From 7.30 am to 8.45 am prisoners leave their cells for breakfast and to receive medication or whatever. From 8.45 am to 11.30 am half the units are allowed free association within their wing and the prisoners are out of their cells. They then take half an hour for lunch, and for three hours from 1.30 pm the other half of the prisoners are allowed free association within their wings. This arrangement allows adequate supervision. Under present conditions it would not be safe to allow free association for all prisoners at once.

In response to PASS's comments, I submit that in a difficult situation the staff have responded to the challenge of providing as humane and constructive an environment as possible. This has involved negotiations at times with the Prison Officers Union on a local basis. The union has an interest in ensuring that the freeing up of the regime does not create an unsafe situation for staff or other prisoners. Is this situation ideal? No, it is not. We are keen to see the situation improve dramatically, as it will when the security upgrade is finished.

An observation of the Smith report was that the number of prisoners not involved in constructive activity was a factor in the climate of the prison at the time of the riot. In response, all superintendents of all prisons in high-muster situations are working on strategies to create an equitable spread of activity across the prison, rather than just running to the operational capacity and having another group without access to activity. We are running a regime which is the best we can provide within the bounds of safety. We are also learning from the lessons of the Casuarina riot coming from the Smith report to provide a regime for the future which will better cope with the situation.

Mr PIPER: Does the member want to continue with the issue of regulation?

Ms WARNOCK: No. I am simply interested in whether the Government will consider setting up a commission on prisons.

[12.20 pm]

Mrs van de KLASHORST: I do not think, as Parliamentary Secretary, that I could even consider answering that. I would have to refer that to the Minister for Justice. He would make that decision. I will make sure that he knows the question was asked.

Mr PIPER: I agree with the Parliamentary Secretary; it is an issue for the minister. The issue of accountability is important. Post-riot there was a lot of attention in the media. For example, comments were made on the excessive use of force on prisoners post-riot. An example of our response to that is that we arranged for practitioner-only, supervised medical visits for Aboriginal Medical Service people to visit anybody whom they chose to see in Casuarina Prison. We are not in the position of running secrets in the prison system. It is certainly not a matter of policy or the practice of the staff I deal with that something dark or devious is going on. It is unfortunate that the myths of prisoner culture tend to create that impression in a community in which the public cannot go into a prison and have a look for themselves. We encourage bodies like PASS and other groups, who are very active commentators on the prison system, to visit and we give them visitor status. A lot of comment was made about the Smith report. The brief that was given to Les Smith was very open; he was not interfered with. Any observer of the commentary in the Smith report would have to agree that the ministry accepted the report, put it on the table, took its licks where it needed to and its praise where appropriate. We have previously announced that we intend to step up the quality of regulation in the ministry. We have made arrangements with the Home Office to second for a period in July an experienced inspector from the Home Office inspectorate to assist us in the issues of better regulating the prison service.

We have also made a commitment to have standards-based inspections throughout the prison service. Frankly, I believe that the prisons will welcome that. To the extent that it is done, some of the myths will be exploded. Your earlier comment about prisons not being a boy scout camp is correct. Some prisoners are seriously violent and dangerous and are there for the protection of the community. They do not live to a set of mores or standards that you and I would accept. Therefore, prisons in their culture promote some of these sorts of concerns. We regularly meet with PASS and accept the need to be open. As a matter of policy, we have tabled and presented to Parliament as much of the informed commentary on the prison system that we have had available to us. That has been our practice for exactly the reason that we believe it is an important issue to debate. It is not about being unaccountable or, I think the comment was, as transparent as pea soup. We must be talking about a very delightful pea consomme as opposed to pea soup. As to whether there should be a commission, it is properly a matter of policy and inappropriate to comment on.

Mr RIEBELING: In answer to the member for Perth's question, you said that it is not true that we have 600 people locked up for 22 hours, but approximately half the prisoners locked down for 21 hours. The reason for that state of affairs is that to do anything else would be dangerous for the management of those prisons. That is what I thought I heard, but then I heard an amazing statistic, which was that there are 200 more people than existed at the time of the riot. If the first two points are correct, how can we possibly justify putting another 200 prisoners into a situation which is dangerous to the extent that people need to be locked down for that period of time?

Mr SIMPSON: One of our difficulties is that we are not in a business in which we can say that we are full and will accept no more customers. We are required to accept the number of prisoners who are referred to us by the courts. Until such time as new accommodation which is currently under construction becomes available, that means that there is a deal of pressure across the system. We are endeavouring to ensure that pressure is absorbed and dealt with evenly across the system. Certainly, Casuarina, as the largest single prison currently with the most amount of available accommodation, is an important option to us in absorbing the numbers that we have. It is also in a position of receiving many of the sentenced prisoners direct from court, where they remain until such time as they can be moved to other prisons. If we had an option of not putting additional prisoners into Casuarina, we would certainly take it. The 250 male prisoner beds which will become available by Christmas will relieve that pressure considerably. One of the first places we would want to see that pressure ease is Casuarina.

Mr PIPER: I will make two other observations. One of the points made by the Smith report and which was identified last year is the contradiction in practice in using Casuarina as the induction prison as well as the secure maximum sentence prison. For various reasons to do with the availability of facilities at Casuarina, because in effect all of the money was put into Casuarina and not into other places at the time it was available, it is still difficult, until we get Canning Vale Prison mobilised, to create an induction facility elsewhere in the system. To the extent that people are required to be brought in and processed in the system, we are still using Casuarina.

I will clarify the member's point about safety. The balance point between safety and prisoner welfare and those issues is important. Casuarina is not unsafe at the moment in the way it is being managed because it is being managed in a way that matches its capability. We have talked about the unsatisfactory nature of it. Given the regime in Casuarina and that it is being supervised in that way, it is able safely to take the extra prisoners. That is not the issue.

Mr RIEBELING: With less prisoners, it would be able to be managed differently, would it not?

Mr PIPER: Maybe not because, as I pointed out earlier, the riot involved only 140 prisoners. We could have had the same testing of the Casuarina environment with it well under muster, even at half capacity. The fundamental issue there is the vulnerability of control rooms and the inability to contain prisoners in the open area. It is not an issue of muster at the levels we are talking about. Next month we have the transportable unit at Canning Vale coming on stream. That will be used as the opportunity to start moving the receiving and processing of new prisoners across to Canning Vale Prison. That should start to see the movement away from this sort of situation. It is not unsafe. It is a function of the way the prison system was set up in the early 1990s when Casuarina Prison was built. We are trying to get away from that now in the way we are reconstructing the prison system.

