



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
SECOND SESSION
1999

LEGISLATIVE COUNCIL ESTIMATES COMMITTEE

Tuesday, 1 June 1999

Legislative Council

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STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

The meeting commenced at 2.00 pm.

The CHAIRMAN (Hon Simon O'Brien): On behalf of the committee I welcome members to today's hearing. Government agencies and departments have an important role and duty in assisting the Parliament to scrutinise the budget papers on behalf of the people of Western Australia, and the committee values that assistance. For the information of members, these proceedings will be reported by Hansard. The daily *Hansard* will be available the following morning. Hansard will distribute documents for correction. Corrections must be returned on the A4 documents sent to members. The cut-off date for corrections will be indicated on the bottom of each page. Members are asked to sit at the front of the Chamber so that witnesses will not have to turn their heads when answering questions. It will greatly assist Hansard if, when referring to the *Budget Statements* volumes, the consolidated fund estimates or any other document, members give the page number, item, program, amount and so on in preface to their questions. If supplementary information is to be provided, I ask for cooperation in ensuring that it is delivered to the committee's advisory/research officer within five working days of receipt of the questions.

I introduce the gentleman on my left, Mr Michael Smyth, our advisory/research officer.

An example of the required Hansard style for documents has been provided to ministers' advisers. I remind those members of the public in attendance that only accredited media representatives may take notes. However, full Hansard transcripts will be available to the public within a week of the close of these hearings. The committee reminds agency representatives to respond to questions in a succinct manner and to limit the extent of personal observations. On behalf of the committee, I also ask members to keep their questions succinct.

For the benefit of members and Hansard, I ask the minister to introduce his advisers to the committee and for each adviser to please state their full name, contact address and the capacity in which they appear before the committee.

Division 56: Police Service, \$410 300 000 -

[Hon Simon O'Brien, Chairman.]

[Hon Peter Foss, Attorney General.]

[Mr R. Falconer, Commissioner of Police.]

[Mr K. Porter, Deputy Commissioner, Administration.]

[Mr G. Crannage, Superintendent, Major Projects.]

[Mr D. McCaffery, Assistant Commissioner, Policy, Planning and Evaluation.]

[Mr R. McDonald, Director of Finance.]

[Mr. J. Frame, Director of Human Resources.]

[Mr S. Jones, Director of Asset Management.]

The CHAIRMAN: I ask all witness whether they have read, understood and completed the "Committee Hearings Information for Witnesses" form and understand the meaning and effect of the provisions of that document? All witness have indicated in the affirmative. I now call for committee members' questions.

Hon MURIEL PATTERSON: My question is directed to the commissioner. On page 1090 of the *Budget Statements* under the heading "Significant Issues and Trends" there is reference to an increasing trend for clearance of crime, a decreasing trend for crime rates, and the media as having portrayed an increase in crime, particularly violent crime. Can the commissioner expand on the statement provided in the budget papers in the light of this difference?

Mr FALCONER: The difference between the clearance rates of crime and the reported rates of crime in Western Australia by the media is an ongoing concern. Although the reported incidence of assault offences is increasing, recently it has been decreasing for burglary, robbery and motor vehicle theft. More importantly, the clearance rates are in an upwards trend. In other words, we are deterring crime on one hand with the community's assistance and on the other hand detecting more offenders.

Hon MURIEL PATTERSON: There has been an increase in the recurrent allocation of \$10m over two years. The reason given for this is an increased focus on operational outputs. Can the commissioner expand on what have been those outputs?

Mr FALCONER: Those outputs are more targeted operations on the particular troublesome matters that we have identified on our strategic action statements. Those are crimes on the person, which is our greatest focus, and also armed robbery, burglary and motor vehicle theft, which have been long-term matters of concern in Western Australia. According to the University of Western Australia's crime statistics unit, incidences of burglary and motor vehicle theft have been the highest per capita in Western Australia for more than a decade. It is only recently that we have reduced motor vehicle theft, in my view particularly with the implementation of the immobiliser policy in this State coupled with other activities.

Hon MARK NEVILL: On the point about reported crime, does the Police Department conduct victimisation surveys to get

an objective view about the incidence of crime throughout the State? Many crimes are not reported because there is not much point in reporting some of them.

Mr FALCONER: I totally agree with the proposition that many crimes are not reported. In fact there are a number of categories of crime. The incidence of crime alluded to by Hon Mark Nevill is discovered only in victim surveys. As I have said before, as a police agency becomes more available and more respected in the community, and indeed promotes the reporting of crime, that piece of the iceberg above the water line - the reported crime - can increase. However, in this State the Police Service has not been directly involved in victim surveys. We do, and will, continue to cooperate with crime researchers at the Edith Cowan University and the University of Western Australia and other independent entities with the capacity to conduct such surveys. We have conducted local level surveys on the fear and incidence of crime in a proper, structured, cohesive and professional fashion. However, the victimisation surveys that have been referred to are important. The other matter directly related to the question and my answer is another phenomenon that is measured now through the Council of Australian Governments' reports; that is, the fear of crime, which is often disproportionate to either the reported crime or the incidence of crime found in surveys; however, perceptions become reality. Nationally, we have some concerns with regard to the fear of crime in Western Australia. Those fears are being tackled through local community action groups that are called Safer WA committees.

[2.10 pm]

The CHAIRMAN (Hon Simon O'Brien): I understand that on a police district basis, district superintendents are being encouraged to chair committees consisting of senior officers and several different government agency officers with a view to having interagency cooperation in dealing with various social issues. Will you tell me about that?

Mr FALCONER: It is a recent innovation. Frankly, I would like to have seen no need for that but that those same senior executive officers of the key government agencies would go into Safer WA local committees with community representatives, including local government and so on. Some of the local government agency CEOs and their senior staff felt that in order to be more cooperative and cohesive across government for intersector collaboration, it was necessary to have a meeting of the government heads independent of the community committee meeting. It was agreed with my counterpart CEOs that the interagency meeting would be chaired by the district superintendent, and that the group, having addressed some confidential matters there, would move into the community committee meeting. Pleasingly, in some places that has evolved to the stage where they are going straight into the community meeting.

I have been all round the State speaking to every committee. I am absolutely adamant that this is the feedback: The community groups wish to see key government agency representatives who are responsible for that part of the State there and accountable to explain to the community the issues from a government agency perspective vis-a-vis the community perception and need. There is a need for a partnership approach to solving local issues. Whether they are on the front page of *The West Australian* is not the key to tackling the issues. We have undertaken to produce to local communities our reported crime statistics on a quarterly basis and on a police district basis. They must focus on local problems rather than what is seen by the media or even a state-wide aggregated formula. We have given local demographics, including age groups, ethnicity and Aboriginality. Rather than look at statewide averages on Australian Bureau of Statistics figures, we are giving them the size and shape of their community and saying - I am adamant about this - it is about local problems. For example, until recently when a young man died in the metropolitan area from solvent inhalation, very little was being collated or said about it. At the back of Kalgoorlie a lot of young, mainly Aboriginal, people are destroying their bodies and brains by sniffing petrol. One must be careful because it is not being seen in the whole of the State or the ABS or Australian Institute of Criminology figures as a big ticket item. If it is a big ticket item in any part of Western Australia, that community and its government agency heads and their staff must concentrate on a solution to the problem. It really is about local problem solving in partnership with all the players.

The CHAIRMAN: If a member is interested in finding out more about this program, is there a suitable contact at headquarters the member can get in touch with?

Mr FALCONER: The executive officer of the Safer WA Council, which at the moment I chair. May I say in this company that even when I thought I was remaining in this position for a couple of years, I said that the chairmanship should be given to some eminent Western Australian who does not have an agency to run, because one does not have the time to do it. Gary Hamley is the executive officer. I am sorry that I do not have his number at the moment, but he can be contacted. A substantial booklet that is being printed and is soon to be released explains the rationale as well as the mechanics and some of the achievements and contact numbers for this network throughout the State, which is at the bottom and not up at the top.

Hon N.D. GRIFFITHS: You may recall that we examined the child abuse unit last year. I trust you have up-to-date information on the unit. What number of cases has been reported in the past year? What numbers of child pornography and child prostitution have been reported? What is the number of current authorised staff? Have relevant positions been filled? If some positions are unfilled, what positions are unfilled? What is the current position with respect to the analyst to be stationed from the Bureau of Criminal Intelligence? You may recall that last year that position was vacant when I think either yourself or one of your officers was asked about it on 4 June. It had been vacant since 9 April and was to be filled in the next four to six weeks. When was that position filled? Has it remained filled; if not, when was it unfilled?

Mr FALCONER: I am obviously not as closely allied with the child abuse unit as Hon Nick Griffiths. I will take that question on notice. I cannot possibly answer those detailed questions at this moment.

The CHAIRMAN: Are the questions clear? You will receive a copy of the questions from Hansard.

Mr FALCONER: I have not taken them down because I presume I will be getting a copy of them. I have recently been away

with commissioners from the Australasian and South Western Pacific region. According to press clipping I had sent to me, this State had the first conviction in this country against a person who committed offences against children in another country. I and the other commissioners of Australia found it very interesting that the case was proceeded upon evidentiary means relating to medical expert evidence on the photographs of the children and other expert evidence on hand-markings and body factors associated with the convicted person. There has been some concern about investigative practices review and changes to specialist units. I want it to be remembered that we have not lost expertise; in fact, the notion is that the expertise needs to be deployed to the districts, which I alluded to before, which is where the action and crime is occurring.

[2.20 pm]

Hon N.D. GRIFFITHS: With regard to the child abuse unit, you will recall that this time last year a number of recommendations initially came as a result of the consideration of the Wood Royal Commission into the New South Wales Police Service. Can you say what is the current position with the implementation of the Wood royal commission recommendations which are yet to be decided on? Specifically relating this to budget matters, what funds have been allocated for the implementation of those outstanding recommendations?

Mr FALCONER: I would need to take those matters on notice.

The CHAIRMAN: As this is our first hearing, I am not sure whether the microphones are working as well as normal when we speak from a standing position. I ask members to keep the microphones a little closer to them or at least speak up to make sure these proceedings are clearly on the record.

Hon JOHN HALDEN: I refer to page 1108 of the *Budget Statements*. Under operating expenses is the line item of salaries and allowances. From 1998-99 to 1999-2000 there is an increase of approximately \$8.5m in salaries and allowances. Can I be provided with a break down of what that increase will consist of?

Mr McDONALD: The first factor is the provision for salary increases through the enterprise bargaining agreement; that is a total of around \$3m. There is a net increase in our salary appropriations; a net increment for retirement and resignations of about \$400 000; a decrease in our accrued salary provision of around \$3.5m; a decrease in our employee liabilities of about \$1.5m; and the provision for a payroll accrual of about \$100 000. In round terms that adds up to an \$8.6m net increase in our salaries.

Hon JOHN HALDEN: In terms of the increase that has been allowed for in the EBA negotiations, what percentage increase in salaries will be expected?

Mr McDONALD: We expect to have the increase that has been approved by the Government, which is around 3.5 per cent.

Hon JOHN HALDEN: Regarding 2000-01, there is an increase of approximately \$3.5m on this line item. Can you provide me with the same break up?

Mr McDONALD: Yes, I can provide that, but I do not have that information with me. I can supply it on notice.

Hon DERRICK TOMLINSON: Volume 3 of the *Budget Statements* contains a series of tables of output measures.

Hon PETER FOSS: What page is that?

Hon DERRICK TOMLINSON: I am referring to page 1094, but I will refer to a number of pages because there is a series of tables of output measures on pages 1095, 1097 and so on. Each of the categories - community support, crime prevention and public order; response to offences; investigation of offences; traffic management and road safety; emergency management and co-ordination; services to the judicial process; and regulatory and information services - has output measures in terms of quantity; for example, in community support, crime prevention and public order the target for the coming financial year is 2.729 million hours. When I add each of those output measures for each of those categories, I get a total of 8 026 000 hours, which is an impressive number of hours of police service to the Western Australian community. However, when I look at the complement of sworn police officers shown in the 1998 annual report, I find there are 3 264 sworn police officers. If we calculate that they each serve eight hours a day for 46 weeks, or 230 days, it is 1 840 hours per year. That is an availability of 16 454 man-hours per day compared with the output expectation of 21 989 man-hours per day. When the unsworn officers are added - there is a total of 306 - we have a total of 1 542 man-hours per day. Taking the sworn and unsworn officers, there are 17 996 man-hours per day compared with the target of 21 989 man-hours per day. Are those realistic targets and how are they derived?

Mr McCAFFERY: I got a little lost in the figures, but I do not think you have enunciated the full complement of the Western Australia Police Service. There are 4 600-plus sworn personnel in the Police Service and approximately 1 200 unsworn personnel, giving us just over 6 000 members. Although that is not keeping up with all of the figures, that is where some of it was wrong.

Hon DERRICK TOMLINSON: That would explain it. I took the number of sworn officers for each of the regions - metropolitan, southern, northern and central - from the 1998 report. There are 1 982 sworn officers in the metropolitan region, 757 in the southern region, 295 in the northern region, and 230 in the central region. That is a total of 3 264 officers. Where are the others?

Mr FRAME: That table indicates that there are 4 800 sworn personnel.

Hon DERRICK TOMLINSON: I am referring to the 1998 annual report of the Western Australia Police Service, and we are short 1 600 officers. Where are they?

Mr FRAME: To which page of the annual report are you referring, because there are two tables?

Hon DERRICK TOMLINSON: On page 16 of the annual report under "Metropolitan Region" is the regional profile and the number of sworn officers, which is 1 982. Each region has that sort of profile. Adding each of the regions, there are 3 264 officers. Where are the other 1 600 officers?

The CHAIRMAN: Mr Frame, if you have the information available, can you indicate by region the number of officers in that region to show us how you get the official total?

Mr FRAME: Page 77 provides a summary. The numbers that the member has picked up highlights that the numbers in the body of the annual report refer to the respective geographic regions. In addition, there is crime support, traffic and operational support and other areas which make up that shortfall.

[2.30 pm]

HON DERRICK TOMLINSON: Where are they located?