[12.30 pm]

Mr WIESE: Comparisons between outputs 7 and 8 are shown on pages 742 and 738. First, I note that the average cost per day of keeping a juvenile in detention is \$434 versus \$170 to keep an adult offender in custody. There are 125 prisoners in the juvenile section and 437 full time equivalents, a ratio of approximately 3.51:1 for the juveniles. Looking at similar figures, for a target population of 2 900 prisoners, there are 2 065 FTEs, a ratio of 0.8:1. Why is there such a huge difference between the cost, the number of FTEs and everything associated with juveniles, as against adult prisoners?

Mrs van de KLASHORST: I commend Western Australia for the fact that we do not give up on young people very easily. Prison for young people and juveniles is the last resort. I am sure the member is aware of all of the other activities that are in place before juveniles get anywhere near the prison system. Often juveniles have had many chances; they have received counselling and have met their victims. There are many programs for juveniles. Even when juveniles go to prison we still ensure every opportunity is taken to assist them in programs and to stop recidivism, which is one of the main reasons juveniles are imprisoned. The Banksia Hill centre is an example. It is an up-to-date prison that uses modern methodology - I do not know whether any members have been there - to try to keep juveniles from reoffending.

Mr WIESE: The recidivism rate of 47 per cent is projected against 30 per cent.

Mr PIPER: Firstly, the people shown in the estimates as FTEs are not all institution-based staff, in either case. There is a difference in the cost of management as indicated. The program framework for juveniles is different. We are also dealing with a fairly small institution, and issues of scale, the program delivery content of the prison system and the juvenile system come into effect.

Mr HARVEY: The member applied the figure of 437, referred to on page 742, to juveniles in custody. That figure incorporates both the FTEs in the custodial function and those employees in the community-based function. I do not have the breakup with me, but I am happy to supply that later if the member wishes. The per juvenile cost and the per prisoner cost are significantly different, as they are in all jurisdictions in Australia. These figures are not wildly out of line with those in other States.

[12.35 pm]

Mr WIESE: Mr Harvey has just indicated that he does not have those figures. The follow-up question in regard to outputs

7 and 8 was: How many full-time equivalents are involved in the prison regime versus those involved in community based supervision roles? If Mr Harvey or no-one present has those figures, could they be supplied as supplementary information?

Mr PIPER: If the member is happy with an approximate answer, about 1 300 police officers are operating within institutions. If you net that figure from the total number, it gives the number of prison officers who are working in a custodial context. We could provide a more exact number. We are also recruiting additional staff, as one would expect, given the increase in prisoner numbers.

Mr WIESE: If it is possible, can I have that split provided in relation to outputs 7 and 8 separately, so it gives me a better idea of how many prisoners are in the outside supervision regime?

Mrs van de KLASHORST: We will provide that in supplementary information.

Mr WIESE: In relation to juveniles, while I was in my Police ministerial role, I went to the former Riverbank centre. I was extremely disappointed with the work-based skills program being given to the people in that institution. How much real practical and educational training is given to juveniles in prisons now? One of the things I saw at Riverbank at that stage was that approximately 85 per cent of the inmates were illiterate. Sometimes those people are very capable of taking on manual skills, such as welding and mechanics. How much work is being done in our prison regime with juveniles to equip them with some skills when they come out of those prisons?

Mr PIPER: The member has raised an important point. It relates to the reason, in principle, that Banksia Hill was even proposed and constructed. Apart from the style and culture of the regime and its effect on the capacity to work with juveniles, the new Banksia Hill complex has dramatically improved the educational and vocational skills capabilities compared with previous decommissioned facilities. It is setting the benchmark for an appropriate and acceptable standard of juvenile custodial service across Australia. If Mr Keating could give a little more detail on the programs that are being administered at Banksia Hill, it would further answer the member's question.

[12.40 pm]

Mr KEATING: As Mr Piper has just indicated, Banksia Hill is by far the leading centre for the management of juveniles in custody in Australia, and would be equal to any centre in the world. The comments made by the member regarding the older centres and the capacity to provide programs is well documented; it was very poor. Every young person who comes into detention in Banksia Hill is involved in an extensive needs analysis, in terms of their particular needs and the sorts of things that must be done in relation to their returning to the community. That will help them effectively reintegrate and, hopefully, not come back to us again. Every young person who comes in is subject to an extensive education regime. There are 26 teaching and vocational staff members in the centre who provide services at a special education level. They have individualised programs, of which numeracy and literacy are a part. Every detainee has vocational programs available to them. Vocational areas are very much tailored towards what the young people expect to be able to do when they return to the community. In the past, centres have been preoccupied with creating the standard metalwork and woodwork subjects, what I have described as widget making, when there are no widget jobs in the community. We have endeavoured to develop skills and modules that are TAFE accredited so that those young people can aspire to gain employment from jobs advertised in Saturday morning's newspaper.

In addition, a work regime operates at Banksia Hill. The centre is effectively run by the juveniles in the sense that they do the cleaning, kitchen work and the gardening. All those jobs are linked into other skills training such as horticultural training. We try to create work habits while they are there and we are very happy with that development. A range of therapeutic programs is also available to young people, including those dealing with drug and alcohol substance abuse, anger management, sex offending where necessary and victim empathy. We involve many people from the community. Senior citizens run programs in the classrooms with young people. The program is designed to provide an integrated process from the day they come in until the day they leave and it is monitored intensely. Our program in Banksia Hill is very much about moving away from the traditional system which members will have seen and of which they would have been critical in Riverbank.

Mr PIPER: Mr Keating is being modest. It was pointed out to me by staff that one of the big successes at Banksia Hill is the accelerated progression of young people through their schooling deficit. Often the education program focused on very small class sizes. It was tailored to people with the offending background that applies in Banksia Hill. The program can accelerate the schooling from a low base at approximately two or three times the rate of normal schooling. Certainly if some of the juvenile detainees were given access to schooling and skills they would be capable of sorting themselves out. On the evidence that I have seen, the range of skill-based programs, together with a more concentrated and focused education program, is providing that opportunity for young detainees who go into Banksia Hill.

Mrs van de KLASHORST: I have seen some of those commendable programs working. Riverbank has been made into a 51-bed adult prison for the intellectually disabled and people who are vulnerable. Some prisoners from Wooroloo went to Riverbank to learn skills. I am pleased to say that Riverbank has a woman acting superintendent, and we do not have too many women in senior positions in the justice system. The acting superintendent at Bandyup, who is also a woman, was superintendent at Riverbank. Riverbank is a good news story for that area.

Mr WIESE: How many female staff are employed at Banksia Hill? What is the ratio of men to women? Is that common to prisons around the country?

[12.45 pm]

Mr KEATING: Approximately 35 per cent of our staff at both Banksia Hill and Riverbank are female. That is reflected

throughout the centre, up to the two superintendents, of whom one is female and the other is male. We actively recruit women into the juvenile system because we believe it provides an important balance, and we will continue to increase that level. Given that about 90 per cent of people in detention and on remand are male, we probably would not exceed a ratio of 60:40, and that is purely for management reasons, because with rolling rosters and the like, it would be very difficult if we had an even split, or more than that, with such a large male population. There are a significant number of women in the centre.

Mr RIEBELING: Last year's budget documents provided information about daily musters and about the number of minimum, medium and maximum security prisoners in the State. Is it possible to give that split for the 2 961 prisoners in the prison system today; if not, I am happy for that to be provided as supplementary information? I would also like to know how many people are in each prison, the design capacity of each prison, and whether there are any situations such as at Roebourne, where people are sleeping on the concrete floor?

Mr VAUGHAN: The figures for today's muster of 2 961 - and these figures would be give or take 50 - are 1 000 minimum security prisoners, 1 300 medium security prisoners and about 650 maximum security prisoners.

Mr RIEBELING: What about the split-up between prisons?

Mr PIPER: At today's muster of 2 961 prisoners, the figures are: Albany Regional Prison, 214; Bandyup Women's Prison 121; Nyandi 27; Broome Regional Prison 106; Bunbury Regional Prison 219; Canning Vale Prison 364; Casuarina Prison 696; C.W. Campbell Remand Centre, which is part of the Canning Vale complex, 177; Eastern Goldfields Regional Prison 114; East Perth Lockup 12; Greenough Regional Prison 1 216; Karnet Prison Farm 159; Pardelup Prison Farm 74; Roebourne Regional Prison 211; Wooroloo Prison Farm 200; and Riverbank 51.

Mr RIEBELING: Does that list contain the design capacity of those prisons?

Mr PIPER: Yes, in the form of the single-cell capacity of those prisons, but that is worth a comment. The whole debate about prison capacity seems to get itself confused about what is the single-cell capacity for a prison, because in the design brief, all of the prisons were built around single-cell occupancy and what the prison could contain with the use of double-bunking. Certainly multiple occupancy or double-bunking is in our view an acceptable practice appropriately managed, although we would not pretend that the current level within the prison capacity is as we would like it to be. Would the member like me to provide the single-cell capacities for those prisons?

[12.50 pm]

Mr RIEBELING: Perhaps a copy of that could be provided later. I want to ask other questions and I am running out of time. With respect to the reduction of the recidivist rate in Western Australia, I understand certain rehabilitation programs are in place. I am interested in the sex offender programs. A number of prisoners and their families have contacted me. I have been told that prisoners are prepared to undertake programs but the programs are not available, and of course prisoners cannot be paroled until such time as they have completed certain programs. Therefore, there appears to be a bottleneck in the system. I have four questions on that matter, and I am happy, if need be, for the answers to be provided by way of supplementary information. How many sex offenders are currently incarcerated in each of our prisons? Which prisons have sex offender courses? What is the capacity of each of these courses on a monthly or annual basis, according to the manner in which they are calculated? What is the length of wait at each institution before a prisoner is able to access the sex offender program?

Mr SIMPSON: We will provide the answer to the question dealing with the number of sex offenders in each prison by way of supplementary information because I do not have those details to hand. The prisons in which sex offender treatment programs are available are Broome Regional Prison, Bunbury Regional Prison, Casuarina Prison, Greenough Regional Prison, Karnet Prison Farm and Riverbank. The program running at Broome is the Kimberley offender program, which is an Aboriginal specific program which deals with sex offending, substance abuse and violence. With respect to the capacity in each of those locations, again I do not have the information immediately at hand. I will provide that by way of supplementary information.

As to the relationship between sex offender treatment programs and parole, although offenders are on a waitlist for sex offender treatment programs, to my knowledge there are no prisoners currently whose potential release date on parole is being jeopardised by unavailability of sex offender treatment programs. However, I will certainly check that information and provide a definitive answer by way of supplementary information.

Mrs van de KLASHORST: If the member gives us details of specific cases, we will provide the information in each case and I will pass it to the Ministry of Justice.

Mr RIEBELING: I will do that. One of the main problems that has been identified to me on a number of occasions is the fact that the sex offender program is conducted at the tail-end rather than at the front-end of a sentence. The people who speak to me about sex offender programs, anger management programs and those sorts of courses, say that the best way to do it would be to have the course upfront, followed by refresher courses during the sentence period to make sure it has been effective. That would get around the problem I mentioned, if it exists. What is happening to try to achieve that? Am I being advised incorrectly?

[12.55 pm]

Mr PIPER: The member has raised an important issue about case management or individual management plans for prisoners. One of the key process changes to be implemented as part of the Canning Vale induction reception program will



be identifying a profile of prisoners at entry. This will identify their therapeutic program needs based on their offending pattern. It includes their educational status and educational capacity to take in skills; current training levels and skills; medical presentation and needs; and their psychiatric status. We will develop an individual management plan to enable the program to be developed through the expected period in prison.

It has become clear in looking at Wooroloo Prison South that we need to consider again the way our programs are structured, and not necessarily have programs within quite the same labelled groupings. Some core cognitive and other skills are prerequisites to the therapeutic programs which can be given earlier and topped up.

Mr RIEBELING: Organising a plan to individual prisoners is the way to go, but it must be implemented on a timely basis throughout the sentence, bearing in mind the release date. The problem is not so much identifying what should be done. Is there an obligation on the department to deliver those programs in a timely manner? I may go into prison and be identified as needing an anger management course because I have been in Parliament too long. If that cannot be delivered because of insufficient resources, who is at fault? Is there an obligation upon the department? Can a prisoner go to an appeal court and state that an identified program has not been delivered and he is stuck in prison?

Mr PIPER: The member raises an interesting point. I presume he means a legal obligation.