Mr FRAME: In terms of crime support, they would be located principally in the Perth central business district; in terms of traffic operation support, they would be located in the metropolitan region, but potentially deployed statewide. The principle is that they are not permanently located in a region; they are in the metropolitan area, but they can be deployed statewide depending on the requirements of the organisation.

Hon DERRICK TOMLINSON: There is an important issue of the Delta program, which is predicated on the proposition that, rather than having specialised units, there should be cross-sector policing within the regions. Instead of having a criminal investigation branch, now our crime investigators are distributed through the regions. Now you are saying that there are some specialised supports which are not necessarily located in the regions. Or are you talking about not located for statistical purposes only; in other words, a mobile group available to each region?

Mr FALCONER: If I get the drift of what Hon Derrick Tomlinson is asking, we still have three centralist portfolios: Crime support, traffic and operations support, and professional standards. That is not to mention policy, planning and evaluation and some other support and administrative staff. In relation to Delta and devolving authority and personnel to the local level where principal activities occur, in spite of the move towards that, we have just commenced a review of traffic and operations support. I still think there is room for more movement out to the front end, but we will always be left with having some centralist groups not just to serve the metropolitan area, where some 73 per cent of Western Australians live, and we will not be able to disperse those groups. For example, we will not have a mini tactical response group in every region. We also have our bureau of criminal intelligence as another centralist activity. What you are getting at is the geographical regional components and the piece that you thought was absent - that is, all those phantoms, who are in Curtin House, at the school up the road and so on.

Hon NORM KELLY: I refer to page 1097 of the *Budget Statements*. I have a few questions in relation to response times. You say that there will be an 11 per cent increase in the number of emergency calls for assistance, yet there is an increase of almost 30 per cent in the number of hours of response time. The output measures show an increase from 816 000 to 1.043m hours.

Mr McCAFFERY: The increase is reflected in the activities that were carried out in the year before, as against what the regional operational commanders deemed to be necessary to attend to calls from the community. It is a large increase. If you look at the whole model, you will see some decreases in some outputs to assist that increase.

Hon NORM KELLY: I mentioned this matter last year, and there was emphasis on spending more time in response to each call-out. You might have answered my next question in regard to the increase in the number of full-time equivalents, which moves from 603 to 778. From where are they to be allocated?

Mr McCAFFERY: Two major areas have decreased. The first is services to the judiciary. I shall explain that one first. We have the core functions project from which we anticipate we will recover about 90 FTEs when services are handed over to the Ministry of Justice. Regulatory and information services is another of our outputs. We are working very hard with other agencies such as the Department of Transport so as not to take cash across police station counters for items such as drivers licences, vehicle licences and so on. The Department of Transport, in conjunction with us, is encouraging people to use either electronic services or designated payment centres in post offices around the State. We are targeting those areas to decrease those services to concentrate on more core function operational policing.

Hon NORM KELLY: Following on from that, if police are not freed up due to the core functions legislation, is there an intention to cover that extra need for response hours or will that suffer as a result?

Mr McCAFFERY: I suggest that they would be operational decisions by commanders, who set the parameters to address how they will try to maintain that level of service.

Hon NORM KELLY: My final question is on the same output measure and it relates to the average time taken to respond to urgent calls for police assistance. There is still a lack of information. Last year I was told that it was being developed and that it was not possible at that time to give any definitive information. I am surprised that that information is still lacking in this year's papers. From the answer to a question on notice I learnt that the response time for life-threatening situations was 14 minutes last year. Has there been an improvement?

Mr McCAFFERY: I am sorry, I do not have that information with me, but I can take the question on notice.

Hon PETER FOSS: It is an important point. When we came to government we found that a large number of police were involved in jobs that would not be considered to be police jobs. They were trained officers who were capable of carrying out police work, but they were principally in clerical tasks. One of the first things we did was to have many of those clerical tasks taken over by non-police officers, and that released a significant number of sworn officers to police duties. There are now further proposals to release sworn officers from duties for which we do not require sworn officers. Legislation is now required to support that. Obviously, we have legislation before the Parliament which is to be depended upon if we are to release those officers back to police duties.

Mr FALCONER: We are judged by the availability of police to respond. There is ample literature to show that rapid response is not always the panacea. If we do not do the right things in the right fashion when we arrive, sometimes people are not smitten by the fact that we arrived quickly. The Los Angeles police are a classic example. We are on the way to implementing our Delta communications and information technology project - the DCAT system - so that cars will have mobile data terminals and global positioning systems such as taxis have. We will not have to radio units and ask them where they are; we will know where they are, whether they are clear and what category of operation they are on. Our system is aged. That is a criticism of no-one other than the past, and it is a long one. We have stretched our communications system to the limit, and until we get the new technology we will do our best. All our people are doing their best in trying circumstances.

We now have district status reporting to our metropolitan districts. Among other things, we are looking at complaints and issues of delays. We know that on occasions we are not there quick enough. Of course, we hear much more about those incidents than the thousands of times we arrive rapidly. Without blaming technology totally, we are doing our best and our people on the ground and middle management and supervisors are doing their best to allocate resources in an appropriate way depending upon the urgency of the incident.

Until we get that system in place, we shall be struggling, but we will take on notice the questions about how we are performing. Once again, these systems are not about command and control, but are about management and administration so that people can assess how their people are performing, and superintendents can draw down in the morning managerially what has been happening in their piece of Western Australia the evening before. They can then make assessments about capabilities, deployment, shift practices and so on to match the demands.

[2.40 pm]

Hon N.D. GRIFFITHS: This figure of 90 is related to the Court Security and Custodial Services Bill. In the second reading speech the minister referred to a figure of 200. I would like to know where the 200 comes from, after having been told today that the figure is 90. The minister cannot have it both ways.

Hon PETER FOSS: Believe it or not, it is possible. The answer is quite simple; it has been decided to stage the project and the first stage involves 90 and the second stage will bring it up to 200.

The CHAIRMAN: Can the Attorney give a time frame?

Hon PETER FOSS: The most important time frame rests with the legislation. If the Opposition can say when the Bill will be passed, I can give a more realistic answer. The people of Western Australia would like 200 policemen to be returned to duty and doing what they are intended to do. I urge the Opposition to support the Bill, if only for that purpose.

The CHAIRMAN: Questions are flowing quite well, but I remind members to try to limit the preamble to their question. I am not suggesting that has not been the case so far, but it would help. If the answers are kept reasonably brief also, we can get through the maximum number of questions.

Hon JOHN HALDEN: I have a question on the same issue and if I ask that now, it might help with the consistency.

The CHAIRMAN: The procedure I intend to follow, which we sought to establish as a committee, is to allow questions to move through all members. I am keeping a list of when people indicate a desire to ask a question. That is the fairest way. I am allowing supplementary questions or a series of questions from members and some from the shadow Attorney General. I ask the member to wait for his turn. Although it may seem like a good time to follow up the issue now, if members jump in we may not get as far as we otherwise might.

Hon B.K. DONALDSON: I refer to the major policy decision listed on page 1092 and the forward estimates for DNA sampling, which remain constant. I am surprised that the forward estimates remain the same over that period. Will some of the contribution for leasing costs for computer replacement and upgrades go into the necessary infrastructure for the enhanced use of forensic procedures? Federal funding of up to \$50m has been promised by the Prime Minister to enhance the use of the CrimTrac program. Given that we will probably have a state database that will be linked to the national database, I am surprised that no allowance has been made for greater use of forensic procedures. If the government legislation is successful, there will be greater use of forensic science and additional costs, especially in the early stages. Perhaps the Attorney can explain whether some of the money in that block will be used in that area. I will be disappointed if that is not the case.

Mr McDONALD: The figure referred to in the forward estimates is the additional funding provided for our service, on top of a baseline figure of around \$400 000 which will be received from the Health Department. The present cost, through PathCentre, which is providing the service, is around \$800 000 for the 1998-99 financial year. As its allocation was only half that figure, it was seeking further funding to bring it to the out-turn for 1998-99. The accounting procedures in place within the agencies were such that the Police Service had to seek further funding to match the out-turn. That does not reflect the expenditure we expect to incur, but just the further funding being provided at this point.

Hon B.K. DONALDSON: Is there any additional capital funding? I realise there is the question of who will have the database but, given that the Police Service has a database of samples taken from various people, I guess that database will be held by the police. Is any additional capital funding allocated for 2000-01 onwards of \$12.3m and \$7m for the additional infrastructure needed to complement the national CrimTrac program?

Mr McDONALD: No. That represents the current service being provided. If there is an increase in use by the Police Service of the PathCentre, which is part of the Health Department, we would be expected to provide more funding. From the next financial year PathCentre will invoice our service for the use of PathCentre DNA assessment. It reflects the current level of service.

Mr FALCONER: In relation to the CrimTrac system, it will be a national system and the Commonwealth Government has come to the party with \$50m. There is no doubt that there will be costs well beyond that when this develops, if we get the legislation in this State. For example, based on experiences in the United Kingdom and elsewhere, we must spend time and effort retraining people. There is an expectation that we will handle more samples. That is predicated on the legislation being enacted in this State. All that the national system adds is a secondary repository where, it is hoped, all States will put their data, as they do with fingerprints. It is an extension of the national automated fingerprint identification system, which is also being rebuilt under the CrimTrac proposal. The \$50m is not just about the DNA database, but is about rebuilding the existing NAFIS database, which is staggering under its weight and age. There will be considerable costs to this and all other jurisdictions into the future, depending on the formula.

We know the benefits of the use of DNA technology in the national database. In this country the clearance rate for house burglary is between 12 and 15 per cent, and in the last figures it reached 18 per cent and people are critical of that. That is the best we can do in the current environment and with the existing legislation. The Brits are getting into low 40 per cent figures for what they call volume crime, such as burglary. In essence, it is because of the use of DNA legislation and technology. The other matter in which members may be interested is that in this State we are having discussions with people from the Chemistry Centre (WA) and also the pathology laboratory about an amalgamation with our forensic entity into some sort of statewide forensic laboratory whereby the current three disparate entities would somehow be joined together into a state forensic laboratory, which is something that other jurisdictions in this country and elsewhere have done long ago. That matter needs to be addressed, and the three relevant ministers, Hon John Day, Hon Kevin Prince and Hon Norman Moore, have had some discussions in principle about that matter.

[2.50 pm]

Hon DERRICK TOMLINSON: Could the commissioner explain that further, because I think I read in the Minerals and Energy portfolio -

Hon TOM STEPHENS: On a point of order, I wonder how that will flow into the way -

The CHAIRMAN: Order! If members have further questions, I ask that they take their turn. I am attempting to accommodate everyone here in the time available.

Hon B.K. DONALDSON: It is a simple question. The question I asked was: Is there an indication that Western Australia will enjoy some of that \$50m funding to enhance its database and to set up the procedures necessary for an enhanced CrimTrac program? Will Western Australia receive any funding out of this \$50m? Have any promises been made?

Mr FALCONER: That is debateable. Some assertions have been made publicly. I have been involved at the commissioner level and with the Police Ministers Council and I do not think much of that \$50m will trickle down into the state jurisdictions. I think we will have to look after our part at the tail end of the equation. Some funding will be available, but it is principally concerned with the rebuilding of the centralist entity that we will not only put into but draw down from - that is crucial to all of us - including that NAFIS rebuild. There will be something in it for us, but the Commonwealth Government will not be giving all of us a cheque that will pay our costs down at the end of the line.

The CHAIRMAN: I know that members are interested in that matter. However, I ask that we leave our questions and answers to specifically consider the budget estimates.

Hon MURIEL PATTERSON: I have two short questions. I am not sure of whom I should ask the first question. Has the Police Service received any financial or other reward for its ability to work within the budget allocations?

Mr McDONALD: We are pleased that this year Mr Langoulant wrote to the chief executive officers of public sector agencies and recognised the fact that those agencies that had been operating well financially and within their allocations would receive some reward. The Police Service, through the hard efforts of all of its people, has remained within its allocation. We have been advised, through Mr Falconer, that we will receive an automatic 1 per cent funding increase next financial year. That is something for which we are aiming and which we look forward to receiving.

Hon MURIEL PATTERSON: Has any consideration been given to subcontracting out, for example, part of the police licensing responsibilities?

Mr FALCONER: Perhaps I should ask for clarification of "licensing". However, the matter of saving police time was touched on earlier. With respect to transport, in some of the more remote areas post offices are now doing work concerned with licensing and services. We no longer have anything to do with drivers licences and registration in the main centres. However, there are still some remote areas in which we provide that service. Talks are taking place, and the intention is to shed some of those non-police functions which we historically carried out because in many places we were literally the only agency in the town.

Hon TOM STEPHENS: I refer to single police officer stations. I gave some short notice of this question. I gather, from the way it has been passed around, that there may not be an answer to this question and I may largely be putting this on notice in that circumstance. However, I would appreciate it if Mr Falconer could comment on this matter. In this coming financial year's budget, is there an opportunity to make an impact upon the single-person police stations that exist throughout the State? I want to make sure that there are no more than the nine that I have listed; that is, Yalgoo, Gascoyne Junction, Broomehill, Bencubbin, Dumbleyung, New Norcia, Dwellingup, Wickiepin and Trayning. I am interested to know the total area in square kilometres under the responsibility of each of those single-officer police stations. With respect to the nearest population centres providing backup police support to the single-officer stations, over what distance by road in each case is that support accessed? I am concerned that there are still some single-officer stations that are left in that situation, and I am anxious to see that within this current budget progress is made in shifting the status of those police stations. I am thinking in particular of Yalgoo. However, no doubt there are other stations in a similar category that should be made two-officer stations in double quick time.

The CHAIRMAN: Did you want to take that on notice?

Mr FALCONER: Yes, please. However, I have asked Deputy Commissioner Bruce Brennan to examine that matter. We had a discussion a few weeks ago after an incident in Yalgoo. The notion of upgrading every one of these stations to a two-person entity is not the same as always having two police officers attending to every call, because it just will not happen that way. In fact, if they are working effectively, they rarely should be on the same shift. The perception that adding an extra officer to these locations will mean that forever after they will work as a pair is not valid. I make that point in clarification.