Mr RIEBELING: A contract or something like that.

Mr PIPER: No. As was mentioned earlier in relation to approaches to drug management in prison, the introduction of a graded incentive scheme in prisons carries with it issues such as access to programs and suitability of prisoners for programs. It is not appropriate that we be obliged to sheep dip prisoners through programs, because in many instances the assessment of the prisoner's preparedness to undertake the program and capacity to change as a result of the program should be an important predeterminant. Our expectation is to take the issue upfront and create a plan profile, which we attempt to meet through normal management. It is a matter of funding, budgets and such things.

Mr RIEBELING: You create an air of expectation for prisoners.

Mr PIPER: It is a management issue for us. The member started by referring to sex offender treatment programs. A great deal of conflict with those programs is not about program availability, but acceptance of the view of the therapeutic program provider that a person will not benefit or change as a result of program; therefore, it is not offered to him. Prisoners become angry as they see that as blocking their progress to parole. It is not an availability issue. That discretion needs to remain in our prisoner management framework; otherwise, we will waste both time and money on programs which go nowhere.

Mrs van de KLASHORST: It is a case of taking a horse to water but not being able to make it drink.

[1.00 pm]

**Division 37: Recreation Camps and Reserves Board, \$297,000; division 38: Sport and Recreation, \$37 750 000; division 39: Western Australian Sports Centre Trust, \$7 808 000 -**

[Mr Osborne, Chairman.]

[Mr Marshall, Parliamentary Secretary.]

[Mr J.F. Fuhrmann, Acting Executive Director, Ministry of Sport and Recreation.]

[Mr M.J. Cribb, Director Corporate Development, Ministry of Sport and Recreation.]

[Mr K. Watson, Manager, Administration Recreation Division, Ministry of Sport and Recreation.]

[Mr D. Smith, Finance Manager, Western Australian Sports Centre Trust.]

Mr McGOWAN: The reference to new works on page 1310 indicates that the Government has set aside \$500 000 for the planning of a new sports stadium. Where is the sports stadium, given that the Government committed to building it two and a half years ago? Why is it not in the forward estimates and why is it not constructed?

Mr MARSHALL: Is the member alluding to the soccer stadium or the multipurpose stadium?

Mr McGOWAN: Yes.

[1.05 pm]

Mr MARSHALL: I know the member would agree with everyone else in this State that Western Australia has never experienced an explosive sporting reaction such as the reaction to Perth Glory's performance on the national scene. In all the years I have been associated in sport, I have never seen a sport take over *The West Australian* sporting pages in the way that soccer has done. It is usually dominated by cricket, football and racing. Now, over this past season, two to three pages of sport has been allocated to soccer. That immediately makes one ask why we do not have an international soccer stadium. I must correct one point: I said that I have never seen a sport take over as soccer has done; however, when the Perth Wildcats started playing basketball the same thing happened. It was explosive; it was on the state scene; and it had remarkable victories. It attracted large audiences and all people were learning how to play and putting a basketball ring on their garage wall. The reaction was so great that the Challenge Stadium was not big enough and the competition moved to the Entertainment Centre. Where is the club now? Is it attracting full houses? Is it winning? Does it have the same following? Before going in like a young bull, the member should keep in mind all the factors that would determine the sort of stadium that should be built.

Ms WARNOCK: We are asking why the Government's promise has not been honoured. We have asked a question and I want the answer.

The CHAIRMAN: Perhaps the Parliamentary Secretary is reaching his point.

Mr MARSHALL: I am building up to a point. It is important that the Opposition understand what occurs in sport. I have no doubt that on present conditions an international stadium would be a fantastic addition to Western Australian sporting facilities. When something is promised, does it mean that it must be done immediately? For instance, there is a sum of \$40m in the budget. If the member had the \$40m right now, would he build a stadium?

[1.10 pm]

Mr McGOWAN: Can I ask a question, Mr Chairman?

Mr MARSHALL: No, the member should answer my question. I have asked him something.

Mr McGOWAN: Mr Chairman, this is an opportunity for members to ask questions of the Parliamentary Secretary, not for him to ask questions of us. I will ask a simple question: Before the 1996 election the Government committed to constructing a stadium within four years. Where is the stadium?

Mr MARSHALL: That is a good point because, when consultants were asked to advise on the type of stadium to be built, there was no doubt of the justification for a rectangular soccer and rugby stadium and that is becoming more evident every day. However, when we investigate the size of the stadium we must decide whether to build a facility with seating capacity for 15 000 people, which is an average attendance at a Glory game; or, now that Glory has been in the finals, whether we build it to accommodate 25 000. We could also follow the example of the most up-to-date Australian football arena built in Victoria to accommodate 60 000 people even though 120 000 want to attend because the money is in the TV audience. We could even look a little further at Adelaide, which has a purpose-built soccer stadium which attracts only 5 000 spectators to games.

Ms WARNOCK: Is the Parliamentary Secretary saying that the Government is backing out?

Mr MARSHALL: No, I am not saying that.

Mr McGOWAN: Will the Government construct it within its term of Government?

Mr MARSHALL: The money is there.

Mr McGOWAN: The Parliamentary Secretary will not answer the first question. Where is the \$40m in the budget?

Mr MARSHALL: The \$40m is not in the budget this year because investigations are ongoing to evaluate the very best stadium that can be built for Western Australia that will last forever. Does the member for Rockingham know what was the biggest stadium built in WA? He has been here for only a few years and he is young, but he may know the answer. It was Perry Lakes, which was built in 1962. The member for Rockingham was probably not born then. It was built for the Empire Games, not the Commonwealth Games, son! That stadium has never been filled since that time and we cannot afford to make mistakes like that.

Mr McGOWAN: The role of this committee is for members to ask questions of the Parliamentary Secretary and for him to answer those.

Mr MARSHALL: It is.

Mr McGOWAN: In 1996 the Government promised that a stadium would be constructed within four years. It has not commenced construction. Does that mean that the Government will no longer construct it within the four-year period? Does that mean that the Government is deliberately breaking a promise?

Mr MARSHALL: There is no breaking of the promise. The member for Rockingham may be aware that a number of private companies are currently interested in tendering for a function/conference centre cum stadium. It would be foolish for a Government to step in and anticipate the type of centre that a private contractors may consider when taking on such a venture. For instance, when those contracts are considered at the end of July, the winning contractor might prefer to build a stadium alongside the convention centre. Recent history shows that a convention centre combined with a sporting arena has a much better chance of success. That is the model being followed all around the world. It would be a good outcome if our energies were focussed on the fulfilment of the stadium project as part of an exhibition-convention centre. However, if there is a negative response to that solution and the stadium is not included in the centre proposal, the Government will reassess its position and make a decision based on the circumstances at the time.

The member for Rockingham may recall in *The West Australian* press release in the past week the minister said exactly that; it would be foolhardy for anyone to build one at this stage. We are not breaking any promises and there is still time to meet our commitments.

Mr McGOWAN: Before the year 2000?

[1.15 pm]

Mr MARSHALL: There is still time to meet any commitments.

Mr McGOWAN: There is not.

Mr MARSHALL: There have been many investigations and extensive research. We cannot squander the taxpayers' money on projects such as Perry Lakes, which has never been filled. Before the member's time in this place, in the mid-1950s, the top soccer side in Western Australia was Perth Azzurri. It was tribal; it was the new-Australian era. The people bonded together; it was their team. I am not sure whether the member for Rockingham remembers those days. They have been and gone.

Mr McGOWAN: That is not relevant.

Mr MARSHALL: It is a consideration.

Mr McGOWAN: The Parliamentary Secretary has admitted that the Government will not come clean on the commitment it made before the last election. Four years from 1996 is the end of next year. Will a stadium be built before then?

Mr MARSHALL: We are waiting on the private contractors. Perth Glory is a privately-owned club. I am not saying that if there were an offer from Queensland, the owners would sell. However, the case could be put that the Government would be spending taxpayers' money without considering all the options. We are on a high at the moment.

Mr McGOWAN: Let us assume that the convention centre will not include a stadium. Is the Parliamentary Secretary saying that the Government may not build a stadium at that point?

Mr MARSHALL: A feasibility study of the need for the stadium has been completed by Cox Howlett and Bailey. Consideration is being given to a rectangular stadium as part of the convention centre potentially funded by private enterprise. If the stadium is not part of the convention centre, the funds will be put aside for construction.

Mr McGOWAN: Therefore, it is the Government's view that if the convention centre does not include a stadium, it will build one.

Mr MARSHALL: The Government is looking at private companies being interested in quoting for the building of a convention centre, possibly with a new multipurpose sports stadium alongside. If the response is positive, all our energies can be focused on building a stadium as part of that complex. If it is negative and the stadium is not included, the Government will reassess its position and make a decision based on the circumstances at the time. We will know that at the end of July. I am talking about waiting for two months.

Mr McGOWAN: It begs the question why the Government made the promise before the last election if it is not firmly committed to it.

Mr MARSHALL: The promise is that it will be built. I can guarantee that. How it is built, its site, size and durability - keeping in mind Perry Lakes, which was a fly-by-night facility - must be considered. If the pupil has not learnt then the teacher has not taught. I am ashamed that I have not got the message through to the member.

Mr WIESE: The community sporting and recreation facilities funds and grants have been distributed throughout the State. It is a very successful program. However, there is concern, especially in regional Western Australia, that the cuts to the budget may have some effect on the distribution of those funds and meeting community expectations. How is that money being spread around the State and will effects flow to rural Western Australia as a result of the reduction in funding?

[1.20 pm]

Mr MARSHALL: In the past the allocation of community sporting and recreation facilities funding has been split approximately 60:40, with 60 per cent going to the country. The department received 255 applications for the last allocations and 168 were successful. Of those successful applications, 49 per cent were metropolitan and 51 per cent were country applications. That does not mean that this split will occur all the time. The CSRFF is a marvellous innovation on the part of the minister and has enabled more sporting facilities to be developed in the country and metropolitan areas in the past five years than at any time in the history of Western Australia.

Mr CARPENTER: That is not true.

Mr MARSHALL: It is. If the member for Willagee goes through his lists from when the coalition Government took office he will find that an enormous number of sporting complexes have been built in the metropolitan and country regions. There is no reason for that to change. The allocation in this year's budget dropped by \$250 000, from \$8m to \$7.75m, because there was a need for sports funding in other areas. It is not a decrease in the actual funds spent because in every allocation a small percentage of applicants receive funding approval but cannot meet the funding commitment of one-third from the Government - which is positive - one-third from local government, which sometimes but not often falls down, and one-third from the local community. That final third sometimes causes these funding awards to fall down. That small percentage of failures accounts for about \$250 000. The department feels that the reduction in the allocation will not be noticed with the negativity in that funding.

Mr FUHRMANN: Historically with allocations of around \$8m, we have found that \$250 000-worth of projects have fallen over for one reason or another. Therefore, we intend to proceed with the allocation of \$8m-worth of projects knowing that the actual call on the budget will be in the order of \$7.75m. We will manage the CSRFF program differently.

Mr McGOWAN: The Olympics are mentioned a few times in the *Budget Statements*. Page 1288 details the desire to maximise the impact on the State from the Sydney 2000 Olympics and the efforts to attract teams from different countries to Western Australia to train are also described in the *Budget Statements*. How many teams are coming to Western Australia to train?

Mr MARSHALL: I am happy to answer this question because it is an excellent situation, but it actually comes under the Sports Centre Trust because Sports International WA was developed to handle those affairs. I can provide an answer now, but I will be guided by the Chairman as to whether we can move between divisions.

Ms WARNOCK: Do you have any objection, Mr Chairman?

The CHAIRMAN: No.

[1.25 pm]

Mr MARSHALL: I am happy to answer. A small amount of money - \$10 000 - was allocated to cover the cost of organising the Olympic torch run through Western Australia. The area the member referred to is covered by Sports International WA. This group was originally established to ensure that teams from other countries came to Western Australia to train and prepare themselves for the Olympics. The Western Australian advisory committee was formed to replace the Asian sporting relationships council to add to and nurture relationships with Asian and Indian Ocean rim countries. When the 2000 Olympics bid went to Australia, we went one further and formed a very substantial committee. Its chief executive officer is Tom Hoad, who was chosen because of his experience. He was classed as Mr Water Polo of Australian sport. He was in six Olympics as a player or a captain, two as a coach, one as a commentator and one as an observer. He has been working internationally to bring athletes to Western Australia to train. At the moment the main participating country is Greece, which is sending its full contingent of 150 athletes plus managers, executives, trainers and followers. The investment of bringing sportspeople into the State is more linked to tourism because the revenues are tremendous.