The CHAIRMAN: Thank you for clarifying that. The questions are on notice.

Hon N.D. GRIFFITHS: Last week the Police Service was unable to give the electronic surveillance budget for the Bureau of Criminal Intelligence and Internal Affairs. Can that budget be given today; and if not, why not?

Mr PORTER: The response that I recall having given in the lower House estimates committee hearing was that we have not made our allocations to portfolios at this stage and those allocations should be made within three or four weeks. We are still in the situation that those allocations have not been made. Part of the process of our organisation is that once we have established our budget and considered the issues that we have to address, both operationally and for administrative requirements, together with the changed program that we have, the senior management component of the organisation considers the allocation for regions, districts, portfolios and the changed program. As I said, that will be done in the next three or four weeks.

The CHAIRMAN: That being the case, minister, is there some mechanism by which that information can be tabled in the House when it is available? Would it normally be made available?

Hon PETER FOSS: Certainly not within the timetable of which you are speaking. I think it would take about two weeks.

The CHAIRMAN: I was not considering that you would be able to do it within the time frame of this committee, but in due course would information normally be made available?

Hon PETER FOSS: We do not want to disclose certain aspects because we do not want people to know how much money we are spending on surveillance. It would not be very wise to tell the people whom we are keeping an eye on.

[3.00 pm]

Hon JOHN HALDEN: I refer to the proposed redeployment of 90 FTEs from the court security function to the private sector. A document tabled in the other place shows the figure to be 63 whole police officers. Could you explain the difference between an FTE and a whole police officer?

Mr FRAME: We talk about the concept of full-time equivalents when in effect we work on converting number of hours. An FTE equates to 52 weeks' availability. A part-time employee who works for, say, three days a week would be .6 of an FTE; someone who works for two days a week would be .4 of an FTE. I am not sure of the exact numbers in the data to which the member referred. However, if there were 60 FTEs, there may be 50 officers engaged full time on that function and another 40 or 50 officers who are engaged part time on that function. If we aggregated those parts, that would equate to 20 or 30 FTEs - or the equivalent of releasing full-time officers. It is an accounting measure by which we can equate the deployment of our resources.

Hon PETER FOSS: Some people will give up the job in which they are currently deployed. For instance, a person who ceases to be a court attendant will be reassigned. In some places a working police officer may spend part of his or her time transporting prisoners. We will not have a whole new person to reallocate. However, we will have that person's time to use on police work as opposed to transporting prisoners. In some cases there will be a reassignment of a person and in others there will be a greater availability of that person for police work.

Hon JOHN HALDEN: I still do not understand what is a whole police officer compared with what is an FTE.

Hon PETER FOSS: Let us consider a court attendant. A police officer who is a court attendant does nothing else but be a court attendant. When he ceases to be a court attendant he will be totally reassigned to some form of police work.

Hon JOHN HALDEN: Is that an FTE or a whole officer?

Hon PETER FOSS: He is a whole officer, because he has one job and he will be given a new job. On the other hand, another police officer, as part of his work - unfortunately, all too often a large part of his work - might work one day on

patrol and tomorrow night take a prisoner to another place. We will not be able to reallocate that police officer. He will remain where he is. However, he will not be spending days driving prisoners around. He will spend all his time on police work. A one-man police station is a classic example that was raised by the Leader of the Opposition. If the officer in a one-man police station must take a prisoner somewhere, it will have a major effect. If we stop him transporting prisoners he will still remain at that one-man police station but he will be able to spend more of his time on police duties rather than on court duties. He will not be a new resource to be allocated. However, he will spend more of his time on his principal job, which is running a one-man police station. This is very important, particularly in the north of the State. For example, the only place to hold young detainees is in Perth. Often we lose a large amount of police time escorting young detainees to Perth. When policemen stop doing that work we will have the same policemen doing their usual work in the north west, but doing more of it because they will not have to spend time flying to Perth with young detainees. We will not be able to reallocate that whole person, because he will stay where he is, but he will be spending more time on police work.

Hon JOHN HALDEN: If the Government intends to redeploy 63 whole police officers, how is that different from the 90 FTEs? A comment was made earlier about the person-hours that they work. What is the difference between the 90 FTE person-hours and 63 whole police officer person-hours?

Hon PETER FOSS: A whole police officer is a physical officer whose job will be totally lost under the core functions proposal. In other words, the job that he currently has will no longer exist for a policeman. Police officers will no longer be court attendants. They will become available to the Police Force for reallocation to totally different duties. On the other hand, many policemen who work part time do other work which is not police work, and their time will become available.

Hon MARK NEVILL: The Crime Research Centre was critical of the Western Australia Police Service for its high level of non-recording of victim information such as age, race, sex, relationship with offender etc. Given that the offence information system is the sole source of reported crime used by the Crime Research Centre, what is being done to address the issue?

Mr McCAFFERY: It refers to the fact that some of our systems are antiquated. All the information that the Crime Research Centre seeks is probably within our systems. The problem lies in our ability to recover that information. We anticipate that the Delta communications and information technology program will facilitate that. We have formed strategic alliances with the major research areas of Curtin University of Technology, Edith Cowan University and the University of Western Australia. In particular we are working with the Crime Research Centre on a monthly basis to resolve all the issues which have been raised. In the main it is an issue of new technology which we are currently starting to roll out.

Hon PETER FOSS: The police are working with the Ministry of Justice on this matter. It is obvious that there is a tremendous amount of re-entering and lack of information due to lack of access to each other's systems. We are working on a system which will give appropriate access to the various people so there will be instant availability of appropriate information and we will be able to use that backwards and forwards between both the justice system and the police system. At the moment there are inordinate delays in getting information from one to the other, often of a vital nature in terms of responding to things that have happened.

Hon MARK NEVILL: Was the position of deputy commissioner administration offered to private sector administrators or managers or was the person selected from within the Police Force?

Mr FALCONER: A civilian officer was appointed as director of administration, because I had long held the view that that position could be tackled by a civilian staff member. We tried it and found much of the activity that was required in the administrative side of the organisation necessitated police knowledge. I am not criticising the individual, but we found that the then executive director was spending one-third of his time waiting to see me or the deputy commissioner operations about policing elements of what he was expected to deal with. I was forced to do a U-turn on the thinking I brought with me because that was not succeeding for us. The position of deputy commissioner administration was advertised nationally. It is now working excellently.

[3.10 pm]

Hon MURRAY MONTGOMERY: I refer to page 1096 and the other references made in the *Budget Statements* wherein it refers to Safer WA and the initiatives in partnerships. Local communities have set up committees that work through the community aspects of that. Can the commissioner explain whether those community groups are able to access those funds directly or be given those funds directly, or do they need another body to gain access to those funds which have been allocated to do this work?

Mr FALCONER: The funds are allocated through the Safer WA Council, which comprises me and a number of other CEOs as well as people from the community. It is a requirement at the local level to make applications for the several funds that are already in existence. That is now being addressed by a subcommittee of the council, which will bring it back to the next council meeting. The intention - I have said this all around the State and meant it - is that we must allocate the funds to appropriate projects. There are some limits; one portion of the fund has up to three years' recurrent funding - in other words, continuing through the program - but many of the others are one-time allocations. My view is, unashamedly, that they are for imaginative appropriate initiatives that are supported by the local community that may get one-off funding. If they are workable and are achieving good things, the local community will ask service clubs and other people, commerce and so on, to maintain them. That has been extremely successful. A mechanism is in place and money is available, but as I have said again all around the State, it is not about money; it is about the integration of existing government agencies' activities, and it is about involvement of local government. May I say - I have said this in Canberra at an Australian Institute of Criminology seminar - that my belief is based on my prior knowledge in the past five years and what is currently happening

in Australia. We have a higher level of acceptance at local government level in Western Australia of its role in safety and security. That is very significant. Now that we have added the other formula of ensuring that senior representatives of the key government agencies - not just police and justice, it is much broader than that - are attending at these various local levels and participating, it is not simply a demonstration to the community that it is a team approach but that these entities and ourselves are invariably dealing with many of the same people. We have many resources between us; we have much brain power and capacity between us, but what has been lacking is cohesion, and sometimes simple cooperation. I believe - again, I have said this in Canberra in the presence of many people from around this country - that this entity we have tapped into is not new. These committees have been around for a long time, but we have added other elements of support and coordination. Western Australia has the best model in the country. It is starting to kick in now and it must continue.

Hon GREG SMITH: I refer to dot point 5, major initiatives, on page 1096. Is the specialist security support that is being provided to the New South Wales Police Force in the planning for the 2000 Olympic Games being provided at cost or is it hiring or buying specialty services officers?

Mr McCAFFERY: There is no charge for that specialist service.

Mr FALCONER: To the best of my knowledge, unless things have changed in the past couple of weeks, our component to the Olympic Games was to supply a small number of five or six from our TRG to assist with security issues. Other than that, we have a large commitment to the torch relay. That is a much bigger thing than people realise and we are well into the planning stages of that.

Hon GREG SMITH: I refer to page 1115 and the capital works program. I note the very comprehensive list of police stations that we have had to rebuild and refurbish, and I am aware of others which are not on that list that have been done previously. How many police stations had to be completely rebuilt or refurbished in the past six years, and what sort of condition were the police stations in when the Liberal Party came to government six years ago, because we appear to be consistently building police stations?

Mr JONES: It is fair to say that the police stations stock for the Western Australia Police Service was in a state that would not be occupied by other public sector standard employees. Over the past six years we have been able to complete in excess of 21 police stations. We have another six to complete which include major district complexes at Cannington and Mirrabooka. It also includes some work that is going on in places such as Geraldton and Bunbury which are major district complexes, and a number of other police stations throughout the State. This financial year, an acknowledgment has been made that support and systems must be provided for a new facility at South Perth and Victoria Park, as we believe we can combine those stations into a single site, and to upgrade the Kellerberrin Police Station. The Police Service occupies approximately 170-odd sites across the State. A significant number of those are in a state that requires substantial ongoing maintenance and/or upgrading and/or replacement. There is a recognition in the growing suburbs to the north and south of us that policing activity is required at a higher level than what we currently provide.

The CHAIRMAN: Do you have a completion date for the Rockingham Police Station? I happen to know that one of the local members down there is interested.

Mr JONES: We hope to complete it in December this year or January next year.

Hon KEN TRAVERS: I have some questions about the user of the Delta communications and information technology. Firstly, are the information services that that project is intended to pick up currently provided and maintained in-house? Secondly, what information systems, databases or records will be included under the DCAT project? Is it proposed that the private sector will take over the management and maintenance of those systems?

Mr CRANNAGE: The DCAT program contains essentially three components. The first is about police staying in business - the year 2000 remediation - and a component of that year 2000 remediation was the implementation of a resource management information system. That replaced some of our supply and accounting systems. That is the SAP application for which the WA Police Service has no expertise. It is currently a very common implementation around the world, but not many large organisations seek to maintain the level of expertise required to run the application. Our RMIS system is one which has been recently outsourced. That is the only major outsourced application under the DCAT program thus far. Our network project is rolling out between August and December this year to deliver new network services, which includes new workstations. The help desk and the service and maintenance of those are intended to be outsourced; however, there is still a component to be maintained in-house which will administer the security of the network, the password administration and those aspects that would not be appropriate to outsource. In terms of the middle component of DCAT, the frontline policing systems, we are looking to implement a number of clever applications. We are focusing on one which is an electronic court brief system. It is intended that that will reduce significant operator downtime while they are typing up court briefs. The plan is to be able to move that information seamlessly to the Ministry of Justice, thus reducing the amount of workload in that area as well. The implementation of CADCOM, our call taking and computer-aided dispatch system, is very close. We are in the final stages of selection for that service, including the mobile data terminals, digital radios and automatic vehicle location systems, as well as a computer-aided dispatch centre. The service and maintenance of those systems will be outsourced, but the computer dispatch facility will be managed by WAPS personnel.

[3.20 pm]

Hon NORM KELLY: I refer to page 1116 and the capital works. What will be the cost of the state forest land at Joondalup required for the police academy?

Mr JONES: I cannot provide that information at this time. The site selected at Joondalup has a number of owners:

LandCorp; Edith Cowan University; North Metropolitan College of TAFE; and the Department of Conservation and Land Management, which owns the state forest. I do not have the details of the proportion of land owned by each entity. We have not finalised the price at which we will purchase the site; that is currently under negotiation. I will be able to provide that information when the site has been put together to be sold. At that time I will also be able to provide information about the sale price and the relevant CALM component.

Hon NORM KELLY: I would like the questions about the ownership proportions and the purchase price placed on notice.

Mr JONES: I can provide the information about the CALM proportion, but I cannot provide information about the value of that land until negotiations have been completed.

Hon NORM KELLY: Does the budget contain an amount for the land purchase?

Mr JONES: An amount is mentioned, but the price sought is significantly different from what we are prepared to pay.

The CHAIRMAN: The question about the proportions of land will be placed on notice.

Hon NORM KELLY: The estimated cost of the police academy has increased from \$35m last year to \$45m this year. What is the reason for that almost 30 per cent increase? That is the reason I asked what proportion of that \$45m will be spent purchasing land.

Mr JONES: The land price is a significant component of that increase. However, there has been some variation in the scope of the academy from what was originally proposed; there have been some additions. That amount reflects a more concise requirement on the part of the Police Service.

Hon NORM KELLY: I place on notice the request for a breakdown of the \$45m estimate.

The CHAIRMAN: Can that information be provided?

Mr JONES: I am not sure about the essence of the question. Does the member want information about the land cost versus the construction cost?

Hon NORM KELLY: I want information about the various components of the construction, the price of the land and so on.

Mr JONES: I can provide some information about construction costs and professional costs, and an indication about the provision for the land. However, at this stage, until the land issue has been resolved, it is difficult to provide accurate information.

Hon PETER FOSS: If the member understands that the information is only an estimate at this stage and it is not given any greater significance than that, it can be done.