Mr McGOWAN: I merely want to know how many teams are coming.

Mr MARSHALL: In addition, the group has set up what it calls a festival of sport for a number of activities between different nations. There will be a four-nation international competition in hockey, comprising three or four games. Its planning has not yet been concluded. The Spanish and Korean sides have confirmed their attendance for that. Basketball teams will attend from Yugoslavia, Greece and Spain or Italy - depending on which side gets into the main draw for the Olympics - as well as Australia. The water polo events have been confirmed. Tom Hoad's contacts have made it simple for him to do that. Volleyball teams from Italy, Yugoslavia and Australia are firm, with teams from either Spain or Korea, again depending on which country gets through to the main draw of the Olympics. Water polo sides have already been training in Perth. I think one came from Korea. The team spent three weeks here and the revenue was considerable. The Greek team is the one confirmed at the moment. The festival of sport has already tied up hockey, basketball, water polo and volleyball and there is still time to enlarge on it.

Mr McGOWAN: Are you and the minister heading over to the Olympics?

Mr MARSHALL: No, I have no berth for it.

Mr McGOWAN: Will the minister be going?

Mr MARSHALL: I do not know yet. It has not been talked about and is not yet in the melting pot. The Olympics are 15 months away.

[1.35 pm]

Mr McGOWAN: The Education Department recently announced that it would not be changing school terms to accommodate the Olympics. Schools will have one week of holidays when the Olympics will overlap and one week when schoolchildren and teachers will be back at school. Children will have one week in which to observe the Olympics. Virtually every other State that I have been able to examine will have its school term on the same dates as the Olympics. That includes Queensland, New South Wales, Victoria and South Australia; but I have not checked on the situation with Tasmania. The school terms in all the other mainland States coincide with the Olympics Games so that people will have maximum time to travel to them and to view them on television. This will be the biggest sporting activity in Australia in the past 50 years - it will be bigger than the Olympic Games in Melbourne in any event - and probably will be the biggest sporting event to take place in this country for the next 50 years. Given that school children probably will not see something like this again until they are old men and women or retirees, surely it is reasonable to change the school term dates to give them the opportunity to watch the Olympics.

Mr MARSHALL: Personally, I believe it is; however, this is an educational decision, and has nothing to do with sport and recreation.

Mr FUHRMANN: I am not aware of the policies of other States. We would be pleased to take it up with the Education Department.

Mr McGOWAN: The school holidays in Queensland, New South Wales, Victoria and South Australia coincide with the Olympics. A press release from the Minister for Education states -

Western Australia's third term school holiday dates will remain unchanged next year . . .

Education Minister Colin Barnett said today there had been some inquiries as to whether the two weeks holiday would be brought forward a week to coincide with the Olympics Games in Sydney starting on September 17.

In other words, the minister is saying that the school holiday dates in Western Australia will not be changed. Did the Minister for Education or the Education Department consult with the Ministry of Sport and Recreation, the minister or the Parliamentary Secretary, or did this department put forward any ideas to the Education Department to try to get the situation rectified?

Mr MARSHALL: To the best of my knowledge, it did not happen. Like the member opposite, I am concerned. I think television is the greatest educator around for sport. It will provide youngsters with the opportunity to see the best athletes in the world, to copy them, to mimic them. Children are very quick to copy and to get ideas of excellence from watching athletes. From an educational view of sport, in my opinion, it is negative for children not to have these opportunities. I am most happy to take it up with the minister.

Mr McGOWAN: Obviously the Parliamentary Secretary agrees with me that it is a bad decision. In his press release the Minister for Education states -

Western Australian schools will be full of Olympic excitement leading up to and during the Games and there will be still one week of holidays coinciding with the Olympics to accommodate those fortunate enough to attend them.

Is that a bad decision on the part of that department and something that he should take up with the minister?

Mr MARSHALL: As a sporting person, I see it as a poor decision, and I am willing to look into it. We should remember that we get conflict between what people believe sport does for a community and what educators believe education means to the world. Sometimes in a debate like that, depending on the people involved, the educators win out. I am very happy to further this matter for the member.

Mr WIESE: I can think of nothing worse than children sitting in front of television sets for two weeks solid.

Mr McGOWAN: I think it is fantastic for kids to be able to travel to the Olympic Games and to expand their aspirations by watching these people on television over that period. It would pay loads of dividends in the future. In terms of what the Minister for Education said, does the Parliamentary Secretary agree that there will be mass absenteeism among school children over this period?

[1.40 pm]

Mr MARSHALL: No; not necessarily. If I were a physical education teacher - or a good teacher, for that matter - I would allocate part of my teaching curriculum time to ensuring that the children in my class watched the Olympics during school time. The member mentioned that it is critical for schoolchildren to take the opportunity of going to the Olympics, and I smarted at that a little. Only this morning I was thinking of how I could get some tickets to the Olympics, how I would get to Sydney, whether I could afford the cost of the accommodation, and how crowded it will be. I do not believe too many youngsters will be able to afford the trip. I thought that because in 1960, during the Rome Olympics, my wife forfeited the opportunity of going to Rome by marrying me. I thought, "I have a chance to make this up to her." Considering all the negatives - the crowds, the cost of accommodation and the cost of the tickets - I wondered whether I could truly afford it. The opportunity for Western Australians to go to the Olympics, and children in particular, would be limited. I agree with the member. The opportunity to see it on television is immense, and we should pursue that.

Mr McGOWAN: You would agree that even if the school dates were changed, it would not result in any reduction in the amount of time that children would spend in school?

Mr MARSHALL: Changing school dates is under the Education portfolio.

Mr FUHRMANN: The best we can do is to take up the issue with the Education Department, and point out the benefits of giving young people the opportunity to view the Olympics.

Mrs HOLMES: My question relates to the third dot point on page 1316, under major initiatives. When will the aquatic centre at Arena Joondalup be completed? In relation to the Western Australian Sports Centre Trust, how did last year's swimming championships compare with the 1991 event in Perth?