Mr FALCONER: I received a letter two days ago from the Commissioner of the Australian Federal Police stating that the Indonesian Government has approached the AFP requesting that a group of Australian training officers visit Indonesia because it is interested in training. Edith Cowan University, our partner at Joondalup, has affiliations with Malaysia and Singapore. It is not commonly known that the People's Republic of China is trying to make significant changes towards a British police officer system away from its militaristic system. Many opportunities will flow given our standing and the relationship already existing between tertiary institutions in this State and these nearby Asian countries. I will not be here, but I hope to see senior officers from Asian countries visiting this State.

The Scottish Police College at Tulliallan, which is involved in a twinning program with the WAPS, is involved in training with European police agencies - most of which have English-speaking officers. As a result of that connection, we hope to have visits from senior officers from those countries and vice versa.

Hon NORM KELLY: It is understood that the available information about that total cost will be provided. I am happy to pursue that later depending on the answer.

The CHAIRMAN: We are approaching the last half hour of this session and we are making good progress. Many members want to ask questions, so I ask members to keep their preambles brief and witnesses to keep answers to the point. The information is appreciated, but we want to get as much information as we can in the limited time available.

Hon DERRICK TOMLINSON: I wish to return to the matter on which I was trying to get the commissioner to elaborate when the Leader of the Opposition properly raised a point of order; that is, the collocation of the Chemistry Centre and the PathCentre. I refer to *Budget Statements*, volume 1, budget paper No 2 at page 157. The following statement appears -

A 'Memorandum of Understanding' has been signed with the Western Australian Police Service and PathCentre for the collocation of the Chemistry Centre (WA) and PathCentre's Forensic Biology Laboratory to the proposed operational support facility at Midland. This would collocate and improve Western Australia's forensic science services.

Is the cost of the collocation of those two independent laboratories incorporated in the estimated capital cost of building the new facility at Midland? Even though they will be collocated, will they continue to be independent or will PathCentre's forensic biology services be under the direct authority of the Police Service?

[3.30 pm]

Mr JONES: The memorandum of understanding has been signed. It articulates the working arrangements that might apply

should the various authorities locate to the operational support facility site at Midland. We are at only a very formative stage, so it is difficult to talk about the shape of this relationship in the future. We have entered into discussions and have made some high-level agreements about the way in which that relationship might work. At this stage it is very early days to make some statements as to whether there will be a single authority or whether they will stay as independent organisations. We see some synergy in their being on a single site where information and, perhaps, facilities can be shared.

Hon PETER FOSS: When I was the Minister for Health I tried to hand the forensic side to Justice because it seemed to be inapplicable for it to be in the Health area. Although it did the same things as Health, it operated totally separately from the rest of the PathCentre. There appeared to be certain synergies with part of the chemistry laboratory, but not all of it. There are opportunities for a facility to be sited there, whether as a partnership, a joint venture, an amalgamation or a totally new authority. It makes a lot of sense.

Hon DERRICK TOMLINSON: I agree that there may be synergies, but the experience elsewhere, in particular in the United Kingdom, suggests there is good sense in separating forensic pathology from criminal investigation. One will serve the other, but for the integrity of evidence, there is good sense in maintaining the two.

Hon PETER FOSS: That is why I offered it to Justice.

Hon DERRICK TOMLINSON: I still think there is a problem there.

Hon PETER FOSS: The courts may disagree with the member on that.

Hon DERRICK TOMLINSON: I am more interested in the separation or integration of it within the Police Service.

Hon PETER FOSS: I understand that. We are responsible for running the courts, and I think they would take exception to the suggestion that they are not independent.

Hon DERRICK TOMLINSON: The courts probably would, but it is question of the independence of the evidence gathered through forensic pathology that I am concerned about.

The CHAIRMAN: I do not know whether this issue will be sorted out today. If the commissioner can do so in a few words, I ask him to proceed; otherwise, the committee should move on.

Mr FALCONER: To the best of my knowledge the director of the National Institute of Forensic Science and the directors of the state forensic laboratories in this country - I know them all - are not as frightened about being connected or working with the police as is either the minister or Hon Derrick Tomlinson. I am sure we will have a healthy debate when we get to the point of deciding where this facility is to be located. The integration is essential. The way it is working is not a good system.

Hon BARRY HOUSE: Will any Western Australian police officers be serving with the United Nations force in East Timor?

Mr FALCONER: There has been no request for that from the Commonwealth Government, which would come to the State Government. Even informally, having been in the company of Mr Palmer, the Australian Federal Police Commissioner, last week, it appears that the AFP will be doing that by itself on this occasion.

Hon BARRY HOUSE: I am aware of a proposal to outsource the forensic service that would be made available to the members of the Police Service at Bunbury. It was investigated and rejected, I understand. Why was it rejected?

Mr FALCONER: Given that all the officers are shaking their heads, indicating that they do not know, we will have to take that question on notice.

Hon BARRY HOUSE: Can a completion date for the Bunbury police complex be estimated? Will there be any change to the operational staff?

Mr FALCONER: At this stage, the year 2000 is the estimated completion date. The schematic design has just about been completed. All of the relocations or refurbishments have been done in conjunction with operational police officers; therefore, they have no impact on the operational activity of the district. We anticipate that will continue to be the case.

Hon PETER FOSS: That is, apart from being a much better place to work in and, therefore, providing a better operation.

Hon MURIEL PATTERSON: What is planned for the replacement of the Albany Police Station and police complex? We have been looking forward to it, and I am sure the Police Service in Albany has been, too. Are there any future plans in this area?

Mr JONES: No provision has been made for the replacement of the Albany Police Station within this year's capital budget. We have been working with the Ministry of Justice on potential collocation opportunities. It would be very premature to give an indication as to when that facility will be replaced.

Hon PETER FOSS: There is money in the Justice budget for that study, which specifically takes into account the relationship between the police and the station requirements. All the justice sentences are done in conjunction with the police. Generally speaking, we can get significant efficiencies by their being collocated.

Hon MURIEL PATTERSON: I refer to the hours of emergency management and training mentioned on page 1103. With the increased incidence of floods, cyclones and other natural disasters, have sufficient resources been allocated to that area - before the next flood?

Mr FALCONER: The short answer is yes.

Hon CHERYL DAVENPORT: During the debate on the 1997 Restraining Orders Act there was a lot of talk about the need for a change in police culture. I continue to receive complaints through my office, particularly from women, about the response from police to complaints that involve breaches of restraining orders as a result of the incidence of domestic violence. I have no idea where to find this information in these budget papers. What training budgets are available, particularly for middle management police who action the call-outs in response to such breaches? Is the training centralised or decentralised around the metropolitan area, and what is the ongoing provision of training programs for all police?

Mr FALCONER: First, I refer to training for domestic violence issues. At least three years ago we sent a team around the State to educate officers in how to deal with this matter. With the greatest of respect to the member who asked the question, it is not middle managers who are allocated to go to domestic violence incidents or take out the appropriate intervention orders, but rather front-line operational police officers. I and others have conceded publicly that we have been changing the culture and that that is one thing that must change. Once upon a time we were told to go in, split up the combatants, and tell them that if they played up again, we would come back and somebody would get locked up. We have travelled a long way from there. District training officers are in situ in every region in the State. Originally we sent a couple of people, one of whom was a policewoman who went overseas on a Churchill Fellowship on this matter, but who has since been promoted to another area and replaced by another female police officer. These officers are in a central location. The availability of the information on training, the legislative requirements and the cultural change have been promulgated through the agency.

Having said that, I cannot provide the number of orders that have been taken out, but I know they have increased. The minister has raised this issue with me before, and it has been raised with the Justice Coordination Council. I am happy to take that question on notice and to provide the existing statistics. If people are dissatisfied with some areas, we are more than happy to be advised of those instances so we can look at them and attempt to correct attitudes or responses if they are not appropriate.

[3.40 pm]

The CHAIRMAN: That part of the question is taken on notice. Standing orders require that questions relate to the budget estimates 1999-2000 or to the content of the department's annual report. Domestic violence is covered under page 50 of the annual report of the traffic and operations support portfolio.

Hon N.D. GRIFFITHS: Throughout the *Budget Statements*, reference is made to surveys. What is being spent on these surveys by the police? What is next year's budget for surveys of community attitudes?

Mr McCAFFERY: As a matter of course the Police Service conducts a large number of surveys. A number are for the outward based management models from which we gather information to assist us in carrying out our business. Many surveys are carried out by the Australian Bureau of Statistics under the auspices of both state and national departments off which we feed. There is no direct cost for accessing that information. I will take on notice the question concerning the cost of our conducting a survey.

Hon PETER FOSS: The whole idea of outcomes based on outputs, which is the case with many, is important to give people an understanding of what agencies are doing. However, a significant compliance cost is involved. I do not begrudge that; it is a good idea, but by no means should anyone underestimate the cost to agencies of satisfying some of the accountability requirements of the Financial Administration and Audit Act to measure those outputs and outcomes. It often involves actions that would otherwise not be taken by the agency.

Hon N.D. GRIFFITHS: Is there a media unit as such? What is the budget allocation for that activity?

Mr FALCONER: Yes, there is a media liaison and public affairs unit. We will take on notice the question of the budget allocation.

Hon JOHN HALDEN: I refer to the core functions unit and the 90 FTEs or 60 whole police officers - whether the figure is 90 or 60 is not the point. I understand that the Chief Justice is opposed to the move to outsource this function. I also understand that at a meeting of the core functions unit, I presume Mr Mel Hay, representing the Police Department, said that there would be a continued police presence in the courts. If this service is outsourced what level of FTEs or whole police officers will remain in the courts?

Mr McCAFFERY: My information from the Chief Justice is that he is not opposed to the Ministry of Justice taking over this function from the police. However, he is concerned about the ability for police to respond if an incident occurred in the court that was outside the realm of the Ministry of Justice or whoever was chosen to carry out the function. A number of meetings have been held with the Chief Justice who I believe is developing a level of satisfaction about how that service will be delivered.

Mr FALCONER: In earlier discussions on this matter it was proffered that a court security unit would be under the protective security group which, among other things, has a tactical response group. No more than half a dozen people would be involved. It would operate in the event of the need for a secure court or a case involving offenders and cohorts that was a matter of concern to the justice officials. The police could either be there or, if a duress button was activated in a court environment, sworn, fully equipped police officers would be available at short notice. It would be a small, specialist unit.

Hon PETER FOSS: Part of the concern was the notion that private firms would be employed. We have assured the courts that will not be the nature of the contract and we do not propose to get one of Perth's security firms to do the work. The

people recruited would be much more professionally attuned and might have a higher level of qualification for many of the positions than would the police. As they are not core functions the best people are not necessarily put in charge. If we contract out the work, we will be able to ensure a high quality of response because it will be a core function for the people undertaking it. I think that has been of great reassurance to not only the Chief Justice but also the Chief Judge.

Hon RAY HALLIGAN: At page 1091 one of the significant issues and trends is the unfortunate, large increase in road fatalities between 1997 and 1998. Mention is also made of alleged admissions by drivers regarding the consumption of alcohol and speed. Can you expand on the possible causes of these fatalities and give some indication of what is being or may be done to reduce those fatalities? Is there any correlation between those causes and the statement that Western Australia has the highest seat belt usage of any State or Territory?

Mr FALCONER: We were somewhat rattled by that statement. The answers to questions about whether people wear seat belts is based on an honour system. Although it is claimed that we have a high wearage factor, in the 1998 calendar year about 32 per cent of our road fatalities involved a non seat belt element. Like everyone else, we know what are the causes - speed, alcohol, not wearing seat belts and fatigue, and sometimes all of the above or another combination of the four. It is not always only one of those factors. Those are the matters on which we must continue to focus.

Hon MURIEL PATTERSON: What about drugs?

Mr FALCONER: Although research has been done, it was not in this jurisdiction. Drugs other than alcohol are not as high a contributing factor as many people believe; nonetheless, they are a factor. Cannabis is very difficult to detect. Some people smell of alcohol but are more intoxicated than their reading indicates. Often our operators suspect some other substance is at work. Work is being done overseas and in other parts of this country on screening devices. Screening devices for non-alcoholic substances that can be used on the side of the road are not available. It is not a huge problem. In this State in which there are long distances, fatigue is undoubtedly a big issue. We should focus on speed, seat belts and drink driving, which tend to be more readily accepted by the public. As we know from daily howlings at the moon, it is obvious that enforcing the speed limits is a very sensitive issue, yet it must be tackled.

Hon PETER FOSS: A large number of offences that go through the courts involve multiple offences of driving under the influence. Those people have always been on the roads, but the good thing is that police enforcement through the booze buses is now picking them up. People are also picked up after their licences have been confiscated, because they do not learn. They hop back in their cars without licences, drive straight past Multanovas and are picked up by the police. Increased enforcement is picking that up. Obviously drink driving is a big problem in Western Australia. We will need to tackle it fairly seriously.

[3.50 pm]

Hon KEN TRAVERS: I notice that a proposed commencement of construction date of some time in 1999-2000 is given for the new police academy in Joondalup. Can you provide a more specific time for the commencement of construction? When is it anticipated that construction will be completed?

Mr JONES: We anticipate being on site in late August this year to do forward works. At this stage we expect to complete selection of the contractor for the construction by the end of this year. We expect construction to commence in January of next year. The anticipated completion date is 28 February 2001.

Hon N.D. GRIFFITHS: They say that that will be the election date - December 2000, January 2001.

Hon B.M. SCOTT: In 1995 I had the privilege of making a recommendation that two-thirds of the revenue raised from traffic infringements be directed to the Office of Road Safety. Programs such as appointing a skipper were extremely successful. The majority of young people are responsible in the sense that they appoint a skipper. Programs which highlight the need for lower alcohol content, lower speed and wearing seat belts are supported by high profile media campaigns, but does the Police Service believe that more of this infringement revenue would be useful if it were available?

The CHAIRMAN: I will direct the question to the minister in the first instance as it touches on policy. He may ask the commissioner to respond, but it is a policy matter.

Hon PETER FOSS: The person who probably most loathed hypothecated revenue was Hon Joe Berinson. Hardly a day went by without him condemning it.

Hon KEN TRAVERS: You are going to avoid the answer.