Mr MARSHALL: The construction of the aquatic centre at Joondalup is on target and is scheduled for completion by the end of December 1999. It will be one of the most magnificent recreational aquatic centres. The complex consists of a 10-lane 50 metre international swimming pool, with seating for approximately 700 people. It has indoor water polo pools and a 400 square metre leisure pool, including a water slide and a lazy river which is part and parcel of the new style of aquatic centres, and I commend that. There is a 25 m learn-to-swim pool incorporated with the leisure pool, beach access to the leisure pool and sauna and steam rooms. That is fantastic. The total cost of the development is \$11 m. I know the member for Wagin is looking at me and thinking, "When is it coming to the country?" The population must be considered in something like this and analysed to see how many people will use it. I would like one in Mandurah, and there is a need there. It is on target and will be concluded by December 1999. It will be the most up-to-date aquatic leisure pool in this State.

The CHAIRMAN: The latter part of the question by the member for Southern River related to the Sports Centre Trust, which we are not discussing at the moment.

Mrs HOLMES: Both divisions relate to the Sports Centre Trust.

The CHAIRMAN: Broadly speaking, it is the same area of interest; but strictly speaking, it is a different division. Members should keep that in mind. We are talking about division 38 at the moment.

Mr McGOWAN: In relation to that issue, exactly how much was spent on the aquatic centre? There are varying figures in the budget; it is very difficult to understand. At one point it looks as though \$14.2m was put in by the State. Why did the State choose to put the money into this development? What funding sources were used? The answer to that can be provided by way of supplementary information. The Rockingham City Council has put in an application for this sort of centre and has received only \$1.5m from the State for the development. Its role in the south is similar to that of Joondalup's in the north, yet it has received only \$1.5m. Why is that?

[1.45 pm]

Mr MARSHALL: The consolidated fund contributed \$4.5m, the City of Joondalup \$5.8m and the WA Sports Centre Trust \$700 000.

Mr SMITH: I confirm those figures, which total \$11m.

Mr McGOWAN: Why does one part of Perth in the northern suburbs receive money like that from the State and another part does not?

Mr FUHRMANN: The Joondalup facility is part of the state sports centre trust responsibility and as such the trust will be putting in some of its own money. The CSRFF project to which the member referred was a local government project. Funding guidelines are set out for local governments to apply to the State for funding for those projects. Although they are geographically similar, the mechanisms through which they were funded had different guidelines.

Mr McGOWAN: By way of supplementary information I would like the guidelines and the funds so that other areas that might inquire can apply for funding from the same bucket of money.

Mr MARSHALL: We will provide that as supplementary information.

Ms WARNOCK: I draw the committee's attention to page 1297 regarding education and sport. I have seen many media reports of the unfitness of young people and how so many Australians of all ages are overweight and unfit. The major achievements for 1998-99 refer to the issue of consultation with the Curriculum Council of WA and the Education Department to establish health and physical education as a core subject. What is happening to health and physical education in Western Australian schools in the light of the aforesaid references in the media about the unfitness of the young and the fatness of Australians in general?

Mr MARSHALL: I have no argument there. As I said earlier, the debate is between how important is sport to the community versus education. The tennis professionals used to take coaching classes before school, at lunchtime and after school as well as mid-morning and mid-afternoon as part of the sports curriculum. At the moment there is no way they can get tennis coaches into the schools unless it is before or after school; that is, out of educational hours.

Ms WARNOCK: Is the Parliamentary Secretary saying that until now his Government has not been taking physical education sufficiently seriously in schools?

Mr MARSHALL: I am not. I am saying that the question the member raised is of grave concern to everybody in sporting circles. When Len Pavey taught at the new John Curtin Senior High School in Fremantle, overnight he turned the school into a cricket school. If a footballer teaches at a school that has never had a victory, overnight it turns into a football school. The same applies to swimming or netball. The success depends on the teacher. Education is the main focus of schools and the space in the curriculum for physical education is decreasing. I call on Mr Fuhrmann, a former physical education teacher, Australian athletics coach and Acting Chief Executive Officer of the Ministry of Sport and Recreation who is well versed in all the departments in which the member for Perth is interested. He helped to create the be active training scheme of Western Australia.

[1.50 pm]

Mr FUHRMANN: This is the responsibility of the Education Department. Nevertheless, as the Parliamentary Secretary has said, the status of physical education in schools is of concern to the sport and recreation industry. The ministry has been working with the Curriculum Council of Western Australia to ensure that the outcome statements which are issued for sport and physical education and against which teachers in schools are accountable include a reasonable consideration of the needs of health and physical education. One of the issues involved is that devolution of responsibility to schools and principals means that decisions about priorities rest to some extent with schools and their principals, hence the need to go the route of influencing the Curriculum Council and the outcome statements which it provides and against which schools are measured.

Mr CARPENTER: If we trace the history of the Education Department back five years when the current Minister for Sport and Recreation, Hon Norman Moore, was the Minister for Education, there was a major dispute involving teachers' pay. The willingness of teachers to give of their own time, particularly on Saturday mornings, for school sports competitions, stopped immediately because of the attitude this Government took towards teachers in that dispute, and it will never recover. That happened in Canada too, as John Ryan of the swimming fraternity will tell you. The same thing happened here, and you have only got yourself to blame for it.

Mr MARSHALL: I think I am entitled to answer that statement. It was a hit and run. You have been the member for Willagee for only a short time. Get the Freo spirit - do not hit and run!

Mr CARPENTER: I have a question about Perry Lakes Stadium as an athletics facility. What has happened with the proposal for a replacement facility for Perry Lakes since the completion of the consultancy by Messrs Gianoli and Tranter? Has any progress been made on a replacement facility for Perry Lakes; and, if not, how do you justify the expenditure on that consultancy?

Mr MARSHALL: I will refer that to Mr Fuhrmann, who is a state athletics coach and is heavily involved in athletics.

Mr FUHRMANN: I must point out that I am involved in athletics on a voluntary basis. With regard to the study on the need for a new headquarters facility to replace Perry Lakes, it is true that the study, which was funded partially by the Government

with additional moneys from Athletica, did confirm the need for a different scale of facility than exists at Perry Lakes. It identified a number of sites at which the facility could be built. Subsequently, the minister has established a committee, chaired by the Mayor of the Town of Cambridge, with a view to ascertaining what involvement the town may have in the replacement of Perry Lakes. That committee is still meeting.

Mr CARPENTER: Unless I am mistaken, is it correct that neither of the two propositions put up by that consultancy report would have involved the Town of Cambridge in developing a replacement facility?

[1.55 pm]

Mr FUHRMANN: That is correct, they would not have involved the Town of Cambridge, but one of the options available to the Government would have been a downsized upgraded Perry Lakes.