Hon PETER FOSS: No, but the problem with hypothecated revenue is the failure to consider the budget as a whole. No single section of any minister's portfolio would not operate better with more money. It would be nice to have that money but whether we would get value for it is questionable. It is a bit of a silly question. I am sure we could do with more money. However, that money needs to be taken from somewhere else and we really need to address the underlying causes of drunkenness. Good drivers are beginning to respond very well to these campaigns. What we are seeing now is a core of people with serious addiction problems. We are getting not only the one-time 0.05 or 0.08 offenders but also people with multiple charges for driving under the influence. The biggest difficulty these people face is that, regardless of what they want to do, they cannot stop themselves drinking and they have an irresponsible attitude to drinking and driving. We will need medical programs to deal with those drivers. Their irresponsible behaviour on the roads is sufficient to justify jailing them, but that is not a long-term solution to the problem. I would rather spend more money on those programs than ones which teach people responsible action; that message is getting through fairly well.

Hon B.M. SCOTT: Does the minister, in his capacity of representing the Minister for Police, feel that the revenue from traffic infringements - which is in excess of \$50m, up from \$20m four years ago - should be directed to the Office of Road Safety or to the Police Service? The program I identified was highly successful. Who should be directing that program? The Police Service is represented in the Office of Road Safety and we need to see more efficient and effective promotion of the messages about speeding and drugs that alter the speed and driving culture of the community.

The CHAIRMAN: The issue the member has raised is a matter for debate and we may not be able to bring it to conclusion here. However, if any of the witnesses have a quick comment which might be helpful, I will allow it, but please be brief.

Mr FALCONER: More than a third of the fines revenue should go to combatting road safety issues in Western Australia.

Hon B.M. SCOTT: Two-thirds or one-third?

Mr FALCONER: I said more than a third. It is currently one-third. Prior to the creation of the Office of Road Safety I was the Chairman of the Traffic Board of Western Australia and this was discussed at one of the first meetings.

Hon NORM KELLY: Much mileage has been made out of the estimated 50 per cent increase in revenue from traffic infringements to be received by the Department of Transport. Page 1101 of the *Budget Statements* provides only vague indications of police targets for the upcoming year in the relevant output measures. It simply says that hours of speed-related operations will be greater than estimated for this year. Is the estimated increase in revenue related purely to the increase in hours of operation, particularly of Multanovas, or is it a reduction in the level of tolerance above the speed limits? It has been suggested that the tolerance be reduced from nine kilometres above the limit to five or fewer kilometres. Is it a combination of those factors? I would like to know how that estimated increase in revenue was determined and why no more accurate estimate of targets for the upcoming year is identified in the *Budget Statements*.

Mr McCAFFERY: We do not set a direct correlation to last year's achieved number because traffic management is the responsibility of the 16 district officers throughout the State. We attempt to keep the numbers up but if those officers have other priorities and traffic issues are not generally a problem in their areas, they will redirect their duties. We feel it is inappropriate to set an exact percentage. Each year we repeat what we did in the previous year and try to improve our achievements in our role of traffic management in conjunction with other state government authorities.

Hon NORM KELLY: That does not completely answer my question about how the increase in revenue has been calculated. Why has a 50 per cent increase in revenue been calculated?

Mr McCAFFERY: The Police Service does not control the revenue from the traffic fines.

Hon NORM KELLY: I thought the Police Service would have input into the fines expected to be issued by it.

Mr McCAFFERY: That is not a role of the Western Australia Police Service.

[4.00 pm]

Hon MARK NEVILL: When do the Police Service and the Ministry of Justice expect to finalise the protocol on assessing the risk of escapees? When people escape from a minimum security prison, they are usually described as highly dangerous, yet when a highly dangerous prisoner escaped from the police at the Fremantle court recently, it was passed off as being just another minor incident. When will that be finalised, because two different pictures are being painted?

Mr FALCONER: Yes, there are, and generally it is the other way around. The Ministry of Justice generally says when it loses them or they walk out, which is the descriptive term used these days, that the police up the ante.

Hon MARK NEVILL: That is my impression.

Mr FALCONER: I hope the member is not suggesting that is a conspiratorial activity. Our people on the ground who have much more authority now to speak on these matters from an operational perspective sometimes look at the antecedents of people when they escape, and although they have prior convictions for violence, at the time they are being phased out towards the front gate for release. We know that at times our officers look back at some of the early crimes of these people and say that a particular person is dangerous. We are trying to arrive at a proper process whereby we agree on which people are dangerous. However, I believe that we are obligated in the main to say that escapees are potentially dangerous and that citizens should not attempt to apprehend them but should call the authorities.

Hon PETER FOSS: Part of this problem will be overcome by the exchange of information. At the moment the police do not have very good information on a person's history. If somebody has been in jail for 15 years, the only information the police would have on their computers is why he went into jail 15 years previously. We hope that once we have this exchange of information the police will have a pretty good idea how that person behaved in jail.

The CHAIRMAN: Thank you for that explanation. Our time has expired. I thank the minister and witnesses for attending today. This session is now closed. However, as the commissioner is departing Western Australia in a few weeks, this may be the last opportunity for my colleagues and I to wish him all the very best in the future. I am sure that he will miss us this time next year. Good luck in Victoria to you and your family.

Mr FALCONER: Thank you very much.

Sitting suspended from 4.02 to 4.15 pm

Division 58: Justice, \$364 619 000 -

[Hon Mark Nevill, Chairman.]

[Hon Peter Foss, Minister for Justice.]

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

[Mr R. Foster, Executive Director, Court Services, Ministry of Justice.]

[Dr R. Fitzgerald, Executive Director, Policy and Legislation, Ministry of Justice.]

[Mr R. Harvey, Executive Director, Offender Management, Ministry of Justice.]

[[Mr T. Simpson, General Manager, Prison Services, Ministry of Justice.]

[Mr T. Keating, Director, Juvenile Custodial Services, Ministry of Justice.]

[Mr C. Murphy, Acting Director, Financial Management, Ministry of Justice.]

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

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

[Mr C. Smith, Director, Aboriginal Policy and Services, Ministry of Justice.]

[Mr D. McDermont, Police-Justice Core Functions Project, Ministry of Justice.]

[Mr K. Harrison, Strategic Communication Consultant, Ministry of Justice.]

[Mr K. Bradley, Public Trustee.]

[Mr P. Manning, Acting Registrar of Births, Deaths, Marriages.]

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

[Mr B. Warner, General Manager, Operations, Legal Aid Western Australia.]

[Mr R. Lindsay, Acting Director, Legal Aid Commission.]

The CHAIRMAN: On behalf of the committee I welcome members to today's hearing. Government agencies and departments have an important role and duty in assisting the Parliament to scrutinise the budget papers on behalf of the people of Western Australia, and the committee values that assistance. It will greatly assist Hansard if, when referring to the *Budget Statements* volumes, the consolidated fund estimates or any other document, members give page numbers, items, program, amount and so on in preface to the question. If supplementary information is to be provided, I ask for cooperation in ensuring that it is delivered to the committee's advisory/research officer, Mr Michael Smyth on my left, within five working days of receipt of the questions. An example of the required Hansard style for documents has been provided to ministers' advisers.

I remind those members of the public in attendance that only accredited media representatives may take notes. However, full Hansard transcripts will be available to the public within a week of the close of these hearings. The committee reminds agency representatives to respond to questions in a succinct manner and to limit the extent of personal observations. For the benefit of members and Hansard, I ask the minister to introduce his advisers to the committee and for each adviser to please state their full name, contact address and the capacity in which they appear before the committee.

At this time I also ask each of the witnesses whether they have read, understood and completed the "Committee Hearings Information For Witnesses" form. Has anyone not understood the material on that form and signed it? Everyone has done that. Do all witnesses fully understand the meaning, effect and provisions of that document? No-one has indicated they have not; therefore I presume they have.

Hon PETER FOSS: I did write to the committee about whether the Freedom of Information Commissioner and others who come under my portfolio but are not strictly speaking within the definition of Justice would be required. I have not therefore brought them along.

The CHAIRMAN: We will have to rely on the minister to answer those questions.

Hon PETER FOSS: I was unsure whether to include them. If they are told that they are part of the Justice portfolio, they will object considerably because they say they are independent officers responsible to Parliament rather than officers within my portfolio.

Hon MURIEL PATTERSON: What system for drug management in our prisons does the Ministry of Justice have to prevent drugs being brought into the prisons?

Mr SIMPSON: The ministry has developed a comprehensive drug management strategy. We have already implemented a number of initiatives and intend to implement more in the next 12 months. They include immediate access by health professionals to offenders on reception into prisons to test for drug problems and trialling of passive alert dogs as a means of detecting drugs being brought into the visitor area of prisons. That trial has proved to be effective and is a strategy that we intend to expand. Other initiatives are the development of detoxification protocols for common drug groups and far

closer screening of visitors suspected of engaging in drug trafficking into prisons. There have been a number of joint operations with police, both in the car parks and visitors' areas which have been successful in detecting attempts to bring drugs into prisons. Another related issue has been the pilot of the naltrexone program in Bandyup Women's Prison and the efficacy of that approach in reducing the demand for drugs by prisoners. We will adopt other strategies in the next financial year, one of which will be the development of a comprehensive receipt and assessment program for prisoners, with far better assessment of drug related issues. As part of a review of the management of prisoners, a hierarchical system of privileges will be implemented that will be dependent on prisoners being drug free to move into the upper areas of privileges. As I said earlier, we intend to extend the use of passive alert dogs which has been found to be effective in drug detection in visitors' areas. We intend to pilot the use of dermal patches as a means of detecting drug use by prisoners themselves and to introduce a range of new programs for prisoners as part of a management regime that will integrate programming with overall prisoner management. In broad terms that is a multifaceted approach that is aimed at preventing drugs coming into prisons, attempting to reduce the demand by prisoners for drugs and also strategies to address some of the underlying problems that lead to drug use in prisons. It is considered that by attacking the drug use problem on these three fronts, we can achieve considerable success in this area.

Hon PETER FOSS: One of the things that the Government has become aware of, and is addressing, is that it was all too easy to detect some drugs. Most people are aware that, for instance, marijuana remains in the body for a considerable period of time after it has been consumed; whereas other drugs disappear from the body in a much quicker period of time. It was all too easy to find the easy-to-detect drugs which it was feared would have the effect of encouraging the usage of other drugs because people could use them undetected. Until such time as we adopt the use of drug detection patches which constantly monitor all drugs and are able to detect them by reason of being able to track back through the various breakdown components of those drugs, we cannot really have continuous monitoring. Continuous monitoring makes a significant difference to being able to detect those drugs. It is very expensive to conduct time-to-time type blood tests and they are therefore not a practical method of drug detection. If we concentrate on where we believe the real problems lie, and certainly with amphetamines and opiates in the prison detection would be considered as difficult, and have less concentration on the ones that we think would force people into those, the new policy is likely to pick up that detection effectively.

Hon N.D. GRIFFITHS: At page 723 of the *Budget Statements* reference is made to the opening of four new district courts. That reference concludes with the words -

This will result in earlier than expected payments to private practitioners.

The next dot point refers to a trend towards tougher penalties which will result in more persons qualifying for aid under existing eligibility guidelines. Why is the allocation to legal aid in the amount that it is?

Hon PETER FOSS: As I have indicated before, I sincerely hope that there will be improvements in efficiency within legal aid. One other thing that has been beneficial to legal aid is the change to video conferencing with remands which has, as far as I can determine, freed up many of the services at the Central Law Courts. The process of going to and from cells, checking on people there and taking instructions from them was very time consuming. The reports I have from the Criminal Lawyers Association indicate that the changes we have made with video conferencing have resulted in a tremendous improvement in efficiency. I sincerely hope that some of the other means of efficiency that we have identified with the Smith committee will be implemented by the Legal Aid Commission. That will also assist. A lot of these matters are of course merely cash flow rather than extra costs. The Legal Aid Commission has substantial reserves.

[4.30 pm]

Hon N.D. GRIFFITHS: On page 727 a number of time lines are given for the various courts and reference is made to the target. The Family Court has various standards. The estimated percentage of cases dispensed with within the time standards with respect to that jurisdiction for this financial year are 50 per cent and for next financial year 50 per cent. That seems far below any given figure. What are those various standards? Why is it that the target set for the Family Court is 50 per cent?

Mr FOSTER: The various time standards across all jurisdictions are set by the court. I have not got with me what they are in each particular aspect of the court's work. They vary over the whole range of applications which might be before the court, and can vary quite considerably depending on the nature of the application. The court determines its own standards. Whether a standard is reached is also a matter for the court to determine. I do not think I can take the matter much further than that.

Hon N.D. GRIFFITHS: May I have the first part of the question on notice so that I can be advised of what the time lines are? I take it that you do not know why they fail to meet the standards faster than they should do.

Mr FOSTER: The court is going through a sort of crash program at the moment. It is dealing with a backlog. I can only speculate that the reason these standards are being met by only 50 per cent relates to the backlog which the Chief Judge is now tackling with a special call-over list.

The CHAIRMAN: The first part of the question is on notice.

Hon JOHN HALDEN: On page 755 the line item salaries and allowances shows an expected increase of some \$12m from this financial year to the next and then an expected increase of some \$500 000 in the financial year 2000-01. Will somebody provide me with a breakdown of the increases in the salaries and allowances from 1998-99 to 1999-2000 to 2000-01?

Mr MURPHY: The increase would be represented by the detail under the individual outputs throughout the budget

documentation. To do an analysis under the specific heading of salaries, we would need to provide supplementary information.

The CHAIRMAN: Do you wish to take that question on notice?

Mr PIPER: I am happy to answer it in general terms. The net increase in 1999-2000 of approximately \$12m, to which the member alluded, includes \$3.5m in global salaries, \$3.2m in employee entitlements, \$3.5m in increased salary funding for an increased number of FTEs which includes additional prison officers mainly, and \$1.7m in accrued salaries. They add up to \$11.9m. If additional detail is required, as has been previously indicated, we can provide it.

Hon JOHN HALDEN: Yes, please.

The CHAIRMAN: Will you provide that additional information?

Mr PIPER: Yes.

Hon JOHN HALDEN: On the same page, services and contracts shows an increase of \$20m from 1999-2000 to 2000-01. Exactly what is that increase broken down into?