Mr CARPENTER: However, that was always an option.

Mr FUHRMANN: Yes.

Mr CARPENTER: Does Mr Fuhrmann recall the cost of that consultancy report, which was widely criticised at the time?

Mr FUHRMANN: I believe Athletica paid in the order of \$60 000 for it.

Mr WIESE: My question relates to the employment of sport and recreation officers, especially in the country. They do a fantastic job in the country, so much so that we want to make sure that when one of them leaves or retires he is replaced. Following the retirement or death of such a person a couple of years ago in Albany, he has been replaced on a part-time basis only. Can the Parliamentary Secretary give us an assurance that these positions will be filled in rural Western Australia or regional Western Australia when they become vacant, and that they will be filled on a full-time basis?

Mr MARSHALL: As the member is probably well aware, there are 11 regional officers in the major country centres of Western Australia, from Kununurra to Albany. With respect to the replacement of the regional officer at Albany, that will take place after the new chief executive officer of the Ministry of Sport and Recreation is announced.

Mr WIESE: Can you give us any idea when that will be?

Mr MARSHALL: Yes, I can. It will go to Cabinet and it will be announced at the minister's pleasure. As a former minister, the member would know that that should be in a couple of weeks.

I want to compliment the regional officers on the tremendous job they do. They act in an advisory capacity; they play a leading role in the organisation of regional sports; they assist sporting clubs with their constitutions; and they obtain sponsorship. They are very busy people. The country packages that have been introduced have been as a result of the innovative ideas that are sent into head office by these regional officers. There is a package of \$400 000 to support sport in country areas. The country sport enrichment scheme was introduced this year as a result of those regional officers saying they wanted to get top-class teams into the country areas.

The member for Rockingham said that televising the Olympics would inspire our youth. The same thing must happen in our isolated areas, so that youngsters in the country can see the best. Perth Glory will go to Geraldton and Bunbury this year. There will be a Western Australia v South Australia cricket game at Kalgoorlie, and there will also be a Westar Rules interstate game between Tasmania and Western Australia in Kalgoorlie. Tennis West arranged for Evonne Goolagong to go to the Kimberley, and that was greeted very enthusiastically. The WA Netball Association (Inc) has organised top level, major matches at Katanning. The WA Ladies Bowling Association (Inc), in its wisdom, will have a competition in Broome. It will be good for those with rheumatic joints to play in Broome. The Wildcats and the Breakers basketball clubs are off on a Pilbara tour, and they will play matches at Karratha. I have mentioned only a handful that I picked at random from my list. The grants to get those teams to the country areas are around \$5 000 on average. Some grants are \$12 000 to \$14 000, and others are \$2 000. Members will agree that the country sport enrichment scheme is a wonderful innovation, and I can see it going from strength to strength.

Another event that had been arranged was a Westar Rules match between Swan Districts and Perth at Moora tomorrow. Unfortunately, the flood has washed that out and the game has been postponed to be played at Bassendean Oval. It would have been a great innovation not only for young people and people who follow those teams to see a high-class football game but also as a fundraiser for the victims of the Moora floods. East Perth and Subiaco will play at Exmouth to raise funds to overcome the ravages of cyclone Vance. Sport in the country not only encourages participation and excellence but also is used for fundraising.

Regional officer appointments will be made when the new CEO is announced. They do a wonderful job.

[2.00 pm]

Mr WIESE: I am glad that the Parliamentary Secretary shares my enthusiasm for these officers. I have heard rumours that some in the ministry believe that regional recreation officers are not needed. Perhaps Mr Fuhrmann could give a firm guarantee that that is not the case, and that he will keep them in the regions.

Mr FUHRMANN: History indicates that these officers are required in the country, and will be required for a long time yet. If one takes the view that we should try to stop urban drift and decentralise services to ensure resources around the State are utilised well, the regional officer scheme for sport and recreation is essential. As the Parliamentary Secretary said, the full staff complement at Albany has been held up pending the appointment of the chief executive officer and the implementation of the ministry review. However, it is highly unlikely that any change will be made to the regional officer scheme. The

scheme assists the not-for-profit sector by supporting the efforts of regional sport development officers through the provision of accommodation at sport houses, many of which are part of the offices we occupy.

Mr CARPENTER: The second dot point on page 1313 outlines that the Western Australian Sports Centre Trust will be responsible for the construction and ongoing management of the international motor sports complex at Kwinana. That may have been announced previously. Is that intended to be a permanent fixture as a responsibility of the trust, and is that accounted for in the forward estimates for 2002-03 by the \$2m allocation?

Mr SMITH: The funding for those capital works is under the Sport and Recreation budget.

Mr CARPENTER: How much is it?

Mr FUHRMANN: For accounting purposes, the budget for that facility rests with the Ministry for Sport and Recreation, although it is intended that the Sports Centre Trust will be responsible for the management of the facility when built. First, the facility is estimated to cost in the order of \$16m. If one delves into the Sport and Recreation budget, \$12.7m is provided in 1999-2000 towards that project with another \$3.3m in the 2000-01 forward estimates.

Mr CARPENTER: The WA Sports Centre Trust originally was responsible for the management of Challenge Stadium and Arena Joondalup. It now has responsibility for the velodrome and for this motor sport facility.

Mr FUHRMANN: That is the case. The potential for revenue generation, given the nature of the sports, is considerable.

Mrs HOLMES: Output 4 on page 1295 refers to encouraging participation in sport and recreation. I have been involved with Trailswest in the seat of Southern River, where it helped to construct the trail around Forrestdale Lake. What has been the impact of Trailswest and what funding has been set aside for Trailswest for this year?

Mr MARSHALL: We have over 500 trails on the inventory of the Ministry of Sport and Recreation. Trailswest has been a tremendous success. The budget of \$200 000 a year and its three staff have made sure of that. Trailswest incorporates walking, mountain bike and horse trails. The Bibbulmun track was the catalyst for its success.

The CHAIRMAN: That concludes the estimates part of this Committee's work. We must now consider the two Bills before the Committee.

#### **APPROPRIATION (CONSOLIDATED FUND) BILL (No 1)**

Clauses 1 to 4 put and passed.

Schedule put and passed.

Title put and passed.

#### **APPROPRIATION (CONSOLIDATED FUND) BILL (No 2)**

Clauses 1 to 4 put and passed

Schedule put and passed.

Title put and passed.

*Committee adjourned at 2.02 pm*

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