Mr PIPER: The most significant increase in services and contracts is the provision for the operating cost of Acacia Prison with a provision in the next year of \$2.3m and then an increase of about \$20m that continues through the estimates.

Hon HELEN HODGSON: Some criticism has been levelled at the department in the past for not having readily available statistics about offenders and the programs that they are undertaking under adult offender management. That was part of the report tabled by the Chief Justice last year. What steps is the department taking to address that and to ensure it is able to track what is happening to individual prisoners?

Mr PIPER: I can give an initial response. A number of initiatives are tackling that range of information issues. The first and most significant, which has been present in the estimates now for a couple of years, is the introduction of a new information system for the whole of the prisons and community-based areas. It has the wonderful acronym of TOMS, or total offender management system. I do not think one could get a computer system unless it has an acronym. That system, which is due to be implemented later this calendar year, includes an integrated offender database. In simple terms that means that an electronic record will be kept across all of those program areas, showing the offenders, their identification, their individual management plans and their therapeutic and educational programs. It will be linked, although how has not yet been quite defined, to their medical status. That will enable us both in the context of adult and juvenile offenders to draw not only a much stronger pattern about total requirements in some of those areas but also reports which we are not easily able to provide at the moment because of the fragmented nature of the various systems.

The second most significant initiative being undertaken is the introduction of a reception induction centre at Canning Vale Prison. In March last year we received approval for a number of measures, including the reassignment of functions within the prison system, so that the current Canning Vale Prison proper will become the remand prison and the C.W. Campbell Remand Centre will become an induction centre. In the budget capital expenditure, significant capital is allocated for the construction of new gatehouse medical facilities and other supporting capabilities for that centre. Part of the new processes that make up the new remand induction reception centre will be a total on-reception assessment of prisoners. That will include issues such as their medical status and needs, their emotional status and needs, their programmatic needs, their education levels, and their skills and attributes needs and preferences. It will be used to form, for the first time, an up-front and integrated individual management plan for prisoners which will provide us with much better demand information on what is needed by prisoners. That will then be tracked through the various prisoners on their sentences, and it will enable us to manage the programmatic needs in a much more coordinated way across the whole prison population. Both initiatives are in the process of implementation, and they recognise the importance of some of the issues raised by the member.

[4.40 pm]

Hon HELEN HODGSON: When do you expect the total offender management system to come on-line?

Mr PIPER: The hardware and network capability for the TOM system is going into prisons now and is part way through implementation. As I understand it, the network and enabling hardware will be available in July. We are waiting on the test release of the core software, which we are expecting this month. On that basis, the system should be operational this calendar year. It takes some time to have it operating across all prisons and to take up all of the current offenders within the system. It will be available progressively on the schedule within the prison system, and after that within community based and some other areas in the ministry, between September and Christmas this year. It is a major active project that is being implemented currently.

Hon PETER FOSS: Useful statistics take some time to accumulate. Although we will have the ability to record this information, it will be some time before we will get anything useful from it.

Mr PIPER: The technology that the ministry has been using in this area of offender information dates from the mid 1980s. It is a generation of equipment that equates to the old IBM XT computer. It is very slow and has limited capacity; therefore, it is of limited use, even though we use it for some of the core operational capabilities of the system. This upgrade takes us to contemporary desktop technology and to modern computers to support it. Even though it will take time to get the statistics, it will be somewhat akin to turning on lights in a dark room; it ushers in a new era for the use of technology in the prison system.

Hon HELEN HODGSON: When the two programs are working, will the induction information then feed into the computer system so that you can track whether the programs are being delivered appropriately?

Mr PIPER: The system has the capability to track many prisoner attributes. It also can attach to each prisoner an individual management plan that can be not only identified and managed within the prison but also managed across prisons. The issue of prisoner transfer between various security levels - for instance, the assignment of a prisoner to the Acacia Prison - would mean that there would not be an interruption in the program. That program obligation would follow the prisoner within a managed context which the ministry would be able to both view and follow.

Hon DERRICK TOMLINSON: I refer to page 740 of the *Budget Statements*. The third point under the major initiatives for 1999-2000 states that the Bandyup Women's Prison will be refurbished. The table of capital works indicates that the total cost will be \$9m, with \$3m to be spent this financial year. I would not be putting too fine a point on it in saying that Bandyup is a very unsatisfactory facility. Cell block A, I think they call it, is a disgrace; that is the best way to describe it. My concern is that \$9m will be spent on a refurbishment. Does that indicate that the Ministry of Justice does not anticipate an early replacement of that facility?

Mr PIPER: It indicates the urgent need for some increased capability and better facilities within Bandyup. Realistically, by the time planning approvals and contracts were undertaken for a new women's facility, it would well and truly exceed the time it would take us to improve Bandyup. A number of initiatives are included within the \$9m, including additional accommodation, provision of program space and better medical facility areas. Everyone agrees that those facilities are urgently needed. The women at Bandyup should not have to wait until we have secured another site potentially and secured funding for a new prison. The budget recognises the special needs at Bandyup. We strongly support the expenditure in that location because of the urgent need.

Hon DERRICK TOMLINSON: Does the ministry have a plan for the replacement at some time and, if so, what is the possible time?

Mr PIPER: The whole issue of a forward plan for prisons is under active review currently. We expect to be in a position to project our longer term plan for the whole prison system. At the moment the issue is additional accommodation for women and where it might go. There are a number of options as to what will be done with that. We do not have a plan that is publishable at this stage, but we will have one later this calendar year. We hope and expect that that will receive the sort of debate it deserves, because it is a very important planning issue. It is the ministry's intention, as is the case in many other government departments and instrumentalities, to cast a long-range plan for prison accommodation and have the options well and truly on the table for discussion. That is an important step which we would like to see in place.

Hon PETER FOSS: We must have a 20 to 30-year program for prison building because, like any form of planning, that is the appropriate horizon.

The CHAIRMAN: Is the minister satisfied that there has been sufficient female input into the new construction plans at Bandyup Women's Prison?

Mr PIPER: That is an excellent question. As I understand it, the funding has been allocated on the basis of concepts. We do not have a plan in the sense of this is the building and this is what you will get. To the extent that consultation has been carried out to arrive at those estimates, the administrative and other support staff within the ministry - in the case of Bandyup, many are female - have been consulted on the needs of the Bandyup prison.

It would be our expectation that before the money is spent - in other words, at the point when we have a firm plan - there would be extensive consultation. We now have a broad range of people from within the community and Parliament who have a strong interest in women's imprisonment issues. It is appropriate that we have that discussion and I would welcome it.

[4.50 pm]

The CHAIRMAN: Bandyup prison was built for men. I have heard the comment in recent times that men are designing the new additions. If that is correct, I hope that it will be balanced by some female input.

Hon BARRY HOUSE: Many of us are aware of the Ministry of Justice's involvement in the Bibbulmun Track, through a memorandum of understanding with the Department of Conservation and Land Management. What has been done and what is planned?

Mr PIPER: The Bibbulmun Track program has a number of benefits. It incorporates a trial of a very small work camp concept built around about 12 prisoners. The benefit for the prisoners is that they use that for skills and work, input into the community and a form of transition, because those people are close to the end of their sentences. One of the issues with imprisonment, particularly with people who have been imprisoned for a long time, is that they become enculturated into the prison. A supervised transition program such as the work camps is an excellent opportunity within the prison context to start to re-acclimatise prisoners and to test their responsibility levels. That has certainly been the effect with the Walpole community and the Bibbulmun project, to the extent, for example, that the community at Walpole has been happy to have prisoners competing in the local basketball competition, and there has been much interaction at that level.

Input into the Bibbulmun Track in goods; labour within prisons and labour on the track represented a contribution by the ministry of almost \$1.5m in kind to what is an excellent tourist recreational facility for people in the metropolitan area, around Albany and the south west. It was extremely well received by local people. I was present at the opening of the Bibbulmun Track when the prisoners involved were presented with certificates. It was somewhat gratifying that the loudest

applause was for the contribution by the prisoners. Not that many of them will not continue to have problems in their lives but several prisoners expressed to me that it was the first time they had received any recognition in a public sense. That underlines the potential positives in the context of giving something back to the community and the transfer of skills in our arrangement with CALM, because it trains prisoners in the use of brush-cutters and other equipment, the repair of environmental damage within the forest, plus the provision of what has been recognised as a world-class facility. The success of that program in allowing us to pilot what amounts to a work camp concept for prisoners has led us to extend that concept. We are planning, as is noted within the budget, an additional four camps.

Hon PETER FOSS: One reason that we got it going is that I happened to be the Minister for the Environment and the Minister for Justice at the same time, and that sped things along a bit. The kit-type sheds were built by closed prisoners from Bunbury and Albany. I do not think that Casuarina Prison contributed to that. Work on the track was originally contributed by Woorloo, Karnup and Pardelup, on a day basis. The problem was that they could only go so far, so there were areas of the track that they could not reach. That is when I instigated work camps. We started off with Walpole. That work camp has worked out well in that we can use it across the State. As well as the \$1.5m that the Ministry of Justice contributed in kind, CALM was able to get federal matching funds so that the total contribution was about \$3m. That has been a good contribution to the people of Western Australia as they have not had to put in anything for themselves. It has worked out very well.

Mr PIPER: Mr Simpson will be able to give more operational detail if the member requires it.

Hon N.D. GRIFFITHS: Can you confirm that there are no closed-circuit television facilities at the Bunbury court complex? If so, when is it proposed to put in place such facilities? I suspect that you may wish to take my next question on notice. What courts do not have those facilities?

Hon PETER FOSS: I am glad that Hon Nick Griffiths asked that question, because the program relating to closed-circuit television and video conferencing is an important initiative that we have taken on. I ask Mr Foster to give the details.

Mr FOSTER: There is no closed-circuit television at Bunbury at this stage, but it is intended to introduce closed-circuit television facilities at Bunbury and Geraldton in September-October this calendar year. There is a program to roll out closed-circuit television and video links to all courts which are visited on a circuit basis; that is, where the Supreme and District Courts sit in regional Western Australia. Also, as an integral part of our capital works program, a new complex in South Hedland is to open in September this year. A feature of that complex is closed-circuit television and video links back to Perth. That is a feature of all new buildings. Any capital works will include closed-circuit television and video links back to Perth.

Hon PETER FOSS: It is a standard part of any Justice complex from now on.

Mr PIPER: The standards developed by courts and tested in conjunction mainly with the District Court are now found to be satisfactory in a technical sense and are being used across the ministry. They have been part of the successful video link trial and now are standard procedures through to Canning Vale Remand Centre. They will also be incorporated into each of the prisons, in particular in the Acacia Prison and in others, so that we create an integrated capability for video conferencing and extending the video capability not just for court use but for video visits for offenders' families in remote areas and a number of other administrative and procedural matters. The take-off has been extremely satisfying. It has had the full support of the judiciary and it is working extremely well. We are very pleased with it; it is a very good initiative.

Hon JOHN HALDEN: Could you provide this year's budget for Casuarina Prison?

Hon PETER FOSS: We will have to take that question on notice because we do not have the breakdown.

Hon JOHN HALDEN: I refer to page 738 of the *Budget Statements* and an issue that was raised in the Press recently - that is, output measures. The daily muster of 2 900 has already been exceeded by almost 100. The minister advised in the Press that there is a new, more accurate mechanism for predicting incarceration. I read in the article that by the end of the next financial year it is likely that there will be between 3 150 and 3 250 prisoners.

[5.00 pm]

Hon PETER FOSS: That is 3 400.

Hon JOHN HALDEN: It is 3 400 by June 2001.

Hon PETER FOSS: No. In June 2000, lower bound 3 150, upper bound 3 400; and in June 2001, lower bound 3 250, upper bound 3 600. It is an area within which we believe it will fall. Obviously, the upper bound of the early one could very well exceed the lower bound of the following year.

Hon JOHN HALDEN: Bearing in mind that it is in bounds, in what broad categories will the increases in incarceration be up to those levels?

Hon PETER FOSS: We have tried to get a number of models, because long term prisoner numbers seem to follow a steady trend. From time to time, that trend can be affected by fairly radical variations in the short term. We can find ways of predicting many things in the short term because it takes time for offenders to move their way through the system. If we gather statistics from the courts early enough, we can start predicting where those people will move through the system and how some changes will affect it. For instance, there are four new courts in the District Court. Short term that could bring forward the time when people go into jail, but long term it will not affect the numbers. We must have different models. We are able, for instance, to predict some of the things that are having an effect on prison musters at the moment. The single

most important factor has been a stricter breaching policy with regard to high-risk offenders. We have a process of identifying high-risk offenders and if they do certain things, they are breached and go back into jail. That is one of the cashflow type changes; it tends not to increase the total time people spend in prison but brings it forward. Some of the other factors identified and factored into this are an increase in the Court of Petty Sessions in the number of people being given custodial sentences, instead of other forms of sentence. That has been built into the system. Another factor that has had some effect is the use of suspended sentences. At the moment it is not having an impact but when it does, it will be a cashflow impact. Generally speaking, when people come back into the system under a breach of a suspended sentence, they get a concurrent sentence. That has not increased the amount of time people spend in jail.

Also, there has been an increase in the police clearance rate. That shows up in the system. Generally we can pick that up with the short-term model and factor that in. There has been an increase in average sentences for certain specific offences - those that the public are most concerned about, such as robbery and aggravated burglary. We have had a significant increase in detection of people driving under suspension. Booze buses are picking up multiple cases of people driving under the influence of alcohol. There has been a significant increase. Although it may look like an increase in DUI offences, it is really an increase in detecting those offences. These offences had been going undetected and unless the drivers killed someone or were involved in an accident they got away with it. It was a drastic way of finding out that the offence was prevalent.

Those are the major causes of the current increase in muster. Some are once off, some are cashflow and some are built in. We have had a steady increase, generally related to the number of people between the ages of 18 and 25 years in the community. There was a drop-off when the fines enforcement legislation came into operation. Some of it was a permanent drop-off and, for instance, the number of people in prison for non-payment of fines went from 6 000 to 600 a year. We think that is fairly stable but for a couple of years there were none because they were working their way through the process. That is now back in. Some will cause a lift in the rate, which will proceed at the same angle of increase but from a new base. Generally speaking, we are able to predict many things in the short term. In the long term it tends to be a much more steady amount but with changes caused by increases in sentencing, use of non-custodial penalties and increases in the lengths of sentences.

Hon JOHN HALDEN: I asked the Attorney whether he could provide the numbers in the model. I appreciate his answer. I was referring to the breakdown that makes up the whole.

Hon PETER FOSS: We have a predictive model which is updated every month and it might be worthwhile showing the member how the model works. Seeing it is not useful because it will give only a snapshot of one month. The member should probably see a demonstration of the model. Perhaps the committee and the member are interested in seeing it work.

The CHAIRMAN: Does the member want information provided to the committee?

Hon JOHN HALDEN: Yes I would like both.

Hon B.K. DONALDSON: I refer to one of the significant issues and trends listed at page 722 of the *Budget Statements*, that the District Court is experiencing considerable and consistent growth in both the civil and criminal jurisdictions of up to 30 per cent. At page 723 reference is made to the opening of four new District Courts. At page 727 the output measures indicate a very modest increase for the District Court from 10 000 to 10 100. I do not know whether that is because the four new courts will not be fully operational for a full year. At page 728 it is indicated that in the District Court, civil and criminal, there has been no change in the period allocated for trials. With that 30 per cent growth, it is hardly an exciting turnaround for getting people in and out of the courts. Has consideration been given to establishing a seven day District Court and a 24 hours a day Magistrate's Court?

Hon PETER FOSS: We have been carrying out an experiment at Midland, in response to public and other demands, to have a broader range of times when the courts are available. We have had a mixed response to that. People say it is a good idea, but they do not necessarily respond to it. As the basis of our experiment, we intend to increase the time availability of that court incrementally from the normal start time. Normally it starts at 10.00 am and we intend to bring that back to earlier in the day to see how it works. We have worked on a voluntary basis so far and everyone is wonderfully in favour of it, but not everyone is prepared to volunteer for it. There is room for much longer use of courts than is currently the case, but I will not open them 24 hours a day until I have determined, by practical experience, firstly, whether people will turn up and, secondly, whether their lawyers will turn up - there is not much point clients turning up if their lawyers are not there - and what the public demand is. We have also increased our registry services, and that seems to be worthwhile.

We could run the District Courts for seven days a week, but we certainly could not run the judges for any longer than we are currently, because not only must they sit in court but also they must write judgments, certainly in the civil area. Judges already work seven days a week, and I would not want them to need to sit in court seven days a week. We need to take into account also the cost of having everyone else work at weekends. We already pay a tremendous amounts of money to policemen for working out of hours and attending court. There is a bit of a trade-off. We can make greater use of our courts, but the legal profession is reasonably conservative and reactionary, and although I am working on that, it will take some time to find out how it will work. I will ask Mr Foster to comment on the four new courts, because you are missing the situation. A District Court functions very differently from a Magistrate's Court. The Chief Stipendiary Magistrate deals in his court on a Monday with possibly 1 000 people. It does not quite work that way in the District Court.

[5.10 pm]

Mr FOSTER: The estimate of 10 000 for 1998-99 and 10 100 for 1999-2000 is probably conservative, but we must bear in mind that notwithstanding the four additional criminal courts in the District Court, the chief judge now runs 12 criminal

courts on a daily basis, when last year he ran eight criminal courts on a daily basis. A judge can average only four trials per month, because the length of the trial is between two and four days; therefore, one judge can conduct only one trial per week. If we extrapolate out that figure, it is perhaps a bit conservative, but it is indicative of the increase in throughput. It may not appear to be much in numbers, but it certainly is in trial disposal.

Hon B.K. DONALDSON: The first paragraph at page 722 states that the District Court is experiencing considerable and consistent growth in both the civil and criminal jurisdictions of up to 30 per cent. Is that correct? Even four additional district courts will not be sufficient to cope with that increased growth.

Mr FOSTER: That figure of 30 per cent relates to an increase in the workload as at the end of April this year, compared with the corresponding period to the end of April last year. It is a bit early to determine whether that 30 per cent increase will be a trend. The backlog in the crime list in the District Court at April 1997 was 565 trials, in April 1998 was 710 trials and in April 1999 was 860 trials, which amounts to a delay of some 60 weeks in getting to trial. The four additional criminal courts will assist in overcoming that problem, but like any organisation we need to look at our resources from time to time.

Hon PETER FOSS: It is possible for Parkinson's law to apply to the legal system, but I would not say it ever applied to the District Court. The District Court has been quite remarkable in being able to take on an increasingly larger jurisdiction and more work without any major increase in the number of judges. However, I believe we will need to increase the number of judges in the District Court, and similarly in the Magistrate's Court, which has also been able to handle a large increase in throughput. The Supreme Court has been taking on a big increase in the size of cases at the top end. One of the reasons that I referred to the Law Reform Commission is that we may need to look at changing the law to stop what appears to be an unstoppable expansion in the size of litigation, because I do not believe we can afford it. I believe most of the community would object to the fact that most of this additional cost that is being placed on the court system is coming from people who are extremely wealthy. The majority of people who go through the court system go through the Magistrate's Court or the District Court. A far fewer number go through the Supreme Court. However, those people are using up our legal resources significantly.

The CHAIRMAN (Hon Mark Nevill): Last year's estimate for the Supreme Court was that 5 000 cases would be finalised. It appears that only 2 200 cases were completed. Is it not very difficult to predict the number of cases that will be finalised?

Hon PETER FOSS: That one was a bit predictable, because it has been increasing every year. However, we took probate cases out of that because the Auditor General asked for them to come out. Probate is generally a non-contentious and administrative procedure, and it was skewing the figures about individual cases. That has made a big difference to the accounting there.

Hon RAY HALLIGAN: I refer to page 747, and I ask my colleague Hon Bruce Donaldson not to get excited when I use that number. That was a private joke! Some additional costs are associated with the running of trustee services, which are said to reflect the adoption of a commercial approach to the provision of those services. I note from page 748 that the number of estates relative to the number of adult deaths in Western Australia has remained at a constant market share of 25 per cent. When do you believe that market share will increase?

Mr PIPER: The allocation in the budget for the Public Trust Office is an allocation to support a changed program within that office. As the member would probably be aware, the Public Trust Office has operated under an Act which is now very old, and until recently it operated almost all of its processing and services on a fully manual basis. Given the nature of its business in that it provides a mixture of administrative and financial services to a range of customers, the view has been taken that it is well overdue for changes to the legislation to support new working arrangements within the Public Trust Office. The budget supports a changed program in the Public Trust Office which will be directed towards greater efficiency in the provision of services. The majority of that allocation will be used to implement new systems, including new computing equipment, within the Public Trust Office to ensure that the recipients of service from the Public Trust Office receive an efficient and modern service.

Mr BRADLEY: Our market share is based primarily on how we can sell our products in the market. We are virtually restricted to the lower socioeconomic group. The more affluent members of the community use solicitors to handle their work. Our market share will probably remain at around 25 per cent. Our primary work these days is in the guardianship and protective areas.

Hon MURIEL PATTERSON: Mr Piper earlier referred to the prisoner work trials. I visited such a group in Walpole and talked with the prisoners, and the benefits to both the community and prisoners from such programs are vast. I sincerely hope that the work will be carefully extended; I mean by that that the prisoners will be chosen carefully so the public do not lose confidence in the excellent program. On suicide prevention, what action has the ministry taken to address self-harm and prisoners in distress?

[5.20 pm]

Mr PIPER: Members will be aware that from the early part of calendar year 1998 the ministry had a very significant and highly unacceptable problem with suicides in prisons. It was well publicised in the media and around the justice community, and it caused a great deal of distress and stress. In the later part of the last calendar year we implemented a suicide prevention and a prisoner-at-risk strategy in prisons in the State. This applied a team-based approach using all the professional support in and around prisons to identify prisoners at risk, and to install a constructive response at each of the prisons. This was workshopped at prison level to ensure that local responses matched the procedure in the prison and local capability. My discussions throughout the system, including those with prison officers at all levels and in all prisons, indicate

that it has been extremely well received. I would not claim that it is an issue one would take for granted; however, it seems that it has made a significant difference. I ask Mr Simpson to provide additional detail.

Mr SIMPSON: One of the two key strategies introduced as part of our at-risk management strategy to reduce suicide and self-harm was the establishment in every prison of at-risk prisoner assessment groups. This has been extremely useful. It has brought the health and related professions together with prison officers to form multi-disciplinary assessment teams. All relevant people within the prison system are involved in the identification of prisoners showing at-risk symptoms, and in the ongoing management of such prisoners until it is determined that the risk has subsided. This particularly involves prison officers who deal day to day with prisoners and other professional groups. It has been effective in achieving a continuum of surveillance and appropriate care and response.

Alongside this has been the opening of the crisis unit at Casuarina Prison, which is an extremely important facility in managing situations of acute risk. The intention in our building programs is to establish crisis care units in both Canning Vale and Bandyup prisons. In addition to the multi-disciplined case management approach, we will have three dedicated facilities for handling high-risk prisoners during the acute phase. A range of other management strategies are introduced alongside the two key initiatives to keep potential suicide and self-harm at the forefront of attention of those charged with managing the prisoners; therefore, a culture is developed to actively manage that aspect at all times. As the director general indicated, although one can never be complacent, we are reasonably assured of the results of that program. Only one death in custody attributable to suicide has occurred since the strategy was put in place last October.

Mr PIPER: Studies to date indicate that well over one-third of prisoners are maximum at risk of harm in the early stages of reception to prison. We expect the Canning Vale reception induction facility, with its increased intensive assessment and special crisis care and special medical and psychiatric management capability, to be a major step in the first phase of prison life. Everything we see indicates that these changes will be significant pluses. In addition to the crisis care facilities mentioned by Mr Simpson, the new Acacia Prison will also have a crisis care centre. They are becoming a standard feature in managing special groups in the broad spectrum of the prison system.

Hon PETER FOSS: I tie this in with changes to the remand system. Remand under the old system was a stressful event for prisoners: They were taken in a van into the court and placed in the holding cells for much of the day. They were dealt with, and often did not understand what was happening. They were taken back to prison, usually late in the day, and would often be in a very emotional state, especially if what they hoped for in court had not eventuated. The current system is far less stressful. The video system is applied. Better surroundings are provided. I took Hon John Halden's advice and now much better furniture, art works and televisions are provided, and generally people are kept occupied. A duty lawyer from Legal Aid is provided to explain what is happening. The net result is considerably reduced tensions at a very vulnerable time. It is one of many aspects in which we are trying to be more sensitive.

Hon MURIEL PATTERSON: What access does the ministry have to psychiatric services?

Mr PIPER: Strong coordination occurs between the Health Department and the prisons system for people at severe risk. Also, we have dedicated services within the prison system.

Mr SIMPSON: As well as the provision of GP services, the prison health services have a forensic psychiatrist whose speciality is working with prisoners with mental health problems. We have a strong relationship with the Health Department and the ability to refer any acute cases to the Franklin unit in Graylands Hospital. A comprehensive range of health services are available, including psychiatric services.

Hon HELEN HODGSON: What is the proportion of Aboriginal offenders referred to the juvenile justice teams relative to the overall statistics, and how does the success rate for Aboriginal juveniles compare with the overall rate?

Mr DALEY: I can give a general comment, and we will need to provide some material as supplementary information. The review of the young offender and juvenile justice teams conducted 12 months ago identified the lower rate of referral of Aboriginal young people to such teams than that for other young people. Recommendations were made to address that situation. I presently have the director of juvenile justice in the community area working on further material on that matter. We can provide that in detail as supplementary information.

[5.30 pm]

Hon BARRY HOUSE: Is it your department's responsibility to provide facilities for visitors to the Bunbury Regional Prison? If not, whose responsibility is it?

Mr PIPER: There are two issues concerning visitors; one is the visits provision within the prison, and the other is the processing of visitors outside the prison? To which are you referring?

Hon BARRY HOUSE: Outside the prison.

Hon PETER FOSS: It is a fairly longstanding issue. I recognise the question.

Hon BARRY HOUSE: As I understand it, no shelter or facilities are available for visitors.

Hon PETER FOSS: We have a specific place in the prisons for Outcare, Kindred or whoever it is outside the prison where families can go prior to the actual visiting hour. They can follow up on things such as family problems, people coming out of prison and so on. I accept that does not exist in Bunbury Regional Prison.

Mr SIMPSON: We are certainly aware that this has been an issue in Bunbury Regional Prison. No concrete plans are on

the books to create a facility outside the prison to deal with visitor issues, but some proposals have been informally canvassed.

Mr PIPER: It appears to us that a view has been held about a number of issues to do with regional imprisonment. History has delivered us a different standard of expectation for regional prisons from that which is acceptable in the metropolitan area. That applies for programs in industries, but also to things such as Outcare and visitor processing; that is a statewide issue. The member raises a very valid planning issue in respect of what we expect of imprisonment and how it should function. Mr Simpson was correct in that there are no concrete plans because everyone has generally accepted the status quo around the State. I do not mean there is general community acceptance, but somehow there is acceptance within the system that regional prisons are different. I believe that is a paradigm that should be challenged. In our planning of how we manage imprisonment, we should look at all of our regional prisons and have a view of what we expect of them.

Hon PETER FOSS: It is standard for building new prisons. I cannot think of any regional prison that has an area such as that; Roebourne Regional Prison might have.

Mr PIPER: Broome Regional Prison has some picnic tables underneath the trees.

Hon PETER FOSS: The facilities are not very good. Bandyup Women's Prison has accommodation which has been transported - I do not think it was designed to be transported. Casuarina Prison has an area which was built there. Acacia has a substantial one in the planning, but we are being slow in getting back to the regional prisons, which do not have any place for organisations such as Outcare or Kindred to operate or for the families to deal with them when they are trying to make contact with prisoners.

Hon BARRY HOUSE: I think you will find that some community organisations may be prepared to help with the provision of that facility as well.

Hon KEN TRAVERS: Are any officers present who know about the specifics of the Crown Solicitor's Office native title unit?

Mr PIPER: If it is a question similar to one asked in another place, I have an answer this time. I will wait for the question and I may be able to answer it.

Hon KEN TRAVERS: Is the increase in funding for the native title unit based on an expected increase in litigation by that unit as opposed to the negotiation of native title claims?

Hon PETER FOSS: It is due to known matters listed for litigation in the coming year; Injibandi, Nganawonka and the continuing Miriwung-Gajerrong case and also anticipated ADJR applications. The figures include the cost of briefing lawyers in the private sector as well as the engagement of independent experts.

Hon KEN TRAVERS: Is it intended to increase the number of staff in that unit?

Hon PETER FOSS: No, it is not a unit. The Crown Solicitor's Office handles legal matters for the Crown, either internally or externally. Most of this will be briefed and has been briefed in the past. We do not have a unit in the Crown Solicitor's Office for native title.

Hon KEN TRAVERS: Who will prepare the briefs for the counsel?

Hon PETER FOSS: The solicitors who are briefed.

The CHAIRMAN: Can you read any other questions you have into *Hansard* now?

Hon KEN TRAVERS: What is the structure of the Crown Solicitor's Office-native title unit, or if it is not a unit as such, the structure within the Crown Solicitor's Office for dealing with native title matters?

Hon PETER FOSS: It would be the same as it is for dealing with any other matter. We have lawyers in there whom we brief out or we do not brief out.

Hon KEN TRAVERS: Have you specifically recruited anybody for native title purposes?

Hon PETER FOSS: No, not that I am aware of. I can check that.

The CHAIRMAN: Put the question on notice.

Hon KEN TRAVERS: Has any restructuring taken place of the native title unit following the amendments to the Native Title Act last year? How many staff are employed in the CSO on native title matters? What is the Public Service level and tasks of each of these positions within the NTU? Is the CSO planning any retrenchments or recruitments for people dealing with native title matters over the next year? If so, how many recruitments and retrenchments have been made and at what level? What have been the staffing levels in the unit each year since its inception and what have been the Public Service level and tasks of each of those positions in previous years? What major projects is the Crown Solicitor's Office currently engaged in - I think that has already been answered. What are the specific litigation projects that the Crown Solicitor's Office is currently involved in? What are the numbers and Public Service levels of the staff allocated to these projects? What specific litigation projects is the Crown Solicitor's Office proposing to undertake in the next year? What are the numbers of staff, and the Public Service levels of the staff, that the Crown Solicitor's Office expects to allocate to each of these projects? If so, what are the expected areas of expertise of the people allocated to each of these projects? Does the Crown Solicitor's Office have a budget for hiring consultants? If so, how much is allocated for this purpose and how much of this allocation

is for hiring anthropologists, counsel for the bar, or other positions? How many applications have been or are expected to be made for review by the Federal Court of national native title tribunal decisions for claims under the registration tests of the Native Title Act?

Hon PETER FOSS: I think the answer will indicate that perhaps there is a misapprehension about how the Crown Solicitor's Office operates and about the native title unit, which is not a unit within the Crown Solicitor's Office. We will try to give an answer which makes some useful response. I think you will find that I have given most of the useful information in the information that I have already given you.

Hon JOHN HALDEN: I refer to the core function unit. I note allocations of \$7m in this year's budget and \$7m in each subsequent year in the forward estimates. The minister's comments today have made me aware that this project team has been in existence since 1996-97, at least. What were the budgets for 1996-97 and 1997-98?

[5.40 pm]

Hon PETER FOSS: Core functions was a project out of the Ministry of the Premier and Cabinet through the Public Sector Management Office. It was only when the Public Sector Management Office was disbanded that some sort of process of ministerial control had to be instituted. At that stage the Core Functions Committee proceeded to report to the Minister for Police and the Minister for Justice. I do not think that we ourselves ever got a core functions unit. The committee reports to us by way of ministerial accountability. What we are looking at in our budget is a provision for carrying out core functions rather than a core functions unit.

Mr PIPER: The allocations in the budget to which the member refers are not for the project team; they are the Ministry of Justice component associated with the phased implementation of the proposed contract.

Hon JOHN HALDEN: Which proposed contract?

Mr PIPER: The proposed contract for core functions. The provisions that the member quoted are, as it were, contract payments on the expectation that the core functions contract will be implemented. They represent a progressive implementation of that contract. The provisions for the project team, as I understand it, are certainly not within our budget but are still allocated to the Ministry of the Premier and Cabinet until the contract is awarded.

Hon JOHN HALDEN: Which contracts are you referring to?

Hon PETER FOSS: Contracts for the work. There is also a very major component for upgrading lockups. We have lockups of varying standards around the State. Most of them do not meet the standards that they should do. One of the requirements of this core functions project is to upgrade the lockups to an appropriate standard.

Hon JOHN HALDEN: What is the function of this particular project?

Mr PIPER: The project as it has been conceived takes a basket of services that have been variously provided by small contracts by prison officers or by police officers. These services relate to the transport of prisoners and/or the provision of custody and security services in the courts. Subject to Parliament's consideration of the necessary enabling legislation, it has been proposed that those will be contracted to release police officers primarily so that they can return to police functions. It is also to provide an integrated service on that boundary between police, prisons and the courts in a more holistic way, such that there is, as it were, a common and identifiable responsibility for that range of services which otherwise tend to fall into the gaps between those services. Those services are very amenable to proper scheduling and management and have been implemented in this way in South Australia and Victoria. That is the scope of the project.

Hon PETER FOSS: As an example, if a person is going through the court process and is in custody, he tends to be brought in from a jail to East Perth. He is then processed from East Perth to the central lockup. He then goes back from the central lockup to East Perth. When there are a sufficient number of people there, they go from East Perth back to prison. They pass from prison to police, police to court, court to police and police to prison. Quite apart from the obvious opportunities for things to go wrong in all of that, we are dealing with people who are often at that stage in a highly emotional state. They are often going to trial, getting judgments and being sentenced to significant amounts of jail. All during that interface they get processed by the various people who deal with them. The police have their method of assessing people who are likely to commit suicide and the prisons have theirs. These people are passed around from one system to another and the opportunities for a person's state of mind to be missed are quite high. Quite apart from any obvious savings of not having the person passed around and signed for, because all people in custody must be handed over and signed for, the whole problem of that person being dealt with as a person as opposed to an object is very difficult under our present circumstances where we pass responsibility from one to the other.

Another aspect is that we would like to have people who have been arrested by police passed into Justice's custody as soon as possible. There have always been concerns with people remaining in police custody for any length of time - the allegations are not necessarily true but they are there - that the police may use the opportunity while the person is in their custody to extract information or to otherwise deal with him. There have been some notorious cases. We think that it is in the interests of the police and the people in custody that they be passed into the hands of the Ministry of Justice as soon as possible after arrest.

Hon HELEN HODGSON: Are there any savings reflected anywhere in the Justice budget as a result of the \$7m core functions project?

Hon PETER FOSS: The most important thing about the project is not savings but efficiencies in the way we handle people.

The point I was making is that the present system is not satisfactory for anybody involved in it. It drives the police and the prisons people mad. Most importantly, everybody in the system finds it totally hard to deal with. We are trying to get people back to doing what they are trained for, so that even if we pay the same amount of money for somebody to look after a prisoner when confining him as we would having a policeman do it, we get a policeman back doing the job that he has been trained for. Our biggest single problem is that it is costing us policemen. We are hoping to get some money from it, but I would hate people to think that the only thing we are trying to get out of the system is the saving of some dollars. We are trying to get a better system first of all. If we save money on top of that, that will be good.

Hon HELEN HODGSON: That has not quite answered my question. You are including a further expense line of the \$7m, which I assume is the contract fee. If you are reallocating people because they are not doing that function anymore, are savings reflected in other places in the Justice budget?

Hon PETER FOSS: No. We have said all along that we are trying to get two things out of the project: We are trying to get policemen being policemen and prison officers being prison officers. To give an example, whenever a prisoner is taken anywhere, two prison officers are taken out of the system to escort him. That costs us a lot of money merely in running the operation because we usually must pay officers overtime, give meal allowances and all those sorts of things. We lose them from the system. The situation is similar with the police. What has been important in this whole system is that we will not take the budget off either prisons or the police. We want to keep those people operating the system to increase the number of police officers and prison officers and have the payment of the core functions project as a fresh budget allocation. Both Justice and Police have been quite insistent on that because we do not want to have a situation whereby we start this new project and still have the same effect of losing police officers and prison officers. We are putting certain costs in but they are fairly small.

Hon HELEN HODGSON: Remembering that I am only a humble accountant, basically by having \$7m taken out as a contract fee to the contractor, effectively resources are being increased in Justice and Police for salary lines.

Hon PETER FOSS: Precisely.

[5.50 pm]

Mr PIPER: In the first year it is expected that something like 93 police FTEs will be freed up. The spinoff effects of that are in the better administration of those duties for police officers as opposed to duties that can be provided by other people. In designing the services, rather than targeting a cost cutting or savings exercise across the board, it has been chosen to increase the service standards in a number of areas to deliver a better integrated service, rather than merely chasing savings in that context. There are reallocations of capability, and we are expecting and demanding a higher service standard within the contract framework. Rather than saying this is an opportunity to make service cuts or savings per se, we are trying to do it properly. That is a short answer, but a more complex briefing could be provided if required.

Hon HELEN HODGSON: Mr Chairman, can I write some questions for you to put on notice?

The CHAIRMAN: The member must have them ready before the end of the session.

Hon N.D. GRIFFITHS: My question is directed to Mr Bradley. Page 747 of the *Budget Statements* sets out the cost of the output of the Public Trustee. I note that for this financial year the figure is \$10.369m, and there are other figures on that page. How is it that the Public Trust Office pays \$15.1m to Treasury out of its common fund? I am referring to page 113 of the *Budget Statements*. Is any money from the common fund paid to any other agency, such as the Ministry of Justice, and if so, what is the basis for that?

Mr PIPER: I will give a preliminary response. The way that the current legislation is structured for the public trust is that there has been a longstanding provision for the payment of what is called surplus interest to Treasury. That has been the practice for many years. There are also prohibitions in how that fund might be used by the Public Trustee. It has been a longstanding practice that some of that money is returned to the Public Trust Office through allocations. Part of the reform to the proposed legislation is to put the common fund onto the same basis as any other trustee fund, so the fees that can be taken from it and the way it is managed is much more transparent for the benefit of the recipients of and the participants in the fund. That longstanding practice has been the result of the structure of the Act. It is considered to be unsatisfactory, and it is part of the reform package proposed for the legislation. Mr Bradley may be able to comment in more detail on the numbers that you have raised.

Hon PETER FOSS: We have allocated funds to allow the Public Trustee to modernise and operate more closely to the way in which the private trustee funds operate because, until now, it has been capable of being sustained by funds from Treasury, which rarely come out of the common fund. That is not appropriate and we will be removing that amount of money. The practice which has gone on for decades will then cease, and Treasury will cease to receive money from the common fund in the way it does currently.

Mr BRADLEY: Only \$3m of surplus common funds is transferred to the consolidated fund.

Hon PETER FOSS: That will mean a \$3m extra cost to government.

Hon SIMON O'BRIEN: My question relates to prison visitors. How many prison visitors are currently appointed to prisons in Western Australia?

Hon PETER FOSS: Are these official visitors?

Hon SIMON O'BRIEN: Yes.

Hon PETER FOSS: We will take that on notice.

The CHAIRMAN: I have a question relating to legal aid. If an accused person does not plead guilty, to what extent does legal aid contribute to that person's time in remand by the time it takes to make a decision in some cases? I ask the question after a letter by Brian Tennant in the *Subiaco Post* stated that when someone is on remand for a year, half of the time is spent waiting for the Legal Aid Commission of Western Australia to decide whether it will do the job.

Hon PETER FOSS: I am surprised by that. People may apply for legal aid, be rejected and then, for some reason, they will ask for Dietrich late in the piece. Many of the Dietrich applications have come after the matter has been listed for trial. It results in the matter being struck from the list and stayed while that goes through. That is a fairly lengthy process because it must then go through Cabinet. We then must go back to the Legal Aid Commission for an assessment of the appropriate costs and the grant of aid. With respect to blaming the Legal Aid Commission, Mr Lindsay will respond to that.

Mr LINDSAY: We have a very quick turnaround time. It is often the case that prisoners do not apply for legal aid as they should until shortly before the trial date. Often that is the reason that they are at trial and they claim that they have not had a response from Legal Aid. They may not have put in the application until the day before, but even then, if "urgent" is marked on it and there is a trial date, we endeavour to respond right away.

Hon N.D. GRIFFITHS: This may interfere with some of the efficiencies which the Legal Aid Commission has been asked to take on. Has the commission given thought to sending lawyers out to places of incarceration to pick up these prisoners earlier in the piece? That could lead to savings in the system as a whole, and perhaps the Attorney General might give the Legal Aid Commission more money next year.

Hon PETER FOSS: Under the new process we are trying to get people to apply for legal aid at a much earlier stage. I can say with some confidence that many of the Dietrich applications are extremely late. People often apply for legal aid late. They then apply to the court for a stay after they have been rejected by the Legal Aid Commission, and the process rattles on. As part of the new legal aid Act, we hope to put people up front in terms of that. The problem is that we cannot make people apply for legal aid, but we give them encouragement to apply early for Dietrich.

Hon N.D. GRIFFITHS: My question relates to output 10 on page 746, which deals with the guardian of last resort. The cost of the output last year was \$249 000. This year it has increased to \$360 000, and it will increase to \$368 000 the following year. What part of that increase can be attributed to the Commonwealth's nursing home policies?

Mr PIPER: I am happy for that question to go on notice. The considerable increase in staffing within the Public Advocate's Office was related in part to expectations due to that legislation and the general increase in the demand for services to elderly people within the community. However, it has not been possible to highlight a specific effect of that one matter. The service that the office provides is extremely highly regarded and has been well received with the extra staffing.

Hon PETER FOSS: The commonwealth change was an opportunity to use it as an excuse to beef up the services considerably.

Committee adjourned at 6.02 pm
